

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY**

DEPT: Planning and Community Development

BOARD AGENDA:5.D.1

AGENDA DATE: October 1, 2019

**SUBJECT:**

Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2019 Edition, of the California Building Standards Code and to Set a Public Hearing on November 5, 2019, at the 9:00 A.M. Meeting, to Waive the Second Reading and Adopt the Ordinance

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2019-0616**

On motion of Supervisor Berryhill, Seconded by Supervisor Chiesa,  
and approved by the following vote,

Ayes: Supervisors: Chiesa, Berryhill, DeMartini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: Olsen

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

**MOTION:** INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE C.S. 1257

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Planning and Community Development

BOARD AGENDA:5.D.1

AGENDA DATE: October 1, 2019

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

---

**SUBJECT:**

Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2019 Edition, of the California Building Standards Code and to Set a Public Hearing on November 5, 2019, at the 9:00 A.M. Meeting, to Waive the Second Reading and Adopt the Ordinance

**STAFF RECOMMENDATION:**

1. Find that the proposed ordinance is exempt under the provision of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3).
2. Introduce and waive the first reading of the ordinance amending Title 16 of the Stanislaus County Code and adopting by reference the California Code of Regulations Title 24, 2019 Edition, of the California Building Code.
3. Set a Public Hearing on November 5, 2019, at the 9:00 a. m. meeting, to waive the second reading and adopt the ordinance.
4. Authorize the Clerk of the Board of Supervisors to make available for public review the proposed ordinance and publish a notice of hearing as required by Government Code sections 50022.3, 50022.6, and 6066.

**DISCUSSION:**

The California Building Standards Commission (BSC), an entity within the California Consumer Services Agency, develops the California Building Standards Code known as the California Code of Regulations (CCR) Title 24. Cities and counties are required by state law to enforce the CCR Title 24 (Health and Safety Code sections: 17950, 17958, 17960, 18938(b), 18941, 18941.5, 18945, and 18948).

The BSC develops the State's Building Standards by amending the existing model codes, known as the International Building Codes, which are enforced nationally, and publishes the amendments along with the body of the model codes in twelve parts. The BSC adopted and approved the 2019 Edition of the California Building Standards, CCR Title 24, Parts: 1, 2, 2.5, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 on January 15 and 16, 2019, published them on July 1, 2019, and they will become effective on January 1, 2020. Attached to this item, see Attachments 1 and 2, are the official bulletins issued by the

BSC to the local jurisdictional Building Officials and other interested parties. The bulletin provides the local jurisdictions with the statewide effective date, availability of the code, and the notification of enforcement responsibility.

The list of CCR Title 24 is provided below:

Part 1, 2019 California Administrative Code

Part 2, 2019 California Building Code, Vol. 1 and Vol. 2

Part 2.5, 2019 California Residential Code

Part 3, 2019 California Electrical Code

Part 4, 2019 California Mechanical Code

Part 5, 2019 California Plumbing Code

Part 6, 2019 California Energy Code

Part 7, *Vacant, formerly California Safety Construction Code (see Cal. Code Regs., Title 8)*

Part 8, 2019 California Historical Building Code

Part 9, 2019 California Fire Code

Part 10, 2019 California Existing Building Code

Part 11, 2019 California Green Building Standards Code

Part 12, 2019 California Referenced Standards Code

The BSC publishes and adopts the CCR Title 24, in its entirety, every three years; commonly referred to as the triennial code cycle. The proposed ordinance, with specific minor modifications, will supersede and expressly repeal Stanislaus County Ordinance Number 1128 and amend Title 16 of the Stanislaus County Code to adopt the entire 2019 CCR Title 24 with the exception of Parts 7 and 9 of the approved standards. CCR Title 24, Part 9, 2019 Fire Code, will be presented for adoption by Stanislaus County Fire Warden's Office and Part 7 is currently vacant. The proposed ordinance amendment is provided as Attachments 3 and 4, in both clean and track changes versions.

The BSC does not mandate the adoption of specific administrative provisions within the model codes. Therefore, cities and counties must adopt ordinances specifically stating how they will administer the State's Building Standards. This allows local jurisdictions to make changes appropriate to each jurisdiction's need. As an example, this proposed ordinance amends the 2019 California Building Code, Chapter 1, Division II, Scope and

Administration, in order to bring it in line with the County's business practices. Such adoptions and an express finding statement must be filed with the BSC, but the majority of such changes are administrative in nature and do not constitute substantive amendments to Building Standards Code.

Per Health and Safety code section 17958.7, each jurisdiction may draft requirements that are more restrictive than that mandated by the CCR Title 24 due to local topographic, geological, or climatic conditions. The only substantive changes to the code from that which was adopted by the BSC relates to our local adoption of Measure X, a local voter initiative entitled, "Primary and Secondary Sewage Initiative" approved by the voters of Stanislaus County in June 1990. Measure X requires that any urban development in the unincorporated areas of Stanislaus County occur only in conjunction with primary and secondary sewage treatment and is more restrictive than the building standards contained in the 2019 BSC. In accordance with Health and Safety Code section 17958, the Board of Supervisors must make the findings contained in the proposed ordinance that such changes are reasonably necessary due to local climatic, geological, or topographical conditions. Measure X is currently adopted in the Stanislaus County Code section 16.10.040 and is appearing in this amendment for update and informational purposes.

As mentioned above, this code is mandated by the State and passed down to the local jurisdictions to enforce without funding. Staff is currently investing resources through training and the purchase of books in order to enforce and implement the mandatory measures, efficiently, and in the least evasive means possible for the building community.

There are two State level additions to this triennial code cycle adoption to be highlighted: the need for a Photovoltaic (solar) system on all new residential dwellings and the adoption of Appendix Q- Tiny Homes.

The proposed 2019 California Energy Code, set forth by the California Energy Commission, is projected to create a dwelling that is seven percent more energy efficient for than one built and developed under the 2016 code cycle. In comparison, a dwelling built to the 2016 code was 30% more efficient than one built in 2013. The most noteworthy change in the standards is the requirement of a solar system on all newly constructed dwellings beginning January 1, 2020. The intent of these systems is to substantially reduce a dwelling's impact on the utility grid, by an estimated 53%, by ultimately providing electrical generation equal to that of the dwelling's annual electrical need. The size of the system needed is specifically dependent on the dwelling's size, but the average system size needed in our County's, based on our location in Climate Zone 12, is 3.1 kilowatt (kw). This equates, on average, to a system containing approximately 10 solar panels (approximately three feet by four feet in size) per dwelling.

The State of California's Department of Housing and Community Development officially adopted several appendices in this intervening triannual code cycle. One of the appendices is "Appendix Q - Tiny Homes." This appendix relaxes various requirements in the body of the California Residential Code as they apply to dwelling units that are:

400 square feet in area or less; constructed on-site; not constructed on a chassis with axles; placed on a foundation; and permanent in nature and affixed in relation to the real property. Appendix Q specifically addresses special design features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and emergency escape and rescue opening requirements at lofts. The building code still does not recognize the residential use of tiny homes constructed on a chassis with axles; such units are treated similar to recreational vehicles and travel trailers.

Local amendments to this triennial code cycle include clarification on the allowed uses of unoccupied agricultural buildings added to Appendix C of the State Buildings Standards Code. The U-3 and U-4 classifications, which are a locally recognized classification, allow for a larger square footage building than what would be allowed under the State Buildings Standards Code. The clarification recognizes that the allowance for these classifications is for private use of the agricultural buildings by the property owner and do not extend to commercial applications where the building is a place of human occupancy or as a place of employment.

Adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that, pursuant to CEQA Guidelines section 15061(b)(3), there is no possibility that the ordinance may have a significant effect on the environment.

In accordance with Government Code section 50022.3, the Board of Supervisors must schedule a public hearing after the first reading of the title of the proposed ordinance. A copy of the 2019 CCR Title 24 is available for review at the Stanislaus County Planning and Community Development Department located at 1010 10th Street, Suite 3400. The 2019 CCR Title 24 is also available on the BSC's website:  
<https://www.dgs.ca.gov/BSC/Codes>

#### **POLICY ISSUE:**

An update to Title 16 of the Stanislaus County Code is mandated as a result of the State's update to the CCR. Up to date building standards, reflecting local business practices, are necessary to ensure the development of a safe and healthy community.

#### **FISCAL IMPACT:**

The cost of preparing and implementing the proposed ordinance amendment, including public notices, purchasing of new code books, and staff training are covered through the Planning Department's Building Permits Special Revenue Fund existing appropriations.

#### **BOARD OF SUPERVISORS' PRIORITY:**

Approval of this action supports the Board of Supervisors priority of *Developing a Healthy Economy and Delivering Efficient Public Services & Community Infrastructure* by implementing the latest 2019 Building Standards Code, through incorporation of local amendments reflecting the County's business practices, necessary to ensure development of a safe and healthy community.

**STAFFING IMPACT:**

Staff is required to undertake training as a result of the BSC's adoption of the 2019 Edition of the California Building Standards. Staff will participate in training opportunities offered by International Code Council (ICC) and California Building Officials (CALBO).

**CONTACT PERSON:**

Angela Freitas, Planning and Community Development Director, (209) 525-6330

Denny Ferreira, Planning and Community Development Building Official,  
(209) 525-6557

**ATTACHMENT(S):**

1. California State Building Standards Commission Information Bulletin 19-04
2. California State Building Standards Commission Information Bulletin 19-05
3. Proposed 2019 Title 16 Ordinance Amendment (Clean Version)
4. Proposed 2019 Title 16 Ordinance Amendment (Track Changes Version)



DEPARTMENT OF GENERAL SERVICES

GOVERNOR GAVIN NEWSOM

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959

## CALIFORNIA BUILDING STANDARDS COMMISSION INFORMATION BULLETIN 19-04

**DATE:** June 24, 2019

**TO:** LOCAL BUILDING DEPARTMENTS  
STATE AGENCIES AND DEPARTMENTS  
CBSC INTERESTED PARTIES

**SUBJECT:** 2019 California Building Standards Code – Now Available

This bulletin provides information regarding the publication of the 2019 California Building Standards Code, including the effective date and application, availability and enforcement responsibility. Information concerning emergency building standards is also addressed herein.

The 2019 California Building Standards Code, Title 24, California Code of Regulations (Title 24) will be published on or before July 1, 2019 and is now available for purchase.

### **Effective Date and Application of the 2019 California Building Standards Code**

January 1, 2020 is the statewide effective date established by the California Building Standards Commission (CBSC) for the 2019 California Building Standards Code. In accordance with California Health and Safety Code, Section 18938.5, all applications for a building permit submitted on or after January 1, 2020 are subject to compliance with the 2019 California Building Standards Code. CBSC [Information Bulletin 19-03](#) issued May 23, 2019 provides valuable information relative to permit issuance and the time duration of permits.

The 2016 California Building Standards Code remains in effect and is applicable to all plans and specifications for, and to construction performed where the application for a building permit is received on or before December 31, 2019.

## **Availability of the 2019 California Building Standards Code**

The 2019 edition of Title 24 may be purchased from the following publishers:

- International Code Council (ICC)  
[ICC Online Store](http://shop.iccsafe.org): shop.iccsafe.org  
Telephone: ICC Store (800) 786-4452
- International Association of Plumbing and Mechanical Officials (IAPMO)  
[IAPMO Online Store](http://www.iapmomembership.org): www.iapmomembership.org  
Telephone: (909) 472-4208
- National Fire Protection Association (NFPA)  
[NFPA Online Store](http://www.nfpa.org): www.nfpa.org  
Telephone: (800) 344-3555

## **Enforcement Responsibility**

Title 24 is the minimum standard established in law for the design and construction of buildings and structures in California. State law mandates that local government enforce these regulations, or local ordinances with qualified reasonably necessary and generally more restrictive building standards than provided in the California Building Standards Code.

Exceptions are building standards applicable to hospitals, state buildings, public schools and colleges that are subject to enforcement by state agencies. For detailed information regarding enforcement responsibilities refer to Chapter 1, Division 1, commencing with Section 1.1, of the California Building Code, Part 2, Volume 1 of Title 24.

References in law pertaining to enforcement responsibility include but are not limited to Health and Safety Code Sections 17950, 17958.7, 17960, 18938 and 18941.5.

Additional information may be found in CBSC's guide [It's your Building Department](#) which was developed to help elected officials and executive managers of city and county governments understand the responsibilities of their building department that are established in state law.

## **Amendment by Local Ordinance**

Local ordinances that amend Title 24 building standards are subject to requirements of California law and must be enacted and filed for each edition of Title 24. Ordinances generally must exercise more restrictive standards than the building standards approved/adopted by the commission. These amendments must be filed and accepted, as appropriate, with CBSC, the Department of Housing and Community Development or the State Historical Building Safety Board before they are enforceable at the local level. CBSC's [Information Bulletin 19-05](#), being issued shortly, contains additional information and resources to assist local jurisdictions with the local ordinance filing requirements.

References in law pertaining to local ordinance adoption include but are not limited to Health and Safety Code Sections 13143.5, 17950, 17958, 17958.5, 17958.7, 18938, 18941.5 and 18959. The [Local Code Ordinances webpage](#) on CBSC's website has a number helpful resources including the 2019 edition of the [Guide for Local Amendments of Building Standards](#), examples of ordinances that were filed in accordance with state law, and the updated *California Code Adoption for Local Jurisdictions* webinar.

## **Significant Changes to Title 24**

Following are some significant changes in the 2019 edition of Title 24. For matters not listed here, please refer to the margin markings in the new publication, which identify deletions from and additions to the code.

- Part 1 California Administrative Code (CAC)**

The 2019 CAC, Chapter 1 was amended by CBSC to include requirements for filing and the processing of appeals and petitions, a new section to address certification of delegation of authority, new provisions to address the readoption of emergency building standards, and a new requirement for state adopting agency submittals. Additionally, the Office of Statewide Health Planning and Development (OSHPD) added new definitions and abbreviations for seismic performance categories to Chapters 6 and 7.

- Part 2 California Building Code (CBC)**

The 2019 CBC is based on the 2018 International Building Code (IBC). OSHPD relocated its remaining provisions from Chapter 34A pertaining to existing structures to the 2019 California Existing Building Code (CEBC), Part 10, Title 24.

- Part 5 California Plumbing Code (CPC)**

The 2019 CPC is based on the 2018 Uniform Plumbing Code (UPC). Chapters 15 and 16, pertaining to alternate water sources and rainwater catchment, in the 2018 UPC were significantly reorganized, specific to alternative water sources for non-potable applications and rainwater catchment systems. Amendments have been made to address the reorganization of the model code.

- Part 10 California Existing Building Code (CEBC)**

The 2019 CEBC is based on the 2018 International Existing Building Code. Chapters 3 and 4 pertaining to all compliance methods and prescriptive compliance methods were significantly reorganized, therefore it was necessary for the various state agencies that adopt and amend those chapters to propose amendments accordingly. As previously noted herein, the remainder of the California amendments affecting building standards for existing structures are now located within the 2019 CEBC.

Note: In previous publications the California Historical Building Code (Part 8) and the CEBC (Part 10) were made available in the back of the CBC Volume 2 binder. The 2019 California Building Standards Code publication combined Parts 8, 10 and 12 (the California Referenced Standards Code) into one binder in an effort to make the codes more user-friendly and manageable.

## **Emergency Building Standards**

Emergency building standards were adopted into the 2016 California Building Standards Code and carried forward to the 2019 California Building Standards Code as follows:

- **The Office of Statewide Health Planning and Development (OSHPD)**

Emergency building standards contained in rulemaking file number OSHPD EF 01/18 will allow hospitals to apply for seismic safety upgrade extensions pursuant to AB 2190 (Chapter 673, Statutes of 2018). AB 2190 authorizes OSHPD to promulgate emergency regulations.

OSHPD proposed emergency administrative standards for the 2016 California Administrative Code, Part 1, Title 24, California Code of Regulations. These regulations were carried forward to the 2019 California Administrative Code, Part 1, Title 24, California Code of Regulations with additional modifications to align with changes related to new acronyms OSHPD 1R and 5, describing the types of facilities that each acronym applies, were added throughout the 2019 edition of the California Building Standards Code.

- **The Department of Housing and Community Development (HCD)**

Emergency building standards contained in rulemaking file number HCD EF 01/18 modify both the California Building Code and the California Residential Code by adding appendix chapters for local adoption to address emergency shelter housing.

Pursuant to AB 932 (Chapter 786, Statutes of 2017) HCD created emergency regulations via appendix chapters to create a consistent and available source of information by which local agencies may develop emergency housing or shelter ordinances, and to provide consistent standards for HCD to perform its review of local jurisdiction emergency shelter housing ordinance provisions. See the information bulletin issued by HCD at the following link: [HCD Information Bulletins](#) <http://hcd.ca.gov/information-bulletins.shtml>. Upon arrival at the HCD website, select the State Housing Law accordion, select *Information Bulletin 2018-05 (SHL, FBH, CM) – Emergency Housing - Permanent Adoption of Emergency Regulations Effective December 7, 2018 for 2016 California Building Code and 2016 California Residential Code*.

Questions or comments regarding the subject of this information bulletin should be directed to this office at either (916) 263-0916 or [email CBSC](#).



Mia Marvelli  
Executive Director

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959

## CALIFORNIA BUILDING STANDARDS COMMISSION INFORMATION BULLETIN 19-05

**DATE:** June 24, 2019

**TO:** LOCAL BUILDING DEPARTMENTS  
STATE AGENCIES AND DEPARTMENTS  
CBSC INTERESTED PARTIES

**SUBJECT:** **Applicability of California Building Standards and Local Government Amendments**

This bulletin supersedes all other information bulletins previously issued by the California Building Standards Commission (CBSC) on this subject. This information bulletin serves to bring attention to requirements of state law establishing the application of the California Building Standards Code in Title 24 of the California Code of Regulations (Title 24), and how local government must enforce its provisions as applicable, may enact more restrictive requirements for local conditions, and adopt administrative regulations and approve alternatives.

### Referenced State Law and Code

All state laws referenced herein may be viewed at the [California Legislative Information website](http://leginfo.legislature.ca.gov/) <http://leginfo.legislature.ca.gov/>. The thirteen parts of the California Code of Regulations, Title 24 may be accessed through the [California Building Standards Commission website](https://www.dgs.ca.gov/BSC) <https://www.dgs.ca.gov/BSC>. Referenced California Code of Regulations, Title 25, and provisions may be viewed at the [Office of Administrative Law website](https://oal.ca.gov/) <https://oal.ca.gov/>.

### Applicability

The applicability of Title 24 is identified in the California Health and Safety Code (HS Code), which is state law. Within the HS Code there are two bodies of law addressing the application of Title 24. First is the California Building Standards Law, HS Code, Section 18901 et seq. found in Division 13, Part 2.5, and the second is the State Housing Law, HS Code, Section 17950 found in Division 13, Part 1.5. These provisions of law establish that Title 24 as published by the California Building Standards Commission and incorporating the latest editions of selected model codes

is the applicable code for all occupancies throughout the state, not the model codes by themselves. (The term “occupancy” as used in the California Building Standards Code is the method of classifying all buildings as to their designated use as structures).

Additionally, the Department of Housing and Community Development has adopted regulations implementing the State Housing Law in the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1 (Title 25) for residential structures subject to the State Housing Law. These regulations, Title 24, and the requirements of the State Housing Law, are applicable in all parts of the state.

### **Local Government Adoption of Title 24 by Ordinance**

- Title 24 is applicable to all occupancies throughout California, whether or not the local government takes an affirmative action to adopt Title 24. HS Code, Sections 17950 and 18938(d).
- The State Housing Law requires local building department enforcement of the Law, building standards, and implementation of regulations of the Department of Housing and Community Development for residential structures. HS Code, Sections 17950 and 18948.
- Local government should work closely with its legal counsel to develop an adopting ordinance pursuant to Government Code, Section 50020, et. seq., express findings for any amendment of Title 24, and provide for enforcement of Title 24.

### **Amendment by Local Ordinance**

Local governments may amend the building standards, including the adoption of appendices, contained in Title 24 for all occupancies, and the regulations of the Department of Housing and Community Development in Title 25 applicable to residential structures. The provisions of law that permit these local government amendments contain subtle differences.

Local governments may also adopt other model codes, such as the Uniform Swimming Pool, Spa and Hot Tub Code, providing the adoption of such model codes does not conflict with state law, building standards or other adopted California regulations.

### **Local Government Amendments under the Building Standards Law**

The Building Standards Law takes a straightforward approach to amendments by local governments. HS Code, Section 18941.5.

- The governing body of the local government must make express findings that amendments to the building standards, including green building standards and

adoption of appendices, contained in Title 24 are necessary because of local climatic, geological or topographical conditions. HS Code, Sections 17958.7 and 18941.5.

- The local government amendments must provide a more restrictive building standard, including green building standard, than that contained in Title 24. HS Code, Section 18941.5.
- The amendments are not effective until copies of both the express findings and the amendments, with the amendments expressly marked and identified as to the applicable findings, have been filed with the California Building Standards Commission. HS Code, Section 17958.7.

### **Local Government Amendments under the State Housing Law**

The State Housing Law provides for amendment of building standards related to residential construction and for amendment of Title 25.

- The governing body of the local government must make an express finding that amendments to either the building standards, including green building standards and the adoption of appendices, for residential construction contained in Title 24, or the regulations of the Department of Housing and Community Development contained in Title 25, are reasonably necessary because of local climatic, geological or topographical conditions. HS Code, Sections 17958, 17958.5 and 17958.7. There is an exception in Title 25, Section 52 to the requirement for an express finding where alternate abatement procedures are determined by the local enforcement agency to be the equivalent of those contained in Title 25.
- Unlike the California Building Standards Law, there is no specific requirement in the State Housing Law that local government amendments provide either more restrictive building standards, including green building standards, than those contained in Title 24, or more restrictive regulations than those contained in Title 25. However, Title 24 provisions are the minimum standards, thus local amendments must be equivalent or more restrictive, but not less restrictive. HS Code, Sections 17958, 17958.5 and 17958.7.
- The amendments are not effective until copies of both the express findings and the amendments, with the amendments expressly marked and identified as to the applicable findings, have been filed with the California Building Standards Commission. HS Code, Section 17958.7.

### **Local Government Amendments under the Fire Protection District Law of 1987**

Local government amendments to building standards in Title 24 adopted by the State Fire Marshal for fire and panic safety that are more stringent are permitted under this

provision of state law for fire protection districts organized under HS Code, Division 12, Part 2.7. Again, there are differences in how these amendments are implemented.

- The "governing body" shall be deemed to be the district board and the district shall be deemed to be the local agency. HS Code, Section 13869.7.
- The district board must make an express finding that amendments to building standards for fire and panic safety that are contained in Title 24 are necessary because of local climatic, geological or topographical conditions. HS Code, Section 13869.7.
- The district is required to notify the city, county, or city and county where the amendments will apply of the proposed amendments, and receive their comments. HS Code, Section 13869.7.
- Upon adoption by the district, the amendments are required to be presented for ratification to the city, county, or city and county where it will apply. HS Code, Section 13869.7.
- The amendment is not effective until ratification by the city, county, or city and county. Copies of both the express findings and the amendments, with the amendments expressly marked and identified as to the applicable findings, must be filed with the Department of Housing and Community Development by the city, county, or city and county where it will apply, along with the adopting ordinance and any findings of the city, county, or city and county. HS Code, Sections 17950, 17958.7 and 18941.5.

### **Filings with the California Building Standards Commission**

Filings submitted to the California Building Standards Commission (CBSC) are reviewed and processed in the following manner:

- The absence of a filing with CBSC of local government amendments implies that Title 24 is applicable within that local jurisdiction, without amendment. HS Code, Sections 17950, 17958.7 and 18941.5

Local ordinances that only adopt Title 24 by reference without amendments need not be filed with the California Building Standards Commission or the Department of Housing and Community Development. Refer to HS Code, Section 18909 regarding a local regulation that is not deemed a building standard.

- CBSC may acknowledge in writing acceptance of the filings by local governments that meet the requirements of HS Code, Section 17958.7.
- CBSC is not authorized by law to evaluate the merits of the express findings of a local government as to the local climatic, geological or topographical conditions necessitating its amendments.

- CBSC will reject, in writing, the filings by local governments proposing to adopt and amend model codes. Only Title 24, incorporating model codes and including California amendments by the state agencies, and the related regulations of the Department of Housing and Community Development, are subject to adoption and amendment by local governments. HS Code, Sections 17958, 17958.5 and 17958.7.
- The California Building Standards Commission may reject, in writing, the filings by local governments where no express findings are submitted with proposed amendments. No express findings may be deemed to have been submitted under the following circumstances:
  - There is, in fact, no express findings submitted with the proposed amendments. HS Code, Section 17958.7.
  - The proposed amendments are not expressly marked and identified as to the applicable express findings. HS Code, Sections 17950 and 18941.5.
  - There is no evidence by signature(s), certification of the city/county clerk, transmittal letter or other reasonable means to validate that the express findings were a lawful action of the governing body of the local jurisdiction.

CBSC requests that electronically filed ordinances submitted to CBSC be provided in an accessible readable PDF (Portable Document Format) or that a website URL be provided that serves as a link to the ordinance(s) posted on the local jurisdiction's website. This is so that persons with disabilities can readily access and read the filings. California Government Code, Section 7405 enacted through Senate Bill 1442 (Liu, Chapter 870, Statutes of 2016) requires that state agencies comply with the accessibility requirements of the Federal Rehabilitation Act of 1973 and regulations implementing that Act. Electronic filings received by CBSC that are not accessible must be reformatted for posting on CBSC's website. Local jurisdiction assistance in this regard will help to avoid complications in making the filings readily available to the disability community.

### **Local Administrative Ordinances**

Local regulations necessary to carry out procedures by a city, county, or city and county relating to civil, administrative, or criminal procedures and remedies available for enforcing code violations, and that do not establish building standards, may be enacted without meeting the requirements of HS Code, Sections 17958, 17958.5, 17958.7 and 18941.5.

However, amendments to administrative provisions in Title 24 that relate to the implementation or enforcement of a building standard that do not have express findings that each amendment is reasonably necessary because of local climatic, geological, topographic or environmental conditions and/or are not expressly marked is reason for rejection of the filing.

An example of an amendment of an administrative requirement necessitating an express finding is where a local ordinance changes when a permit is required by modifying the height provision for a fence. The administrative provisions of Title 24 do not require a permit for fencing not over 7' in height. A local ordinance changing the height requirement to 6' necessitates a permit, and compliance with design provisions (building standards) would be mandatory, thereby implementing or enforcing a building standard.

### **Local Approval of Alternatives**

Local building departments have authority under HS Code, Section 17951(e) to allow alternative materials and methods of construction that are not specifically adopted in Title 24. Said section is from the State Housing Law with application to the design and construction of hotels, motels, lodging houses, apartments, condominiums and dwellings. Thus, an alternative material or method of construction not specifically adopted in Title 24 may be approved on a case-by-case basis for residential structure construction under the conditions stated in HS Code, Section 17951(e), without the need for a local ordinance or code amendment.

### **Additional Resources**

The [Local Code Ordinances webpage](#) on CBSC's website has a number of helpful resources including the 2019 edition of the [\*Guide for Local Amendments of Building Standards\*](#), examples of acceptable ordinances that were filed in accordance with state law, and the *California Code Adoption for Local Jurisdictions* webinar which is in the process of being updated and expected to be available by July 1, 2019. This webinar is a joint effort with the California Building Standards Commission, California Building Officials Association and the International Code Council. We highly recommend reviewing the guide and updated webinar after reading this bulletin, as these additional resources provide an in-depth overview of required ordinance filings with numerous state agencies and the approval of certain building standards such as amendments to the California Energy Code, Part 6 of Title 24.

Questions or comments regarding the contents of this information bulletin should be directed to CBSC's staff at either (916) 263-0916 or [email CBSC](#).



Mia Marvelli  
Executive Director

ORDINANCE NO. C.S.

**AN ORDINANCE AMENDING TITLE 16 OF THE STANISLAUS COUNTY  
CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF  
REGULATIONS TITLE 24, 2019 EDITION, OF THE CALIFORNIA BUILDING  
STANDARDS CODE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE  
OF CALIFORNIA ORDAINS AS FOLLOWS:

**Section 1.** Section 16.00.020 of the Stanislaus County Code is amended  
to read as follows:

**"16.00.020 Conflicting Provisions**

The provisions of this title are to operate in conjunction with the provisions of the California Building Code 2019 Edition Part 2, Volumes 1 and 2; the California Building Code Appendices as adopted; the California Residential Code 2019 Edition Part 2.5; the California Residential Code Appendices as adopted; the California Plumbing Code, 2019 Edition Part 5; the California Electrical Code, 2019 Edition Part 3; the California Mechanical Code, 2019 Edition Part 4; the California Energy Code 2019 Edition Part 6; California Historical Building Code 2019 Edition Part 8; the California Existing Building Code 2019 Edition Part 10; the California Green Building Standards Code 2019 Edition Part 11; the California Referenced Standards Code 2019 Edition Part 12 and the International Property Maintenance Code 2006 Edition. Whenever any provision of this chapter is in conflict with the provisions of the California Building Code, 2019 Edition; the California Building Code Appendices as adopted; the California Residential Code 2019 Edition; the California Residential Code Appendices as adopted; the California Plumbing Code, 2019 Edition; the California Electrical Code, 2019 Edition; or the California Mechanical Code, 2019 Edition, the provisions of this title shall govern."

**Section 2.** Section 16.00.040 of the Stanislaus County Code is amended  
to read as follows:

**"16.00.040 Enforcement**

The Chief Building Official is authorized and directed to enforce all the provisions of this title in accordance with the provisions of 2019 California Building Code Chapter 1, Scope and Administration, Division I, California Administration, Section 1.8.3 and Division II, Scope and Administration Section 104."

**Section 3.** Section 16.05.010 of the Stanislaus County Code is amended to read as follows:

**"16.05.010 California Building Code and Appendixes Adopted**

Except as hereafter changed or modified, the California Building Code, as published by the International Code Council, 2019 Edition, Part 2, Volume 1, Chapter 1, Division II Scope and Administration and Part 2, Volume 2, Appendix "C" "Group U - Agricultural Buildings", Appendix "H" "Signs", and Appendix "J" "Grading", are adopted by reference and incorporated in this Chapter 16.05 as if fully set forth herein, and shall be known and referred to as the Building Code of the County. A copy of said code, together with all adopted appendices, shall be kept and maintained by the Building Official for use and examination by the public."

**Section 4.** Section 16.05.020 of the Stanislaus County Code is amended to read as follows:

**"16.05.020 Amendment of the California Building Code, 2019 Edition, Chapter 1, Division II Scope and Administration.**

A. Section 105.1 Permits, is amended to read:

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the Building Official and obtain the required permit.

B. Section 105.1.1 Annual Permits, is deleted in its entirety.

C. Section 105.1.2 Annual Permits Records, is deleted in its entirety.

D. Section 105.2 Work Exempt from Permit, is amended to add the following paragraph under "Building":

14. Produce Stands as defined in Stanislaus County Ordinance Section 21.90.020, which have less than 120-sq. ft. (11.15m<sup>2</sup>) floor area.

E. Section 110.3.5 delete the following sentence: "Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly."

F. Section 111.2 is amended to delete the following paragraphs:

10. The design occupant load.
  11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
- G. Section 113 Board of Appeals, is deleted in its entirety."

**Section 5.** Section 16.05.040 of the Stanislaus County Code is amended to read as follows:

"16.05.040 Amendment of California Building Code, Appendix C Group U Agricultural Buildings

The 2019 California Building Code Appendix C, Group U-Agricultural Buildings is hereby adopted and amended to read as follows:

- A. Section C101.1 Scope, is amended to read:

The provisions of this appendix shall apply exclusively to the private use of agricultural buildings by the property owner. Such buildings shall be classified as U-3 and U-4 and shall include the following uses:

U-3 Classifications

1. Milking Barns
2. Poultry Buildings
3. Nut Hulling and/or Drying
4. Barns, where the use is incidental and accessory to the use of the subject property for farming purposes
5. Private stables

U-4 Classifications:

1. Livestock shelters, including shade structures
2. Barns, Private stables
3. Horticultural structures (greenhouse and crop protection)
4. Storage of equipment and machinery used exclusively in agriculture

- B. Section C101.2 is added to read as follows:

U-3 Unoccupied Agricultural Buildings. A U-3 Unoccupied Agricultural Building is an enclosed building designed and constructed to house farm implements, hay, grain, poultry, livestock or other agricultural products.

U-4 Unoccupied Agricultural Buildings. A U-4 Unoccupied Agricultural Building is a building limited to one story, which does not have a work station or repair shop

and is used exclusively for the storage of crops, feed, farm equipment or as an animal shade structure. Such a building must be open on one or more sides; have no more than a 100-amp electrical service; and have no plumbing.

U-3 and U-4 Unoccupied Agricultural Buildings shall not be a place for human occupancy or as a place of employment. Agriculture products shall not be processed, treated, or packaged; nor shall it be a place used by the public.

C. Section C101.3 is added to read as follows:

Earthquake loads. Agricultural structures classified as U-4 and intended only for incidental human occupancy are exempt from earthquake design to resist the effects of earthquake motion pursuant to California Building Code Section 1613.1, exception 3.

D. Section C101.4 is added to read as follows:

Special Inspections. Special Inspections and tests of structural elements and components of Group U Agricultural building shall meet the applicable requirements of Section 1705 of the 2019 California Building Code, Part 2, Volume 2 of 2.

E. Section C101.5 is added to read as follows:

Garages and repair shops are not unoccupied agricultural buildings per the U-3 or U-4 occupancy classification as set forth herein.

F. Section C102.2 One-Story Unlimited Area, is amended to read as follows:

The area of a one-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18288 mm) in width.

G. Section C102.3 Two-Story Unlimited Area, is amended to read as follows:

The area of a two-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18 288 mm) in width and is provided with an approved automatic sprinkler system throughout in accordance with Section 903.3.1.1.”

**Section 6.** Section 16.10.010 of the Stanislaus County Code is amended to read as follows:

“16.10.010 California Plumbing Code Adopted

The 2019 California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 2018 Edition, Chapter 1 Division II Administration sections 104.2 and Appendices A, D, H and I are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Plumbing Code for the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 7.** Section 16.10.020 of the Stanislaus County Code is amended to read as follows:

“16.10.020 Appendix H, is added to read as follows: H 101.12—Private sewage disposal.

Appendix H 101.12 allows alternative systems. For purposes of this code, “primary and secondary on-site wastewater treatment systems” and “individual aerobic systems” are considered alternative systems and are subject to the following conditions:

Operation and Maintenance. In those areas within the county where individual primary and secondary on-site wastewater treatment systems are required, it shall be unlawful for any person who owns or operates such a system to permit the system to be improperly operated or maintained in a manner inconsistent with the design and operation specifications of that system.”

**Section 8.** Section 16.10.030 of the Stanislaus County Code is amended to read as follows:

“16.10.030 Appendix H, California Plumbing Code.

A. Appendix H, Section H 601.0 Disposal Fields, Table H 601.9 General Disposal Field Requirements of the California Plumbing Code is superseded by the general disposal field requirements set forth in the document titled “Guidance to the Construction and Operation of On-Site Wastewater Treatment Systems,” and amendments and revisions thereto adopted by and on file with the Department of Environmental Resources.

B. Appendix H, Table H 101.8 Location of Sewage Disposal System of the California Plumbing Code is superseded by the minimum horizontal setbacks set forth in the document titled “Guidance to the Construction and Operation of On-Site Wastewater Treatment Systems,” and amendments and revisions thereto adopted by and on file with the Department of Environmental Resources.”

**Section 9.** Section 16.15.010 of the Stanislaus County Code is amended to read as follows:

“16.15.010 California Electrical Code Adopted

The 2019 California Electrical Code, as published by the National Fire Protection Agency 2017 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Electrical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 10.** Section 16.20.010 of the Stanislaus County Code is amended to read as follows:

“16.20.010 California Mechanical Code and Appendices Adopted

The 2019 California Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, 2018 Edition. Chapter 1 Division II Administration Sections 104.2 are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Mechanical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 11.** Section 16.30.010 of the Stanislaus County Code is amended to read as follows:

“16.30.010 California Historical Building Code Adopted

The California Historical Building Code, as published by the International Code Council, 2019 Edition and Appendix A, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Historical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 12.** Section 16.35.010 of the Stanislaus County Code is amended to read as follows:

“16.35.010 California Existing Building Code Adopted

The California Existing Building Code, as published by the International Code Council, 2019 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Existing Building Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 13.** Section 16.45.030 of the Stanislaus County Code is amended to read as follows:

“16.45.030 Authority to Disconnect Service Utilities

Section 112 of the 2019 California Building Code, Chapter 1 Division II Scope and Administration, Section 112.3 "Authority to disconnect service utilities" is amended to read as follows:

The Chief Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code in case of an emergency where necessary to eliminate an immediate hazard to life or property. The Chief Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, of the decision to disconnect prior to taking such action under the following conditions:

- A. There is an immediate hazard to life or property
- B. Continued use of public utilities present a hazard to life or property
- C. The public interest is served by removing the utilities
- D. The lack of maintenance presents a hazard to life or property
- E. The utilities contribute to the structure being an active nuisance
- F. The structure has been posted "UNSAFE TO OCCUPY", and the disconnection of the utilities will deter illegal reoccupation of the structure
- G. Modifications have been made to a structure or equipment and said modification create a hazard to life or property."

**Section 14.** Section 16.50.060 of the Stanislaus County Code to read as follows:

"16.50.060 Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the report entitled "Flood Insurance Study For the Unincorporated Areas of Stanislaus County," dated September 2008, and accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), dated September 2008, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this chapter. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the board of supervisors by the floodplain administrator. The study, FIRMs and FBFMs are on file at the County Administration Building, Planning & Community Development Department 1010 10<sup>th</sup> Street, Modesto, California."

**Section 15.** Section 16.60.010 of the Stanislaus County Code is amended to read as follows:

"16.60.010 California Referenced Standards Code Adopted

The California Referenced Standards Code, as published by the International Code Council, 2019 Edition, is adopted by reference and incorporated in this

Chapter as if fully set forth herein, and shall be referred to as the Referenced Standards Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 16.** Section 16.65.010 of Stanislaus County Code is amended to read as follows:

“16.65.010 California Energy Code and Appendixes Adopted

The California Energy Code, as published by the International Code Council, 2019 Edition, and Appendices 1-A and 1-B is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Energy Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 17.** Section 16.70.010 of the Stanislaus County Code is amended to read as follows:

“16.70.010 California Residential Code Adopted and Appendixes Adopted

Except as hereafter changed or modified, the California Residential Code, as published by the International Code Council, 2019 Edition, Chapter 1, Division II Administration Sections R105.2 and Section R109.1 through R109.1.6.2 except R109.1.2, Appendices “H” “Patio Covers”, “Q” “Tiny Homes”, “S” “Strawbale Construction”, “W” Areas Protected by the Facilities of the Central Valley Flood Protection Plan”, “X” Emergency Housing are adopted by reference and incorporated in this Chapter 16.70 as if fully set forth herein, and shall be referred to as the California Residential Code of the County. A copy of said code, together with all adopted appendices, shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 18.** Section 16.80.010 of the Stanislaus County Code is amended to read as follows:

“16.80.010 California Green Building Standards Code Adopted

Except as hereafter changed or modified, the 2019 California Green Building Standards Code is adopted by reference and incorporated in this Chapter 16.80 as fully set forth herein, and shall be referred to as the California Green Building Standards Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 19.** Findings for Changes, Modifications and Additions to the California Building Standards

Various provisions of this ordinance contain changes, modifications and additions to the 2019 Edition of the California Building Standards Code. Many changes

are administrative in nature and do not constitute changes or modifications to requirements contained in the California Building Standards Code.

Pursuant to California Health and Safety Code Section 17958.5, 17958.7 and 18941.5 the Board of Supervisors hereby expressly finds that all of the changes and modifications to the California Building Standards Code made by this ordinance, and which are not merely administrative changes, are reasonably necessary because of local climatic, geological or topographical conditions in Stanislaus County as more particularly described in the table set forth below.

Ordinance Section	Condition	Findings
Section 16.10.020	Geologic	In June 1990, Measure X, a local voter initiative entitled, "Primary and Secondary Sewage Initiative" was approved by the voters of Stanislaus County. The measure took effect July 13, 1990, and requires that any urban development in the unincorporated areas of Stanislaus County occur only in conjunction with primary and secondary sewage treatment. Ordinance code sections 16.10.020, 16.10.030, and 16.10.040 implement the requirements of Measure X and modify the requirements of the California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 2019 Edition, Chapter 1 Division II Administration sections 104.2 and Appendices A, D,H and I .
Section 16.10.030	and	Ordinance Code Section 16.10.30, Appendix H, was modified to include "Guidance to the Construction and Operation of On-Site Wastewater Treatment Systems" by the Department of Environmental Services effective May 13, 2018 per Ord. CS 1187
Section 16.10.040	Topographic	

**Section 20.** References in County forms, documents and regulations to the former adopted Title 16 of the Stanislaus County Code, shall be construed to apply to the most current and adopted corresponding provisions contained within Title 16 of the Stanislaus County Code. Stanislaus County Ordinance No. 1182 and all other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

**Section 21.** This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the

Modesto Bee, a newspaper published in the County of Stanislaus, State of California in accordance with Government Code section 25124(b)(1).

Upon motion of Supervisor \_\_\_\_\_ seconded by Supervisor \_\_\_\_\_, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following-called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

---

Terrance Withrow, Chairman  
of the Board of Supervisors of the  
County of Stanislaus, State of California

ATTEST:

ELIZABETH A. KING, Clerk of the  
Board of Supervisors of the County of Stanislaus,  
State of California

By

Pamela Villarreal, Assistant Clerk

APPROVED AS TO FORM:

Thomas E. Boze  
County Counsel,

By

  
Todd James  
Deputy County Counsel

## ORDINANCE NO. C.S.

**AN ORDINANCE AMENDING TITLE 16 OF THE STANISLAUS COUNTY  
CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF  
REGULATIONS TITLE 24, 2019 EDITION, OF THE CALIFORNIA BUILDING  
STANDARDS CODE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

**Section 1.** Section 16.00.020 of the Stanislaus County Code is amended to read as follows:

**"16.00.020 Conflicting Provisions**

The provisions of this title are to operate in conjunction with the provisions of the California Building Code 20196 Edition Part 2, Volumes 1 and 2; the California Building Code Appendices as adopted; the California Residential Code 20196 Edition Part 2.5; the California Residential Code Appendices as adopted; the California Plumbing Code, 20196 Edition Part 5; the California Electrical Code, 20196 Edition Part 3; the California Mechanical Code, 20196 Edition Part 4; the California Energy Code 20196 Edition Part 6; California Historical Building Code 20196 Edition Part 8; the California Existing Building Code 20196 Edition Part 10; the California Green Building Standards Code 20196 Edition Part 11; the California Referenced Standards Code 20196 Edition Part 12 and the International Property Maintenance Code 2006 Edition. Whenever any provision of this chapter is in conflict with the provisions of the California Building Code, 20196 Edition; the California Building Code Appendices as adopted; the California Residential Code 20196 Edition; the California Residential Code Appendices as adopted; the California Plumbing Code, 20196 Edition; the California Electrical Code, 20196 Edition; or the California Mechanical Code, 20196 Edition, the provisions of this title shall govern."

**Section 2.** Section 16.00.040 of the Stanislaus County Code is amended to read as follows:

**"16.00.040 Enforcement**

The Chief Building Official is authorized and directed to enforce all the provisions of this title in accordance with the provisions of 20196 California Building Code Chapter 1, Scope and Administration, Division I, California Administration, Section 1.8.3 and Division II, Scope and Administration Section 104."

**Section 3.** Section 16.05.010 of the Stanislaus County Code is amended to read as follows:

“16.05.010 California Building Code and Appendixes Adopted

Except as hereafter changed or modified, the California Building Code, as published by the International Code Council, 201~~96~~ Edition, Part 2, Volume 1, Chapter 1, Division II Scope and Administration and Part 2, ~~Volumes~~ 2, ~~;~~, Appendix “C” “Group U - Agricultural Buildings”, Appendix “H” “Signs”, and Appendix “J” “Grading”, are adopted by reference and incorporated in this Chapter 16.05 as if fully set forth herein, and shall be known and referred to as the Building Code of the County. A copy of said code, together with all adopted appendices, shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 4.** Section 16.05.020 of the Stanislaus County Code is amended to read as follows:

“16.05.020 Amendment of the California Building Code, 201~~96~~ Edition, Chapter 1, Division II Scope and Administration.

A. Section 105.1 Permits, is amended to read:

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed~~done~~, shall first make application to the ~~b~~Building ~~e~~Official and obtain the required permit.

B. Section 105.1.1 Annual Permits, is deleted in its entirety.

C. Section 105.1.2 Annual Permits Records, is deleted in its entirety.

D. Section 105.2 Work Exempt from Permit, is amended to add the following paragraph under "Building":

14. Produce Stands as defined in Stanislaus County Ordinance Section 21.90.020, which have less than 120-sq. ft. (11.15m<sup>2</sup>) floor area.

E. Section 110.3.5 delete the following sentence: "Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly."

F. Section 111.2 is amended to delete the following paragraphs:

10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.

| G. Section 113 Board of Appeals, is deleted in its entirety.”

**Section 5.** Section 16.05.040 of the Stanislaus County Code is amended to read as follows:

“16.05.040 Amendment of California Building Code, Appendix C Group U Agricultural Buildings

| The 2019 California Building Code Appendix C, Group U-Agricultural Buildings is hereby adopted and amended to read as follows:

A. Section C101.1 Scope, is amended to read:

| The provisions of this appendix shall apply exclusively to the private use of agricultural buildings by the property owner. Such buildings shall be classified as U-3 and U-4 and shall include the following uses:

U-3 Classifications

1. Milking Barns
2. Poultry Buildings
3. Nut Hulling and/or Drying
4. Barns, where the use is incidental and accessory to the use of the subject property for farming purposes
5. Private stables

U-4 Classifications:

1. Livestock shelters, including shade structures
2. Barns, Private stables
3. Horticultural structures (greenhouse and crop protection)
4. Storage of equipment and machinery used exclusively in agriculture

B. Section C101.2 is added to read as follows:

U-3 Unoccupied Agricultural Buildings. A U-3 Unoccupied Agricultural Building is an enclosed building designed and constructed to house farm implements, hay, grain, poultry, livestock or other agricultural products.

U-4 Unoccupied Agricultural Buildings. A U-4 Unoccupied Agricultural Building is a building limited to one story, which does not have a work station or repair shop

and is used exclusively for the storage of crops, feed, farm equipment or as an animal shade structure. Such a building must be open on one or more sides; have no more than a 100-amp electrical service; and have no plumbing.

**U-3 and** U-4 Unoccupied Agricultural Buildings shall not be a place for human occupancy or as a place of employment. Agriculture products shall not be processed, treated, or packaged; nor shall it be a place used by the public.

~~Garages and repair shops are not unoccupied agricultural buildings.~~

C. Section C101.3 is added to read as follows:

Earthquake loads. Agricultural structures classified as U-4 and intended only for incidental human occupancy are exempt from earthquake design to resist the effects of earthquake motion pursuant to California Building Code Section 1613.1, exception 3.

D. Section C101.4 is added to read as follows:

Special Inspections. Special Inspections and tests of structural elements and components of Group U Agricultural building shall meet the applicable requirements of Section 1705 of the 201~~96~~ California Building Code, Part 2, Volume 2 of 2.

**E. Section C101.5 is added to read as follows:**

~~Garages and repair shops are not unoccupied agricultural buildings per the U-3 or U-4 occupancy classification as set forth herein.~~

**FE.** Section C102.2 One-Story Unlimited Area, is amended to read as follows:

The area of a one-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18288 mm) in width.

**GF.** Section C102.3 Two-Story Unlimited Area, is amended to read as follows:

The area of a two-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18 288 mm) in width and is provided with an approved automatic sprinkler system throughout in accordance with Section 903.3.1.1.”

**Section 6.** Section 16.10.010 of the Stanislaus County Code is amended to read as follows:

“16.10.010 California Plumbing Code Adopted

The 201~~96~~85 California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 201~~85~~85 Edition, Chapter 1 Division II Administration sections 104.2 and Appendices A, D, H and I are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Plumbing Code for the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.”

**Section 7.** Section 16.10.020 of the Stanislaus County Code is amended to read as follows:

“16.10.020 Appendix H, is added to read as follows: H 101.12—Private sewage disposal.

Appendix H 101.12 allows alternative systems. For purposes of this code, “primary and secondary on-site wastewater treatment systems” and “individual aerobic systems” are considered alternative systems and are subject to the following conditions:

Operation and Maintenance. In those areas within the county where individual primary and secondary on-site wastewater treatment systems are required, it shall be unlawful for any person who owns or operates such a system to permit the system to be improperly operated or maintained in a manner inconsistent with the design and operation specifications of that system.”

**Section 8.** Section 16.10.030 of the Stanislaus County Code is amended to read as follows:

“16.10.030 Appendix H, California Plumbing Code.

A. Appendix H, Section H 601.0 Disposal Fields, Table H 601.9 General Disposal Field Requirements of the California Plumbing Code is superseded by the general disposal field requirements set forth in the document titled “Guidance to the Construction and Operation of On-Site Wastewater Treatment Systems,” and amendments and revisions thereto adopted by and on file with the Department of Environmental Resources.

B. Appendix H, Table H 101.8 Location of Sewage Disposal System of the California Plumbing Code is superseded by the minimum horizontal setbacks set forth in the document titled “Guidance to the Construction and Operation of On-Site Wastewater Treatment Systems,” and amendments and revisions thereto adopted by and on file with the Department of Environmental Resources.”

**Section 9.** Section 16.15.010 of the Stanislaus County Code is amended to read as follows:

“16.15.010 California Electrical Code Adopted

The 201~~96~~ California Electrical Code, as published by the National Fire Protection Agency 201~~74~~ Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Electrical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public."

**Section 10.** Section 16.20.010 of the Stanislaus County Code is amended to read as follows:

"16.20.010 California Mechanical Code and Appendices Adopted

The 201~~96~~ California Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, 201~~85~~ Edition. Chapter 1 Division II Administration Sections 104.2 are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Mechanical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public."

**Section 11.** Section 16.30.010 of the Stanislaus County Code is amended to read as follows:

"16.30.010 California Historical Building Code Adopted

The California Historical Building Code, as published by the International Code Council, 201~~96~~ Edition and Appendix A, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Historical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public."

**Section 12.** Section 16.35.010 of the Stanislaus County Code is amended to read as follows:

"16.35.010 California Existing Building Code Adopted

The California Existing Building Code, as published by the International Code Council, 201~~96~~ Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Existing Building Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public."

**Section 13.** Section 16.45.030 of the Stanislaus County Code is amended to read as follows:

"16.45.030 Authority to Disconnect Service Utilities

| Section 112 of the 20196 California Building Code, Chapter 1 Division II Scope and Administration, Section 112.3 "Authority to disconnect service utilities" is amended to read as follows:

The Chief Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code in case of an emergency where necessary to eliminate an immediate hazard to life or property. The Chief Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, of the decision to disconnect prior to taking such action under the following conditions:

- A. There is an immediate hazard to life or property
- B. Continued use of public utilities present a hazard to life or property
- C. The public interest is served by removing the utilities
- D. The lack of maintenance presents a hazard to life or property
- E. The utilities contribute to the structure being an active nuisance
- F. The structure has been posted "UNSAFE TO OCCUPY", and the disconnection of the utilities will deter illegal reoccupation of the structure
- G. Modifications have been made to a structure or equipment and said modification create a hazard to life or property."

**Section 14.** Section 16.50.060 of the Stanislaus County Code to read as follows:

"16.50.060 Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the report entitled "Flood Insurance Study For the Unincorporated Areas of Stanislaus County," dated September 2008, and accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), dated September 2008, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this chapter. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the board of supervisors by the floodplain administrator. The study, FIRMs and FBFMs are on file at the County Administration Building, Planning & Community Development Department 1010 10<sup>th</sup> Street, Modesto, California."

**Section 15.** Section 16.60.010 of the Stanislaus County Code is amended to read as follows:

"16.60.010 California Referenced Standards Code Adopted

| The California Referenced Standards Code, as published by the International Code Council, 20196 Edition, is adopted by reference and incorporated in this

Chapter as if fully set forth herein, and shall be referred to as the Referenced Standards Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public."

**Section 16.** Section 16.65.010 of Stanislaus County Code is amended to read as follows:

"16.65.010 California Energy Code and Appendixes Adopted

The California Energy Code, as published by the International Code Council, 20196 Edition, and Appendicesix 1-A and 1-B is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Energy Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public."

**Section 17.** Section 16.70.010 of the Stanislaus County Code is amended to read as follows:

"16.70.010 California Residential Code Adopted and Appendixes Adopted

Except as hereafter changed or modified, the California Residential Code, as published by the International Code Council, 20196 Edition, Chapter 1, Division II Administration Sections R105.2 and Section R109.1 through R109.1.6.2 except R109.1.2, Appendices Appendix "H" "Patio Covers", "Q" "Tiny Homes", "S" "Strawbale Construction", "W" Areas Protected by the Facilities of the Central Valley Flood Protection Plan", "X" Emergency Housing are adopted by reference and incorporated in this Chapter 16.70 as if fully set forth herein, and shall be referred to as the California Residential Code of the County. A copy of said code, together with all adopted appendices, shall be kept and maintained by the Building Official for use and examination by the public."

**Section 18.** Section 16.80.010 of the Stanislaus County Code is amended to read as follows:

"16.80.010 California Green Building Standards Code Adopted

Except as hereafter changed or modified, the 20196 California Green Building Standards Code is adopted by reference and incorporated in this Chapter 16.80 as fully set forth herein, and shall be referred to as the California Green Building Standards Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public."

**Section 19.** Findings for Changes, Modifications and Additions to the California Building Standards

Various provisions of this ordinance contain changes, modifications and additions to the 2019 Edition of the California Building Standards Code. Many changes

are administrative in nature and do not constitute changes or modifications to requirements contained in the California Building Standards Code.

Pursuant to California Health and Safety Code Section 17958.5, 17958.7 and 18941.5 the Board of Supervisors hereby expressly finds that all of the changes and modifications to the California Building Standards Code made by this ordinance, and which are not merely administrative changes, are reasonably necessary because of local climatic, geological or topographical conditions in Stanislaus County as more particularly described in the table set forth below.

Ordinance Section	Condition	Findings
Section 16.10.020	Geologic	In June 1990, Measure X, a local voter initiative entitled, "Primary and Secondary Sewage Initiative" was approved by the voters of Stanislaus County. The measure took effect July 13, 1990, and requires that any urban development in the unincorporated areas of Stanislaus County occur only in conjunction with primary and secondary sewage treatment. Ordinance code sections 16.10.020, 16.10.030, and 16.10.040 implement the requirements of Measure X and modify the requirements of the California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 2019 Edition, Chapter 1 Division II Administration sections 104.2 and Appendices A, D,H and I .
Section 16.10.030	and	Ordinance Code Section 16.10.30, Appendix H, was modified to include "Guidance to the Construction and Operation of On-Site Wastewater Treatment Systems" by the Department of Environmental Services effective May 13, 2018 per Ord. CS 1187
Section 16.10.040	Topographic	

**Section 20.** References in County forms, documents and regulations to the former adopted Title 16 of the Stanislaus County Code, shall be construed to apply to the most current and adopted corresponding provisions contained within Title 16 of the Stanislaus County Code. Stanislaus County Ordinance No. 1182 and all other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

**Section 21.** This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the

Modesto Bee, a newspaper published in the County of Stanislaus, State of California in accordance with Government Code section 25124(b)(1).

Upon motion of Supervisor \_\_\_\_\_ seconded by Supervisor \_\_\_\_\_, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2016, by the following-called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

---

Terrance Withrow, Chairman  
of the Board of Supervisors of the  
County of Stanislaus, State of California

ATTEST:

ELIZABETH A. KING, Clerk of the  
Board of Supervisors of the County of Stanislaus,  
State of California

By \_\_\_\_\_  
Pamela Villarreal, Assistant Clerk

APPROVED AS TO FORM:

Thomas E. Boze  
County Counsel

By \_\_\_\_\_  
Todd James  
Deputy County Counsel

**STANISLAUS COUNTY  
NOTICE OF PUBLIC HEARING  
2019 BUILDING CODE ADOPTION**

NOTICE IS HEREBY GIVEN that on November 5, 2019, at 9:00 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to hold a public hearing to consider the adoption of an Ordinance amending Title 16 of the Stanislaus County Code, and adopting by reference the California Code of Regulations Title 24, 2019 Edition, of the California Building Standards Code. This ordinance amends those sections of Title 16 of the Stanislaus County Code that incorporate superseded standards to incorporate by reference the 2019 Building Standards Code, as published by the Building Standards Commission, and makes changes to those standards to comply with the requirements of Measure X, the "Primary and Secondary Sewage Initiative." The ordinance further adopts administrative procedures for implementation of the 2019 Building Standards Code.

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinance and the California Code of Regulations Title 24, 2019 Edition, of the California Building Standards Code will be available for review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, 3rd Floor, Modesto, CA.

NOTICE IS FURTHER GIVEN that at any time prior to the time fixed for the hearing, any interested person may file written comments on the proposed ordinance with the Clerk of the Board of Supervisors of the County of Stanislaus. Both oral and written comments will be considered by the Board of Supervisors at the time and place fixed for hearing.

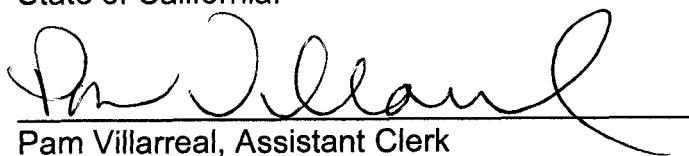
For further information, contact Denny Ferreira in the Department of Planning and Community Development at (209) 525-6557, or at 1010 Tenth Street, Suite 3400, 3rd Floor, Modesto, CA.

**BY ORDER OF THE BOARD OF SUPERVISORS**

DATED: October 1, 2019

ATTEST: ELIZABETH A. KING, Clerk of  
the Board of Supervisors  
of the County of Stanislaus,  
State of California.

BY: Pam Villarreal, Assistant Clerk



A handwritten signature in black ink, appearing to read "Pam Villarreal". Below the signature, the name "Pam Villarreal" is printed in a standard font.



**The Modesto Bee**

modbee.com



## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Cols	Lines
341795	0004413707	STANISLAUS COUNTY NOTICE OF PUBLIC HEARING 2019 B	ty Notice of Public Hearing 2019 B	1	55

**Attention:** Pam Villarreal

CO STAN PLANNING DEPT  
1010 10TH ST STE 3400  
MODESTO, CA 95354

STANISLAUS COUNTY  
NOTICE OF PUBLIC HEARING  
2019 BUILDING CODE ADOPTION  
NOTICE IS HEREBY GIVEN that on November 5, 2019, at 9:00 a.m., or as soon thereafter, as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to hold a public hearing to consider the adoption of an Ordinance amending Title 16 of the Stanislaus County Code, and adopting by reference the California Code of Regulations Title 24, 2019 Edition, of the California Building Standards Code. This ordinance amends those sections of Title 16 of the Stanislaus County Code that incorporate superseded standards to incorporate by reference the 2019 Building Standards Code, as published by the Building Standards Commission, and makes changes to those standards to comply with the requirements of Measure X, the "Primary and Secondary Sewage Initiative." The ordinance further adopts administrative procedures for implementation of the 2019 Building Standards Code.

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinance and the California Code of Regulations Title 24, 2019 Edition, of the California Building Standards Code will be available for review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, 3rd Floor, Modesto, CA.

NOTICE IS FURTHER GIVEN that at any time prior to the time fixed for the hearing, any interested person may file written comments on the proposed ordinance with the Clerk of the Board of Supervisors of the County of Stanislaus. Both oral and written comments will be considered by the Board of Supervisors at the time and place fixed for hearing.

For further information, contact Denny Ferreira in the Department of Planning and Community Development at (209) 325-6557, or at 1010 Tenth Street, Suite 3400, 3rd Floor, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS. DATED: October 1, 2019. ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Assistant Clerk

### Declaration of Publication

C.C.P. S2015.5

STATE OF CALIFORNIA )  
) ss.  
County of Stanislaus )

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of the The Modesto Bee, which has been adjudged a newspaper of general circulation by the Superior Court of the County of Stanislaus, State of California, under the date of February 25, 1951 Action No. 46453. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

October 22, 2019, October 29, 2019

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Dallas, Texas on:

Date: 29th, day of October, 2019

Signature

