

ORDINANCE NO. 4339

AN ORDINANCE FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY OF THE UNINCORPORATED PORTION OF SAN JOAQUIN COUNTY, STATE OF CALIFORNIA, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY, FIRE OR EXPLOSION, PROVIDING FOR THE ISSUANCE OF PERMITS AND FOR THE INSPECTION AND SETTING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; ADOPTING THAT CERTAIN DOCUMENT IN BOOK FORM ENTITLED 2007 CALIFORNIA BUILDING CODE, 2001 EDITION

* * *

THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 1 (commencing with Section 8-1000) of Division 1 of Title 8 of the Ordinance Code of San Joaquin County is hereby amended to read as follows:

DIVISION 1. BUILDING CODE

CHAPTER 1. GENERAL REGULATIONS

SECTION 8-1000. ADOPTION OF THE CALIFORNIA BUILDING CODE.

That certain document in book form entitled "2007 California Building Code, Volumes 1, 2, and 3, 2001" including Appendix Chapters 1, C, I, and J ~~3 Division II, 4 Division I, 12 Division II, 15, 31 Divisions II and III, and 33,~~ published by the ~~International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601~~ and California Building Standards Commission, 2525 Natoma Park Drive, Suite 130, Sacramento, California 95833-2936, and incorporates by adoption the 2006 Edition of the International Building Code of the International Code Council, one (1) copy of which is on file in the office of the Clerk of the Board of Supervisors of the County of San Joaquin, is hereby adopted and enacted by the Board of Supervisors as the Building Code of the County of San Joaquin except those portions of the 2007 California Building Code 2001, Edition which are amended specifically hereinafter.

SECTION 8-1001. EXPIRATION--AMENDMENT OF SECTION 106 105 OF APPENDIX, CHAPTER 1. Section ~~106-105~~ of Appendix, Chapter 1 of the 2007 California Building Code 2001 Edition is hereby amended to read:

Section ~~106.4.4~~ 105.5 of Appendix, Chapter 1. Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the

date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Work shall be considered abandoned if an inspection has not been recorded and approved within 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented actions from being taken. No permit shall be extended more than once. A Notice of Code Violation may be recorded when a building permit is expired.

SECTION 8-1002. FEES--AMENDMENTS OF SECTION ~~107~~ 108 OF APPENDIX, CHAPTER 1. Section ~~107~~ 108 Appendix, Chapter 1 of the 2007 California Building Code ~~2001~~ Edition, is hereby amended to read:

Section ~~107.1~~ 108.1 Appendix, Chapter 1. Permit Fees. Fees for permits and inspections shall be set by the Board of Supervisors of the County of San Joaquin.

Section ~~107.2~~ 108.3 Appendix, Chapter 1. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official and shall be ~~based on the latest building valuation data as printed in the Building Standards, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601~~ based on valuation data supplied periodically by the International Code Council or market value based on local assessment ratios or any other data as may be available to the Building Official for his review. The valuation to be used in computing the permit and plan check fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work or permanent equipment.

EXCEPTION: The Building Official shall determine the valuation when no applicable data is available. ~~in Building Standards.~~

Section ~~107.5~~ 108.4 Appendix, Chapter 1. Investigation Fees: Work Without a Permit.

Section ~~107.5.2.~~ 108.4 Appendix, Chapter 1 Fee. An investigation fee, in addition to the permit fee, shall be collected. The investigation fee shall be equal to the amount of the permit fee required by this Code. The minimum investigation fee shall be not less than the minimum fee set forth by the Board of Supervisors of the County of San Joaquin. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from

any penalty prescribed by law.

Section ~~407.6~~ 108.6 Appendix, Chapter 1. Fee Refund. The building official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. Except that no refunds will be processed for permits of \$50.00 or less.

SECTION 8-1003 CERTIFICATE OF OCCUPANCY--AMENDMENT TO SECTION ~~409~~ 110 APPENDIX, CHAPTER 1. Section ~~409~~ 110 Appendix, Chapter 1 of the 2007 California Building Code ~~2004 Edition~~, is hereby amended to read:

Section ~~409.3~~ 110.2 Appendix, Chapter 1. Certificate Issued. No building will be issued a Certificate of Occupancy until approval has been obtained from all agencies having jurisdiction, which would include, but not be limited to, the San Joaquin County Public Works Department, San Joaquin Public Health Services and the designated fire district or the San Joaquin County Fire Warden. The Certificate of Occupancy shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building complies with the requirements of the Code for group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.

SECTION 8-1004 BUILDING OFFICIAL--AMENDMENT OF SECTION ~~203~~ 202. Section ~~203~~ 202 of the 2007 California Building Code ~~2004 Edition~~ is hereby amended by redefining Building Official:

BUILDING OFFICIAL means the officer responsible for the administration and enforcement of this title designated by the Director of the Community Development Department.

~~**SECTION 8-1005. FOOTINGS — AMENDMENT ADDITION OF SECTION 1806 1805.4.2.7.**~~ Section 1806 of the California Building Code 2001 Edition is hereby amended to read:

~~Section 1806.2. Load Bearing Walls. Bearing walls shall be supported on solid masonry or concrete foundations or piles of sufficient size to support all foundation requirements for stud bearing walls shall be as set forth in Table No. 18-1-D provided such footings and foundations shall have at least two (2) continuous parallel No. 4 reinforcing bars, one (1) bar to be placed three inches (3") from the top and one (1) bar to be placed three inches (3") from the bottom of the foundation.~~

~~Interior piers and columns shall have a minimum depth as set forth in Table No. 18.05.4.2 and minimum size of fourteen inches by fourteen inches (14" x 14") or sixteen inches (16") in diameter.~~

~~**EXCEPTIONS:**~~

- ~~1. A one-story wood or metal frame building not used for human occupancy and not over 400 square feet (37.2m) in floor area may be constructed with walls supported on a wood foundation plate when approved by the building official.~~
- ~~2. The support of buildings by posts embedded in earth shall be designed as specified in Section 1806.7. Wood posts or poles embedded in earth shall be pressure treated with an approved preservative. Steel posts or poles shall be protected as specified in Section 1807.9.~~

~~Interior piers and columns shall have a minimum depth as set forth in Table No. 18-1-D and minimum size of fourteen inches by fourteen inches (14" x 14") or sixteen inches (16") in diameter.~~

~~**SECTION 8-1006. MINIMUM SLAB THICKNESS PROVISIONS AMENDMENT OF SECTION 1900.4.4** Section 1900.4.4 of the California Building Code 2001 Edition is hereby amended to read:~~

~~Section 1900.4.4. The minimum thickness of concrete floor slabs supported directly on the ground shall be not less than three and one half inches (3 1/2") and such floor slabs shall be reinforced by not less than 6" x 6" x No. 10 gauge wire reinforcing mesh, or better. A 6 mil (0.006 inch; 0.15 mm) polyethylene vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab.~~

~~**EXCEPTION:** A vapor retarder is not required.~~

- ~~1. For detached structures accessory to occupancies in Group R-3, such as garages, utility buildings or other unheated facilities.~~
- ~~2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports attached to occupancies in Group R-3.~~

3. ~~For buildings of other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building.~~
4. ~~For driveways, walks, patios and other flatwork which will not be enclosed at a later date.~~
5. ~~Where approved based on local site conditions.~~

~~**SECTION 8-1007 CHANGES OR MODIFICATION.** In accordance with Health and Safety Code Section 17958.5, the adoption of the amendments pertaining to slab thickness and footings are needed because of the highly expansive soil conditions in San Joaquin County.~~

SECTION 8-1008 1005. BARRIERS FOR SWIMMING POOLS. Amendment of Section 421 3109. Section 421 3109 of Appendix Chapter 4, Division 1 of the 2007 California Building Code, 2001 Edition, is hereby amended to read:

Section 421 3109.4. ~~Outdoor~~ Residential Swimming Pool. A ~~outdoor~~ residential swimming pool shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling with water. The barrier shall comply with the following:

1. The top of the barrier shall be at least 60 inches (1524 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51mm) measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45 inches (1143 mm) apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.
2. Openings in the barrier shall not allow passage of a 1-3/4 inch diameter (44.5 mm) sphere.

EXCEPTIONS:

1. When vertical spacing between such openings is 45 inches (1143 mm) or more, the opening size may be increased such that the passage of a 4-inch diameter (102 mm) sphere is not allowed.
2. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4 inches (102 mm) when the distance

between the tops of horizontal members is 45 inches (1143 mm) or more.

3. Chain link fences used as the barrier shall not be less than 11 gauge.
4. Access gates shall comply with the requirements of Items 1 through 3. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 60 inches (1524 mm) from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the barrier at least 3 inches (76 mm) below the top of the gate, and (2) the gate and barrier shall have no opening greater than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. Pedestrian gates shall swing away from the pool. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.
5. Where a wall of a Group R, Division 3 Occupancy dwelling unit serves as part of the barrier and contains door openings between the dwelling unit and the outdoor swimming pool that provide direct access to the pool, a separation fence meeting the requirements of Items 1,2,3 and 4 of Section 421.1 shall be provided.

EXCEPTION: When approved by the building official, one of the following may be used:

1. Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 54 inches (1372 mm) above the floor.
 2. An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 db when measured indoors at 10 feet (3048 mm). The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door.
 3. Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.
6. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier that meets the requirements of Items 1 through 5. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Items 1 through 5.

Ord. #4339

SECTION 8-1009 1006 TITLE. This chapter shall be known as, and may be cited as, the San Joaquin County Building Code.

SECTION 2. This Ordinance shall take effect and be in force on ~~November 8, 2002~~ January 1, 2008; and prior to the expiration of fifteen (15) days from the passage thereof shall be published one (1) time in the Record, a newspaper of general circulation published in the County of San Joaquin, State of California, with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this 11/27/07 by the following vote of the Board of Supervisors, to wit:

AYES: VOGEL, RUHSTALLER, ORNELLAS, GUTIERREZ, MOW

NOES: NONE

ABSENT: NONE

VICTOR MOW

VICTOR MOW, Chairman
Board of Supervisors
County of San Joaquin
State of California

ATTEST LOIS M. SAHYOUN,
Clerk of the Board of Supervisors
of the County of San Joaquin,
State of California

By: AIDA PIZANO
Deputy Clerk

