

DATE: January 14, 2020

TO: Mayor and City Council Members

FROM: Community Development—Building Division

SUBJECT: ORDINANCE NO. 1298 - AN ORDINANCE OF THE CITY OF FOLSOM REPEALING AND RE-ENACTING CERTAIN CHAPTERS OF TITLE 14, "BUILDINGS AND CONSTRUCTION", OF THE FOLSOM MUNICIPAL CODE CONCERNING ENFORCEMENT OF FOLSOM CONSTRUCTION CODES (SECOND READING AND ADOPTION)

BACKGROUND/ISSUE

At the December 10, 2019 meeting, the City Council introduced and held the first reading of the attached Ordinance repealing and re-enacting certain chapters of Title 14, "Building and Construction" of the Folsom Municipal Code concerning enforcement of Folsom construction codes. No changes have been made to this item since the first reading.

The purpose of this Ordinance is to update building safety regulations and adopt the 2019 California Building Codes pursuant to state law.

Presently, the Folsom Municipal Code (FMC) Title 14 – Buildings and Construction, contains provisions relative to building safety regulations and is based on the 2016 editions of the California Building Codes incorporating the 2015 International Building Code, Electrical Code, Plumbing Code, Mechanical Code, Historical Building Code, Energy Code, Existing Building Code and Property Maintenance Code. The 2019 edition of the California Building Codes (Title 24), incorporating the 2018 editions of these codes, known as the 2019 California Building Codes, has been published by the California Building Standards Commission and is effective as state law January 1, 2020.

POLICY / RULE

Triennially the California Building Standards Commission publishes the California Building Codes which take effect 180 days after publication according to state statute. California Health & Safety Code Section 18938(b) mandates that Building Standards Codes, including the California Building Codes, are applicable to all occupancies in the State. Health & Safety Code Section 18941.5 allows cities to amend building standards contained in the California Codes based on specified criteria prior to the effective date of the codes. Government Code Section 50022.2 grants local agencies the authority to adopt codes by reference.

ANALYSIS

The purpose of this ordinance is to repeal the existing codes and adopt the new building and construction codes for the City of Folsom as required by state law. The majority of the 2019 California Building Standard Codes were modeled after the 2018 International Codes, the National Electrical Code and the Uniform Plumbing and Mechanical Codes. While these codes are similar in structure and content, some adjustments to the adoption process are necessary to complete references in the Folsom Municipal Code. Staff has compared the amendments made to the presently adopted 2016 California Building Codes to the provisions contained in the 2019 California Building Codes. In developing the amendments for these new codes, staff looked to provide a clear, cost-effective and equivalent level of sustainability and life safety to the citizens of Folsom. No “technical” amendments were proposed; only clarifications of those administrative requirements unique to our City.

As with the 2016 version, the 2019 California Green Building Standards Code (CalGreen) establishes mandatory requirements for new residential and nonresidential buildings as well as certain additions and alterations to existing buildings. Areas such as water and energy conservation, removal of toxic fumes and moisture from the indoor environment, landscape irrigation, light pollution and construction material recycling are addressed in this code. There are two voluntary “tiers” in addition to the mandatory requirements for those building owners who would like to provide even greater sustainability. At this time, those tiers will remain voluntary.

In summary, staff believes that the proposed amendments and adoption of the 2018 International Building Codes, as amended by the State of California and published as the 2019 California Building Codes, are necessary to provide a reasonable and prudent level of construction, sustainability and life safety to citizens and visitors to the City of Folsom.

FINANCIAL IMPACT

The impact of adopting the 2019 California Building Standards Codes with local amendments should not cause any significant impact. However, although increasing the life safety and sustainability of our buildings, the 2019 Energy Code for residential and non-residential buildings cannot help but increase their costs. It is anticipated that these costs will continue to decrease somewhat as more systems are installed and competition for services increases.

ENVIRONMENTAL REVIEW

This action by the City Council is exempt from environmental review pursuant to Section 15061(b)(3) (Review for Exemption) of the California Environmental Quality Act.

ATTACHMENTS

Ordinance No. 1298 - An Ordinance of the City of Folsom Repealing and Reenacting Certain Chapters of Title 14, "Buildings and Construction", of the Folsom Municipal Code Concerning Enforcement of Folsom Construction Codes. (Second Reading and Adoption)

RECOMMENDATION – CITY COUNCIL ACTION

Move to adopt Ordinance No. 1298 - An Ordinance of the City of Folsom Repealing and Reenacting Certain Chapters of Title 14, "Buildings and Construction", of the Folsom Municipal Code Concerning Enforcement of Folsom Construction Codes. (Second Reading and Adoption).

Reviewed and Approved,



Pam Johns
Community Development Director

ORDINANCE NO. 1298

AN ORDINANCE OF THE CITY OF FOLSOM REPEALING AND RE-ENACTING CERTAIN CHAPTERS OF TITLE 14, "BUILDINGS AND CONSTRUCTION", OF THE FOLSOM MUNICIPAL CODE CONCERNING ENFORCEMENT OF FOLSOM CONSTRUCTION CODES

THE CITY COUNCIL OF THE CITY OF FOLSOM HEREBY DOES ORDAIN AS FOLLOWS:

SECTION 1 PURPOSE

The purpose of this ordinance is to repeal and re-enact certain chapters of Title 14, "Buildings and Construction", of the Folsom Municipal Code ("The Code") to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to adopt and enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

Unless superseded or expressly repealed, references in City forms, documents and regulations to chapters and sections of the former Folsom Construction Codes shall be construed to apply to corresponding provisions contained within the new Folsom Construction Codes.

SECTION 2 CHANGES TO FOLSOM MUNICIPAL CODE

Chapters 14.02, 14.04, 14.08, 14.12, 14.16, 14.19, 14.20, 14.22, 14.23, 14.26 of Title 14 of the Folsom Municipal Code are hereby amended to read as follows:

Title 14

BUILDINGS AND CONSTRUCTION

Chapters:

- 14.02 Building Code
- 14.04 Residential Code
- 14.08 Electrical Code
- 14.12 Plumbing Code
- 14.16 Mechanical Code
- 14.19 Energy Code
- 14.20 Green Building Standards Code
- 14.22 Historical Building Code
- 14.23 Existing Building Code
- 14.24 Property Maintenance Code
- 14.26 Referenced Standards Code
- 14.28 Swimming Pool, Spa and Hot Tub Code

Chapter 14.02
BUILDING CODE

Sections:

14.02.010	Title
14.02.015	Definitions
14.02.020	Authority Having Jurisdiction
14.02.030	Purpose
14.02.040	Adoption by reference
14.02.045	Right of entry
14.02.050	Additions, amendments or deletions to Folsom Building Code
14.02.055	Violation—Nuisance
14.02.060	Enforcement
14.02.070	Penalties
14.02.080	Enforcement procedures
14.02.085	Conflicts

14.02.010 Title.

This Chapter shall be known and cited as the “Folsom Building Code.”

14.02.015 Definitions

For purpose of this chapter, the following terms shall have the meaning set forth in this section.

“Building Codes” or “Code” shall mean the Folsom Construction Codes and each and every ordinance codified therein as adopted by the city council of the City of Folsom by ordinance, including, but not limited to, the Folsom Building Code, the Folsom Residential Code, the Folsom Electrical Code, the Folsom Mechanical Code, the Folsom Plumbing Code, the Folsom Energy Code, the Folsom Fire Code, the Folsom Green Standards Building Code (CALGreen), the Folsom Referenced Standards Code, the Folsom Property Maintenance Code, the Folsom Historical Building Code, Folsom Existing Building Code and the Folsom Swimming Pool, Spa and Hot Tub Code. This shall also apply to references to the “Uniform Codes” found within the Folsom Municipal Code.

14.02.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Construction Codes. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of this Code and the referenced technical codes. The terms “code official”, “administrative authority”, “authority having jurisdiction”, and “City” are to be considered synonymous with the terms “Chief Building Official”, “Building Official”, “Department of Building Safety” and “Building Department” as they appear in the Code or the technical codes. The city council shall budget and appropriate such City funds for the Division of Building Safety as it may deem necessary for the proper operation of the division.

14.02.030 Purpose.

The purpose of the Folsom Building Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction, and certain equipment specifically regulated herein, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to adopt and enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.02.040 Adoption by Reference.

Subject to the additions, amendments, or deletions set forth in Section 14.02.050 of this chapter, the California Building Code, 2019 Edition, based on the 2018 International Building Code, including Appendix Chapter I, published as Part 2, Volumes 1 and 2, Title 24, C.C.R., published by the International Code Council, is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Building Codes. One copy of the Folsom Building Code and any and all amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

14.02.45 Right of Entry.

The code enforcement officer, the fire chief, the chief building official, or their designees shall be authorized to enter upon private property or public property as provided for in Section 1.09.025 of the Folsom Municipal Code to enforce the provisions of this title, or for the purpose of making any inspection, reinspection or test of any work performed pursuant to this title.

14.02.050 Additions, Amendments, or Deletions to Folsom Building Code.

The Folsom Building Code is amended as follows:

CHAPTER 1, DIVISION II

- A. Section 101.1 Title— Insert the words “City of Folsom” as the name of jurisdiction. This shall apply to any of the adopted codes wherever the name of the jurisdiction is to be inserted.
- B. Section 101.2 Scope—Delete the words “California Residential Code” and insert, in lieu thereof, the words “Folsom Residential Code”.
- C. Section 101.4 Referenced codes—Delete in its entirety and revised to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each reference. If another code is referenced elsewhere in this Code and has not been adopted, then that section shall be considered invalid.

Where there is a conflict between the administrative requirements in this Code and those in other adopted technical codes, the more restrictive or specific requirements shall apply.

Exception: Administrative requirements in the City of Folsom Fire Code

Any references to the International Residential Code, Residential Code for One- and Two-family Dwellings, or California Residential Code shall be deleted and the words “Folsom Residential Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the National Electrical Code or California Electrical Code shall be deleted and the words “Folsom Electrical Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Fuel Gas Code shall be deleted and the words “Folsom Plumbing Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Plumbing Code or California Plumbing Code shall be deleted and the words “Folsom Plumbing Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Mechanical Code or California Mechanical Code shall be deleted and the words “Folsom Mechanical Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Property Maintenance Code shall be deleted and the words “Folsom Property Maintenance Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Fire Code or California Fire Code shall be deleted and the words “Folsom Fire Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Zoning Code shall be deleted and the words “Folsom Zoning Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Energy Conservation Code shall be deleted and the words “Folsom Energy Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the California Historical Building Code shall be deleted and the words “Folsom Historical Building Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the California Existing Building Code shall be deleted and the words “Folsom Existing Building Code adopted by the City of Folsom and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Private Sewage Disposal Code shall be deleted.

101.4.1 Electrical. The provisions of the Electrical Code adopted by the City of Folsom and amended from time to time shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.2 Plumbing and Gas. The provisions of the Plumbing Code adopted by the City of Folsom and amended from time to time shall apply to the installation alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all applicable aspects of a medical gas system. The provisions shall also apply to the installation of gas piping from the point of delivery, gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the Mechanical Code adopted by the City of Folsom and amended from time to time shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.4 Property maintenance. The provisions of the Property Maintenance Code, adopted by the City of Folsom, and amended from time to time shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety, hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures and shall be enforced along with the requirements of Title 8, “Health, Sanitation and Welfare”, of the Folsom Municipal Code. Where there is a conflict between Title 8 of the Folsom Municipal Code and the Folsom Property Maintenance Code, the more restrictive shall apply.

101.4.5 Fire prevention. The provisions of the Fire Code adopted by the City of Folsom and amended from time to time shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire or explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 California Energy Code and California Green Building Standards Code. The provisions of the California Energy Code and California Green Building Standards Code adopted by the City of Folsom shall apply to all matters governing the sustainable and

energy efficiency design and construction of those structures regulated by the Folsom Construction Codes as adopted by the City of Folsom.

101.4.7 California Historical Building Code. The provisions of the California Historical Building Code adopted by the City of Folsom are intended to facilitate, by means of alternative solutions, the restoration of change of occupancy so as to preserve their original or restored architectural elements and features, to encourage energy conservation, disabled access and a cost-effective approach to preservation, and to provide for the safety of the building occupants of those structures regulated by the Folsom Construction Codes as adopted by the City of Folsom.

101.4.8 California Existing Building Code. The provisions of the California Existing Building Code adopted by the City of Folsom are intended to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to firefighters and emergency responders during emergency operations.

D. Section 105.3.1 Action on application—Add a new paragraph at the end to read: “Without approval of the Building Official, no new or additional permits shall be issued to any property or person who has any outstanding violations of this Code or any other code of this jurisdiction.”

E. Section 105.3.2 Time limit of application—Amend to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 calendar days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one extension of time for a period not to exceed 90 calendar days. The extension shall be requested in writing and justifiable cause demonstrated.

F. Section 105.5 Expiration—Amend to read as follows:

Every building permit shall become invalid if the work authorized by such permit has not commenced to the satisfaction of the Building Official within 12 months of permit issuance, or if work commences within 12 months and more than 180 calendar days elapses between approval of required inspections. The Building Official shall be authorized to grant one extension of time for a period not to exceed 180 calendar days for permits that have not yet expired. The extension shall be requested in writing and justifiable cause demonstrated. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the City. If action on an expired permit also requires an additional plan review, a full plan review shall be paid based on the current fee schedule adopted by the City.

All building permits shall be valid for up to two years after the issuance date as long as the requirements in the previous paragraph are complied with. The Building Official is authorized to extend a permit beyond this period if the work authorized by the permit is, in the opinion of the Building Official, being diligently pursued but only upon written request by the permittee and evidence acceptable to the Building Official indicating substantial progress. Review of the request and granting of an approved time extension beyond two years shall be made by the Building Official and any additional fees shall be paid based on the current fee schedule as adopted by the City.

Exception: Landscape permits issued to obtain compliance with the Model Water Efficient Landscape Ordinance (MWELo) shall expire two years after date of issuance. The Building Official shall be authorized to grant one additional extension of 90 calendar days when such a written request is received before the permit expires and justifiable cause is demonstrated as acceptable to the Building Official. Such landscape permits shall be issued prior to, or at the time of, issuance of the primary building permit.

G. Section 108.3 Building Permit Valuations--Amend to read as follows:

108.3 Building Permit Valuations. The applicant for a permit for a new building or structure or additions or alterations to an existing building or structure shall provide a reasonable estimated permit value at time of application. The value to be used in computing the building permit and building plan review fees shall be, including labor, the total of all construction work for which the permit is being issued, as well as grading, roofing, siding, electrical, plumbing, gas, heating, air conditioning, elevators, fire extinguishing systems, permanent mechanical equipment and systems as well as any other items which will require plan review and/or inspection. When permitted work includes an alteration to an existing structure, or includes work outside of the standard calculated fee areas determined by square footage cost tables, the applicant shall provide legitimate actual/contracted project costs to establish the additional non-calculated valuation of the total permitted project. Value for donated and/or discounted materials and labor shall be established at typical market rates. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates acceptable to the Building Official.

Exceptions: The Building Official is authorized to omit the cost of land, finish materials such as paint, wallpaper, tile, flooring, interior paneling, except those finish materials requiring fire resistive qualities, solar panels, electric vehicle charging devices, counters, counter tops, cabinets, and residential appliances such as dishwashers, stoves, ovens and microwaves. In addition, the Building Official is authorized to omit the cost of electrical fixtures and plumbing fixtures such as garbage disposals, sinks, lavatories and water closets where their removal or replacement does not require inspection. These exceptions shall not include the replacement of any concealed or exposed electrical, plumbing, gas, ventilation or other mechanical systems required to operate these appliances or the exposed or concealed extension of any of these systems.

Final building permit valuation shall be set by the Building Official.

H. Section 109.1 Payment of fees—Add an additional paragraph to read as follows:

When submittal documents are incomplete or revised so as to require additional plan review after the second review, final review, or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate as set forth by resolution of the City Council.

I. Section 109.4 Work commencing before permit issuance—Add an additional sentence to read as follows:

The minimum investigative fee for commencing work before permit issuance shall be equal to and in addition to the amount of the normal permit fee as set forth by resolution of the City Council for the first offense and four times the amount of, and in addition to, the normal permit fee for second and subsequent offenses. The payment of such investigative fee shall not exempt any person from compliance with other provisions of this Code, the technical codes, or from any penalty prescribed by law.

J. Section 109.6 Refunds—Amend to read as follows:

Refunds. The Building Official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The Building Official shall be permitted to 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.

The Building Official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The Building Official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 90 calendar days after the date of fee payment. Under no circumstances shall there be a refund of either fee if the plan review or building permit has expired.

K. Section 110 Inspections—Add additional section to read as follows:

Section 110.7 Reinspections is added as follows:

110.7 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when any of the following conditions exist:

1. Such portion of work for which inspection is called is not completely ready.

2. Previous written or verbal correction notices have not been complied with.
3. The job address is not clearly posted and clearly visible from the street or the front of the building.
4. The inspector has no access to the work to be inspected.
5. The approved plans are not readily available to the inspector.
6. The building permit, application, appropriate documents, or any previous correction notice(s) are not available at the job site.
7. Deviating from the approved plans requiring further approval of the Building Official.

This section shall not be interpreted as requiring reinspection fees the first time an inspection is not approved for failure to comply with the requirements of this Code, but as controlling the practice of scheduling inspections before the project is completely ready for such inspections, the inspection site is not accessible to the building inspector or when plans and/or permit documents are not available to the building inspector at the site where the inspection is to be performed.

To obtain a reinspection, the applicant, or his/her designee, shall first pay the reinspection fee in accordance with resolution adopted by the City Council.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been paid.

L. Section 111.1 Use and occupancy—Amend to read as follows:

No building or structure shall be used, occupied, or furnished in whole or in part, and no change in the existing use or occupancy classification of a building or structure or portion thereof be made until the Building Official has issued a certificate of occupancy therefore as provided herein.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

M. Section 111.3-- Add a second paragraph to read as follows:

Temporary occupancy may occur only upon application for a Temporary Certificate of Occupancy and the clearance for the connection of the gas and electrical utilities is granted and payment is made for the additional inspections remaining to grant final approval for occupancy of the entire building. In the event the building is not completed and ready for final inspection in the time prescribed by the Building Official or if the building is occupied prior to receiving a Certificate of Occupancy, the Building Official shall be authorized to cause the building to be vacated and the utilities disconnected until such time as the building is completed, final inspections are conducted and a Certificate of Occupancy is issued as set forth above.

14.02.055 Violations—Nuisance.

Any violation of any code as adopted and amended by ordinance shall be, and the same is declared to be, unlawful and a public nuisance.

14.02.060 Enforcement.

Unless otherwise set forth in this title, the Chief Building Official or his/her designee, shall enforce the provisions of title pursuant to the provisions of Chapter 1.08 to 1.10, inclusive, of the Folsom Municipal Code.

14.02.070 Penalties.

The following penalties shall apply to any violation of a provision of this title, unless a different penalty is otherwise established by the city council and specifically set forth by ordinance:

- A. A violation of any provision of this title shall be an administrative violation as defined in Section 1.08.020, of Chapter 1.08, Title 1 of the Folsom Municipal Code. In addition to enforcement by any procedure set forth in Chapters 1.08 to 1.10, inclusive, any violation of this title shall be punishable as a misdemeanor, which shall be punishable by a fine not to exceed \$1,000, or by imprisonment in the county jail for not more than 6 months, or by both such fine and imprisonment.
- B. Each of the sanctions for administrative violations identified in Section 1.09.013 of Chapter 1.09, Title 1 of the Folsom Municipal Code shall be available for enforcement of the provisions of this Chapter.
- C. In addition to the criminal penalty set forth in Section 14.02.070(A) of this chapter, based upon the standards for the imposition of administrative sanctions set forth in Section 1.09.014 of Chapter 1.09, Title 1 of the Folsom Municipal Code, a violation of any provision of this title shall be deemed a Level E violation, as that term is described in Section 1.09.012 of Chapter 1.09, Title 1 of the Folsom Municipal Code. The range of monetary sanctions available for violation of this Chapter shall be as forth in Section 1.09.012(A) (5).

14.02.080 Enforcement Procedures.

- A. Prior to the suspension, revocation, or denial of any license or permit, the assessment of any fee, penalty, or change, or the commencement of any other enforcement action pursuant to this title, the director of the Community Development Department shall follow the procedures as set forth in Sections 1.09.020 to 1.09.048, inclusive, of Chapter 1.09, Title 1 of the Folsom Municipal Code. The rights to judicial review set forth in Section 1.09.050 to 1.09.052, inclusive, of Chapter 1.09 of Title 1 of the Folsom Municipal Code shall apply.
- B. A notice to correct or stop order shall be served in accordance with the provisions of Section 1.09.023 of Chapter 1.09, Title 1 of the Folsom Municipal Code.
 1. Unless otherwise set forth in this title, if the violation that is subject of the notice of correct concerns the failure to apply for and/or obtain a valid permit, the time allowed for application for a permit shall be no less than 7 calendar days and no more than 30 calendar days. A stop order shall accompany the notice to correct,

and shall remain in effect pending the review of and decision on any permit application.

2. Unless otherwise set forth in this title, if the violation that is the subject of the notice to correct concerns (a) the failure to comply with conditions placed on a permit or other entitlement issue by the City or (b) a violation of any provision of this title, the time allowed to correct the violation shall be a minimum of 24 hours and a maximum of 90 calendar days, depending upon the type of action that will be necessary to correct the violation. If the violation creates a potential risk of harm to persons or property, a stop order may accompany the notice to correct, and shall remain in effect until the violation has been remedied to the satisfaction of the director of the Community Development Department.
- C. If the Director of the Community Development Department determines that there has been a good faith effort to correct the violation(s) set forth in a notice to correct, the director may extend the deadline for compliance for a reasonable period of time. Any such extension shall be memorialized in writing and a copy shall be sent by first class mail to all responsible persons.
- D. A notice of administrative violation may be issued pursuant to the procedures established in Section 1.09.024 of Title 1 of the Folsom Municipal Code.

14.02.085 Conflicts.

In the event of any conflict between this Code and any law, rule, or regulation of the Federal or State Government, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

Chapter 14.04

RESIDENTIAL CODE

Sections:

- 14.04.010 Title
- 14.04.020 Authority Having Jurisdiction
- 14.04.030 Purpose
- 14.04.040 Adoption by reference
- 14.04.050 Additions, amendments or deletions to Folsom Residential Code

14.04.010 Title.

This Chapter shall be known and cited as the “Folsom Residential Code.”

14.04.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Residential Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of the Folsom Residential Code and the other referenced technical codes.

14.04.030 Purpose.

The purpose of this Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction, and certain equipment specifically regulated herein, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.04.040 Adoption by Reference.

Subject to the additions, amendments, or deletions set forth in Section 14.04.050 of this chapter, the California Residential Code, 2019 Edition, based on the 2018 International Residential Code for One- and Two-family Dwellings, including Appendix Chapters H and J published as Part 2.5, Title 24, C.C.R., published by the International Code Council, is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Residential Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

14.04.050 Additions, Amendments, or Deletions to Folsom Residential Code.

The Folsom Residential Code is amended as follows:

- A. Section R101.1 Title— Insert the words “City of Folsom” as the name of jurisdiction.
- B. Section R105.2 Work exempt from permit, Building, Item #2 --- Delete the number “7” and insert, in lieu thereof, the number “6”.
- C. Table R301.2(1) --- Shall read as follows:

2019 CRC TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN					SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGING FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (MPH)	Exposure	Topographic Effects	Special Wind Region	Wind Borne Debris		Weathering	Frost Line Depth	Termite					
N/A	110 ult 85 asd	C	No	No	No	CRC: C CBC: D	Moderate	12"	Heavy	30 F	No	Reference FMC 14.32	<1500	60.6 F

1 When designing with the CBC per Section 1613.3.5. Reference Table 1613.3.5(2)

- D. Appendix J Existing Buildings and Structures---Amend the following sections to read as follows:
 - a. AJ 102.4.1 Energy efficiency. Replacement windows shall comply with the 2019 California energy Code and the 2019 California Green Building Standards Code (CALGreen).

- b. AJ301.2 Water closets. Where any water closet is replaced with a newly manufactured water closet, the replacement water closet shall comply with the requirements of the 2019 California Plumbing Code and 2019 California Green Building Standards Code (CALGreen).
- c. AJ301.3 Electrical. Exceptions 1, 2 and 3. The words ‘Chapters 34 through 43’ shall be replaced with the words ‘2019 California Electrical Code’.
- d. AJ501.5.1 Materials and methods. In this section and in the Exception to this section, the words ‘Chapters 34 through 43’ shall be replaced with the words ‘2019 California Electrical Code’.
- e. AJ501.5.3.3 Ground-fault circuit-interrupter. The words ‘Chapters 34 through 43’ shall be replaced with the words ‘2019 California Electrical Code’.
- f. AJ501.5.3.5 Clearance. The words ‘Chapters 34 through 43’ shall be replaced with the words ‘2019 California Electrical Code’.

Chapter 14.08

ELECTRICAL CODE

Sections:

- 14.08.010 Title
- 14.08.020 Authority Having Jurisdiction
- 14.08.030 Purpose
- 14.08.040 Adoption by reference

14.08.010 Title.

This Chapter shall be known and cited as the “Folsom Electrical Code.”

14.08.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Electrical Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of the Folsom Electrical Code and the other referenced technical codes.

14.08.030 Purpose.

The purpose of the Folsom Electrical Code is to provide minimum standards to safeguard life or limb, health, property and public welfare and to protect against hazards that may arise from the use of electricity by regulating and controlling the design, construction, and installation, quality of materials, location and operation of electrical equipment, wiring and systems, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.08.040 Adoption by Reference.

The California Electrical Code, 2019 Edition, based on the 2017 National Electrical Code, published as Part 3, Title 24, C.C.R., published by the National Fire Protection Agency, is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Electrical Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

PLUMBING CODE

Chapter 14.12

Sections:

- 14.12.010 Title
- 14.12.020 Authority Having Jurisdiction
- 14.12.030 Purpose
- 14.12.040 Adoption by reference
- 14.12.050 Additions, amendments or deletions to Folsom Plumbing Code

14.12.010 Title.

This Chapter shall be known and cited as the “Folsom Plumbing Code.”

14.12.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Plumbing Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of the Folsom Plumbing Code and the other referenced technical codes.

14.12.030 Purpose.

The purpose of the Folsom Plumbing Code is to provide minimum standards to safeguard life or limb, health, property and public welfare, and to protect against hazards that may arise from the use of plumbing and fuel gas piping and systems by regulating and controlling the design, construction, installation, quality of materials, location and operation of plumbing and fuel gas systems within the City, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.12.040 Adoption by Reference.

Subject to the additions, amendments, or deletions set forth in Section 14.12.050 of this chapter, the California Plumbing Code, 2019 Edition, based on the 2018 Uniform Plumbing Code, including Appendix Chapters A, B, D, G and I published as Part 5, Title 24, C.C.R., published by the International Association of Plumbing and Mechanical Officials, is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for

administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Plumbing Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

14.12.050 Additions, Amendments, or Deletions to Folsom Plumbing Code.

The Folsom Plumbing Code is amended as follows:

- A. Section 104.3.2 Plan Review Fees, is hereby deleted in its entirety.
- B. Section 104.5 Fees, and all of its subsections shall be deleted in their entirety.
- C. Table 104.5 Plumbing Permit Fees, is hereby deleted in its entirety.

MECHANICAL CODE

Chapter 14.16

Sections:

- 14.16.010 Title
- 14.16.020 Authority Having Jurisdiction
- 14.16.030 Purpose
- 14.16.040 Adoption by reference
- 14.16.050 Additions, amendments or deletions to Folsom Mechanical Code

14.16.010 Title.

This Chapter shall be known and cited as the “Folsom Mechanical Code.”

14.16.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Mechanical Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of the Folsom Mechanical Code and the other referenced technical codes.

14.16.030 Purpose.

The purpose of the Folsom Mechanical Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance of use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances within the City, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.16.040 Adoption by Reference.

Subject to the additions, amendments, or deletions set forth in Section 14.16.050 of this chapter, the California Mechanical Code, 2019 Edition, based on the 2018 Uniform Mechanical Code published as Part 4, Title 24, C.C.R., published by the International Association of Plumbing and Mechanical Officials, is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Mechanical Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

14.16.050 Additions, Amendments, or Deletions to Folsom Mechanical Code.

The Folsom Mechanical Code is amended as follows:

- A. Section 104.3.2 Plan Review Fees, is hereby deleted in its entirety.
- B. Section 104.5 Fees, and all of its subsections are hereby deleted in their entirety.
- C. Table 104.5 Mechanical Permit Fees, is hereby deleted in its entirety.

ENERGY CODE

Chapter 14.19

Sections:

- 14.19.010 Title
- 14.19.020 Authority Having Jurisdiction
- 14.19.030 Purpose
- 14.19.040 Adoption by reference

14.19.010 Title.

This Chapter shall be known and cited as the “Folsom Energy Code.”

14.19.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Energy Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of the Folsom Energy Code and the other referenced technical codes.

14.19.030 Purpose.

The purpose of the Folsom Energy Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of energy and energy systems within the City, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the

provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.19.040 Adoption by Reference.

The California Energy Code, 2019 Edition, published as Part 6, Title 24, C.C.R., published by the International Code Council, is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Energy Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

GREEN BUILDING STANDARDS CODE

Chapter 14.20

Sections:

- 14.20.010 Title
- 14.20.020 Authority Having Jurisdiction
- 14.20.030 Purpose
- 14.20.040 Adoption by reference
- 14.20.050 Additions, amendments or deletions to Folsom Green Building Standards Code

14.20.010 Title.

This Chapter shall be known and cited as the “Folsom Green Building Standards Code.”

14.20.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Green Building Standards Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of the Folsom Green Building Standards Code and the other referenced technical codes.

14.20.030 Purpose.

The purpose of the Folsom Green Building Standards Code is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.20.040 Adoption by Reference.

The California Green Building Standards Code (CALGreen Code), 2019 Edition, excluding Appendix Chapters A4, A5 and A6.1, published as Part 11, Title 24, C.C.R., is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Green Building Standards Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

HISTORICAL BUILDING CODE

Chapter 14.22

Sections:

- 14.22.010 Title
- 14.22.020 Authority Having Jurisdiction
- 14.22.030 Purpose
- 14.22.040 Adoption by reference

14.22.010 Title.

This Chapter shall be known and cited as the “Folsom Historical Building Code.”

14.22.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Historical Building Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of Folsom Historical Code and the other referenced technical codes.

14.22.030 Purpose.

The purpose of the Folsom Historical Building Code is to provide building regulations for the rehabilitation, preservation, restoration (including related reconstruction), of relocation of buildings or structures designated as historic buildings. Such building regulations are intended to facilitate, by means of alternative solutions, the restoration of change of occupancy so as to preserve their original or restored architectural elements and features, to encourage energy conservation, disabled access and a cost-effective approach to preservation, and to provide for the safety of the building occupants. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.22.040 Adoption by Reference.

The California Historical Building Code, 2019 Edition, published as Part 8, Title 24, C.C.R., is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Historical Building Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

EXISTING BUILDING CODE

Chapter 14.23

Sections:

- 14.23.010 Title
- 14.23.020 Authority Having Jurisdiction
- 14.23.030 Purpose
- 14.23.040 Adoption by reference

14.23.010 Title.

This Chapter shall be known and cited as the “Folsom Existing Building Code.”

14.23.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Existing Building Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of Folsom Existing Code and the other referenced technical codes.

14.23.030 Purpose.

The provisions of the California Existing Building Code adopted by the City of Folsom are intended to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to firefighters and emergency responders during emergency operations. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.23.040 Adoption by Reference.

The California Existing Building Code, 2019 Edition, published as Part 10, Title 24, C.C.R., is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Existing Building Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

PROPERTY MAINTENANCE CODE

Chapter 14.24

Sections:

- 14.23.010 Title
- 14.23.020 Authority Having Jurisdiction
- 14.23.030 Purpose
- 14.23.040 Adoption by reference
- 14.23.050 Additions, amendments or deletions to Folsom Property Maintenance Code

14.23.010 Title.

This Chapter shall be known and cited as the “Folsom Property Maintenance Code.”

14.23.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Property Maintenance Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of Folsom Property Maintenance Code and the other referenced technical codes.

14.23.030 Purpose.

The purpose of the Folsom Property Maintenance Code is to provide minimum standards to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises, and to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code. The Folsom Property Maintenance Code is not to be construed to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by its terms.

14.23.040 Adoption by Reference.

Subject to the additions, amendments, or deletions set forth in Section 14.23.050 of this chapter, based on the 2018 International Property Maintenance Code, published by the International Code Council, is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Property Maintenance Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

14.23.050 Additions, Amendments, or Deletions to Folsom Property Maintenance Code.

The Folsom Property Maintenance Code is amended as follows:

- A. Section 101.1 Title— Insert the words “City of Folsom” as the name of jurisdiction.
- B. Section 102.10 Other laws—Add one additional sentence to read as follows: “Whenever the requirements of this code conflict with Title 8, ‘Health, Sanitation and Welfare’ in the Folsom Municipal Code or the State of California requirements, the more restrictive requirements shall govern.”
- C. Section 103.5 Fee—Remove the words “indicated in the following schedule” and insert, in lieu thereof, the following: “adopted by resolution by the city council.”
- D. Section 112.4 Failure to comply—Remove the words “of not less than [AMOUNT] dollars or more than [AMOUNT] dollars” and insert, in lieu thereof, the following: “as

established in Title 14, Chapter 14.02, Sections 14.02.070 and 14.02.080 of the Folsom Municipal Code.”

- E. Section 302.4 Weeds—Delete this section in its entirety
- F. Section 304.14 Insect screens—Insert the dates “January 1 to December 31”.
- G. Section 602.3 Heat supply—Insert the dates “October 1 to May 1”.
- H. Section 602.4 Occupiable work spaces—Insert the dates “October 1 to May 1.”

REFERENCED STANDARDS CODE

Chapter 14.26

Sections:

- 14.26.010 Title
- 14.26.020 Authority Having Jurisdiction
- 14.26.030 Purpose
- 14.26.040 Adoption by reference

14.26.010 Title.

This Chapter shall be known and cited as the “Folsom Referenced Standards Code.”

14.26.020 Authority Having Jurisdiction.

The Chief Building Official of the City is designated to be the authority having jurisdiction of the Folsom Referenced Standards Code. The Chief Building Official shall administer, enforce, and render interpretations of all the provisions of Folsom Referenced Standards Code and the other referenced technical codes.

14.26.030 Purpose.

The purpose of this Code is to provide procedures for administration and enforcement of the provisions of the Folsom Construction Codes and to adopt and enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

14.26.040 Adoption by Reference.

The California Referenced Standards Code, 2019 Edition, published as Part 12, Title 24, C.C.R., is adopted and made part of this title as though fully set forth herein to provide technical requirements and the procedures for administration and enforcement of the provisions of the Folsom Construction Codes. One copy of the Folsom Referenced Standards Code and any amendments thereto, shall be kept on file in the Community Development Department and shall be available for use and examination by the public.

SECTION 3 SEVERABILITY

If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining chapters of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions to be declared invalid or unconstitutional.

SECTION 4 EFFECTIVE DATE

This ordinance shall become effective February 13, 2020, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City of Folsom.

This ordinance was introduced at the regular meeting of the City Council for the first reading on December 10, 2019, and the second reading occurred at the regular meeting of the City Council of January 14, 2020.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 14th day of January, 2020, by the following vote, to wit.

AYES: Council Member(s):

NOES: Council Member(s):

ABSTAIN: Council Member(s):

ABSENT: Council Member(s):

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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