

ORDINANCE NO. 695

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA REPEALING CALISTOGA MUNICIPAL CODE CHAPTERS 15.04 ADMINISTRATIVE CODE, 15.08 CALIFORNIA BUILDING CODE, 15.12 CALIFORNIA RESIDENTIAL CODE, 15.16 CALIFORNIA ELECTRICAL CODE, 15.20 CALIFORNIA MECHANICAL CODE, 15.24 CALIFORNIA PLUMBING CODE, 15.28 CALIFORNIA ENERGY CODE, 15.32 CALIFORNIA HISTORICAL BUILDING CODE, 15.36 CALIFORNIA FIRE CODE, 15.40 CALIFORNIA EXISTING BUILDING CODE, 15.44 CALIFORNIA GREEN BUILDING STANDARDS AND 15.48 CALIFORNIA REFERENCE STANDARDS OF TITLE 15, CALIFORNIA BUILDING STANDARDS, AND ADOPTING THE 2013 CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, AS ADOPTED BY THE CALIFORNIA STATE BUILDING STANDARDS COMMISSION, WITH LOCAL AMENDMENTS

WHEREAS, the International Code Council publishes model codes that provide jurisdictions such as the City of Calistoga with a complete set of model building-related regulations for adoption. These model codes are updated approximately every three years to reflect the development of improved building construction techniques;

WHEREAS, on July 1, 2013, the California Building Standards Commission completed the adoption and approval of the California Building Standards Codes, commonly referred to as Title 24 of the California Code of Regulations, which are based on these model codes;

WHEREAS, use of the most up-to-date codes is necessary and proper to ensure uniformity in the implementation of building regulations for new construction, alteration, repair, demolition, maintenance, and use of any building or structure in the City of Calistoga; and

WHEREAS, the City's codes were last adopted on November 6, 2010, when the City Council approved Ordinance No. 646 adopting the 2010 California Building Standards Code and related family of codes;

WHEREAS, pursuant to Section 17958 of the California Health and Safety Code, the governing body of the City of Calistoga, in its ordinance adopting the State Building Standards Code and uniform industry codes, may establish amendments which are more restrictive in nature than those regulations adopted by the State, and the City Council, based on materials presented and recommendations of the Building Official, Fire Chief, Planning and Building Director and the Calistoga Building Standards Advisory and Appeals Board, finds that it is necessary to make modifications to the California Building Standards Code and to adopt or not adopt certain State Code appendices in order to best protect the health, safety and welfare of the citizens of Calistoga, based on local climatic, geographical and/or topographical conditions. As such, the City Council finds that the following local conditions exist:

Climate The City, on average, experiences an approximate annual rainfall of 38 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding, erosion and contributes to slope instability. Winter storms are often accompanied by high winds, which uproot trees and damage power lines. The City also experiences periodic days of heavy fog, which can delay the response time for fire-fighting apparatus, and prevent the early discovery of structure fires.

Wind is a factor in the spread of fire in that burning embers are carried with the wind to adjacent exposed areas. Calistoga has a characteristic southerly wind, which originates

from the San Francisco Bay and becomes a factor in the control of fires. Further, in the dry season, Calistoga experiences an occasional north wind of significant velocity, which is recognized by fire officials to be a significant concern with regard to fire spread.

During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are often accompanied by low humidity, creating a hazardous fire condition. With increased development spreading into Calistoga's brush-covered foothill areas, wind-driven fires can have severe consequences, as has been demonstrated on several occasions throughout the State.

Geographical The city is susceptible to seismic hazards resulting from movement along any one of several known faults in the area. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is a possibility of earthquake-induced landslides. Fire is often the major form of damage resulting from earthquakes. Most earthquake-induced fires start because of damage to gas lines, power lines or heat producing appliances. Such fires expose residential and other development within the city to an increased risk of conflagration. In addition, unstable slopes have been identified in the city, which present a significant potential for landslides. In the event of a major earthquake or landslide, many areas of the city may not be accessible to emergency equipment and, if bridges or roads are damaged, the city may be isolated from outside assistance. Several areas within the city offer poor access for the delivery of public safety services because of the severity of slopes and the existence of natural barriers such as the Napa River and its tributaries such as Garnett Creek and Cyrus Creek.

Topographical The city's borders include hilly terrain adjacent to the southwest portions of the city. The roadway systems in these hills are designed around the lay of the land with respect to narrow, winding and steep access ways. The grades of these roadways sometimes exceed 25% and road widths of less than 12 feet are not uncommon. The Napa River and other small waterways run directly through the city and could impact emergency response during disasters. The water supply within the city is directly affected by the topographical layout. The water distribution system consists of pressure zones, which carry water by gravity from various reservoirs. Water flow within the city can vary from less than 100 gallons per minute to flows in excess of 1,000 gallons per minute. This wide variation causes major problems to development as well as to fire suppression efforts. The hilly terrain contributes to drainage, erosion and slope instability problems for some development.

WHEREAS, the Calistoga Building Standards Advisory and Appeals Board at its meeting of September 5, 2013, recommended adoption of the 2013 California Building Standards Code, with local amendments, to the City Council;

WHEREAS, the City Council reviewed and considered this ordinance at its meeting on November 19, 2013, noticed in accordance with state and local law, and which included written and oral staff reports, and comments received from the general public and interested agencies and parties.

NOW, THEREFORE, THE CALISTOGA CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE

Findings. The above recitals are incorporated herein as if set forth herein in full and each is relied upon independently by the City Council for its adoption of this ordinance.

SECTION TWO

Repeal of Existing Codes. Calistoga Municipal Code Chapters 15.04 Administrative Code, 15.08 California Building Code, 15.12 California Residential Code, 15.16 California Electrical Code, 15.20 California Mechanical Code, 15.24 California Plumbing Code, 15.28 California Energy Code, 15.32 California Historical Building Code, 15.36 California Fire Code, 15.40 California Existing Building Code, 15.44 California Green Building Standards and 15.48 California Reference Standards of Title 15, California Building Standards, are hereby repealed.

SECTION THREE

Retitling. Calistoga Municipal Code Title 15, California Building Standards Codes, is hereby retitled, Building Standards Codes.

SECTION FOUR

Adoption. The following chapters are hereby added to Calistoga Municipal Code Title 15, Building Standards Codes:

Chapter 15.04

ADMINISTRATIVE CODE

15.04.010 Administrative Code

For the purpose of establishing proper regulations for the administration of the various codes covered in this Title, the 2013 California Administrative Code is adopted and made a part of this Title by reference.

Chapter 15.08

BUILDING CODE

15.08.010 Building Code

For the purpose of establishing proper regulations for building construction, the 2013 California Building Code, Vol. 1 & 2 referred to as the "International Building Code" or "IBC," is adopted and made a part of this Title by reference.

Chapter 15.12
RESIDENTIAL CODE

15.12.010 Residential Code

For the purpose of establishing proper regulations for building construction, the 2013 California Residential Code, including Appendix A (Sizing and Capacities of Gas Piping), Appendix E (Manufactured Housing Used As Dwellings), Appendix F (Radon Control Methods), Appendix G (Swimming Pools, Spas and Hot Tubs), Appendix H (Patio Covers), Appendix J (Existing Buildings and Structures) and Appendix P (Sizing of Water Piping System), referred to as the "International Building Code" or "IBC," is adopted and made a part of this Title by reference.

Chapter 15.16
ELECTRICAL CODE

15.16.010 Electrical Code

For the purpose of establishing proper regulations for building construction and for installation of electrical systems, the 2013 California Electrical Code, otherwise identified as the National Electrical Code, 2011 Edition, referred to as the "National Electrical Code" (NEC) is adopted and made a part of this Title by reference.

Chapter 15.20
MECHANICAL CODE

15.20.010 Mechanical Code

For the purpose of establishing proper regulations for building construction and for the installation of mechanical systems, the 2013 California Mechanical Code, otherwise identified as the Uniform Mechanical Code, 2012 Edition, and referred to as the "Uniform Mechanical Code" or "UMC," is adopted and made a part of this Title by reference.

Chapter 15.24
PLUMBING CODE

15.24.010 Plumbing Code

For the purpose of establishing proper regulations for building construction and for the installation of plumbing systems, the 2013 California Plumbing Code, including Appendix A (Recommended Rules for Sizing the Water Supply System), Appendix B (Explanatory Notes on Combination Waste and Vent System), Appendix D (Sizing Storm Water Drainage System), Appendix I (Installation Standards), Appendix K (Potable Rainwater Catchment Systems), otherwise identified as the Uniform Plumbing Code, 2012 Edition, and referred to as the "Uniform Plumbing Code," or "UPC," is adopted and made a part of this Title by reference.

Chapter 15.28
ENERGY CODE

15.28.010 Energy Code

For the purpose of establishing proper regulations for building construction and energy conservation, the 2013 Energy Code is adopted and made a part of this Title by reference.

Chapter 15.32
HISTORICAL BUILDING CODE

15.32.010 Historical Building Code

For the purpose of establishing proper regulations for building construction as it relates to historical buildings, the 2013 California Historical Building Code is adopted and made a part of this Title by reference.

Chapter 15.36
FIRE CODE

Sections:

- 15.32.010 Adoption
- 15.32.020 Definitions
- 15.32.030 Amendments
- 15.32.040 Establishment of limits

15.32.010 Adoption

For the purpose of establishing proper regulations for building construction, the 2013 California Fire Code, including Appendix B and Appendix BB (Fire Flow Requirements for Buildings), Appendix C and Appendix CC (Fire Hydrant Locations and Distribution), Appendix D (Fire Apparatus Access Roads), Appendix E (Hazard Categories), Appendix F (Hazard Ranking), Appendix G (Cryogenic Fluids-Weight and Volume Equivalents), Appendix H (Hazardous Materials Management Plans and Hazardous Inventory Statements), Appendix I (Fire Protection Systems—Noncompliant Conditions), Appendix J (Building Information Sign), Appendix K (Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses) referred to as the "International Fire Code" or "IFC," is adopted and made a part of this Title by reference.

15.32.020 Definitions

For the purposes of this Chapter, wherever the phrase "new construction" is used in the California Fire Code, it shall be defined as: "any work, including but not limited to, an addition, remodel, repair, renovation, or alteration of any building or structure."

15.32.030 Amendments

The California Fire Code is amended to read as follows:

- A. Chapter 1, Division II Administration, Part 2 Administration Provisions, Section 109.4 Violation Penalties, is deleted.
- B. Chapter 1, Division II, Administration, Part 2 Administrative Provisions, Section 111 Stop Work Order, Section 111.4 Failure to Comply, is amended to read as follows:

111.4 Failure to comply.

Any person, who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a penalty as prescribed in CMC Chapter 110.

- C. Chapter 9 Fire Protection Systems, Section 903 Automatic Sprinkler Systems, Section 903.2 Where Required, is amended by adding the following sections:

903.2.20 Additions.

An automatic sprinkler system shall be installed throughout any existing commercial or residential building when the floor area of the addition (including mezzanines) within any three year period exceeds 50% of the existing floor area of the building or when an additional story is added.

903.2.21 Alterations or Repairs.

For alterations or repairs to an existing building involving demolition of more than 50% of the existing floor area or removal of 50% or more of the existing ceiling material, the building shall meet the sprinkler requirements for a newly constructed building.

Exception to this Section: One-time alterations made solely for the purpose of complying with the Americans with Disabilities Act.

903.2.22 Change in Occupancy.

For any change of occupancy, including conversions of buildings to single-family residences, accessory dwelling units, bed and breakfast, inns, lodging houses or congregate residences for 10 or fewer persons or other similar uses, an automatic fire sprinkler shall be installed throughout.

- D. Appendix C Fire Hydrant Locations and Distribution, Section C102 Location, is amended by adding the following section:

C102.2 Fire Department Connections

A fire hydrant shall be located within 50 feet of all Fire Department Connections (FDC), or as approved by the Fire Code Official.

- E. Appendix D Fire Apparatus Access Roads. Section D107 One- or Two-Family Residential Developments, is amended as follows:

D107.1 One- or Two-Family Dwelling Residential Developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 20 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions 1 and 2 are deleted.

- F. Chapter 57, Section 5701, General is amended by adding Section 5701.6, Establishment of limits, as follows:

5701.6 Establishment of limits.

Establishment of Limits of Districts in which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks is Prohibited:

The limits referred to in Chapter 57 of the California Fire Code, in which the storage of flammable or combustible liquids is restricted, are hereby established as follows: Storage

of 16 gallons or more is prohibited in all areas unless a permit is issued by the Fire Code Official.

Establishment of Limits of Districts in which Storage of Liquefied Petroleum Gases is Prohibited:

The limits referred to in Chapter 57 of the California Fire Code, in which storage of liquefied petroleum gas is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.

Establishment of Limits of Districts in which Storage of Explosives and Blasting Agents is Prohibited:

The limits referred to in Chapter 56 of the California Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City, unless a permit is issued by the Fire Code Official.

Establishment of Limits of Districts in which the Storage of Compressed Gases is Prohibited:

The limits referred to in Chapter 53 of the California Fire Code in which the storage of compressed gases is prohibited, are hereby established as follows: Storage of 16 gallons or more is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.

Establishment of Limits of Districts in which the Storage of Stationary Tanks of Flammable Cryogenic Fluids is Prohibited:

The limits referred to in Chapter 58 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.

Establishment of Limits of Districts in which the Storage of Hazardous Materials is Prohibited:

The limits referred to in Chapter 50 of the California Fire Code in which the storage of hazardous materials is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.

Chapter 15.40

EXISTING BUILDING CODE

15.40.010 Existing Building Code

For the purpose of establishing proper regulations for building construction, the 2013 California Existing Building Code otherwise identified as the International Existing Building Code, 2012 Edition, and referred to as the "International Existing Building Code," or "IEBC," is adopted and made a part of this Title by reference.

Chapter 15.44
GREEN BUILDING STANDARDS

15.44.010 Green Building Standards

For the purpose of establishing proper regulations for building construction, the 2013 California Green Building Standards is adopted and made a part of this Title by reference.

Chapter 15.48
REFERENCED STANDARDS

15.48.010 Adoption

For the purpose of establishing proper regulations for building construction, the 2013 California Referenced Standards is adopted and made a part of this Title by reference.

SECTION FIVE

If any section or portion of this ordinance is for any reason held to be invalid and or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION SIX

Effective Date.

THIS ORDINANCE shall take effect January 1, 2014. Before expiration of fifteen (15) days after its passage by the City Council, the City Clerk shall cause to be published a summary of this ordinance in a newspaper of general circulation within the City of Calistoga.


THIS ORDINANCE was introduced with the first reading waived at the City Council meeting of **19th day of November, 2013** and was passed and adopted at a regular meeting of the City Council on **3rd day of December, 2013**, by the following vote:

AYES: Vice Mayor Dunsford, Councilmembers Kraus, Barnes and Lopez-Ortega and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None



Chris Canning, Mayor

ATTEST:



Kathy Flamson, Deputy City Clerk