CITY OF PISMO BEACH

CONSTRUCTION CODES
&
AMENDMENTS

EFFECTIVE JANUARY 1, 2023

BUILDING DIVISION
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City of Pismo Beach

CONSTRUCTION CODES

This publication is a summary of that portion of the Pismo Beach Municipal Code that establishes the construction codes for the City, effective January 1, 2023. Those sections of the 2022 edition of the California Codes and the 2018 edition of the International Property Maintenance Code that are amended by Ordinance No. **0-2022-008,** as well as relevant sections of the Municipal Code, are reprinted in this document.

Capitalized section headings are municipal code sections. *Italics indicate text added to the adopted model code.*

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Chapter 15.04 GENERAL PROVISIONS

15.04.010 ADOPTION OF CONSTRUCTION CODES

Ten documents, each of which are on file in City offices, marked and designated as (1) the 2022 edition of the California Building Code (Volumes 1 and 2) published by the International Code Council, (2) the 2022 edition of the California Residential Code published by the International Code Council, (3) the 2022 edition of the California Electrical Code published by the National Fire Protection Association, (4) the 2022 edition of the California Mechanical Code published by the International Association of Plumbing and Mechanical Officials, (5) the 2022 edition of the California Plumbing Code published by the International Association of Plumbing and Mechanical Officials, (6) the 2022 edition of California Energy Code, (7) the 2022 edition of the California Historical Building Code, (8) the 2022 edition of the California Existing Building Code, (9) the 2022 edition of the California Green Building Standards Code, and (10) the 2021 edition of the International Property Maintenance Code published by the International Code Council are hereby adopted, including chapters and sections not adopted by agencies of the State of California, and including appendices thereto, as the Building Construction Regulations of the City of Pismo Beach. The provisions of such are hereby referred to, adopted, and made a part hereof as if fully set out in this Chapter except as modified in Chapter 15.08.

15.04.020 BUILDING OFFICIAL DESIGNATED

The Building Official is hereby designated as the building official and code official for the City of Pismo Beach. Where the "authority having jurisdiction" is used in the adopted codes, it shall mean the building official.

15.04.030 REFERENCED CODES AND STANDARDS

Where other codes and standards are referred to in the codes adopted in Section 15.04.010, the following shall apply:

A. International Building Code shall mean California Building Code or the California Residential Code, as applicable.

B. International Plumbing Code shall mean California Plumbing Code.

C. International Fuel Gas Code shall mean California Plumbing Code.

D. International Mechanical Code shall mean California Mechanical Code.

E. NFPA 70 and National Electrical Code shall mean California Electrical Code.

F. International Residential Code for One- and Two-family Dwellings shall mean the California Residential Code.

G. International Fire Code shall mean California Fire Code.

H. International Existing Building Code shall mean the California Existing Building Code.

I. International Zoning Code shall mean applicable provisions of Chapters 16 and 17 of the City of Pismo Beach Municipal Code.

Chapter 15.08 CONSTRUCTION REGULATIONS

15.08.010 AMENDMENTS; CALIFORNIA BUILDING CODE

The California Building Code adopted in Section 15.04.010 is modified, amended and/or supplemented as follows:

A. Delete Appendices A, B, D, F, and K, M, N, O.

B. Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the *California* Building Code, hereinafter referred to as "this code."

C. Amend Section 101.4 to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through *101.4.8* and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each reference.

D. Add Section 101.4.8 to read as follows:

101.4.8 Electrical. *The provisions of the California Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, and replacement of electrical equipment, appliances, fixtures, fittings and appurtenances thereto.*

E. Amend Section 103.1 to read as follows:

103.1 Creation of enforcement agency. The Building *Division* is hereby created and the official in charge thereof shall be known as the building official.

F. Add Section 104.3.1 to read as follows:

104.3.1 Citations. *The building official, or duly authorized agent, is granted the authority as provided in Section 836.5(a) of the California Penal Code to issue citations for violations of this chapter.*

G. Add Section 104.12 to read as follows:

104.12 Discovery of archaeological resources. *In the event archaeological resources are unearthed or discovered during any construction activities, the building official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist and/or Native American, and disposition of artifacts may be accomplished in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the building official shall notify the county coroner. If human remains are found to be of an ancient age and of archaeological and spiritual significance, the building official shall notify the Native American Heritage Commission.*

H. Amend Section 105.2 and the Building exemptions only to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage shed, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11 m^2).
2. Fences not over *6* feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls *and non-retaining walls, including masonry and concrete free-standing walls,* that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.

6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agriculture purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

I. Amend Section 105.3.2 to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned *365* days after the date of filing, unless a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. *No extension of time granted by the building official shall extend the application beyond the effective date of the next edition of the triennial California Building Standards Code. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.*

J. Add Section 109.2.1 to read as follows:

109.2.1 Plan Review Fees. *When submittal documents are required by Section 107.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be in accordance with the schedule as established by the applicable governing body.*

Separate plan review fees shall apply to permits for retaining walls and major drainage structures in conjunction with grading. For excavation and fill on the same site, the plan review fee for grading shall be based on the volume of excavation or fill, whichever is greater.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees.

Where submittal documents are incomplete or changed so as to require additional plan review, or where the project involves deferred submittal items as defined in Section 107.3.4.2, an additional plan review fee may be charged at a rate established by the applicable governing body.

K. Amend Section 109.4 to read as follows:

109.4 Work commencing before permit issuance.

109.4.1 Investigation. *Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.*

109.4.2 Fee. *An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee established by the applicable governing body. 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.*

L. Delete the exception to Section 110.3.6.

110.3.6 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

M. Add Section 112.4 to read as follows:

112.4 Underground utility services. *All new electric, telephone, television, and other communication service connections, for all new, altered, or enlarged buildings shall be provided by underground wiring. Extension of electric or communication distribution lines to serve such projects shall be underground wiring.*

Exceptions*:*

1. *Replacement or relocation of electric service equipment served by existing overhead wiring.*
2. *Where determined by the building official to be impractical or infeasible within the standards and practices of the utility or other companies providing such services.*

Where the utility or other company's distribution system is underground, the service lines shall terminate at a connection point designated by the utility company. Where the utility or other

company's distribution is overhead, the service lines shall terminate as a pole riser on a pole designated by the utility company.

N. Amend Section 113 to read as follows:

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of *the California Building Standards Code and the International Property Maintenance Code*, there shall be and is hereby created a Board of Appeals. *Said Board shall also serve as the Housing Appeals Board and the Local Appeals Board referenced in the California Building Standards Code. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board.* The Board of Appeals shall be appointed *on an "as needed" basis* by the *City Council* and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business. *The fee for appeals shall be consistent with fees established by the applicable governing authority.*

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form or construction is proposed. The board shall have no authority to waive requirements of this code. *For appeals relating to accommodations for the disabled, the authority of the board shall include the ability to authorize reasonable alternatives to disabled access requirements imposed by the California Building Standards Code so long as such alternatives provide substantially equivalent access to that required by such Code.*

113.3 Qualifications. The board of appeals shall consist of five members who are qualified by experience and training to pass on matters pertaining to building construction and building service equipment and are not employees of the jurisdiction. *For matters subject to the appeal process referenced in Section 1.9.1.5 of the California Building Code regarding accommodations for persons with physical disabilities, the board of appeals shall consist of two members experienced in construction, two members that are persons with disabilities as defined in the California Building Code, and one public member.*

O. Amend Section 114.1 to read as follows:

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. *It shall be unlawful for any person, firm or corporation to use for habitation, storage or any structural purpose, any discarded, salvaged, abandoned or replaced travel trailer, trucking trailer, cargo container, streetcar, bus body, rail car or other vehicle body. It*

shall be unlawful for any person, firm or corporation to use a travel trailer or recreational vehicle for residential purposes, except in an approved campground or recreational vehicle park.

P. Amend Section 114.4 to read as follows:

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code *and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the board of appeals within the time fixed herein,* shall be *guilty of a misdemeanor, and is subject to the penalty as provided for in Chapter 1.20 of the City of Pismo Beach Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.*

Q. Amend Section 115.4 to read as follows:

115.4 *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 the penalties *and code enforcement procedures set forth in Chapters 1.20, 1.24 and 1.28 of the City of Pismo Beach Municipal Code*.

R. Amend Section 116.1 to read as follows:

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section *and the 2021 edition of the International Property Maintenance Code, as adopted.* A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

S. Amend Section 502 to read as follows:

502.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in apposition that is visible from the street or road fronting the property. Address identification characters shall contrast with

their background. Numbers shall not be spelled out. Address numbers shall be Arabic numbers or alphabetical letters. Each character shall be not less than *6* inches (*152.4* mm) high *for residential buildings and 8 inches (203.2 mm) for non-residential buildings*, with a minimum stroke of 0.5 inch (12.7 mm), *unless otherwise required to be greater in height or of reflective material as determined by the fire code official during the jurisdiction's development review process for a specific project*. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole other sign or means shall be used to identify the structure. Address identification shall be maintained.

T. Delete Sections 903.2 through 903.2.11.3. Add new Sections 903.2 and 903.2.1 through 903.2.11.3 to read as follows:

903.2 Where required. *An approved automatic fire sprinkler system shall be installed:*

1. *Throughout new buildings.*

   Exceptions:
   1. *A single-story building that contains any occupancy other than Group R, H or I where floor area does not exceed 1000 square feet (92.9 m^2).*
   2. *A building containing a Group R, Division 3 occupancy not more than three stories above grade plane in height shall comply with the automatic fire sprinkler system requirements of Section R313 of the California Residential Code.*
   3. *A building that contains only a Group A, Division 5 occupancy. Notwithstanding the foregoing exception, concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet (93 m^2) shall be provided with an automatic fire sprinkler system.*

2. *Throughout existing and new sections of an existing building where floor area is increased by 1000 square feet (92 m^2) or where the floor area of a room or rooms altered exceeds fifty (50) percent of the existing floor area. Increase in floor area and alterations shall be cumulative from January 1, 2008, with each issuance of a building permit, regardless of any change of ownership.*

   Exceptions:
   1. *Alterations limited to replacement of exterior coverings, windows, roofing, electrical services, sewer laterals, retaining walls, and routine plumbing, electrical and mechanical repairs.*
   2. *A building containing a Group R, Division 3 occupancy not more than three stories above grade plane in height shall comply with the automatic fire sprinkler system requirements of Section R313 of the California Residential Code.*

3. *Throughout existing and new sections of an existing building where an additional story is added.*

   Exception: *A building that contains a Group R, Division 3 occupancy that will not be more than three stories above grade plane in height shall comply with the automatic fire sprinkler system requirements of Section R313 of the California Residential Code.*

4. *In additions to existing buildings equipped with an automatic fire sprinkler system.*

5. *Throughout existing and new sections of an existing building where there is an occupancy classification change resulting in a higher hazard as determined by Table 903.2 (5).*

Table 903.2(5)
Hazard Categories

Relative Hazard	***Occupancy Classifications***
1 (Highest Hazard)	*H*
2	*I-2, I-3, I-4*
3	*A, E, I-1, M, R-1, R-2, R-4*
4	*B, F-1, R-3, S-1*
5 (Lowest Hazard)	*F-2, S-2, U*

6. *In buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled.*

For the purpose of requiring the automatic fire sprinkler systems specified in this chapter, the floor area within the surrounding exterior walls shall be considered as one building. For the purpose of calculating square footage for the application of fire sprinkler requirements and fire flow, the floor area shall be as defined by Floor Area Gross in Section 202 of this code.

903.2.1 through 903.2.11.3 not used. *Text continues with Section 903.2.11.4.*

U. Add Section 903.3.5.3 to read:

903.3.5.3 Minimum water supply. *The minimum water supply for an automatic residential fire sprinkler system designed in accordance with Section R313 of the California Residential Code or NFPA 13D shall be not less than a 1-inch nominal pipe size for the service lateral from the water main to the water meter location and not less than a 1-inch water meter.*

V. Add Section 903.3.10 to read as follows:

903.3.10 Exterior locations. *Automatic fire sprinklers installed at exterior locations shall be approved corrosion-resistant devices.*

W. Amend Section 905.3.1, with all Exceptions to remain, to read as follows:

905.3.1 Building height *and area*. In other than Group R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout each floor where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access.

2. Buildings where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access.

3. Buildings that are two or more stories below the highest level of fire department vehicle access.

4. *A parking structure.*

A building that is greater than 20,000 square feet (1.858 m^2) of floor area and greater than18 feet (5.49 m) in height shall have a dry or wet standpipe system with a 2 ½ inch (64 mm) outlet at the roof near the roof access. Location of the outlet and the fire department connection to the standpipe shall be labeled and approved by the fire code official.

X. Amend Section 907.6.6 to read as follows:

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the California Fire Code shall be monitored by an approved *central station service listed by Underwriters Laboratory for receiving fire alarms* in accordance with NFPA 72 and this section. The central station shall contact and notify the police/fire dispatch center immediately on notification of an alarm and prior to making contact with the protected premises.

Exception: Monitoring by a *central* station is not required for:
1. Single- and multiple–station smoke alarms required by Section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3
3. Automatic sprinkler systems in one- and two-family dwellings.

Y. Delete exceptions 6 and 7 of Section 1031.2:

Z. Add Section 1506.4 to read as follows:

1506.4 Wood shake and shingle roof covering limitations. *Wood shake or shingle roof coverings shall not be installed on any building. A roof covering shall not be applied over existing wood shakes or shingles.*

Exception:
A wood shake or wood shingle system listed as a Class A-rated roof covering.

AA. Amend Section 3201.1 to read as follows:

3201.1 Scope. The provisions of this chapter and *Chapter 12.32 of the Municipal Code* shall govern encroachment of structures into the public right-of-way.

BB. Amend Section 3201.3 to read as follows:

3201.3 Other laws. The provisions of this chapter shall not be construed to permit violation of other laws or ordinances regulating the use and occupancy of public property. *The projection of any structure or portion thereof into a right-of-way shall be subject to an encroachment permit issued by the City of Pismo Beach, State of California, or other agency having jurisdiction over the public right-of-way.*

CC. Amend Section 3201.4 to read as follows:

3201.4 Drainage. Drainage water collected from a roof, awning, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface *unless specifically approved by the City Engineer*.

DD. Delete Sections 3202.2.1, 3202.2.2 and 3202.2.3 and amend Section 3202.2 to read as follows:

3202.2 Encroachments above grade and below 8 feet in height. Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited. Doors, windows *and stairs* shall not open or project into the public right-of-way.

EE. Amend Section 3202.3.1 to read as follows:

3202.3.1 Awnings, canopies, marquees, *roof overhangs, roof projections,* and signs. Awnings, canopies, marquees, *roof overhangs, roof projections,* and signs shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, marquees, *roof overhangs,*

roof projections and signs with less than 15 feet (4572 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building *to the face of curb*. Stanchions or columns that support awnings, canopies, marquees and signs shall *not* be located on the public right-of-way.

FF. Add Exception to Section 3202.3.2 to read as follows:

3202.3.2 Windows, architectural features and mechanical equipment. Where the vertical clearance above grade to projecting windows, architectural features or mechanical equipment is more than 8 feet (2438 mm), 1 inch (25mm) of encroachment is permitted for each additional 1 inch of clearance above 8 feet (2438 mm), but the maximum encroachment shall be 4 feet (11219 mm).

Exception: *For windows, balconies and architectural features projecting over a public sidewalk, the minimum vertical clearance may be 8 feet (2438 mm) for the maximum encroachment length of 4 feet (11219 mm) and the maximum projection shall be not less than 2 feet (610 mm) from the face of curb.*

GG. Amend Appendix Section G104.1 to read as follows:

G104.1 ***Permit application and processing***. Any person, owner, or owner's authorized agent who intends to conduct any development in a flood hazard area shall first make application to the building official and shall obtain the required permit. *The processing and administration of a permit application required in Section G104.1 shall be as prescribed in Sections 105 and 107.*

HH. Amend Appendix Section H101.2 to read as follows:

H101.2 Signs exempt from permits. The following signs are exempt from the requirement to obtain a permit from the building official before erection or alteration of a sign:

1. *Signs where a Planning Permit is not required.*
2. Temporary signs announcing the sale or rent of property.
3. Signs erected by transportation authorities.

II. Add Appendix Section H106.3 to read as follows:

H106.3 Sign Operation. *Illuminated signs shall remain off pending final inspection approval*

JJ. Add Appendix Sections J101.3 and J101.4 to read as follows:

J101.3 Hillsides. *The term hillside area is defined as all properties with slopes of 10 percent or more. No grading shall commence on slopes greater than 30 percent, including but not limited to access roads and driveways unless approved by the Planning Commission or the City Council. The hillside development regulations of the city zoning ordinance and General Plan/Local Coastal Plan Policy C0-10 shall apply in addition to the standards and procedures set forth in this code for all properties in this category.*

J101.4 Approval for building construction. *Prior to commencement of any building construction, pursuant to a building permit for the graded site, a benchmark shall be provided to verify that the building site is graded in conformance with the approved grading plan. No building construction shall be started until the building official or city engineer has verified that the rough grading conforms to the approved plan, including any interim or permanent erosion control measures deemed necessary.*

KK. Amend Appendix Section J103.2 and add Appendix Sections J103.3 and J103.4 to read as follows:

J103.2 Exempted Work. A grading permit shall not be required for the following:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.

4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate, or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional.
8. *An excavation which does not exceed fifty cubic yards and (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical to 2 units horizontal.*
9. *A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical to 5 units horizontal, not intended to support structures on any one lot and does not obstruct a drainage course.*
10. *A fill less than 3 foot (38.3 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical to 5 units horizontal, not intended to support structures, that does not exceed 50 cubic yards (38.3 m^3) on any one lot and does not obstruct a drainage course.*

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

J103.3 Early grading. *A grading permit shall not be issued prior to issuance of a building permit for the project unless:*

1. *A tentative subdivision or tract map, use permit, planning permit or similar authorization has been granted; and*
2. *Related street and utility grades have been established; and*
3. *A surety bond in accordance with Section J103.4 is deposited to guarantee restoration of the site to a natural or other condition acceptable to the building official should the project not proceed to completion.*

J103.4 Bonds. *The building official may require bonds in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions or restore a graded site to the original condition. In lieu of a surety bond, the applicant may file a cash bond or instrument of credit with the building official in an amount equal to that which would be required in the surety bond.*

The city engineer may require that bonds be posted to recover the full costs of any damage to public right-of-way which may occur because of the peculiar nature or large scope of the project, such as transportation of fill or heavy equipment on local streets not designed to accommodate the traffic.

LL. Amend Appendix Sections J104.2 to read as follows:

J104.2 Site plan requirements. In addition to the provisions of Appendix Section 107, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code. *The plans shall show existing drainage conditions and drainage devices and all proposed changes thereto. The plans shall include the location and dimension of all trees on the site which are 3 inches (76.2 mm) in diameter or larger at the trunk, measured at 4.5 feet (1.37 m) above ground level, trees to be removed and trees to remain. A preservation plan shall be submitted for all trees to remain. The plans shall indicate where excess material, rocks, or rubble will be disposed of*.

MM. Add Appendix Section J110.3 to read as follows:

J110.3 Other standards. *Erosion control measures shall conform to the following standards and approval processes:*

1. *The City's Stormwater Management Plan.*
2. *The most current "Erosion and Sediment Control Field Manual" published by the California Regional Water Quality Control Board, San Francisco Bay Region.*
3. *NPDES permit requirements.*
4. *The 2022 California Green Building Standards Code.*

15.08.020 AMENDMENTS; CALIFORNIA RESIDENTIAL CODE

The California Residential Code adopted in Section 15.04.010 is modified, amended and/or supplemented as follows:

A. Delete Appendices AA, AB, AC, AD, AE, AF, AG, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AT, AU, AV, AW, and AY.

B. Amend Section R101.1 to read as follows:

R101.1 Title. These provisions shall be known as the *California* Residential Code and shall be cited as such and shall be referred to herein as "this code".

C. Amend Section R103.1 to read as follows:

R103.1 Creation of enforcement agency. The *Building Division* is hereby created and the official in charge thereof shall be known as the building official.

D. Add Section R104.3.1 to read as follows:

R104.3.1 Citations. *The building official, or duly authorized agent, is granted the authority as provided in Section 836.5(a) of the California Penal Code to issue citations for violations of this chapter.*

E. Add Section R104.12 to read as follows:

R104.12 Discovery of archaeological resources. *In the event archaeological resources are unearthed or discovered during any construction activities, the building official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist and/or Native American, and disposition of artifacts may be accomplished in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the building*

official shall notify the county coroner. If human remains are found to be of an ancient age and of archaeological and spiritual significance, the building official shall notify the Native American Heritage Commission.

F. Amend Section R105.2 to read as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m^2).
2. Fences not over *6* feet (1829 mm) high.
3. Retaining walls *and non-retaining walls, including masonry and concrete free-standing walls,* that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks *not attached to a dwelling and not more than 30 inches (762 mm) above grade at any point*.

G. Amend Section R105.3.2 to read as follows:

R105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 365 days after the date of filing~~,~~ unless a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. No extension of time granted by the building official shall extend the application beyond the effective date of the next edition of the triennial California Building Standards Code.

H. Add Section R108.2.1 to read as follows:

R108.2.1 Plan review fees. *When submittal documents are required by Section R106.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be in accordance with the schedule as established by the applicable governing body.*

Separate plan review fees shall apply to permits for retaining walls and major drainage structures in conjunction with grading. For excavation and fill on the same site, the plan review fee for grading shall be based on the volume of excavation or fill, whichever is greater.

The plan review fees specified in this section are separate fees from the permit fees specified in Section R108.2 and are in addition to the permit fees.

Where submittal documents are incomplete or changed so as to require additional plan review an additional plan review fee may be charged at a rate established by the applicable governing authority.

I. Amend Section R108.6 to read as follows:

R108.6 Work commencing before permit issuance.

R108.6.1 Investigation. *Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.*

R108.6.2 Fee. *An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. 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.*

J. Add Section R111.4 to read as follows:

R111.4 Underground utility services. *All new electric, telephone, television, and other communication service connections, for all new, altered, or enlarged buildings shall be provided by underground wiring. Extension of electric or communication distribution lines to serve such projects shall be underground wiring.*

Exceptions*:*

1. *Replacement or relocation of electric service equipment served by existing overhead wiring.*

2. *Where determined by the building official to be impractical or infeasible within the standards and practices of the utility or other companies providing such services.*

Where the utility or other company's distribution system is underground, the service lines shall terminate at a connection point designated by the utility company. Where the utility or other company's distribution is overhead, the service lines shall terminate as a pole riser on a pole designated by the utility company.

K. Amend Section R112.1 to read as follows and delete Sections R112.2 through R112.4:

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, *the provisions of Section 113 of the California Building Code, as amended, shall apply*.

L. Amend Section R113.1 to read as follows:

R113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. *It shall be unlawful for any person, firm or corporation to use for habitation, storage or any structural purpose, any discarded, salvaged, abandoned or replaced travel trailer, trucking trailer, cargo container, streetcar, bus body, rail car or other vehicle body. It shall be unlawful for any person, firm or corporation to use a travel trailer or recreational vehicle for residential purposes, except in an approved campground or recreational vehicle park.*

M. Amend Section R113.4 to read as follows:

R113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code *and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the board of appeals within the time fixed herein,* shall be *guilty of a misdemeanor, and is subject to the penalty as provided for in Chapter 1.20 of the City of Pismo Beach Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.*

N. Amend Section R114.2 to read as follows:

R114.2 *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 the penalties *and code enforcement procedures set forth in Chapters 1.20, 1.24 and 1.28 of the City of Pismo Beach Municipal Code.*

O. Amend Section R310.1 by deletion of Exception 5.

R310.1 Emergency escape and rescue opening required. Basements, habitable attics and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Exception: Storm shelters and basements used only to house mechanical equipment not exceeding a total floor area of 200 square feet (18.58 m^2).

P. Add Section R312.5 to read as follows:

R312.5 Glazing. *Where glass is used to provide a guard or as a portion of the guard system, the guard shall also comply with Section 2407 of the California Building Code. Where the glazing provided does not meet the strength and attachment requirements of Section 1607.9 of the California Building Code, complying guards shall also be located along glazed sides of open-sided walking surfaces.*

Q. Amend Section R313.2 to read as follows

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings.

Exceptions:

1. *Existing dwellings, not already provided with an automatic residential fire sprinkler system, where additions or alterations do not increase the existing floor area by more than 1,000 square feet (92.9 m^2) or create an additional dwelling unit.*
2. Accessory Dwelling Unit, provided that all of the following are met:
   - 2.1 The unit meets the definition of an Accessory Dwelling unit as defined in the Government Code Section 65852.2.
   - 2.2 The existing primary residence does not have automatic fire sprinklers.
   - 2.3 The accessory detached building does not exceed 1,200 square feet (111.5 m^2) in size.
   - 2.4 The unit is on the same lot as the primary residence.

R. Amend Section R313.3.1.2 to read as follows:

R313.3.1.2 Required sprinkler locations. Sprinklers shall be installed to protect all areas of a dwelling unit.

Exceptions:

1. Attics, crawl spaces and normally unoccupied concealed spaces that do not contain fuel-fired appliances do not require fire sprinklers. In attics, crawl spaces and normally unoccupied concealed spaces that contain fuel-fired equipment, a sprinkler shall be installed above the equipment; however, sprinklers shall not be required in the remainder of the space.
2. Clothes closets, linen closets and pantries not exceeding 24 square feet (2.2 m^2) in area, with the smallest dimension not greater than 3 feet (915 mm) and having wall and ceiling surfaces of gypsum board.
3. Bathrooms not more than 55 square feet (5.1 m^2) in area.
4. Detached garages *where the floor area does not exceed 1000 square feet (92.9 m^2)*; carports with no habitable space above; open attached porches; unheated entry areas, such as mud rooms, that are adjacent to an exterior door; and similar areas.

S. Add Section R313.3.5.4 to read:

R313.3.5.4 Minimum water supply. *The minimum water supply for an automatic residential fire sprinkler system designed in accordance with Section R313 or NFPA 13D shall be not less than a 1-inch nominal pipe size for the service lateral from the water main to the water meter location and not less than a 1-inch water meter.*

T. Amend Section R319.1 to read as follows:

R319.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in apposition that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Numbers shall not be spelled out. Address numbers shall be Arabic numbers or alphabetical letters. Each character shall be not less than *6* inches (*152.4* mm) high with a minimum stroke of 0.5 inch (12.7 mm*), unless otherwise required to be greater in height or of reflective material as determined by the fire code official during the jurisdiction's development review process for a specific project*. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole other sign or means shall be used to identify the structure. Address identification shall be maintained.

U. Add Section R341.1 to read as follows:

R341.1 General. The design and construction of pools and spas shall comply with the *California Building Code, International Swimming Pool and Spa Code, and Appendix AX of this code*.

V. Add Section R904.5 to read as follows:

R904.5 Wood shake and shingle roof covering limitations. *Wood shake or shingle roof coverings shall not be installed on any building. A roof covering shall not be applied over existing wood shakes or shingles.*

Exception: *A wood shake or wood shingle system listed as a Class A-rated roof covering complying with R902.2 of this code.*

15.08.030 AMENDMENTS; CALIFORNIA EXISTING BUILDING CODE

The California Existing Building Code adopted in Section 15.04.010 is modified, amended and/or supplemented as follows:

A. Delete Appendix Chapters A4.

B. Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the *California* Existing Building Code, hereinafter referred to as "this code."

C. Amend Section 103.1 to read as follows:

103.1 Creation of enforcement agency. The Building *Division* is hereby created and the official in charge thereof shall be known as the building official.

D. Add Section 104.3.1 to read as follows:

104.3.1 Citations. *The building official, or duly authorized agent, is granted the authority as provided in Section 836.5(a) of the California Penal Code to issue citations for violations of this chapter.*

E. Add Section 104.12 to read as follows:

104.12 Discovery of archaeological resources. *In the event archaeological resources are unearthed or discovered during any construction activities, the building official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist and/or Native American, and disposition of artifacts may be accomplished in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the building official shall notify the county coroner. If human remains are found to be of an ancient age and of archaeological and spiritual significance, the building official shall notify the Native American Heritage Commission.*

F. Amend Section 105.3.2 to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned *365* days after the date of filing, unless a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. *No extension of time granted by the building official shall extend the application beyond the effective date of the next edition of the triennial California Building Standards Code. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.*

G. Add Section 108.2.1 to read as follows:

108.2.1 Plan Review Fees. *When submittal documents are required by Section 106.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be in accordance with the schedule as established by the applicable governing body.*

Separate plan review fees shall apply to permits for retaining walls and major drainage structures in conjunction with grading. For excavation and fill on the same site, the plan review fee for grading shall be based on the volume of excavation or fill, whichever is greater.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

Where submittal documents are incomplete or changed so as to require additional plan review, or where the project involves deferred submittal items as defined in Section 106.3.4, an additional plan review fee may be charged at a rate established by the applicable governing body.

H. Amend Section 108.4 to read as follows:

108.4 Work commencing before permit issuance.

108.4.1 Investigation. *Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.*

108.4.2 Fee. *An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee established by the applicable governing body. 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.*

I. Delete the exception to Section 109.3.5.

109.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

J. Add Section 111.4 to read as follows:

111.4 Underground utility services. *All new electric, telephone, television, and other communication service connections, for all new, altered, or enlarged buildings shall be provided by underground wiring. Extension of electric or communication distribution lines to serve such projects shall be underground wiring.*

Exceptions*:*

1. *Replacement or relocation of electric service equipment served by existing overhead wiring.*
2. *Where determined by the building official to be impractical or infeasible within the standards and practices of the utility or other companies providing such services.*

Where the utility or other company's distribution system is underground, the service lines shall terminate at a connection point designated by the utility company. Where the utility or other company's distribution is overhead, the service lines shall terminate as a pole riser on a pole designated by the utility company.

K. Amend Section 112.1 to read as follows and delete Sections 112.2 and 112.3:

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, *the provisions of Section 113 of the California Building Code, as amended, shall apply*.

L. Amend Section 113.1 to read as follows:

113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. *It shall be unlawful for any person, firm or corporation to use for habitation, storage or any structural purpose, any discarded, salvaged, abandoned or replaced travel trailer, trucking trailer, cargo container, streetcar, bus body, rail car or other vehicle body. It shall be unlawful for any person, firm or corporation to use a travel trailer or recreational vehicle for residential purposes, except in an approved campground or recreational vehicle park.*

M. Amend Section 113.4 to read as follows:

113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code *and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the board of appeals within the time fixed herein,* shall be *guilty of a misdemeanor, and is subject to the penalty as provided for in Chapter 1.20 of the City of Pismo Beach Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.*

N. Amend Section 114.4 to read as follows:

114.4 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 the penalties *and code enforcement procedures set forth in Chapters 1.20, 1.24 and 1.28 of the City of Pismo Beach Municipal Code.*

O. Amend Section 115.1 of to read as follows:

115.1 Unsafe Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the

building official deems necessary and as provided for in this code *and the 2021 edition of the International Property Maintenance Code, as adopted.* A vacant structure that is not secured against entry shall be deemed unsafe.

P. Amend Appendix Section A102.1 to read as follows:

A102.1 General. The provisions of this chapter shall apply to all existing buildings having at least one unreinforced masonry bearing wall. The elements regulated by this chapter shall be determined in accordance with Table A102.1. Except as provided herein, other structural provisions of the building code shall apply. This chapter does not apply to the alteration of existing electrical, plumbing, mechanical or fire safety systems.

Exceptions:

1. *Warehouses or similar structures not used for human habitation unless housing emergency equipment or supplies.*
2. *A building having five living units or less.*
3. *A building previously strengthened to standards in effect at the time of strengthening.*

Q. Add new Appendix Section A115 entitled "Administrative Provisions" to read as follows:

SECTION A115 - ADMINISTRATIVE PROVISIONS

A115.1 Compliance requirements previously established (Ordinance 2010-08). *The city's building stock and records were surveyed to identify buildings within the scope of this chapter, and said building owners were notified of the determination by notice and order sent by certified mail dated January 11, 1990. The owner of a building within the scope of this chapter shall cause a structural analysis of the building to be made either by California-licensed engineer or architect. The engineer or architect may provide sufficient evidence to establish that the building is not within the scope of this chapter. The structural analysis shall be subject to the approval of the building official and shall be submitted in accordance with the following time limits:*

1. *By no later than February 1, 2011, a structural analysis and other substantial evidence which demonstrates that the building is not within the scope of this chapter shall be submitted.*
2. *By no later than February 1, 2011, a structural analysis and plans for alterations required to conform to this chapter shall be submitted.*
3. *By August 1, 2011, permits for the seismic retrofitting work necessary to achieve conformance with this chapter shall be obtained.*

Where compliance with this chapter would displace low and moderate income residential uses, the building official may extend special and reasonable consideration to the time limits in this section so as to minimize the displacement of persons.

In order for an owner of a building within the scope of this chapter to comply with this chapter, the following elements shall be made to comply:

1. *Unreinforced masonry walls to resist normal and inplane seismic forces.*
2. *The anchorage and stability of exterior parapets and ornamentation.*
3. *The anchorage of unreinforced masonry walls to floors and roof.*
4. *Floor and roof diaphragms.*
5. *A complete bracing system to resist earthquake forces.*

A115.1.1 Subsequent determinations. *Where a building, not otherwise identified in the original inventory of buildings subject to Ordinance 96-04, is determined to be within the scope of this chapter, the owner shall structurally alter the building to comply with this chapter within 180 days of receipt of a notice and order, or as otherwise determined by the building official.*

A115.2 Notice and Order

A115.2.1 General. *The building official shall, within 30 days of the determination that a building is of unreinforced masonry construction issue a notice and order as provided in this section to the owner of a building within the scope of this chapter.*

A115.2.2 Service of notice and order. *A notice or order issued pursuant to this section shall be in writing and shall be served either personally or by certified or registered mail upon the owner as shown on the last equalized assessment roll, and upon the person, if any, in apparent charge or control of the building. The failure of any such person to receive such notice or order shall not affect the validity of any proceedings taken under this chapter or relieve any such person from any duty or obligation imposed on him by the provisions of this chapter.*

A115.2.3 Content of notice and order. *The notice shall specify that the building has been determined by the building official to be within the scope of this chapter and, therefore, is subject to the minimum seismic standards of this chapter. The order shall direct the owner to obtain a building or demolition permit as required by this chapter and cause the building to be structurally altered to conform to the provisions of this chapter, or cause the building to be demolished. The notice or order shall be accompanied by a copy of Section A115.1, which sets forth the owner's responsibilities.*

A115.3 Appeal. *The owner of the building may appeal the building official's initial determination that the building is within the scope of this chapter to the Board of Appeals established by Appendix*

Section 112 of the California Building Code, as adopted. Such appeal shall be filed with the Board within 60 days from the service date of the order described in Section A115.2. Any appeal shall be decided by the Board no later than 90 days after filing and the grounds thereof shall be stated clearly and concisely. Appeals or requests for modifications from any other determinations, orders or actions by the building official pursuant to this chapter shall be made in accordance with the procedures established in Appendix Section 104.10 of the California Building Code.

A115.4 Recordation. *At the time that the building official serves the aforementioned notice, the building official shall also file and record with the office of the county recorder a certificate stating that the subject building is within the scope of this chapter and is a potentially earthquake hazardous building. The certificate shall also state that the owner thereof will be ordered to structurally analyze the building to determine compliance with this chapter.*

If the building is either demolished, found not to be within the scope of this chapter, or is structurally capable of resisting minimum seismic forces required by this chapter as a result of structural alterations or an analysis, the building official shall file and record with the office of the county recorder a form terminating the status of the subject building as being classified within the scope of this chapter.

A115.5 Enforcement. *If the owner in charge or control of the subject building fails to comply with any order issued by the building official pursuant to this chapter within the time limit set forth in Section A115.1, the building official shall verify that the record owner of this building has been properly served. If the order has been served on the record owner, then the following provisions apply:*

1. **The building official may order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within 90 days after the date the building has been ordered vacated or such additional time as may have been granted by the Board of Appeals, the building official may order its demolition in accordance with the provisions of Sections 107, 108, and 109 of the International Property Maintenance Code.**

2. **Any person who violates any provision of this chapter is guilty of a misdemeanor, and is subject to the penalty as provided for in Chapter 1.20 of the City of Pismo Beach Municipal Code.**

15.08.040 AMENDMENTS; CALIFORNIA MECHANICAL CODE

The California Mechanical Code adopted in Section 15.04.010 is modified, amended and/or supplemented as follows:

A. Delete Division II of Chapter 1 and Table 104.5, and Appendices A, B, C, D, E, F, and G.

B. *Administration of the mechanical code shall be as set forth in Division II of Chapter 1 of the California Building Code.*

15.08.050 AMENDMENTS; CALIFORNIA PLUMBING CODE

The California Plumbing Code adopted in Section 15.04.010 is modified, amended and/or supplemented as follows:

A. Delete Division II of Chapter 1 and Appendices C, E, F, G, K, and L.

B. *Administration of the plumbing code shall be as set forth in Division II of Chapter 1 of the California Building Code.*

C. Amend Section 1501.3 to read as follows by deletion of Exception:

1501.3 Permit. It shall be unlawful for a person to construct, install, alter, or cause to be constructed, installed, or altered an alternate water source in a building or on a premise without first obtaining a permit to do such work. Prior to commencing the issuance of permits for indoor gray water systems pursuant to state requirements relating to gray water, a city, county, or city and county or other local agency shall seek consultation with the local public health department to ensure that local public health concerns are address in local standards or ordinances, or in issuing permits. See California Water Code Section 14877.3.

D. Amend Section 1503.1.1 to read as follows:

1503.1.1 Clothes Washer System. A clothes washer system in compliance with all of the following is *not* exempt from the construction permit specified in Section 1.8.4.1 and shall not be installed or altered without a construction permit and shall comply with this chapter and the following:

(*1*) The installation, change, alteration or repair of the system does not include a potable water connection or a pump and does not affect other building, plumbing, electrical, or mechanical components including structural features, egress, fire-life safety, sanitation, potable water supply piping, or accessibility.
Note: The pump in a clothes washer shall not be considered part of the gray water system.

(*2*) The gray water shall be contained on the site where it is generated.

(*3*) Gray water shall be directed to and contained within an irrigation or disposal field.

(*4*) Ponding or runoff is prohibited and shall be considered a nuisance.

(*5*) Gray water systems shall be designed to minimize contact with humans and domestic pets.

E. Amend Section 1503.7 to read as follows:

1503.7 Drawings and Specifications. The Authority Having Jurisdiction may require the following information to be included with or in a plot plan before a permit is issued for a gray water system, or at a time during construction thereof:

(1) Plot plan drawn to scale and completely dimensioned, showing lot lines and structures, direction and approximate slope of surface, location of present or proposed retaining walls, drainage channels, water supply lines, wells, paved areas and structures, number of bedrooms and plumbing fixtures in each structure, location of private sewage disposal system or building sewer connecting to the public sewer, and location of the proposed gray water system.

(2) Details of construction necessary to ensure compliance with the requirements of this chapter, together with a full description of the complete installation, including installation methods, construction, and materials.

(3) Details for holding tanks shall including dimensions, structural calculations, bracings, and such other pertinent data as required.

(4) A log of soil formations and groundwater level as determined by test holes dug in proximity to proposed irrigation and/or disposal area, together with *an analysis* of water absorption characteristics of the soil and underground movement of water at the proposed site as determined by *a professional geotechnical engineer duly licensed as such by the State of California*.

(5) Distance between the plot and surface waters such as lakes, ponds, rivers, or streams, and the slope between the plot and the surface water, where in close proximity.

Chapter 15.08.060 AMENDMENTS; CALIFORNIA ELECTRICAL CODE

The California Electrical Code adopted in Section 15.04.010 is modified, amended and/or supplemented as follows:

A. Annexes are informative only and not adopted.

B. Administration of the electrical code shall be as set forth in Division II of Chapter 1 of the California Building Code.

C. Amend Section 230.70(A) (1) to read as follows:

(1) **Readily Accessible Location.** The service disconnecting means shall be installed at a readily accessible location either outside the building or other structure, or inside nearest the point of entrance of the service conductors. *The disconnecting means shall be accessible to emergency personnel, either directly or by a remote actuating device, without requiring transit of the building interior. Dedicated electrical equipment rooms located at the building perimeter and providing direct access to the outside shall satisfy accessibility for emergency personnel.*

15.08.070 AMENDMENTS; INTERNATIONAL PROPERTY MAINTENANCE CODE

The International Property Maintenance Code adopted in Section 15.04.010 is modified, amended and/or supplemented as follows:

A. Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of *Pismo Beach*, hereinafter referred to as "this code".

B. Amend Section 102.3 to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *California Building Standards Code and other applicable laws and ordinances*.

C. Amend Section 103.1 to read as follows:

103.1 General. The *office* of Code Enforcement *within the Building Division* is hereby created and the executive official in charge thereof shall be known as the code official.

D. Amend Section 104.1 to read as follows:

104.1 Fees. The fees for activities and services performed by the *code official* under this code shall be *in accordance with the schedule as established by the applicable governing authority*.

E. Add Section 105.5.1 to read as follows:

105.5.1 Citations. *The code official, or duly authorized agent, is granted the authority as provided in Section 836.5(a) of the California Penal Code to issue citations for violations of this chapter.*

F. Delete Section 107.1 and amend section 108.1 to read as follows:

108.1 Membership of board. The board of appeals shall *be the board of appeals established in Section 113 of the California Building Code as amended in Section 15.08.010 of the Pismo Beach Municipal Code*.

G. Amend Section 109.4 to read as follows:

109.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who fails to comply with an order as affirmed or modified by the board of appeals within the time fixed herein, shall be *guilty of a misdemeanor, and is subject to the penalty as provided for in Chapter 1.20 of the City of Pismo Beach Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.*

H. Amend Section 110.4 to read as follows:

110.4 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 the penalties and code enforcement procedures set forth in Chapters 1.20, 1.24 and 1.28 of the City of Pismo Beach Municipal Code*.

Chapter 15.12 SPECIAL PERMIT PROCESSING

15.12.010 Residential Small Rooftop Solar Systems.

A. Definitions. As used in Section 15.12.010, the following terms shall have the following meanings:

1. Electronic submittal. The utilization of one or more of the following:
    a. Email;
    b. Internet;
    c. Facsimile.

2. Small residential rooftop solar energy system. A solar energy system which meets all of the following:
    a. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
    b. A solar energy system that conforms to all applicable fire, structural, electrical, and other building codes as adopted or amended by the City and all applicable safety and performance standards established by the Institute of Electrical and Electronics Engineers and accredited testing laboratories.
    c. A solar energy system that is installed on a one- or two-family dwelling.
    d. A solar panel or module array that does not exceed the maximum legal building height as defined by the City.

3. Solar energy system. Any solar collector, other solar energy device or any structural design feature of a building the primary purpose of which is to provide for the collection, storage and distribution of solar energy for electric generation, space heating, space cooling, or water heating.

4. Specific adverse impact. A significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

B. Checklists and Standard Plans

1. The building official shall establish an administrative, nondiscretionary expedited permit application review process for small residential rooftop solar energy systems, including standard plans and checklists. The checklists shall set forth all requirements with which the small residential rooftop solar energy system must comply in order to be eligible for expedited review.

2. The small residential rooftop solar system permit process, standard plans, and checklists shall substantially conform to the recommendations for expedited permitting, including the checklists and standard plans, contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research. The building official may modify the checklists and standard plans found in the California Solar Permitting Guidebook due to unique climactic, geological, seismological, or topographical conditions.

3. The checklists and standard plans for small residential rooftop solar energy systems, as well as all other required permitting documentation, shall be available on the City of Pismo Beach website. Unique climactic, geological, seismological or topographical conditions requiring modifications of the checklists and standard plans found in the California Solar Permitting Guidebook shall be included on the website.

C. Permit Application Review

1. An applicant may submit the permit application and related documentation for a small residential rooftop solar energy system by electronic submittal, including all required permit processing and inspection fees, as specified on the City of Pismo Beach website. Electronic signatures shall be accepted on all electronic submittals in lieu of a wet signature.

2. A permit application for a small residential rooftop solar energy system shall be deemed complete when the building official determines that the application satisfies all the information requirements in the checklists and standard plans.

3. If a permit application for a small rooftop solar energy system is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

4. A permit application for a small residential rooftop solar energy system shall be administratively reviewed and approved by the building official as a nondiscretionary permit within a reasonable time following receipt of a complete application that satisfies the requirements of the approved checklists and standard plans, and includes payment of all required permit processing and inspection fees.

5. The building official may require the applicant to apply for use permit pursuant to other City Municipal Code provisions if the building official, based on substantial evidence, determines that the proposed small residential rooftop solar energy system could have a specific, adverse impact upon the public health and safety.

6. Approval of a permit application for a small residential rooftop solar energy system shall not be based or conditioned on the approval of an association, as defined in section 4080 of the Civil Code.

7. Approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility.

D. Inspection

1. Only one inspection shall be required and performed by the building official for small residential rooftop solar energy systems eligible for expedited review. A separate fire inspection may be performed if an agreement with the local fire code official does not exist to perform safety inspections on behalf of the fire code official.

2. The inspection shall be done in a timely manner.

3. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this section.

15.12.020 Electric Vehicle Charging Stations.

A. Definitions. As used in Section 15.12.020, the following terms shall have the following meanings:

1. Electric vehicle charging station or charging station. Any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

2. Electronic submittal. The utilization of one or more of the following:
   a. Email;
   b. Internet;
   c. Facsimile.

3. Specific, adverse impact. A significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

B. Electric Vehicle Charging Station Requirements

1. All electric vehicle charging stations shall meet applicable health and safety standards and requirements imposed by the state and the city.

2. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, accredited testing laboratories, and, where applicable, the Public Utilities Commission regarding safety and reliability.

C. Checklists and Standard Plans

1. The building official shall establish an administrative, nondiscretionary expedited permit application review process for electric vehicle charging stations, including standard plans and checklists. The checklists shall set forth all requirements with which the electric vehicle charging station must comply in order to be eligible for expedited review.

2. The electric vehicle charging station permit process, standard plans, and checklists shall substantially conform to the recommendations for expedited permitting, including the checklists and standard plans, contained in the most current version of "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research. The building official may modify the checklists and standard plans found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.

3. The checklists and standard plans for electric vehicle charging stations, as well as all other required permitting documentation, shall be available on the City of Pismo Beach website. Unique climactic, geological, seismological or topographical conditions requiring modifications of the checklists and standard plans found in the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" shall be included on the website.

D. Permit Application Review

1. An applicant may submit the permit application and related documentation for an electric vehicle charging station by electronic submittal, including all required permit processing and inspection fees, as specified on the City of Pismo Beach website. Electronic signatures shall be accepted on all electronic submittals in lieu of a wet signature.

2. A permit application for an electric vehicle charging station shall be deemed complete when the building official determines that the application satisfies all the information requirements in the checklists and standard plans.

3. If a permit application for an electric vehicle charging station is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

4. An application for an electric vehicle charging station shall be administratively reviewed and approved by the building official as a nondiscretionary permit within in a reasonable time following receipt of a complete application that satisfies the requirements of the approved

checklists and standard plans, and includes payment of all required permit processing and inspection fees.

5. The building official may require the applicant to apply for a use permit pursuant to other City Municipal Code provisions if the building official, based on substantial evidence, determines that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health and safety.

Approval of a permit application for an electric vehicle charging station shall not be based or conditioned on the approval of an association, as defined in Section 4080 of the Civil Code.

Chapter 15.16 POST DISASTER REGULATIONS

15.16.010 Intent

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy following an earthquake or other destructive event. The chapter further authorizes the building official and his or her representatives to post the appropriate placard at each entry to a building or structure upon completion of a safety assessment.

15.16.020 Application of provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Pismo Beach following each destructive event. The City Council may extend the provisions as necessary.

15.16.030 Definitions.

SAFETY ASSESSMENT. A visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued use.

15.16.040 Placards.

A. The following official placards shall be used to designate the condition for occupancy of buildings or structures:

1. Green: "Inspected - Lawful Occupancy Permitted" is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

2. Yellow: "Restricted Use" is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restriction on continued occupancy.

3. Red: "Unsafe - Do Not Enter or Occupy" is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstances except as authorized in writing by the building official or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damaged encountered.

B. The placard shall display the number of the ordinance codified in this chapter, and the name, address and phone number of the jurisdiction.

Once the placard has been attached to the building or structure, it shall not be removed, altered or covered until authorized by the building official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.