

DEPARTMENT: Building/Fire Department

BY: John E. Davis
PHONE: 966-3934

RECOMMENDED ACTION AND JUSTIFICATION:

2-12-08 waive 2nd reading and adopt Ord.

The 2007 edition of the California Code of Regulations Title 24, which incorporates the current California Building Codes, became effective January 1, 2008. The state mandates that the most recent updated codes be adopted every 3 years. Adoption of the current California Building Codes and the Ordinance entitled "Adoption of Uniform Codes" is requested by the Building Department. The adoption of more restrictive building codes will help to mitigate natural disaster affects as well as help to ensure the safety of all structures within Mariposa County.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The adoption of the model codes has been approved in the past as mandated for jurisdiction enforcement and fee evaluation.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The county would be unable to provide the desired level of service and enforcement required for the safety and welfare of the community. This adoption is also mandated by the state.

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		Proposed Ordinance 1-6
Source:		
Internal Transfer		CA Building Standard, Title 24
Unanticipated Revenue	4/5's vote	available at the Board Clerks
Transfer Between Funds	4/5's vote	office upon request.
Contingency	4/5's vote	
() General () Other		

CLERK'S USE ONLY:

Res. No.: _____ 1-22-08 Ord. Introduced
Vote - Ayes: 5 2/2 Ord. No. 1043
Absent: _____ Noes: _____
Approved
() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

CAO: 

MARIPOSA COUNTY ORDINANCE NO. 1043

AN ORDINANCE AMENDING SECTION 15.10.010 OF THE MARIPOSA COUNTY CODE ENTITLED ADOPTION OF UNIFORM CODES

WHEREAS, the Board of Supervisors desire to amend Section 15.10.010 of the Mariposa County Code, and

WHEREAS, this adoption will protect the health, safety and welfare of the citizens of Mariposa County, the standards of building within the county must conform with state law except where local conditions warrant more restrictive regulations, and, therefore, the Board of Supervisors should adopt the current state building codes contained in California Building Standards Title 24, and other uniform codes governing the construction and regulation of buildings and structures, and

WHEREAS, pursuant to California Government Code 50022.2, California Health and Safety Code Sections 17958.7 and 18941.5, Mariposa County makes the factual findings set forth in "Exhibit A" attached hereto and incorporated herein by reference, and finds that the amendments made in this Ordinance to the California Building Standards Title 24, California Building Code, incorporating the California Building Code, 2007 Edition, are reasonably necessary because of the local climatic, geographical or topographical conditions stated therein, and

WHEREAS, the adoption of the 2007 edition of the California Building Code and 2006 International Building Code will protect the health, safety and welfare of the citizens of Mariposa County by regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and demolition of such structures in Mariposa County providing for the issuance of permits and collection of fees,

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Section 15.10.010 of Chapter 15.10 of the Mariposa County Code is hereby amended to read as follows:

15.10.010 Adoption of uniform codes.

The following uniform codes are adopted by reference and except as otherwise provided in this Chapter or applicable to shall govern all construction within the county;

A. The California Building Code, 2007 edition, including Appendix Chapters, as amended from time to time.

B. The California Mechanical Code, 2007 edition as amended from time to time.

C. The California Electrical Code, 2007 edition, including Appendix Chapters as amended from time to time.

- D. The California Plumbing Code, 2007 edition as amended from time to time.
- E. The California Historical Code, 2007 edition as amended from time to time.
- F. The California Existing Building Code based on Appendix Chapter as of the 2006 International Existing Building Code.
- G. California Referenced Standards Code, 2007 edition, including Appendix Chapters, as amended from time to time.
- H. The California Energy Code, 2007 edition, including Appendix Chapters, as amended from time to time.
- I. Uniform Housing Code, latest adopted edition as amended from time to time as adopted by the International Conference of Building Officials.
- J. California Administrative Code, 2007 edition, including Appendix Chapters as amended from time to time.
- K. Uniform Code for the Abatement of Dangerous Buildings, latest adopted edition as amended from time to time as adopted by the International Conference of Building Officials.
- L. Uniform Solar Energy Code, latest adopted edition as amended from time to time, as adopted by the International Conference of Building Officials.
- M. Uniform Sign Code, latest adopted edition as amended from time to time, as adopted by the International Conference of Building Officials, excepting there from the following Sections of the Uniform Sign Code which are being deleted or revised to remain consistent with the Mariposa County Zoning Ordinance and all applicable Specific Plans as follows:

SECTION 402 CONSTRUCTION

402.7 Display Surfaces. Display surfaces of signs may be made of metal or glass. Glass thickness and area limitations shall be as set forth in Table 4-A.

SECTION 703 – PROJECTION

Ground signs shall not project over public property.

SECTION 803 – PROJECTION AND CLEARANCE

803.1 Projection. Roof signs may project beyond a legal setback line complying with the requirements specified in Title 17 of the Mariposa County Code and any applicable area plans.

SECTION 1401 – GENERAL

Temporary signs shall not exceed 100 square feet (9.29 m²) in area. Temporary signs of rigid material shall not exceed 24 square feet (2.23m²) in area, or 6 feet (1829 mm) in height, nor shall any such sign be fastened to the ground.

Temporary signs may remain in place for a period not exceeding 20 days.

- N. Uniform Swimming Pool, Spa and Hot Tub Code latest adopted edition as amended from time to time, as adopted by the International Conference of Building Officials.
- O. Uniform Building Security Code, latest adopted edition as amended from time to time, as adopted by the International Conference of Building Officials.
- P. Safety Code for Elevators, latest adopted edition as amended from time to time, as adopted by the International Conference of Building Officials.
- Q. California Building Standards Title 24, Part 2, 2001 California Building Code, including the emergency regulations to update structural building standards as adopted by the Building Standards Commission and published in Building Standards Bulletin 01-03 on August 1, 2003.
- R. California Building Standards Title 24, Part 4, 2001 California Mechanical Code, incorporating the Uniform Mechanical Code, 2000 Edition.

S. California Building Standards Title 24, Part 5, 2001 California Plumbing Code, incorporating the Uniform Plumbing Code, 2000 Edition.

T. California Building Standards Title 24, Part 3 2004 California Electrical Code, incorporating the National Electrical Code, 2002 Edition.

U. Uniform Housing Code, 1997 Edition.

V. Uniform Administrative Code, 1997 Edition.

W. Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition.

X. California Fire Code 2007 edition, including Appendix Chapters as amended from time to time.

Y. (Blank)

Z. Uniform Building Security Code, 1997 Edition.

AA. American Society of Mechanical Engineers Standard A17.1, Safety Code for Elevators and Escalators, 2004 Edition.

BB. Subsections of the California Building Standards Title 24, Part 2—2001 California Building Code, including the emergency regulations to update structural building standards as adopted by the Building Standards Commission and published in Building Standards Bulletin 01-03 on August 1, 2003.

CC. Section 109, Certificate of Occupancy. The County shall issue an occupancy certificate for all new Group R Division 3 and U-1 occupancies.

DD. California Building Standards Title 24, Part 3 2004 California Electrical Code, incorporating the National Electrical Code, 2002 Edition.

EE. The American Society of Mechanical Engineers Standard A17.1, 2004 Edition Part V, including Section 513, Private Residence Inclined Elevators.

SECTION II: The purpose of this Ordinance is to adopt by reference the 2007 edition of the California Building Standards Code, the 2006 International Building Code, Title 24 of the California Code of Regulations, subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The purpose of this Ordinance is also to provide minimum requirements and standards for the protection of the public safety, health, property and welfare of Mariposa County. The Ordinance is adopted under the authority of Government Code Subsection 50022.2 and Health and Safety Code Sections 17958.7 and 18941.5.

SECTION III: These Codes shall be the exclusive source of regulations for all new construction and any alterations, repairs, relocations, or reconstruction of any building or any portion thereof including any electrical, mechanical, gas, plumbing, or fire protection equipment installed on any property or used on or within any building.

SECTION IV: Conflicts with other laws, rules, or regulations. In the event of any conflict between this Code and any law, rule or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

That if any section, subsection, sentence, clause or phrase that this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors, hereby declares that it would have passed

this Ordinance, and any section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding and pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby amended as cited in Section 1 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION V: Filing of findings. The Clerk of the Board is hereby directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California.

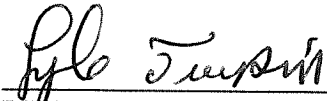
SECTION VI: Interpretation. The provisions of this Code are enacted for the public health, safety, and welfare and are to be liberally construed to obtain the beneficial purposes thereof.

SECTION VII: Liability. The provisions of this Code shall not be construed as imposing upon Mariposa County any liability or responsibility for damage to persons or property resulting from defective work, nor shall Mariposa County or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certificates issued under this Code.

SECTION VIII: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code §25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 12th day of February, 2008 by the following vote:

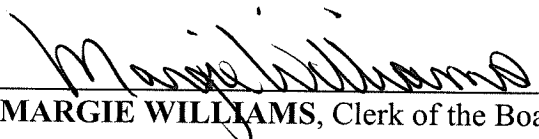
AYES: ABORN, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE



LYLE TURPIN, Chair
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:



MARGIE WILLIAMS, Clerk of the Board



THOMAS P. GUARINO, County Counsel

EXHIBIT "A"

The Board of Supervisors of the County of Mariposa hereby expressly finds that the local modifications or augmentations of such codes set forth in the adopting ordinance to be reasonably necessary because of the local climatic, geologic or topographic conditions noted below:

1. Sections of Chapter 18 of the California Building Code relating to grading is superseded by the provisions of Chapter 15.28, grading and excavation of the Mariposa County Code to the extent that Chapter 18 is inconsistent or in conflict therewith.
2. Chapter 10A is augmented by provisions of Chapter 15.12, historic buildings of the Mariposa County Code.
3. Chapter 1608A is superseded by the existing snow load requirements as already established.
4. Section 1208.4 is augmented by provisions of Chapter 15.10.070 of the Mariposa County Code to the extent that Section 1208.4 is inconsistent or in conflict therewith.



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

LYLE TURPIN, CHAIR
DIANNE A. FRITZ, VICE CHAIR
BRAD ABORN
JANET BIBBY
BOB PICKARD

DISTRICT II
DISTRICT IV
DISTRICT I
DISTRICT III
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JOHN DAVIS, Building Director

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: Waive Second Reading and Adopt Ordinance Amending Section 15.10.010 of the Mariposa County Code Entitled "Adoption of Uniform Codes"

ORDINANCE 1043

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on February 12, 2008

ACTION AND VOTE:

Waive Second Reading and Adopt Ordinance Amending Section 15.10.010 of the Mariposa County Code Entitled "Adoption of Uniform Codes" (Building Director)

BOARD ACTION: (M)Pickard, (S)Bibby, the second reading was waived and Ordinance No. 1043 was adopted. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Cc: Thomas P. Guarino, County Counsel
File

* Note to file on March 4, 2009

October 2008

Per Tom Guarino, County Counsel: because there were no findings we are not required to file a copy of the Ordinance with the State Building Standards.

The following County Code books (binders) are filed in vault as **Exhibits to Ordinance 1043** amending Section 15.10.010 of the Mariposa County Code entitled "Adoption of Uniform Codes", adopted February 12, 2008.

2007 California Building Code - TITLE 24:

- Part 1
- Part 2, Volume 1 of 2
- Part 2, Volume 2 of 2
- Part 3
- Part 4
- Part 5
- Part 6
- Part 12