

**LANGUAGE TO BE REMOVED FROM SECTION 15.040.020.D.
(Shown with strike-out)**

§ 15.04.020. Amendments, additions and deletions.

A. Amendments, Additions and Deletions to the 2022 California Building Code, Chapter 1, Division II, Scope and Administration.

1. New Section 105.3.2.1 is added as follows:

105.3.2.1 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of last plan review correspondence by either the City or the applicant will expire by limitation, and plans and other data submitted for review may thereafter be destroyed by the Building Official.

2. New Section 105.5.2 is added as follows:

105.5.2. Completion of work after permit expiration. Before work on an expired permit can be recommenced, a new permit shall first be obtained and the fee for such new permit shall be one-half the amount required for a new permit for such work or as deemed by the Building Official, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. Any suspension or abandonment in excess of one year shall be treated as a new permit and subject to all the provisions thereof.

3. New Section 109.4.1 is added as follows:

109.4.1 Investigation fee for work without permit. Whenever any work for which a permit is required has been commenced without first obtaining said permit, an investigation shall be made before a permit may be issued for such work. 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 as set forth in the City's adopted fee schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this code nor from any penalty prescribed by law.

4. Section 109.6 is amended to read as follows:

109.6 Refunds. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this chapter.

The Building Official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan

review fee has been paid is withdrawn or canceled before any plan checking is done.

5. New Section 109.7 is added as follows:

109.7 Reinspection fee. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections required by the Building Official are not made.

This section does not require reinspection fees the first time a job is rejected for failure to comply with the requirements of the codes. Subsequent inspections or the practice of calling for inspections before the job is ready for such inspection or reinspection may be subject to reinspection fees.

To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose, and pay the reinspection fee in accordance with the fee schedule adopted by the City.

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

B. Amendments, Additions and Deletions to 2022 California Residential Code, Chapter 1, Division II, Scope and Administration.

1. New Section R105.3.2.1 is added as follows:

R105.3.2.1 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of last plan review correspondence by either the City or the applicant will expire by limitation, and plans and other data submitted for review may thereafter be destroyed by the Building Official.

2. New Section R105.5.1 is added as follows:

R105.5.1 Completion of work after permit expiration. Before work on an expired permit can be recommenced, a new permit shall first be obtained and the fee for such new permit shall be one-half the amount required for a new permit for such work or as deemed by the Building Official, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. Any suspension or abandonment in excess of one year shall be treated as a new permit and subject to all the provisions thereof.

3. Section R108.5 is amended to read as follows:

R108.5 Refunds. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been performed under a permit issued in accordance with this chapter.

The Building Official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan checking has commenced.

4. New Section R108.6.1 is added to read as follows:

R108.6.1 Investigation fee for work without permit. Whenever any work for which a permit is required has been commenced without first obtaining said permit, an investigation shall be made before a permit may be issued for such work. 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 as set forth in the City's adopted fee schedule. The payment of such investigation fee shall not exempt any person from compliance with any provision of this code or from any penalty prescribed by applicable law.

5. New Section R108.7 is added as follows:

R108.7 Reinspection fee. A reinspection fee may be assessed for each inspection or reinspection when the portion of work for which inspection is called is not complete or when corrections previously required by the Building Official are not made.

This section does not require reinspection fees the first time a job is rejected for failure to comply with the requirements of the codes. Subsequent inspections or practice of calling for inspections before the job is ready for such inspection or reinspection may be subject to reinspection fees.

To obtain a reinspection, the applicant shall file an application therefor in writing using a form furnished for that purpose, and pay the reinspection fee in accordance with the fee schedule adopted by the City.

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

- C. Amendments, Additions and Deletions to 2021 International Property Maintenance Code (IPMC).

1. Section 102.3 of the IPMC is amended to read as follows:

IPMC 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be made in accordance with the procedures and provisions of the City Municipal Code and the California

Building Codes.

2. New Section 102.3.1 of the IPMC is added as follows:

IPMC 102.3.1 Reference to other codes. Whenever the International Property Maintenance Code refers to other codes, those other codes shall mean the City Municipal Code and the California Building Codes.

3. Section 302.4 of the IPMC is amended to read as follows:

IPMC 302.4 Weeds. Premises and exterior property shall be maintained free from weeds and other uncontrolled herbaceous growth in excess of eight (8) inches in height. Noxious weeds shall be prohibited. Weeds shall be defined as ornamental and uncultivated grasses and herbaceous vegetation that when mature bear wingy or downy seeds, or which because of having attained such a height or extensiveness of growth and desiccation have become a fire menace, or which are otherwise noxious or dangerous to health or safety.

4. Section 304.14 of the IPMC is amended to read as follows:

IPMC 304.14 Insect Screens. During the entire year, every door, window and other outside opening required for ventilation of habitable rooms, food preparation area, food service areas or area where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm) for purposes of insect control, except that such screens shall not be required where air curtains or insect repellent fans are employed. Every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means of insect control, such as air curtains or insect repellent fans, are employed.

5. Section 308.3.1 of the IPMC is amended to read as follows:

IPMC 308.3.1 Amended – Disposal of Garbage. That portion of the sentence reading “an approved incinerator unit in the structure available to the occupants in each dwelling unit” is hereby deleted in its entirety.

6. Section 602.4 of the IPMC is amended to read as follows:

IPMC 602.4 Amended – Occupied Work Spaces. Indoor occupiable work spaces shall be supplied with heat during the entire year to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

- 2. Areas in which persons are primarily engaged in vigorous physical activities.

~~D. Amendments, Additions and Deletions to Title 24 Part 6, the 2022 California Energy Code.~~

- 1. ~~Section 100.0(e).2.A is amended to read as follows:~~

~~100.0(e).2.A. All newly constructed buildings. Sections 110.0 through 110.12 apply to all newly constructed buildings within the scope of Section 100.0(a). In addition, newly constructed buildings shall meet the requirements of Subsections B, C, D or E, as applicable; and shall be an All Electric Building as defined in Section 100.1(b).~~

~~Exception 1: In Scientific Laboratory Buildings, such area may contain a non-electric Space Conditioning System. To take advantage of this exception, applicant shall provide third party verification that All Electric space heating requirement is not cost effective and feasible.~~

~~Exception 2: All Residential buildings may contain non electric Cooking Appliances and Fireplaces.~~

~~Exception 3: Exemption for public agency owned and operated emergency centers. To take advantage of this exception, applicant shall provide third party verification that the All Electric requirement is not cost effective or feasible.~~

~~Conditional Exception 4: Non residential buildings containing a for profit restaurant open to the public or an employee kitchen may apply to the Building Division for an exception to install gas fueled cooking appliances. This request must be based on a business related reason to cook with a flame that cannot be reasonably achieved with an electric fuel source. Examples include barbecue themed restaurants and pizza ovens. The Chief Building Official or their designee shall grant this exception if they find each of the following:~~

- 1. ~~There is a business related reason to cook with a flame;~~
- 2. ~~This need cannot be reasonably achieved with an electric fuel source; and~~
- 3. ~~The applicant has employed reasonable methods to mitigate the greenhouse gas impacts of the gas-fueled appliance.~~

~~The decision of the Chief Building Official or their designee shall be final unless the applicant timely appeals to the Building Board of Appeals in accordance to the San Pablo Municipal Code. The Building Board of Appeal's decision shall be final.~~

~~Note: If natural gas appliances are used in any of the above exceptions 1-4, natural gas appliance locations must also be electrically pre-wired for future electric appliance installation. The appliance locations shall include the following unless the Building Official or designee approves alternate materials, design and methods of construction or equipment per CBC 104:~~

- ~~1. _____ A dedicated circuit, phased appropriately, for each appliance, with a minimum amperage requirement for a comparable electric appliance (see manufacturer's recommendations) with an electrical receptacle or junction box that is connected to the electric panel with conductors of adequate capacity, extending to within 3 feet of the appliance and accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors;~~
- ~~2. _____ Both ends of the unused conductor or conduit shall be labeled with the words "For Future Electric appliance" and be electrically isolated;~~
- ~~3. _____ A reserved circuit breaker space shall be installed in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled for each circuit, an example is as follows (i.e., "For Future Electric Range;"); and~~
- ~~4. _____ All electrical components, including conductors, receptacles, junction boxes, or blank covers, related to this section shall be installed in accordance with the California Electrical Code.~~

- ~~2. Section 100.1(b) is amended to add the following definitions to read as follows:~~

~~100.1(b) Definitions.~~

~~ALL ELECTRIC BUILDING is a building that does not have natural gas or propane plumbing installed within the building, and that uses electricity as the source of energy for its space heating, water heating, cooking appliances, and clothes drying appliances. All Electric Buildings may include solar thermal pool heating or any other approved solar powered systems.~~

~~SCIENTIFIC LABORATORY BUILDING is a Non Residential building in which research, experiments, and measurement in medical, and life sciences are performed and/or stored requiring examination of fine details.~~

- ~~3. Section 100.1(b) is amended to modify the following definitions to read as follows:~~

~~SHADING is the protection from heat gains because of direct solar radiation by permanently attached exterior devices of building elements, interior shading devices, glazing material, or adherent materials, including items located outside the building footprint such as trees or high rise buildings that may affect shading.~~

- ~~4. The initial portion of Section 110.2 is amended to read as follows by adding the underlined language:~~

~~110.2 Mandatory requirements for space conditioning equipment. Certification by manufacturers. Any space conditioning equipment listed in this section, meeting the requirements of section 100.0(e)2A, may be installed only if the manufacturer has certified to the Commission that the equipment complies with all the applicable requirements of this section.~~

~~[Remainder of Section is unchanged]~~

- ~~5. The initial portion of Section 110.3(a) is amended to read as follows by adding the underlined language:~~

~~110.3(a) Certification by manufacturers. Any service water heating system or equipment, meeting the requirements of section 100.0(e)2A, may be installed only if the manufacturer has certified that the system or equipment complies with all of the requirements of this subsection for that system or equipment.~~

~~[Remainder of Section is unchanged]~~

- ~~6. The initial portion of Section 110.4(a) is amended to read as follows by adding the underlined language:~~

~~110.4.(a) Certification by manufacturers. Any pool or spa heating system or equipment, meeting the requirements of Section 100.0(e)2A, may be installed only if the manufacturer has certified that the system or equipment has all of the following:~~

~~[Remainder of Section is unchanged]~~

- ~~7. The initial portion of Section 110.5 is amended to read as follows by adding~~

~~the underlined language:~~

~~110.5 Natural gas central furnaces, cooking equipment, pool and spa heaters, and fireplaces: pilot lights prohibited. Any natural gas system or equipment, meeting the requirements of Section 100.0(c)2A, listed below may be installed only if it does not have a continuously burning pilot light:~~

~~{Remainder of Section is unchanged}~~

~~8. Sections 110.10 and Section 110.10(a) are amended to read as follows:~~

~~110.10 Mandatory requirements for solar ready buildings and solar panel system requirements for non-residential new buildings~~

~~110.10(a) Covered Occupancies:~~

- ~~1. Single Family Residences. Single family residences located in subdivisions with ten or more single family residences for which an application for a tentative subdivision map for the residences has been deemed complete and approved by the enforcement agency, that do not have a photovoltaic system installed shall comply with the requirements of Section 110.10(b) through 110.10(e).~~
- ~~2. Low-rise Multifamily Buildings. Low-rise multi-family buildings that do not have a photovoltaic system installed shall comply with the requirements of Section 110.10(b) through 110.10(d).~~
- ~~3. Hotel/Motel Occupancies and High-rise Multifamily Buildings. Hotel/motel occupancies and high-rise multifamily buildings with ten habitable stories or fewer shall comply with the requirements of Section 110.10(b) through 110.10(d) and Table 110-10-A.~~

- 4. ~~Nonresidential Buildings. Nonresidential buildings with three habitable stories or fewer, other than healthcare facilities, shall comply with the requirements of Section 110.10(b) through 110.10(d) and Table 110.10 A.~~

TABLE 110.10-A: Solar Panel Requirements for All New Nonresidential and High-rise Residential Buildings.	
Square Footage of Building	Size of Panel
Less than 10,000 sq. ft	Minimum of 3 kilowatt PV systems
Greater than or equal to 10,000 sq. ft.	Minimum of 5 kilowatt PV systems
Exception: As an alternative to a solar PV system, the building type may provide a solar hot water system (solar thermal) with a minimum collector area of 40 square feet, additional to any other solar thermal equipment otherwise required for compliance with Part 6.	

- 9. ~~Exception 2 to Section 110.10(b)1B is amended to read as follows:~~

~~110.10(b)1B Low rise and High rise Multifamily Buildings, Hotel/Motel Occupancies, and Nonresidential Buildings.~~

~~Exception 2 to Section 110.10(b)1B: High rise multifamily buildings, hotel/motel occupancies with a permanently installed domestic solar water heating system complying with Section 150.1(c)8Biii and an additional collector area of 40 square feet.~~

- 10. ~~Exception 6 to Section 110.10(b)1B is added to read as follows:~~

~~110.10(b)1B Low rise and High rise Multifamily Buildings, Hotel/Motel Occupancies, and Nonresidential Buildings.~~

~~Exception 6 to Section 110.10(b)1B: Performance equivalency approved by the Building Official.~~

- 11. ~~Section 110.10(b)3C is added to read as follows:~~

~~110.10(b)3C. The solar zone needs to account for shading from obstructions that may impact the area required in Section 110.10(b)1B. When conditions exist where excessive shading occurs and solar zones cannot be met, a performance equivalency approved by the Building Official may be used as an alternative.~~

(Ord. 2023-001 § 2, 2023)