

Chapter 15.04

CONSTRUCTION CODES

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15.04.010 Adoption of codes. Pursuant to sections 17958 and 18941.5 of the Health and Safety Code, the following codes, as amended, are adopted by reference, except for the fee schedules therein which shall be as set forth in Chapter 3.40 of this Code, to apply to the unincorporated territory within the County:

- A. The California Building Code, 2022 Edition, Volumes 1 and 2, with Appendices C, F, H, I and P, as amended, as published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001.
- B. The California Residential Code, 2022 Edition with Appendices H, J, K and AZ as amended, as published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001.
- C. The California Mechanical Code, 2022 Edition with Appendices, published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, CA 91761-2816.
- D. The California Plumbing Code, 2022 Edition with Appendices as amended by Title 13 of the Tuolumne County Ordinance Code, as amended by Title 13 of this code, published by the International Association of Plumbing and Mechanical Officials, 4755 East

Philadelphia Street, Ontario, CA 91761-2816.

- E. The California Electrical Code, 2022 Edition as preassembled with the 2020 National Electrical Code. by the National Fire Protection Association, 60 Batterymarch Park, Quincy, MA 02269-9959.
- F. The International Property Maintenance Code, 2006 Edition, published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001, excluding Sections 103, 104, 107, 111, 302.4, 302.8, 304.14, 305.3, 307, 308, 605.2, and Chapter 8 and amending Section 102.3 to read as follows:

"Repairs, additions, alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the adopted versions of the California Building Code, California Residential Code, California Plumbing Code, California Mechanical Code, California Fire Code, and California Electrical Code. Nothing in this Code shall be construed to cancel, modify, or set aside any provisions of the Tuolumne County Ordinance Code."
- G. The California Energy Code, 2022 Edition, published by the International Code Council, 500 New Jersey Avenue

NW, Sixth Floor, Washington D.C., 20001.

- H. The California Existing Building Code, 2022 Edition, published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001.
- I. The California Green Building Standards Code, 2022 Edition, published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001, published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001.
- J. The California Historical Building Code, 2022 Edition, published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001.
- K. The California Reference Standards Code, 2022 2019 Edition, published by the International Code Council, 500 New Jersey Avenue NW, Sixth Floor, Washington D.C., 20001. (Ord.3427 § 2, 2022)

15.04.020 Code Amendments. The following sections and appendices of the adopted codes and standards, pursuant to 15.04.10 of the Tuolumne County Ordinance Code are amended as follows:

- A. The 2022 California Building Code Part 2 Volume 1, amend section 113.2, to read as follows:

“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 thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The Appeals Board shall not have authority relative to the interpretation of the administrative provisions of this code, nor shall the Appeals Board be empowered to waive the requirements of this Code.”
- B. The 2022 California Residential Code, amend section R112.2, to read as follows:

“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 thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally

good or better form of construction is proposed. The Appeals Board shall not have authority relative to the interpretation of the administrative provisions of this code, nor shall the Appeals Board be empowered to waive the requirements of this Code.”

- C. The 2022 California Residential Code Part 2.5, amend section R105.2, item 1 to read as follows:
 - 1. Other than storm shelters, one-story detached accessory structures used as tool and storage sheds, playhouses, gazebos, and similar uses not exceeding 120 square feet in area and covered porches that do not serve a primary exit per R311.2, not exceeding 120 square feet in area, provided that the highest structural support of any covered porch does not exceed 12 feet above grade and roof projections do not extend more than 24 inches beyond the floor area. It is, permissible that these structures still be regulated by Section 710A, despite exemption from permit.
- D. The 2022 California Residential Code Section 105.2, adding item 11 to read as follows:
 - 1. Decks not exceeding 50 square feet in area, that are not more than 30 inches above grade at any point and are not attached to a dwelling. These decks may have a roof cover provided that the highest structural support of any roof does not exceed 12 feet above grade and roof projections do not extend more than 24 inches beyond the floor area and the roof or deck area shall not extend further than 6 feet from any structure served. It is, permissible that these structures still be regulated by Section 710A, despite exemption from permit.
- E. The 2022 California Building Code Appendix “P” amended as underlined:

**APPENDIX O
EMERGENCY HOUSING**

SECTION O101

GENERAL

O101.1 Scope. This appendix shall be applicable to emergency housing and emergency housing facilities, as defined in Section O102. The provisions and standards set forth in this appendix shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under Government Code section 8698 et seq. and located in new or existing buildings, structures, or facilities owned, operated, erected, or constructed by, for or on behalf of the County of Tuolumne on land owned or leased by the County of Tuolumne.

O101.2 Application. Notwithstanding any provisions of this Code to the contrary, the following requirements shall apply to emergency housing operated during a shelter crisis, as provided for in Government Code Section 8698 et seq. Other than the specific requirements set forth in this appendix, the facilities need not comply with the requirements of this Code for Group R occupancies unless otherwise specified in this Code.

SECTION O102

DEFINITIONS

O102.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

DECLARATION OF SHELTER CRISIS. The duly proclaimed existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety. (See Government Code Section 8698)

DEPENDENT UNIT. Emergency housing not equipped with a kitchen area, toilet, and sewage disposal system. Recreational vehicles that are not self-contained and without utility service connections shall be considered dependent units.

EMERGENCY HOUSING. Housing in a permanent or temporary structure(s), occupied during a declaration of state of emergency, local emergency, or shelter crisis. Emergency housing may include, but is not limited to, buildings and structures constructed in accordance with the California Building Standards Code;

and emergency sleeping cabins, emergency transportable housing units, and tents constructed in accordance with this appendix.

EMERGENCY HOUSING FACILITIES. On-site common use facilities supporting emergency housing. Emergency housing facilities include, but are not limited to, kitchen areas, toilets, showers and bathrooms with running water. The use of emergency housing facilities is limited exclusively to the occupants of the emergency housing, personnel involved in operating the housing, and other emergency personnel.

EMERGENCY HOUSING SITE. A site containing emergency housing and emergency housing facilities supporting the emergency housing.

EMERGENCY SLEEPING CABIN. Relocatable hard-sided structure constructed in accordance with this appendix, which may be occupied only for emergency housing if allowed by the enforcing agency.

EMERGENCY TRANSPORTABLE HOUSING UNIT. A single or multiple section prefabricated structure that is transportable by a vehicle and that can be installed on a permanent or temporary site in response to a need for emergency housing. Emergency transportable housing units include, but are not limited to, manufactured homes, mobilehomes, multifamily manufactured homes, recreational vehicles, and park trailers.

For the purposes of this appendix, emergency transportable housing units may also include commercial modulars as defined in the Health and Safety Code Section 18001.8, if approved by the enforcing agency.

Emergency transportable housing units do not include factory-built housing as defined in the Health and Safety Code Section 19971.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a loft.

LOCAL EMERGENCY. Local Emergency as defined in the Government Code, Section 8558.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor and open to it on at least one side with a ceiling height of less than 6 feet 8 inches (2032 mm), used as a living or sleeping space.

MANUFACTURED HOME. A structure designed to be used as a single-family dwelling, as defined in the Health and Safety Code, Section 18007.

MOBILEHOME. A structure designed to be used as a single-family dwelling, as defined in the Health and Safety Code, Section 18008.

MULTIFAMILY MANUFACTURED HOME. A structure designed to contain not less than two dwelling units, as defined in the Health and Safety Code, Section 18008.7.

PARK TRAILER. A trailer designed for human habitation that meets all requirements in the Health and Safety Code, Section 18009.3.

RECREATIONAL VEHICLE. A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation, that meets all requirements in the Health and Safety Code, Section 18010.

STATE OF EMERGENCY. State of Emergency as defined in the Government Code, Section 8558.

TENT. A structure, enclosure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

SECTION O103

EMERGENCY HOUSING

O103.1 General. Emergency sleeping cabins, emergency transportable housing units including commercial modulars, membrane structures and tents constructed and/or assembled in accordance with this appendix, shall be occupied only during declaration of state of emergency, local emergency, or shelter crisis.

Buildings and structures constructed in accordance with the California Building Standards Code, used as emergency

housing, shall be permitted to be permanently occupied.

O103.2 Existing buildings. Existing residential and nonresidential buildings or structures shall be permitted to be used as emergency housing and emergency housing facilities provided such buildings or structures comply with the building code provisions and/or other regulations in effect at the time of original construction and/or alteration. Existing buildings or structures used as emergency housing shall not become or continue to be substandard buildings, as determined by the enforcing agency.

O103.2.1 New additions, alterations, and change of occupancy. New additions, alterations, and change of occupancy to existing buildings shall comply with the requirements of the California Building Standards Code effective at the time of addition, alteration, or change of occupancy. The requirements shall apply only to and/or within the specific area of the addition, alteration, or change of occupancy.

Exceptions:

1. Existing buildings and structures used for emergency housing and emergency housing facilities may not be required to comply with the California Energy Code, as determined by the enforcing agency.
2. Change in occupancy shall not mandate conformance with new construction requirements set forth in the California Building Standards Code, provided such change in occupancy meets the minimum fire and life safety requirements set forth in Section O112 of this appendix.

P103.3 Occupant load. Except as otherwise stated in this appendix, the maximum occupant load allowed in buildings and structures used as emergency housing shall be determined by the enforcing agency, but the interior floor area shall not be less than 70 square feet (6.5 m²) for one occupant. Where more than one person occupies the building/structure, the required floor area shall be increased at the rate of 50 square feet (4.65 m²) for each occupant in excess of one.

Exceptions:

1. Tents.
2. Recreational vehicles and park trailers designed for human habitation that meet the requirements in the Health and Safety Code, Sections 18009.3 and 18010, as applicable.

3. For emergency housing, including emergency sleeping cabins, the minimum interior floor area may be reduced to 53 square feet if the enforcing agency determines that 53 square feet is adequate space for a single occupancy sleeping unit. (Ord.3427 § 3, 2022)

O103.4 Fire and life safety requirements not addressed in this appendix. If not otherwise addressed in this appendix, fire and life safety measures, including, but not limited to, means of egress, fire separation, fire sprinklers, smoke alarms, and carbon monoxide alarms, shall be determined and enforced by the enforcing agency.

O103.5 Privacy. Emergency housing shall be provided with a privacy lock on each entrance door and all windows for use by the occupants.

O103.6 Heating. All sleeping areas shall be provided with adequate heating as determined by the enforcing agency.

SECTION O104

EMERGENCY SLEEPING CABINS

O104.1 General. Emergency sleeping cabins shall have an interior floor area of not less than 70 square feet (6.5 m²) for one occupant. Where more than one person occupies the cabin, the required floor area shall be increased at the rate of 50 square feet (4.65 m²) for each occupant in excess of one. The interior floor area shall not exceed 400 square feet (37 m²), excluding lofts.

O104.2 Live loads. Emergency sleeping cabins shall be designed to resist intrusion of wind, rain, and to support the following live loads:

1. Floor live loads not less than 40 pounds per square foot (1.92 kPa) of floor area.
2. Horizontal live loads not less than 15 pounds per square foot (718 Pa) of vertical wall and roof area.
3. Roof live loads not less than 20 pounds per square foot (958 Pa) of horizontal roof area.
4. In areas where snow loads are greater than 20 pounds per square foot (958 Pa), the roof shall be designed and constructed to resist these additional loads.

O104.3 Minimum ceiling height. Habitable

space and hallways in emergency sleeping cabins shall have a ceiling height of not less than 80 inches (2032 mm). Bathrooms, toilet rooms, and kitchens, if provided, shall have a ceiling height of not less than 76 inches (1930 mm). Obstructions shall not extend below these minimum ceiling heights including beams, girders, ducts, lighting and other obstructions.

Exception: Ceiling heights in lofts constructed in accordance with Section N108 are permitted to be less than 80 inches (2032 mm).

O104.4 Means of egress. Emergency sleeping cabins shall be provided with at least two forms of egress placed remotely from each other. One form of egress may be an egress window complying with Section N104.4.1. When a loft is provided, one form of egress shall be an egress window complying with Section N104.4.1, provided in the loft space.

O104.4.1 Egress window. The bottom of the clear opening of the egress window shall not be more than 44 inches (1118 mm) above the floor. The egress window shall have a minimum net clear opening height of 24 inches (610 mm), and a minimum net clear opening width of 20 inches (508 mm). The egress window shall have a minimum net clear opening area of 5 square feet (0.465 m²).

O104.5 Plumbing and gas service. If an emergency sleeping cabin contains plumbing or gas service, it shall comply with all applicable requirements of the California Plumbing Code and the California Mechanical Code.

O104.6 Electrical. Emergency sleeping cabins shall be provided with all of the following installed in compliance with the California Electrical Code:

1. Continuous source of electricity.
Exception: The source of electricity may be an emergency generator or renewable source of power such as solar or wind power.
2. At least one interior lighting fixture.
3. Electrical heating equipment listed for residential use and a dedicated receptacle outlet for the electrical heating equipment.
Exception: Electrical heating equipment and a dedicated receptacle outlet for the electrical heating equipment are not required if a nonelectrical source of heating is provided.
4. At least one GFCI-protected receptacle

outlet for use by the occupant(s).

O104.7 Ventilation. Emergency sleeping cabins shall be provided with means of ventilation (natural and/or mechanical) allowing for adequate air replacement, as determined by the enforcing agency.

O104.8 Smoke alarms. Emergency sleeping cabins shall be provided with at least one smoke alarm installed in accordance with the California Residential Code, Section R314.

O104.9 Carbon monoxide alarms. If an emergency sleeping cabin contains a fuel-burning appliance(s) or a fireplace(s), a carbon monoxide alarm shall be installed in accordance with the California Residential Code, Section R315.

SECTION O105

EMERGENCY TRANSPORTABLE HOUSING UNITS

O105.1 General. In addition to the requirement in this appendix, manufactured homes, mobilehomes, multifamily manufactured homes, commercial modulars, recreational vehicles, and park trailers used as emergency transportable housing shall comply with all applicable requirements in the Health and Safety Code, Division 13, Part 2; and Title 25, Division 1, Chapter 3, Subchapter 2.

No provisions of Sections O111 through O114 of this appendix shall be deemed to grant authorization for any additional work that may conflict with the standards specified in Section O105 applicable for emergency transportable housing units.

SECTION O106

TENTS AND MEMBRANE STRUCTURES

O106.1 General. Tents shall not be used to house occupants for more than 7 days unless such tents are maintained with tight wooden floors raised at least 4 inches (101.6 mm) above the ground level and are equipped with baseboards on all sides to a height of at least 6 inches (152.4 mm). Tents may be maintained with concrete slabs with the finished surface at least 4 inches (101.6 mm) above grade and equipped with curbs on all sides at least 6 inches (152.4 mm) high.

For a tent to be considered a suitable sleeping place the Tuolumne County Fire marshal shall identify the allowable type of heating source to provide heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit (10 degrees Celsius) within such tent during the period of occupancy.

Membrane structures installed and/or assembled in accordance with Chapter 31 of this code, may be permitted to be used as emergency housing and emergency housing facilities, as determined by the enforcing agency.

Tents and membrane structures used for sleeping purposes shall be equipped with single station battery powered smoke alarms installed in accordance with Section 907.2.11 of the California Fire Code.

SECTION O107

ACCESSIBILITY

O107.1 General. Emergency housing shall comply with the applicable requirements in Chapter 11B and/or the US Access Board Final Guidelines for Emergency Transportable Housing.

Note: The Architectural and Transportation Barriers Compliance Board (US Access Board) issued the Final Guidelines for Emergency Transportable Housing on May 7, 2014. The final guidelines amended the 2004 ADA Accessibility Guidelines (2004 ADAAG) and the 2004 Architectural Barriers Act (ABA) Accessibility Guidelines (2004 ABAAG) to specifically address emergency transportable housing units provided to disaster survivors by entities subject to the ADA or ABA. The final rule ensures that the emergency transportable housing units are readily accessible to and usable by disaster survivors with disabilities.

SECTION O108

LOFTS IN EMERGENCY HOUSING

O108.1 Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections O108.1.1 through O108.1.3.

O108.1.1 Minimum area. Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

O108.1.2 Minimum dimensions. Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

O108.1.3 Height effect on loft area. Portions of a loft with a sloping ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

O108.2 Loft access. The access to and primary egress from lofts shall be any type described in Sections O108.2.1 through O108.2.4.

O108.2.1 Stairways. Stairways accessing lofts shall comply with the California Residential Code or with Sections O108.2.1.1 through O108.2.1.6.

O108.2.1.1 Width. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The minimum width below the handrail shall be not less than 20 inches (508 mm).

O108.2.1.2 Headroom. The headroom in stairways accessing a loft shall be not less than 74 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

O108.2.1.3 Treads and risers. Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus $\frac{4}{3}$ of the riser height, or
2. The riser height shall be 15 inches (381 mm) minus $\frac{3}{4}$ of the tread depth.

O108.2.1.4 Landing platforms. The top step of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 74 inches (1880 mm). The landing platform shall be 18 inches (457 mm) to 22 inches (559 mm) in depth measured from the

nosing of the landing platform to the edge of the loft, and 16 inches (406 mm) to 18 inches (457 mm) in height measured from the landing platform to the loft floor.

O108.2.1.5 Handrails. Handrails shall comply with the California Residential Code, Section R311.7.8.

O108.2.1.6 Stairway guards. Guards at open sides of stairways shall comply with the California Residential Code, Section R312.1.

O108.2.2 Ladders. Ladders accessing lofts shall comply with Sections O108.2.2.1 and O108.2.2.2.

O108.2.2.1 Size and capacity. Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm), and 10 inches (254 mm) to 14 inches (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200 pound (90.7 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ -inch (9.5 mm).

O108.2.2.2 Incline. Ladders shall be installed at 70 to 80 degrees from horizontal.

O108.2.3 Alternating tread devices. Alternating tread devices are acceptable as allowed by the enforcing agency.

O108.2.4 Loft guards. Loft guards shall be located along the open side of lofts. Loft guards shall not be less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less. Loft guards shall not have openings from the walking surface to the required guard height that allow passage of a sphere 4 inches (102 mm) in diameter.

SECTION O109

LOCATION, MAINTENANCE AND IDENTIFICATION

O109.1 Maintenance. Emergency housing and emergency housing facilities shall be maintained in a safe and sanitary condition, and free from vermin, vectors and other matter of an infectious or contagious nature. The grounds within emergency housing sites shall be kept clean and free from accumulation of debris, filth, garbage and deleterious matter. Emergency housing and emergency housing facilities shall not be occupied if a substandard condition exists, as determined by the enforcing

agency.

O109.1.1 Fire hazards. Dangerous materials or materials that create a fire hazard, as determined by the enforcing agency, shall not be allowed on the grounds within emergency housing sites.

O109.3 Identification. Emergency housing shall be designated by address numbers, letters, or other suitable means of identification. The identification shall be in a conspicuous location facing the street or driveway fronting the building or structure. Each identification character shall be not less than 4 inches (102 mm) in height and not less than 0.5 inch (12.7 mm) in width, installed/painted on a contrasting background.

SECTION O110

EMERGENCY HOUSING FACILITIES SANITATION REQUIREMENTS

O110.1 Drinking water. Potable drinking water shall be provided for all occupants of emergency housing.

O110.2 Kitchens and food facilities. Where provided, kitchens and food facilities, as defined in Section 113789 of the California Health and Safety Code, which support emergency housing sites, shall comply with applicable food safety provisions of Sections 113980--114094.5 of the California Health and Safety Code.

Where occupants of dependent units are permitted or required to cook for themselves, a separate area shall be equipped and maintained as a common use kitchen. Refrigerated storage shall be provided for safe storage of food.

O110.3 Toilet and bathing facilities. When dependent units are used as emergency housing, the emergency housing site shall be provided with one toilet and one bathing facility for every 15 occupants of each gender. The enforcing agency may permit different types and ratios of toilet and bathing facilities. The approval shall be based upon a finding that the type and ratio of toilet and bathing facilities are sufficient to process the anticipated volume of sewage and waste water, while maintaining sanitary conditions for the occupants of the emergency housing.

Bathing facilities shall be provided with heating equipment which shall be

capable of maintaining a temperature of 70 degrees F (21.0 degrees Celsius) within such facilities.

Lavatories with running water shall be installed and maintained in the toilet facilities or adjacent to the toilet facilities. This can include foot-pumped water at hand washing stations that are properly maintained.

O110.4 Garbage, waste and rubbish disposal. All garbage, kitchen waste and rubbish shall be deposited in approved covered receptacles, which shall be emptied when filled and the contents shall be disposed of in a sanitary manner acceptable to the enforcing agency.

SECTION O111

EMERGENCY HOUSING LIGHTING AND VENTILATION REQUIREMENTS

O111.1 Lighting. Buildings or structures used for emergency housing shall be provided with natural light by means of exterior glazed openings in accordance with Section 1204.2 of the California Building Code, or shall be provided with artificial light in accordance with Section 1204.3 of the California Building Code.

O111.2 Ventilation. Buildings or structures used for emergency housing shall be provided with natural ventilation in accordance with Section 1202.5 of the California Building Code, or mechanical ventilation in accordance with the California Mechanical Code.

SECTION O112

EMERGENCY HOUSING FIRE AND LIFE SAFETY REQUIREMENTS

O112.1 Location on property. Buildings or structures used for emergency housing, including sleeping cabins, shall be located in accordance with the requirements of Table 602 and Section 705 of the California Building Code, based on their type of construction and fire-resistance ratings of the exterior walls. During a shelter crisis, the fire separation distances are permitted to be measured to the existing buildings on the adjacent parcels rather than to the interior lot lines, provided the open spaces are to remain unobstructed for the duration of the shelter crisis.

O112.2 Buildings on same lot. Buildings or

structures used for emergency housing, including sleeping cabins, shall be separated from each other and from other buildings on the same lot as set forth in Section 705.3 of the California Building Code. The Building Official and Fire Marshal may accept reasonable alternatives to these requirements provided reasonably equivalent fire and life safety is achieved.

O112.3 Means of egress. Buildings or structures used for emergency housing shall be provided with means of egress complying with Chapter 10 of the California Building Code, unless modified elsewhere in this appendix.

O112.4 Emergency escape and rescue. Each area of a building or structure used for sleeping purposes in emergency housing shall be provided with an emergency escape and rescue opening in accordance with Section 1030 of the California Building Code, unless modified elsewhere in this appendix.

O112.5 Smoke alarms. Buildings or structures used for emergency housing, which provide sleeping accommodations, shall be equipped with single station battery powered smoke alarms installed in accordance with the location requirements of Section 907.2.11 of the California Fire Code, unless modified elsewhere in this appendix.

O112.6 Carbon monoxide alarms. Buildings or structures used for emergency housing, which provide sleeping accommodations, and equipped with fuel-burning appliances shall be provided with carbon monoxide detection in accordance with Section 915 of the California Fire Code, unless modified elsewhere in this appendix.

O112.7 Fire alarm. A manual fire alarm system capable of arousing sleeping occupants in accordance with Section 907.2.10.1 of the California Fire Code shall be installed in buildings, structures, or groups of buildings or structures used for emergency housing and having a gross floor area of more than 2,500 square feet or having more than 49 sleeping occupants.

Exception: Individual buildings or structures in a group of buildings or structures with sufficient separation distances to allow each

building or structure to function independently in case of a fire, as approved by the Fire Marshal.

O112.8 Automatic sprinkler systems. Fire sprinklers shall be provided for new and existing buildings or structures used for emergency housing, including sleeping cabins, which provide sleeping facilities more than 2,500 square feet or having more than 49 sleeping occupants, as required by Section 903.3 of the California Fire Code. Strict compliance with the requirements of Section 903.3 may not be required when approved by the Fire Marshal. The Fire Marshal is authorized to accept reasonably equivalent alternatives to the installation provisions of Section 903.3 when dealing with buildings or structures used for emergency housing.

O112.9 Fire extinguishers. Portable fire extinguishers shall be provided in accordance with Section 906.1 of the California Fire Code.

O112.10 Flammable or combustible liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted (intact cigarette lighters excepted). The use of any type of open flame indoors is prohibited unless conditionally approved by the Fire Chief.

O112.11 Storage in attics, under-floor and concealed spaces. Combustible materials, including but not limited to the possessions of occupants, users and staff shall not be stored in attics, under-floor spaces, or within other concealed spaces of buildings or structures used for emergency housing with sleeping accommodations.

O112.12 Fire department access. Fire Department access to building and premises used for emergency housing shall be in compliance with Section 503, Appendix D and Section 504 of the California Fire Code, as approved by the Fire Marshall.

O112.13 Water supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Marshall, shall be provided for each structure, group of structures or premises used for

SECTION O113

ADDITIONAL REQUIREMENTS

O113.1 Operating procedures. Operating procedures including a security plan and service requirements shall be developed by the professional service provider and shown to be consistent with the shelter standards developed by the local health authority and the Tuolumne County Administrators office. These procedures shall be designed to maintain order and safety within the buildings or structures used for emergency housing.

SECTION O114

ALTERNATIVES AND MODIFICATIONS

O114.1 Alternatives and modifications. Alternative compliance and/or modifications that are reasonably equivalent to the requirements in this appendix may be granted by the Local Administrative Authority in individual cases when dealing with buildings or structures used for emergency housing.

F. The 2022 California Residential Code Appendix AZ, amended as underlined:

AZ103.3 Occupant load

Exceptions:

3. For emergency housing, including emergency sleeping cabins, the minimum interior floor area may be reduced to 53 square feet if the enforcing agency determines that 53 square feet is adequate space for a single-occupancy sleeping unit.

AZ104.1 General. Emergency sleeping cabins shall have an interior floor area of not less than 70 square feet (5.6 m2) for one occupant. Where more than one person occupies the cabin, the required floor area shall be increased at the rate of 50 square feet (3.7 m2) for each occupant in excess of one. The interior floor area shall not exceed 400 square feet (37 m2), excluding lofts. (Ord. 3427 § 3, 2022)

GENERAL

AX101.1 Scope. This appendix shall be applicable to emergency housing and emergency housing facilities, as defined in Section AX102. The provisions and standards set forth in this appendix shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under Government Code section 8698 et seq. and located in new or existing buildings, structures, or facilities owned, operated, erected, or constructed by, for or on behalf of the County of Tuolumne on land owned or leased by the County of Tuolumne.

AX101.2 Application. Notwithstanding any provisions of this Code to the contrary, the following requirements shall apply to emergency housing operated during a shelter crisis, as provided for in Government Code Section 8698 et seq. Other than the specific requirements set forth in this appendix, the facilities need not comply with the requirements of this Code for Group R occupancies unless otherwise specified in this Code.

SECTION AX102

DEFINITIONS

AX102.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

DECLARATION OF SHELTER CRISIS. The duly proclaimed existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety. (See Government Code Section 8698.)

DEPENDENT UNIT. Emergency housing not equipped with a kitchen area, toilet, and sewage disposal system. Recreational vehicles that are not self-contained and without utility service connections shall be considered dependent units.

EMERGENCY HOUSING. Housing in a permanent or temporary structure(s), occupied during a declaration of state of emergency, local emergency, or shelter crisis. Emergency housing may include, but is not limited to, buildings and

structures constructed in accordance with the California Building Standards Code; and emergency sleeping cabins, emergency transportable housing units, and tents constructed in accordance with this appendix.

EMERGENCY HOUSING FACILITIES. On-site common use facilities supporting emergency housing. Emergency housing facilities include, but are not limited to, kitchen areas, toilets, showers and bathrooms with running water. The use of emergency housing facilities is limited exclusively to the occupants of the emergency housing, personnel involved in operating the housing, and other emergency personnel.

EMERGENCY HOUSING SITE. A site containing emergency housing and emergency housing facilities supporting the emergency housing.

EMERGENCY SLEEPING CABIN. Relocatable hard-sided structure constructed in accordance with this appendix, which may be occupied only for emergency housing if allowed by the enforcing agency.

EMERGENCY TRANSPORTABLE HOUSING UNIT. A single- or multiple-section prefabricated structure that is transportable by a vehicle and that can be installed on a permanent or temporary site in response to a need for emergency housing. Emergency transportable housing units include, but are not limited to, manufactured homes, mobile-homes, multifamily manufactured homes, recreational vehicles, and park trailers. For the purposes of this appendix, emergency transportable housing units may also include commercial modulars as defined in the Health and Safety Code Section 18001.8, if approved by the enforcing agency. Emergency transportable housing units do not include factory-built housing as defined in the Health and Safety Code Section 19971.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a loft.

LOCAL EMERGENCY. Local Emergency as defined in the Government Code, Section 8558.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor and open to it on at least one side with a ceiling height of less than 6 feet 8 inches (2032 mm), used as a living or sleeping space.

MANUFACTURED HOME. A structure designed to be used as a single-family dwelling, as defined in the Health and Safety Code, Section 18007.

MEMBRANE STRUCTURE. An air-inflated, air-supported, cable or frame-covered structure, not otherwise defined as a tent. (See Chapter 31 of the California Building Code.)

MOBILE-HOME. A structure designed to be used as a single-family dwelling, as defined in the Health and Safety Code, Section 18008.

MULTIFAMILY MANUFACTURED HOME. A structure designed to contain not less than two dwelling units, as defined in the Health and Safety Code, Section 18008.7.

PARK TRAILER. A trailer designed for human habitation that meets all requirements in the Health and Safety Code, Section 18009.3.

RECREATIONAL VEHICLE. A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation, that meets all requirements in the Health and Safety Code, Section 18010.

STATE OF EMERGENCY. State of Emergency as defined in the Government Code, Section 8558.

TENT. A structure, enclosure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

SECTION AX103

EMERGENCY HOUSING

AX103.1 General. Emergency sleeping cabins, emergency transportable housing units, membrane structures and tents constructed and/or assembled in accordance with this appendix, shall be occupied only during declaration of state of emergency, local emergency, or

shelter crisis. Buildings and structures constructed in accordance with the California Building Standards Code, used as emergency housing, shall be permitted to be permanently occupied.

AX103.2 Existing buildings. Existing residential and nonresidential buildings or structures shall be permitted to be used as emergency housing and emergency housing facilities provided such buildings or structures comply with the building code provisions and/or other regulations in effect at the time of original construction and/or alteration. Existing buildings or structures used as emergency housing shall not become or continue to be substandard buildings, as determined by the enforcing agency.

AX103.2.1 New additions, alterations, and change of occupancy. New additions, alterations, and change of occupancy to existing buildings shall comply with the requirements of the California Building Standards Code effective at the time of addition, alteration, or change of occupancy. The requirements shall apply only to and/or within the specific area of the addition, alteration, or change of occupancy.

Exceptions:

1. Existing buildings and structures used for emergency housing and emergency housing facilities may not be required to comply with the California Energy Code, as determined by the enforcing agency.
2. Change in occupancy shall not mandate conformance with new construction requirements set forth in the California Building Standards Code, provided such change in occupancy meets the minimum requirements set forth in this appendix.

AZ103.3 Occupant load. Except as otherwise stated in this appendix, the maximum occupant load allowed in buildings and structures used as emergency housing shall be determined by the enforcing agency, but the interior floor area shall not be less than 60 square feet (5.6 m²) for one occupant. Where more than one person occupies the building/structure, the required floor area shall be increased at the rate of 40 square feet (3.7 m²) for each occupant in excess of one.

Exceptions:

1. Tents.
2. Recreational vehicles and park trailers designed for human habitation that meet the requirements in the Health and Safety Code, Sections 18009.3 and 18010, as applicable.
3. For emergency housing, including emergency sleeping cabins, the minimum interior floor area may be reduced to 53 square feet if the enforcing agency determines that 53 square feet is adequate space for a single-occupancy sleeping unit. (Ord. 3427 § 3, 2022)

AX103.4 Fire and life safety requirements not addressed in this appendix. If not otherwise addressed in this appendix, fire and life safety measures, including, but not limited to, means of egress, fire separation, fire sprinklers, smoke alarms, and carbon monoxide alarms, shall be determined and enforced by the enforcing agency.

AX103.5 Privacy. Emergency housing shall be provided with a privacy lock on each entrance door and all windows for use by the occupants.

AX103.6 Heating. All sleeping areas shall be provided with adequate heating as determined by the enforcing agency.

SECTION AX104

EMERGENCY SLEEPING CABINS

AZ104.1 General. Emergency sleeping cabins shall have an interior floor area of not less than 70 square feet (5.6 m²) for one occupant. Where more than one person occupies the cabin, the required floor area shall be increased at the rate of 50 square feet (3.7 m²) for each occupant in excess of one. The interior floor area shall not exceed 400 square feet (37 m²), excluding lofts.

AX104.2 Live loads. Emergency sleeping cabins shall be designed to resist intrusion of wind, rain, and to support the following live loads:

1. Floor live loads not less than 40 pounds per square foot (1.92 kPa) of floor area.
2. Horizontal live loads not less than 15 pounds per square foot (718 Pa) of vertical wall and roof area.
3. Roof live loads not less than 20 pounds per square foot (958 Pa) of horizontal roof area.
4. In areas where snow loads are greater

than 20 pounds per square foot (958 Pa), the roof shall be designed and constructed to resist these additional loads.

AX104.3 Minimum ceiling height. Habitable space and hallways in emergency sleeping cabins shall have a ceiling height of not less than 80 inches (2032 mm). Bathrooms, toilet rooms, and kitchens, if provided, shall have a ceiling height of not less than 76 inches (1930 mm). Obstructions shall not extend below these minimum ceiling heights including beams, girders, ducts, lighting and other obstructions.

Exception: Ceiling heights in lofts constructed in accordance with Section AX108 are permitted to be less than 80 inches (2032 mm).

AX104.4 Means of egress. Emergency sleeping cabins shall be provided with at least two forms of egress placed remotely from each other. One form of egress may be an egress window complying with Section AX104.4.1. When a loft is provided, one form of egress shall be an egress window complying with Section AX104.4.1, provided in the loft space.

AX104.4.1 Egress window. The bottom of the clear opening of the egress window shall not be more than 44 inches (1118 mm) above the floor. The egress window shall have a minimum net clear opening height of 24 inches (610 mm), and a minimum net clear opening width of 20 inches (508 mm). The egress window shall have a minimum net clear opening area of 5 square feet (0.465 m²).

AX104.5 Plumbing and gas service. If an emergency sleeping cabin contains plumbing or gas service, it shall comply with all applicable requirements of the California Plumbing Code and the California Mechanical Code.

AX104.6 Electrical. Emergency sleeping cabins shall be provided with all of the following installed in compliance with the California Electrical Code:

1. Continuous source of electricity.

Exception: The source of electricity may be an emergency generator or renewable source of power such as solar or wind power.

2. At least one interior lighting fixture.
3. Electrical heating equipment listed for

residential use and a dedicated receptacle outlet for the electrical heating equipment.

Exception: Electrical heating equipment and a dedicated receptacle outlet for the electrical heating equipment are not required if non-electrical source of heating is provided.

4. At least one GFCI-protected receptacle outlet for use by the occupant(s).

AX104.7 Ventilation. Emergency sleeping cabins shall be provided with means of ventilation (natural and/or mechanical) allowing for adequate air replacement, as determined by the enforcing agency.

AX104.8 Smoke alarms. Emergency sleeping cabins shall be provided with at least one smoke alarm installed in accordance with Section R314.

AX104.9 Carbon monoxide alarms. If an emergency sleeping cabin contains a fuel-burning appliance(s) or a fireplace(s), a carbon monoxide alarm shall be installed in accordance with Section R315.

SECTION AX105

EMERGENCY TRANSPORTABLE HOUSING UNITS

AX105.1 General. In addition to the requirements in this appendix, manufactured homes, mobilehomes, multifamily manufactured homes, commercial modulars, recreational vehicles, and park trailers used as emergency transportable housing shall comply with all applicable requirements in the Health and Safety Code, Division 13, Part 2; and Title 25, Division 1, Chapter 3, Subchapter 2.

SECTION AX106

TENTS AND MEMBRANE STRUCTURES

AX106.1 General. Tents shall not be used to house occupants for more than 7 days unless such tents are maintained with tight wooden floors raised at least 4 inches (101.6 mm) above the ground level and are equipped with baseboards on all sides to a height of at least 6 inches (152.4 mm). Tents may be maintained with concrete slabs with the finished surface at least 4 inches (101.6 mm) above grade and equipped with curbs on all sides at least 6 inches (152.4 mm) high.

For a tent to be considered a suitable sleeping place the Tuolumne County Fire marshal shall identify the allowable type of heating source to provide heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit (10 degrees Celsius) within such tent during the period of occupancy.

Membrane structures installed and/or assembled in accordance with Chapter 31 of this code, may be permitted to be used as emergency housing and emergency housing facilities, as determined by the enforcing agency.

Tents and membrane structures used for sleeping purposes shall be equipped with single station battery powered smoke alarms installed in accordance with Section 907.2.11 of the California Fire Code.

SECTION AX107

ACCESSIBILITY

AX107.1 General. Emergency housing shall comply with the applicable requirements

in the California Building Code, Chapter 11B, and/or the US Access Board Final Guidelines for Emergency Transportable Housing.

Note: The Architectural and Transportation Barriers Compliance Board (US Access Board) issued the Final Guidelines for Emergency Transportable Housing on May 7, 2014. The final guidelines amended the 2004 ADA Accessibility Guidelines (2004 ADAAG) and the 2004 Architectural Barriers Act (ABA) Accessibility Guidelines (2004 ABAAG) to specifically address emergency transportable housing units provided to disaster survivors by entities subject to the ADA or ABA. The final rule ensures that the emergency transportable housing units are readily accessible to and usable by disaster survivors with disabilities.

SECTION AX108

LOFTS IN EMERGENCY HOUSING

AX108.1 Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AX108.1.1 through AX108.1.3.

AX108.1.1 Minimum area. Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

AX108.1.2 Minimum dimensions. Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AX108.1.3 Height effect on loft area.

Portions of a loft with a sloping ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

AX108.2 Loft access. The access to and primary egress from lofts shall be any type described in Sections AX108.2.1 through AX108.2.4.

AX108.2.1 Stairways. Stairways accessing lofts shall comply with this code or with Sections AX108.2.1.1 through AX108.2.1.6.

AX108.2.1.1 Width. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The minimum width below the handrail shall be not less than 20 inches (508 mm).

AX108.2.1.2 Headroom. The headroom in stairways accessing a loft shall be not less than 74 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AX108.2.1.3 Treads and risers. Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus 4/3 of the riser height, or
2. The riser height shall be 15 inches (381 mm) minus 3/4 of the tread depth.

AX108.2.1.4 Landing platforms. The top step of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 74 inches (1880 mm). The landing platform shall be 18 inches (457 mm) to 22 inches (559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and 16 inches (406 mm) to 18 inches (457 mm) in height measured from the landing platform to the loft floor.

AX108.2.1.5 Handrails. Handrails shall comply with Section R311.7.8.

AX108.2.1.6 Stairway guards. Guards at open sides of stairways shall comply with Section R312.1.

AX108.2.2 Ladders. Ladders accessing lofts shall comply with Sections AX108.2.1 and AX108.2.2.

AX108.2.2.1 Size and capacity. Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200 pound (90.7 kg) load on any rung. Rung spacing shall be uniform within 3/8 inch (9.5 mm).

AX108.2.2.2 Incline. Ladders shall be installed at 70 to 80 degrees from horizontal.

AX108.2.3 Alternating tread devices. Alternating tread devices are acceptable as allowed by the enforcing agency.

AX108.2.4 Loft guards. Loft guards shall be located along the open side of lofts. Loft guards shall not be less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less. Loft guards shall not have openings from the walking surface to the required guard height that allow passage of a sphere 4 inches (102 mm) in diameter.

SECTION AX109

LOCATION, MAINTENANCE AND IDENTIFICATION

AX109.1 Maintenance. Emergency housing and emergency housing facilities shall be maintained in a safe and sanitary condition, and free from vermin, vectors and other matter of an infectious or contagious nature. The grounds within emergency housing sites shall be kept clean and free from accumulation of debris, filth, garbage and deleterious matter. Emergency housing and emergency housing facilities shall not be occupied if a substandard condition exists, as determined by the enforcing agency

AX109.1.1 Fire hazards. Dangerous materials or materials that create a fire hazard, as determined by the enforcing agency, shall not be allowed on the grounds within emergency housing sites.

AX109.2 Identification. Emergency housing shall be designated by address numbers, letters, or other suitable means of identification. The identification shall be in a conspicuous location facing the street or driveway fronting the building or structure. Each identification character shall be not less than 4 inches (102 mm) in height and not less than 0.5 inch (12.7 mm) in width, installed/painted on a contrasting background.

SECTION AX110

EMERGENCY HOUSING FACILITIES

AX110.1 Drinking water. Potable drinking water shall be provided for all occupants of emergency housing.

AX110.2 Kitchens. Where occupants of dependent units are permitted or required to cook for themselves, a separate area shall be equipped and maintained as a common use kitchen. Refrigerated storage shall be provided for safe storage of food.

AX110.3 Toilet and bathing facilities. When dependent units are used as emergency housing, the emergency housing site shall be provided with one toilet and one bathing facility for every 15 occupants of each gender. The enforcing agency may permit different types and ratios of toilet and bathing facilities. The approval shall be based upon a finding that the type and ratio of toilet and bathing facilities are sufficient to process the anticipated volume of sewage and waste water, while maintaining sanitary conditions for the occupants of the emergency housing. Bathing facilities shall be provided with heating equipment which shall be capable of maintaining a temperature of 70 degrees F (21.0 degrees Celsius) within such facilities. Lavatories with running water shall be installed and maintained in the toilet facilities or adjacent to the toilet facilities. This can include foot-pumped water at hand washing stations that are properly maintained.

AX110.4 Garbage, waste and rubbish disposal. All garbage, kitchen waste and rubbish shall be deposited in approved covered receptacles, which shall be emptied when filled and the contents shall be disposed of in a sanitary manner acceptable to the enforcing agency.

SECTION AX111

ALTERNATIVES AND MODIFICATIONS

AX111.1 Alternatives and modifications.
Alternative compliance and/or modifications that are reasonably equivalent to the requirements in this appendix may be granted by the Authority Having Jurisdiction in individual cases when dealing with buildings or structures used for emergency housing.

(Ord. 3391 § 5, 2021)

15.04.030 Definitions. Whenever the codes adopted in Section 15.04.010 refer to a "city," that term shall refer to the County, and the officers and employees of the County shall perform any duties or obligations under the

codes imposed upon comparable officers and employees of a city. The Community Development Department of the County is designated as the agency to administer and enforce the codes within the unincorporated territory of the County. (Ord. 3391 § 6, 2021; Ord. 3240 § 2, 2013; Ord. 2314 § 46, 1999; Ord. 1107 § 1 (part), 1980; Ord. 975 § 1 (part), 1978; Ord. 758 § 1 (part), 1974; prior code § 11-3.0 (part)).

15.04.040 Permits issued in error are null and void. Any permit issued in violation of Section 17.72.020 of this code, or that purports to authorize building, uses, or purposes where the same would conflict with any statute or County ordinance is null and void. (Ord. 3391 § 7, 2021; Ord. 3240 § 2, 013; Ord. 2125 § 2, 1996; Ord. 1924 § 3, 1992).

15.04.50 Conditional certificate of occupancy.

- A. Whenever a building permit is issued to correct work performed without a required permit or to complete a project where the building permit has expired, and where it is infeasible to inspect all components of the building or structure to verify compliance with adopted construction codes, upon approval of the final inspection, the Chief Building Official shall issue a conditional certificate of occupancy. The conditional certificate of occupancy shall identify the limitations of the inspections performed by the Building and Safety Division in addition to the information required by the most current adopted California Building Code.
- B. A conditional certificate of occupancy shall not be issued for any structure that is deemed substandard pursuant to Section 17920.3 of the California Health and Safety Code. If, in the course of inspection, evidence is discovered that suggests that enclosed or obstructed components of the structure may be substandard, the Chief Building Official may require that these components be exposed for inspection or that a licensed design professional be obtained to perform an investigation to verify compliance with minimum design standards or commonly accepted engineering practices. (Ord. 3391 § 8, 2021; Ord. 3240 § 2, 2013; Ord. 2314 § 48, 1999; Ord. 828 § 1 1976; prior code § 11-3.3).

15.04.060 Special districts. Each special district with an elected governing board within the County, including, but not limited to, California water districts, community services districts, county water districts, fire protection districts, irrigation districts, recreation and park districts, and sanitary districts shall comply with the California Building Standards Code as adopted by Section 15.04.010; provided, however, that each such special district is delegated full authority to enforce each such code for its own projects without obtaining a permit from, paying fees to or inspection by the Community Development Department of the County; provided further, however, that each such special district shall file a full set of plans and specifications for the project with the Community Development Department prior to the commencement of a project for which a building permit would have been required but for this section. (Ord. 3391 § 9, 2021; Ord. 3240 § 2, 2013; Ord. 3151 § 7, 2010; Ord. 3016 § 8, 2009).

15.04.065 Building permits for small residential rooftop solar energy systems. An expedited process for issuing building permits for and inspecting the installation of small residential rooftop solar energy systems is hereby established as follows:

- A. The following words and phrases as used in this Section are defined as follows:
1. "Electronic submittal" means the utilization of one or more of the following:
 - a. E-mail.
 - b. Internet.
 - c. Facsimile.
 2. "Small residential rooftop solar energy system" means a system that meets all of the following criteria:
 - 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 state fire, structural, electrical, and other building codes as adopted or amended by the County and Civil Code section 714(c)(3), as such section or subdivision may be amended, renumbered, or redesignated from time to time.
 - c. A solar energy system that is installed on a single or duplex family dwelling.
 - d. A solar panel or module array that does not exceed the maximum legal building height

as defined by Title 17 of this Code.

3. "Solar Energy System" has the same meaning as set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
- B. The Chief Building Official shall develop, adopt and maintain a checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review. The checklist shall be published on the Tuolumne County internet website.
- C. The applicant may submit the permit application and associated documentation to the Tuolumne County Building and Safety Division by personal, mailed, or electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signatures.
- D. Prior to submitting an application, the applicant shall:
1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and
 2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.
- E. An application that satisfies the information requirements in the checklist, as determined by the Chief Building Official, shall be deemed complete. Upon receipt of an incomplete application, the Chief Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- F. Upon confirmation by the Chief Building

Official that the application and supporting documentation is complete and meets the requirements of the checklist, the Chief Building Official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop solar energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

- G. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however the subsequent inspection need not conform to the requirements of this subsection.
- H. In the event that the installation of the small residential rooftop solar energy system deviates from the eligibility checklist, such installation ceases to be eligible for expedited review and the Chief Building Official is authorized to require supplemental information for review and approval of the installation and may collect fees relative to the review and inspection of such supplemental information. (Ord. 3391 § 10, 2021; Ord. 3283 § 1, 2015)

15.04.70 Building permits - Discretionary and subject to conditions.

- A. A building permit shall be deemed discretionary for the purposes of the California Environmental Quality Act if:
 - 1. The Community Development Department Director determines a cultural resource may be disturbed as determined pursuant to the process described in Chapter 14.10 and if that cultural resource cannot feasibly be avoided as established in Section 14.10.060; or
 - 2. The building permit is for the demolition of a building, structure, object or site 50 years of age or older, and subject to Chapter 14.08.
- B. In considering discretionary building permits, conditions may be imposed as follows:
 - 1. The Chief Building Official may approve, conditionally approve, or deny discretionary building permits except as provided below in (8)(2). In granting a permit, the Chief Building

Official shall attach whatever conditions are reasonable and necessary to fulfill the intent and purposes of this Chapter and Title 14. Such conditions and the proposal of the applicant as considered and approved shall be a part of such permit. Issuance of a permit may be made subject to guarantees, executed by the Community Development Department Director, and evidence that attached conditions are being or will be met.

- 2. The Chief Building Official may approve or conditionally approve building permits for demolition of buildings, structures, objects or sites 50 years of age or older. In granting a permit, the Chief Building Official shall attach whatever conditions are reasonable and necessary to fulfill the intent and purposes of this Chapter and Title 14. Such conditions and the proposal of the applicant as considered and approved shall be a part of such permit. Issuance of a permit entitlement may be made subject to guarantees, executed by the Community Development Department Director, and evidence that attached conditions are being or will be met. (Ord. 3391 § 11, 2021; Ord. 3240 § 2, 2013; Ord..2296 § 5, 1999; Ord. 1603 § 3, 1988).

15.04.075 Building permits for electric vehicle charging stations.

- A. Definitions. The following words and phrases as used in this Section are defined as follows:
 - 1. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
 - 2. "Specific, adverse impact" means 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.

3. "Electronic submittal" means the utilization of one or more of the following:
 - a. E-mail,
 - b. Internet,
 - c. Facsimile.

B. Expedited Permitting Process. Consistent with Government Code section 65850.7, the Chief Building Official shall implement an expedited, streamlined permitting process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited, streamlined process and checklist may refer to the recommendations contained in the most current version of the "Plug-in Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" as published by the Governor's Office of Planning and Research. The County's adopted Checklist shall be published on the County's website.

C. Permitting Application Process

1. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes, but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.
2. A permit application that satisfies the information requirements in the County adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Chief Building Official that the permit application and supporting documents meets the requirements of the County adopted checklist, and is consistent with all applicable laws and health and safety standards, the Chief Building Official shall, consistent with Government Code section 65850.7,

approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the County. If the Chief Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

3. Consistent with Government Code section 65850.7, the Chief Building Official shall allow for electronic submittal of permit applications covered by this Section and associated supporting documentations. In accepting such permit applications, the Chief Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

D. Technical Review

1. It is the intent of this Section to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Chief Building Official's authority to address higher priority life-safety situations. If the Chief Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Section, a conditional use permit will be required.
2. In the technical review of a charging station, consistent with Government Code section 65850.7, the Chief Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as defined by Civil Code section 4080.

E. ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS

1. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National

Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.

2. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
3. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
4. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Codes as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements. (Ord. 3391 § 12, 2021; Ord. 3321 § 1, 2017)

15.04.080 CEQA review required. When a building permit is deemed discretionary for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 15.04.060(A), a review pursuant to the California Environmental Quality Act shall be conducted prior to the approval or conditional approval of the building permit. A review of the impacts of the proposal on cultural resources shall be conducted in compliance with Chapter 14.10 of this code to determine the appropriate conditions necessary to protect cultural resources. (Ord. 3391 § 13, 2021; Ord. 3240 § 2, 2013; Ord. 2296 § 16, 1999; Ord. 1993 § 1, 1993).

15.04.090 Building permits for demolition - review required. No person may demolish a building, structure, object or site 50 years of age or older, outside of the H zoning district, unless the building permit application is approved or exempt as provided in Chapter 14.08. (Ord. 3391 § 14, 2021; Ord. 3240 § 2, 2013; Ord. 2280 § 22, 1999).

15.04.100 Discovery of cultural resources

during construction. When a cultural resource, as defined in Chapter 14.04 is discovered during activities authorized by a building permit, the person in possession of a parcel for which the permit was issued and all persons conducting any activity authorized by the permit shall comply with the following provisions:

- A. The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the Department is closed.
- B. When the cultural resource is located outside the area of disturbance as defined in Chapter 14.04, the Community Development Department shall be allowed to photo document and record the resource in the manner prescribed in Sections 14.10.080(A)(1) and 14.10.080(A)(2). Construction activities may continue during this process.
- C. When the cultural resource is located within the area of disturbance as defined in Chapter 14.04, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Development Department may continue. A qualified professional, as defined in Chapter 14.04, shall be allowed to conduct an evaluative survey, as defined in Chapter 14.04, to evaluate the significance of the cultural resource.
 1. When the resource is determined to not be significant, the qualified professional or Community Development Department shall be allowed to photo document and record the resource in the manner prescribed in Sections 14.10.080(A)(1) and 14.10.080(A)(2). Construction activities may resume after authorization from the Community Development Department.
 2. When the resource is determined to be significant, the resource shall be avoided or a cultural resource management plan shall be prepared by the qualified professional to establish measures to address the effects of construction on the resource. The qualified professional shall be allowed to photo document

and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by the permit shall comply with the cultural resource management plan. (Ord. 3391 § 15, 2021; Ord. 3240 § 2, 2013)

15.04.110 Appeals. If the applicant or any other aggrieved party is dissatisfied with the decision of the Chief Building Official as established in Section 15.04.070, he/she may file an appeal to the Board of Supervisors, whose decision shall be final, as follows: (Ord. 3427 § 4, 2022)

15.04.120 Effective date of permit. A permit issued pursuant to Section 15.04.070 shall not become effective until any appeal filed pursuant to Section 15.04.110 has been concluded, or the time for filing an appeal has expired. (Ord. 3427 § 5, 2022)

15.04.130 Violation; enforcement. A violation of this chapter shall be enforced as provided for in Chapter 1.10 of the Tuolumne County Ordinance Code. (Ord. 3391 § 18, 2021; Ord. 3240 § 2, 2013)

15.04.140 Enforcement responsibility. The provisions of this chapter shall be enforced by the Division of Building and Safety of the Community Development Department. (Ord. 3391 § 19, 2021; Ord. 3240 § 2, 2013)

15.04.150 Violation penalty. An applicant for a permit to legalize a violation of this chapter, after service of a notice and order, in accordance with Chapter 1.10 of the Tuolumne County Ordinance Code, shall pay a violation penalty and associated abatement costs as established by the Board of Supervisors and set forth in Chapter 1.10 of the Tuolumne County Ordinance Code. The penalty and abatement costs shall be paid in addition to the regular permit processing fee. (Ord. 3391 § 20, 2021; Ord. 3240 § 2, 2013)