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2 **ORDINANCE NO. \_\_\_\_\_**  
3

4 **AN ORDINANCE OF THE CITY OF SAUSALITO AMENDING TITLE 8 OF THE**  
5 **MUNICIPAL CODE, SPECIFICALLY REVISING CHAPTERS 8.08, 8.10, 8.12, 8.14, 8.16,**  
6 **8.18, 8.22, AND 8.28 AND DELETING CHAPTERS 8.06, 8.20, 8.24, 8.26 and 8.40**  
7 **THEREOF; ADOPTING LOCAL AMENDMENTS TO TITLE 24 OF THE CALIFORNIA**  
8 **CODE OF REGULATIONS, SPECIFICALLY THE 2019 CALIFORNIA BUILDING**  
9 **CODE, WITH AMENDMENTS; 2019 CALIFORNIA RESIDENTIAL CODE WITH**  
10 **AMENDMENTS; 2019 CALIFORNIA ELECTRICAL CODE, WITH AMENDMENTS;**  
11 **2019 CALIFORNIA MECHANICAL CODE, WITH AMENDMENTS; 2019 CALIFORNIA**  
12 **PLUMBING CODE, WITH AMENDMENTS; 2019 CALIFORNIA ENERGY CODE WITH**  
13 **AMENDMENTS; 2019 EXISTING BUILDING CODE, WITH AMENDMENTS; AND THE**  
14 **2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH AMENDMENTS,**  
15 **AND A STATEMENT OF FINDINGS RELATED THERETO.**  
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18  
19 **WHEREAS,** Health and Safety Code Section 17958.7 provides that a local agency may  
20 make changes to the California Building Standards Code so long as the local government can  
21 make a factual showing of unique climatic, geological, or topographical conditions, and  
22

23 **WHEREAS,** Section 17958.7 also provides that changes to the California Building  
24 Standards Code must be filed with the California Building Standards Commission, and  
25

26 **WHEREAS,** the City Council finds that there exist the required findings of unique  
27 climatic, geological, and topographical conditions, which are detailed in Section 3 of this  
28 ordinance,  
29

30 **NOW, THEREFORE,** the City Council of the City of Sausalito does ordain as follows:  
31

32  
33 **SECTION 1: Revisions to Title 8**  
34

35 The following Chapters of the Sausalito Municipal Code are hereby deleted:  
36

- 37 • Chapter 8.06 – California Administrative Code
- 38 • Chapter 8.20 – California Historical Building Code
- 39 • Chapter 8.24 – California Green Building Code
- 40 • Chapter 8.26 – California Referenced Standards Code
- 41 • Chapter 8.40 – California Fire Code
- 42

43 The following Chapters of the Sausalito Municipal Code are hereby repealed in their entirety  
44 and readopted as amended below:  
45

- 46 • Chapter 8.08 – California Building Code

- 1 • Chapter 8.10 – California Residential Code
- 2 • Chapter 8.12 – California Electrical Code
- 3 • Chapter 8.14 – California Mechanical Code
- 4 • Chapter 8.16 – California Plumbing Code
- 5 • Chapter 8.18 – California Energy Code
- 6 • Chapter 8.22 – California Existing Building Code
- 7 • Chapter 8.28 – International Property Maintenance Code

8  
9  
10  
11 **SECTION 2. Modifications to Title 24, California Code of Regulations**

12  
13  
14 **Chapter 8.08**

15  
16 **CALIFORNIA BUILDING CODE**

17  
18 Sections:

- 19
- 20 8.08.010 Adoption of the California Building Code, with amendments.
  - 21 8.08.020 Section 1.8.5 Right of Entry for Enforcement.
  - 22 8.08.021 Section 1.8.8 Appeals Board.
  - 23 8.08.022 Section 104 Duties and Powers of Building Official.
  - 24 8.08.023 Section 105 Permits. .
  - 25 8.08.024 Section 109 Fees
  - 26 8.08.025 Sections 111 Certificate of Occupancy, 114 Violations, 115 Stop Work Order,
  - 27 1102A Building Accessibility, 3401 General.
  - 28 8.08.026 Section 113 Board of Appeals.
  - 29 8.08.030 Section 202 Definitions.
  - 30 8.08.040 Section 503 General Building Height and Area Limitations.
  - 31 8.08.050 Section 701A.1 Scope
  - 32 8.08.051 Section 701A.3 Application
  - 33 8.08.052 Section 701A.3.1 Application, date and where required
  - 34 8.08.053 Section 701A.3.3 Additions and new buildings
  - 35 8.08.054 Section 701A.3.4 Remodels, alterations, and repairs
  - 36 8.08.055 Section 701A.5 Vegetation management compliance
  - 37 8.08.060 Section 901 General
  - 38 8.08.061 Section 903 Automatic Sprinkler Systems
  - 39 8.08.062 Section 904 Alternative Automatic Fire Extinguishing Systems
  - 40 8.08.063 Section 906 Portable Fire Extinguishers
  - 41 8.08.064 Section 907 Fire Alarm and Detection Systems
  - 42 8.08.070 Section 1013 Guards.
  - 43 8.08.080 Section 1505 Roofing Fire Classifications.
  - 44 8.08.090 Chapter 18 Soils and Foundations
  - 45 8.08.100 Chapter 31 Special Construction
  - 46 8.08.110 Chapter 32 Encroachment into the Public Right-of-Way.

- 1 8.08.120 Section 3303 Demolition.
- 2 8.08.130 Appendix J - Section J110 Erosion Control.

3  
4  
5 **8.08.010 Adoption of 2019 California Building Code, Volumes 1 & 2.** The City  
6 Council hereby adopts, for the purpose of providing minimum requirements for the protection of  
7 life, limb, health, property, safety, and the welfare of the general public, that certain code known  
8 as the 2019 California Building Code, (based on the International Building Code, 2018 Edition), in  
9 its entirety, consisting of Volumes 1 and Volume 2, and including the following appendices:  
10 Appendices C, H, I & J, as published by the California Building Standards Commission in the  
11 California Code of Regulations, Title 24, Part 2, hereinafter referred to as the “California Building  
12 Code”, save and except such portions as are hereinafter changed or modified below. Not less than  
13 one copy of said code shall be maintained by the office of the Building Department.

14  
15 **8.08.020 Section 1.8.5 Right of Entry for Enforcement.** Subsection 1.8.5.1  
16 General; the first paragraph is amended to read as follows:

17  
18 “Subject to other provisions of law, including Code of Civil Procedure Section 1822.50 et  
19 seq., officers and agents of the building official may enter and inspect public and private  
20 properties to secure compliance with the provisions of this code and the rules and  
21 regulations promulgated by the department of housing and community development. For  
22 limitations and additional information regarding enforcement, see the following:”

23 [The remainder of this section is unchanged]

24  
25 **8.08.021 Section 1.8.8 Appeals Board.** Subsection 1.8.8.1 General, is amended by  
26 adding a new sentence to the end of the second paragraph to read as follows:

27  
28 “Nothing contained in this section shall prevent the mayor or city council from appointing  
29 the mayor and city council as the board of appeals.”

30  
31 **8.08.022 Section [A]104 Duties and Powers of Building Official.** Section [A]104,  
32 Duties and Powers of Building Official of the California Building Code is amended as follows:

33  
34 Section [A]104.3 is amended to add the following sentence:

35  
36 “No person shall remove or deface any notice or order posted by the building official  
37 except as authorized by the building official.”

38  
39 Section [A]104.6 is amended to add the following phrase to the end of the last sentence:

40  
41 “, including the warrant provisions of Section 1822.50 et seq. of the Code of Civil  
42 Procedure of the State of California.”

43  
44 New subsections [A]104.12 and [A]104.13 are added to read as follows:

45  
46 “[A]104.12 **Liability for correction and abatement.** Where an individual, owner or

1 occupant fails to eliminate a violation or hazardous condition, the Building Official is  
2 authorized to take corrective action as necessary to cause the abatement of the violation or  
3 hazardous condition. The City may recover the costs and expenses associated with the  
4 correction and abatement of a violation of hazardous condition, including all costs and  
5 expenses incurred by the City and contractors hired by the City to cause the correction and  
6 abatement. These correction and abatement costs shall be a debt of a business,  
7 corporation, individual or other responsible party owed to the City. The City may collect  
8 correction and abatement costs, the City shall compute and bill the responsible party for  
9 such costs and expenses, with payment due within thirty (30) days following the mailing of  
10 the bill, unless an appeal is filed as provided in Chapter 10.84 of the SMC. Upon failure to  
11 pay the correction and abatement costs and expenses when due, the responsible person  
12 shall be liable, in a civil action brought by the City, for such costs and expenses, and costs  
13 of the litigation, including reasonable attorneys' fees.  
14

15 **[A]104.13 Building Division resource sharing.** Other enforcement agencies shall have  
16 authority to render necessary assistance to the City for plan review, inspection, code  
17 interpretation, enforcement and other building division services when authorized by  
18 written agreement and as delegated by the Building Official.  
19

20 **8.08.023 Section 105 Permits.** Subsection [A]105.2 Work exempt from permit is  
21 amended to read as follows:  
22

23 **Building:** (1) is revised to read as follows:

24 1. One story detached accessory structures used as tool and storage sheds, playhouses, and  
25 similar uses, provided the floor area is not greater than 120 square feet and the structure  
26 contains no plumbing, electrical or heating appliances.

27 **Building:** (2) is revised to read as follows:

28 2. Fences not over 6 feet (213.4 cm) high, except that concrete, masonry or stone fences in  
29 excess of 3 feet high shall require a building permit.

30 **Building:** (6) is revised to read as follows:

31 6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over  
32 any basement or story below, and which are not part of an accessible route, or are not a  
33 part of the means of egress from a normally occupied building.

34 **Building:** (7) is revised to read as follows:

35 7. Painting, papering, tiling, carpeting, millwork, counter tops and similar finish work,  
36 except that striping or restriping of parking lots shall require a permit.  
37

38 Section [A]105.3.2 is amended to read as follows:  
39

40 “An application for a permit for any proposed work shall be deemed to have been  
41 abandoned 180 days after the date of filing, unless such application has been pursued in  
42 good faith or a permit has been issued; except that the building official is authorized to  
43 grant one extensions of time for an additional period not to exceed 180 days. The  
44 extension shall be requested in writing and justifiable cause demonstrated.”  
45

46 Section [A]105.7 is amended to read as follows:

1 [A]105.7 **Placement of permit.** A ‘Notification of Building Permit Issuance’ placard shall  
2 be issued to each building permit recipient, and said placard shall be prominently posted  
3 and displayed on the front of the building or structure where such building permit activity  
4 is to be conducted, and shall be clearly visible from the street or right-of-way and shall  
5 remain in place for the duration of the construction activity.  
6

7  
8 **8.08.024 SECTION 109, FEES.** Section 109 is amended to read as follows:  
9

10 [A]109.1 Unchanged

11 [A]109.2 **Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical  
12 and plumbing systems or alterations requiring a permit, a fee for each permit shall be required as  
13 set forth in the Master Fee Schedule Resolution as adopted by the Sausalito City Council and  
14 updated from time to time.

15 [A]109.3 Unchanged

16 [A]109.4 **Work commencing before permit issuance.** Any person who commences any  
17 work on a building, structure, electrical, gas, mechanical or plumbing system for which a permit is  
18 required before obtaining the necessary permit(s) may be subject to a fee equal to three times the  
19 amount of the normal permit fee for that work, and shall be in addition to the normal permit fees  
20 as specified in the Master Fee Schedule Resolution. This fee shall be collected whether or not a  
21 permit is then or subsequently issued.  
22

23 [A]109.5 & [A]109.6 Unchanged

24 Section [A]109.7 is added to read as follows:  
25

26 “[A]109.7 **After-hours inspection fees.** An after-hours inspection is an inspection  
27 conducted outside of normal work hours; 8:30 AM – 5:00 PM, Monday – Friday. Where an after-  
28 hours inspection is performed before or following normal work hours, that inspection may be  
29 charged by the hour. Where an inspector is called back to duty to perform an after-hours  
30 inspection, that inspection may be charged at three (3) hours minimum, then by the hour for any  
31 additional hours required over three (3). The after-hours inspection fee shall be charged at a rate  
32 of one and one-half (1½) times the fully burdened hourly rate as established in the Master Fee  
33 Schedule Resolution.”  
34

35 **8.08.025 Sections 111 Certificate of Occupancy, 114 Violations, 115 Stop Work**  
36 **Order, 1102A Building Accessibility, 3401 General.** Subsections 111.1 (Use and Occupancy),  
37 114.4 (Violation Penalties), 115.3 (Unlawful Continuance), 1102A.1 (Where required), and  
38 3401.2 (Maintenance) of the California Building Code, are amended by adding a sentence at the  
39 end of the first paragraph to read as follows:  
40

41 “Violations are punishable as specified in Sections 8.02.010 and 8.02.020 of the Sausalito  
42 Municipal Code.”  
43

44 **8.08.026 Section 113 Board of Appeals.** Subsection [A]113.3 Qualifications, is  
45 amended by adding a new sentence at the end to read as follows:  
46

1 “Nothing contained in this section shall prevent the mayor or city council from appointing  
2 the mayor and city council as the board of appeals.”  
3

4 **8.08.030** **Section 202 Definitions.** Section 202 Definitions, is amended to add the  
5 following definitions for purposes of this Title 8 and are not intended to replace or be used to  
6 define similar or the same terms in other portions of the Sausalito Municipal Code:  
7

8 **GRADE PLANE.** A reference plane representing the average of finished ground level  
9 adjoining the building at exterior walls. Where the finished ground level slopes away  
10 from the exterior walls, the reference plane shall be established by the lowest points within  
11 the area between the building and the lot line or, where the lot line is more than 5 feet from  
12 the building, between the building and a point 5 feet from the building.  
13

14 **RESIDENTIAL KITCHEN.** An area in which the preparation of food for eating occurs  
15 which has provisions for cooking or heating of food, or washing and storing of dishware  
16 and utensils, or refrigeration or storing of food.  
17

18 **SUBSTANTIAL REMODEL.** Substantial remodel shall mean the alteration of any  
19 structure which combined with any additions to the structure, affects a floor area which  
20 exceeds fifty percent (50%) of the existing floor area of the structure within any 36-month  
21 period. When any changes are made in the building, such as walls, columns, beams or  
22 girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations,  
23 piles or retaining walls or similar components, the floor area of all rooms affected by such  
24 changes shall be included in computing floor areas for purposes of applying this definition.  
25 This definition does not apply to the replacement and upgrading of residential roof  
26 coverings.  
27

28 **8.08.040** **Section 503 General Building Height and Area Limitations.** Subsection  
29 503.1, General is amended by adding a paragraph to read as follows:  
30

31 The City of Sausalito General Plan and Zoning Ordinance shall take precedence over all  
32 height and building area requirements of this code, if in conflict therewith. In no case however  
33 shall the height of any building exceed the maximum height or areas of buildings as set forth in  
34 Chapter 5 of the California Building Code.  
35

36 **8.08.050** **Section 701A.1 Scope** Section 701A.1, “Scope,” is amended to read as  
37 follows:  
38

39 This Chapter applies to building materials, systems, and/or assemblies used in the exterior  
40 design and construction of all new buildings, substantial remodels, additions, remodels,  
41 alterations, and repairs within the City limits.  
42

43 **8.08.051** **Section 702A.3 Application.** Section 701A.3, “Application,” is amended  
44 by deleting exception number 4, and amending the first paragraph to read as follows:  
45

46 New buildings, substantial remodels, additions, remodels, alterations, and repairs  
constructed after the specified application date shall comply with the provisions of this chapter.

1  
2           **8.08.052**       **Section 701A.3.1 Application date and where required.** The first  
3 paragraph of Section 701A.3.1, “Application date and where required,” is amended to read as  
4 follows:

5  
6           New buildings and substantial remodels for which an application for a building permit is  
7 submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone, and new buildings  
8 and substantial remodels for which an application for a building permit is submitted on or after the  
9 effective date of the City of Sausalito Wildland-Urban Interface Map, shall comply with all  
10 sections of this chapter, including all of the following areas:

11  
12           **8.08.053**       **Section 701A.3.3 Additions and new buildings.** A new subsection  
13 701A.3.3, “Additions and new buildings,” is added to read as follows:

14  
15           **701A.3.3 Additions and new buildings.** Additions located within the Wildland-Urban  
16 Interface Fire Area, and new buildings and additions located outside the Wildland-Urban Interface  
17 Fire Area, for which an application for a building permit is submitted on or after the effective date  
18 of the City of Sausalito Wildland-Urban Interface Map, shall comply with the applicable  
19 provisions of Sections 705A through 710A.

20  
21           **8.08.054**       **Section 701A.3.4 Remodels, alterations, and repairs.** A new subsection  
22 701A.3.4, “Remodels, alterations, and repairs,” is added to read as follows:

23  
24           **701A.3.4 Remodels, alterations, and repairs.** For all building remodels, alterations, and  
25 repairs for which an application for a building permit is submitted on or after the effective date of  
26 the City of Sausalito Wildland-Urban Interface Map, excepting substantial remodels located  
27 within the Wildland-Urban Interface Fire Area, each individual building element that is  
28 remodeled, altered, or repaired shall comply with the applicable provisions of Sections 705A  
29 through 710A; provided, however, that where more than 50% of a certain building element is  
30 remodeled, altered, or repaired within a 3-year period, whether under single or multiple permits,  
31 that entire building element for the building shall be replaced in accordance with Sections 705A  
32 through 710A.

33 *Exceptions:* Exceptions may be granted upon approval by both the Fire Code Official and Building  
34 Official.

35  
36           **8.08.055**       **Section 701A.5 Vegetation management compliance.** Section 701A.5  
37 Vegetation management compliance is amended to add the following:

38  
39           A vegetation management plan shall be prepared for all new construction and substantial  
40 remodels located within a defined Wildland Urban Interface Area. The vegetation management  
41 plan shall be in compliance with the provisions of the California Fire Code and Chapter 14.04,  
42 Section 4906.4 of the City of Sausalito Municipal Code. The Southern Marin Fire Protection  
43 District shall be the responsible party for compliance inspection.

44  
45           **8.08.060**       **Section 901 General.** Section 901.7 of Chapter 9 is hereby amended by  
46 adding the following sentence:

1  
2 Section 901.7 **Systems out of Service.** Where a required fire protection system is out of  
3 service, the fire department and the fire code official shall be notified immediately and,  
4 where required by the fire code official, the building shall be either evacuated or an  
5 approved fire watch shall be provided for all occupants left unprotected by the shutdown  
6 until the fire protection system has been returned to service. This section shall also apply to  
7 residential fire sprinkler systems.  
8

9 **8.08.061 Section 903 Automatic Sprinkler Systems.**

10 Section 903.2 of Chapter 9 is repealed in its entirety (with the exception of sub-sections 903.2.5,  
11 903.2.6, 903.2.8, 903.2.11, 903.2.12, 903.2.14, 903.2.15, 903.2.16, 903.2.17, 903.2.18, 903.2.19,  
12 903.2.20 which shall remain in effect).  
13

14 Section 903.2 of Chapter 9 is hereby added to read as follows:  
15

16 Section 903.2 **Where required.** Approved automatic sprinkler systems in new and existing  
17 buildings shall be provided in the locations described in this section.  
18

19 Section 903.2.1 through 903.2.4 of Chapter 9 are hereby added to read as follows:

20 Section 903.2.1 **Required installations.** An automatic sprinkler system shall be installed  
21 and maintained in all newly constructed buildings or structures.  
22

23 *Exceptions:*

- 24 1. Detached pool houses, workshops, Group U private garages, barns and similar  
25 structures, built in conjunction with existing non-sprinklered single family  
26 residences and provided the new structure is less than 1,000 square feet and is  
27 not intended for use as a dwelling unit.
- 28 2. Detached non-combustible, limited combustible, or fire-retardant treated wood  
29 canopies.  
30
- 31 3. Group B or M occupancies less than 1000 square feet.  
32
- 33 4. Detached restroom facilities associated with golf courses, ball fields, parks and  
34 similar uses as approved by the Fire Code Official.  
35
- 36 5. Agricultural buildings as defined in Appendix C of the Building Code and not  
37 exceeding 2000 square feet, having clear unobstructed side yards free of  
38 combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet  
39 in height, located within an agricultural zoned district as defined in the Marin  
40 County Planning Code.  
41

42 Section 903.2.2 **Additions and Alterations.** An automatic sprinkler system shall be  
43 installed in all buildings in excess of 3,000 sq. ft. which have ten percent (10%) or more  
44 floor area added within any 36-month period.  
45



1 Section 903.2.2.1 **Substantial Remodel.** An automatic sprinkler system shall be installed  
2 in all buildings which have fifty per cent (50%) or more floor area added, or any  
3 “substantial remodel” as defined in this code, within any 36-month period.  
4

5 Section 903.2.3 **Group R-3.** An automatic sprinkler system installed in accordance with  
6 Section 903.3.1.3 shall be permitted in Group R-3 occupancies and shall be provided  
7 throughout all one- and two-family dwellings regardless of square footage in accordance  
8 with the California Residential Code. An automatic sprinkler system shall be installed in  
9 all mobile homes, manufactured homes and multi-family manufactured homes with two or  
10 more dwelling units in accordance with Title 25 of the California Code of Regulations.

11 Section 903.2.4 **Change of Occupancy or Use.** For any change of occupancy or use, when  
12 the proposed new occupancy classification is more hazardous based on a fire and life  
13 safety evaluation by the Fire Code Official, including but not limited to conversion of  
14 buildings to single family residences, accessory dwelling units, bed and breakfast, inns,  
15 lodging houses or congregate residences or other similar uses, an automatic sprinkler  
16 system shall be installed throughout.  
17

18 Section 903.3 of Chapter 9 is hereby amended by adding the following thereto:  
19

20 The requirements for fire sprinklers in this code section are not meant to disallow the  
21 provisions for area increase, height increase, or Fire-Resistive substitution if otherwise  
22 allowed by sections 504 and 506 of the 2019 California Building Code. All automatic fire  
23 sprinkler systems shall be installed in accordance with the written standards of the Fire  
24 Code Official and the following:  
25

- 26 a. In all residential buildings required to be sprinkled any attached garages shall  
27 also be sprinkled, and except for single family dwellings, in all residential  
28 occupancies the attics shall be sprinkled.  
29
- 30 b. In all existing buildings, where fire sprinklers are required by provisions of this  
31 code, they shall be extended into all unprotected areas of the building.  
32
- 33 c. All single-family dwellings in excess of 5,000 square feet shall have automatic  
34 fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R.  
35
- 36 d. All public storage facilities shall have installed an approved automatic fire sprinkler  
37 system. An approved wire mesh or other approved physical barrier shall be  
38 installed 18 inches below the sprinkler head deflector to prevent storage from being  
39 placed to within 18 inches from the bottom of the deflector measured at a  
40 horizontal plane.  
41

42 Section 903.3.9 of Chapter 9 is hereby amended by replacing item 2 with the following:  
43

44 Section 903.3.9 **Floor control valves.** Floor control valves and waterflow detection  
45 assemblies shall be installed at each floor where any of the following occur:

- 1 1. Buildings where the floor level of the highest story is located more than 30 feet
- 2 above the lowest level of fire department vehicle access.
- 3 2. Buildings that are two or more stories in height.
- 4 3. Buildings that are two or more stories below the highest level of fire department
- 5 vehicle access.

6  
7 *Exception:* Group R-3 and R-3.1 occupancies floor control valves and waterflow detection  
8 assemblies shall not be required.  
9

10 Section 903.6.1 of Chapter 9 is hereby added and shall read as follows:

11  
12 Section 903.6.1 **Application.** In all existing buildings, when the addition of  
13 automatic fire sprinklers is required by the provisions of this code, automatic fire  
14 sprinklers shall be extended into all unprotected areas of the building.  
15

#### 16 **8.08.062 Alternative Automatic Fire Extinguishing Systems**

17 Section 904.12 is amended to read as follows:

18  
19 Section 904.12 Commercial cooking systems. Commercial cooking equipment that  
20 produces grease laden vapors shall be provided with a Type I Hood, in accordance  
21 with the California Mechanical Code, NFPA 96, and an automatic fire extinguishing  
22 system that is listed and labeled for its intended use as follows:

- 23 1. Wet chemical extinguishing system, complying with UL 300
- 24 2. Carbon dioxide extinguishing system.
- 25 3. Automatic fire sprinkler systems.

26  
27 All existing dry chemical and wet chemical extinguishing systems shall comply with  
28 UL 300.

29  
30 *Exception:* Public school kitchens, without deep-fat fryers, shall be upgraded to a UL  
31 300 compliant system during state-funded modernization projects that are under the  
32 jurisdiction of the Division of the State Architect (DSA).  
33

34 All systems shall be installed in accordance with the California Mechanical Code,  
35 NFPA 96, appropriate adopted standards, their listing and the manufactures'  
36 installation instructions.  
37

38 *Exception:* Factory-built commercial cooking recirculating systems that are tested,  
39 listed, labeled and installed in accordance with UL 710B and the California  
40 Mechanical Code and NFPA 96.  
41

#### 42 **8.08.063 Portable Fire Extinguishers.**

43 Section 906.11 is hereby added to Chapter 9 and shall read as follows:

44  
45 Section 906.11 **Fire Extinguisher Documentation.** The owner and/or operator of every  
46 Group R Division 1 and R Division 2 occupancies shall annually provide the Chief written

1 documentation that fire extinguishers are installed and have been serviced as required by  
2 Title 19 California Code of Regulations when such extinguishers are installed in residential  
3 units in lieu of common areas  
4

5 **8.08.064 Section 907 Fire Alarm and Detection Systems.**

6 Section 907.2.12.1.2 of Chapter 9 is hereby amended by adding new subsection 3 to read as  
7 follows:  
8

9 3. Duct smoke detectors shall be capable of being reset by a readily accessible, remote  
10 push button or key activated switch as approved by the Fire Code Official.

11 Section 907.6.6 is hereby amended to read as follows:

12 Section 907.6.6 **Monitoring.** New and upgraded fire alarm systems required by this  
13 chapter or by the California Building Code shall be monitored by an approved Central  
14 Station in accordance with NFPA 72 and this section.

15 *Exception:* Monitoring by central station is not required for:

- 16 1. Single- and multiple-station smoke alarms required by Section 907.2.11.
- 17 2. Group I-3 occupancies shall be monitored in accordance with Section  
18 907.2.6.3.
- 19 3. Automatic sprinkler systems in one- and two-family dwellings.

20 Section 907.8.5.1 of Chapter 9 is hereby added and shall read as follows:  
21

22 Section 907.8.5.1 **Smoke Alarm Documentation.** The owner and/or operator of every  
23 Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually  
24 provide the Fire Code Official with written documentation that the smoke alarms installed  
25 pursuant to the Building Code have been tested and are operational. If alarms are found to  
26 be inoperable or are missing, such alarms shall be repaired or replaced immediately.  
27

28 **8.08.070 Section 1015 Guards.** Subsection 1015.2 Where required. The first  
29 paragraph, is amended as follows:  
30

31 Guards shall be located along open-sided walking surfaces, including mezzanines,  
32 equipment platforms, stairs, ramps, landings, waterfront bulkheads, fixed piers, and gangways,  
33 that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at  
34 any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be  
35 adequate in strength and attachment in accordance with Section 1607.8.  
36

37 **8.08.080** Chapter 15 Roof Assemblies and Rooftop Structures. Section 1505.1 is  
38 amended as follows:  
39

40 Section 1505.1 is amended to delete the last sentence and delete Table 1505.1, but the  
41 exception remains.

42 Sections 1505.1.1 & 1505.1.2 are unchanged.

1 Section 1505.1.3 is amended to read as follows:  
2

3 **1505.1.3 Roof coverings within all other areas.** The entire roof covering of every  
4 existing structure, where more than 50% of the total roof area is replaced within any one-year  
5 period, the entire roof covering of every new structure, and any roof covering applied in the  
6 alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant  
7 roof covering material that is at least Class A.  
8

9 Section 1505.1.4 is amended to read as follows:  
10

11 **1505.1.4 Roofing requirements in a Wildland-Urban Interface Fire Area.** Roofing  
12 requirements for structures located in a Wildland-Urban interface (WUI) Fire Area shall be a  
13 minimum Class A roof covering and shall also comply with CBC section 705A.  
14

15 **8.08.090 Chapter 18 Soils and Foundations.** Section 1807 is amended by adding  
16 the following subsection:  
17

18 **1807.4 Wooden retaining walls.** Wooden retaining walls may not be used to support any  
19 building surcharge or vehicular way. In addition, wooden retaining walls shall not be employed to  
20 retain soils above or below a building where failure of the wall may subject the building damage.  
21

22 **8.08.100 Chapter 31 Special Construction.** Section 3109, Swimming Pools  
23 Enclosures and Safety Devices, is modified as follows:  
24

25 Section 3109.3 through 3109.4.1.9 are deleted  
26 Section 3109.4.2 is amended to read as follows:  
27

28 **3109.4.2 Indoor swimming pools.** Walls surrounding indoor swimming pools shall not be  
29 required to comply with section 3109.4.4.3.  
30

31 Section 3109.4.4.1 is amended to add the following definition:  
32

33 **PRIVATE SWIMMING POOL** means a swimming pool or pool located at and intended  
34 primarily for the use of the occupants of a single or two-family dwelling unit.  
35

36 Section 3109.4.4.3 is amended to read as follows:  
37

38 **3109.4.4.3 Enclosure required for private swimming pools.** Every person who owns or  
39 is in possession of any land on which there is situated a private swimming pool shall secure the  
40 pool from unauthorized entry by an enclosure that meets the requirements of CBC 3109.4.4.3.  
41 The enclosure shall be specifically designed to prevent unauthorized entry from adjacent private  
42 and/or public property. This enclosure shall be in addition to the “safety features” required by  
43 CBC 3109.4.4.2. An enclosure shall have all of the following characteristics:  
44

- 45 1. Any access gates through the enclosure open away from the swimming pool and are self-  
46 closing with a self-latching device placed not lower than 54” above the ground.”

1  
2 Subsections 2-5 are unchanged.

3  
4 Section 3109.4.4.3.1 is added to read as follows:

5  
6 **3109.4.4.3.1 Existing swimming pools.** Any person who owns or is in possession of an  
7 existing private swimming pool that does not conform to the requirements of this section shall  
8 make the pool conform to the requirements of this section within ninety (90) days from its  
9 effective date.

10  
11 Exceptions:

12 The building official is hereby authorized to exempt any private swimming pool from the  
13 provisions of 3109.4.4.3:

- 14 (1) If it is located in an area sufficiently remote from other residences as to not  
15 constitute a hazard to small children; or  
16 (2) If it is secured from unauthorized entry by a natural or artificial barrier that  
17 provides the same or a greater degree of protection than would an enclosure.

18  
19 An application for exception shall be filed in writing with the building official. The  
20 application shall contain a brief statement evidencing that the applicant is entitled to the  
21 exception and such other information as the chief building official may prescribe.

22  
23 Section 3109.7 is added to read as follows:

24  
25 **3109.7 Hydrostatic pressure test.** Circulation system piping, other than that integrally  
26 included in the manufacturer of the pool equipment, shall be subject to a hydrostatic pressure test  
27 of 25 pounds per square inch (psi) (172.4 Kpa). This pressure shall be held for not less than 15  
28 minutes. Tests on piping systems constructed of plastic piping shall not use compressed air for the  
29 test.

30  
31 **8.08.110 Chapter 32 Encroachment into the Public Right-of-Way.** Section 3201  
32 (General) of the California Building Code is amended by adding a new subsection 3201.5  
33 (Projection into right-of-way) to read as follows:

34  
35 **3201.5 Projection into right-of-way.** Any permit granted pursuant to this Code does not  
36 allow any projections upon, over or under the public right-of-way without acquiring an  
37 Encroachment Agreement or Encroachment Permit from the City. This section shall take  
38 precedence over any other provisions of this Code.

39  
40 Section 3202.2.3 is amended to read as follows:

41  
42 **3202.2.3 Awnings.** The vertical clearance from the public right-of-way to the lowest part  
43 of any awning, including valances, shall be not less than 8 feet.

44  
45 **8.08.120 Section 3303 Demolition.** Subsection 3303.8 is added to read as follows:

46

1 **3303.8 Statement of Vacated Structure.** If the application is for the demolition of any  
2 building or portion thereof, the application shall contain a statement to be signed by the owner that  
3 the building or the portion to be demolished is unoccupied or that prior to commencement of  
4 demolition the building will be vacated. A permit for demolition shall state on the face thereof  
5 that issuance of the permit does not relieve the owner or permittee of the obligation of complying  
6 with all legal requirements in removing tenants and occupants prior to commencement of  
7 demolition, and that the City assumes no liability for the demolition or for the removal of tenants  
8 and occupants.

9  
10 Subsection 3303.9 Notice of Building Permit Issued is added to read as follows:

11  
12 **3303.9 Notice of Building Permit Issued.** If the proposed work is to be performed on the  
13 exterior of any building or structure, or involves the demolition of any building or structure, and  
14 does not require any discretionary entitlement, the issuance of which may be appealed to the  
15 Planning Commission and subsequently to the City Council, then the Building Official,  
16 immediately upon issuance of the building permit, shall issue to the applicant a Notice of Building  
17 Permit Issued which shall refer to the property by street address and/or Assessor's Parcel Number  
18 and shall state that the building permit has been issued for the property and that plans therefore  
19 may be reviewed at the Community Development Department. If the permit is for demolition, the  
20 Notice of Issuance of Building Permit shall contain the words, "Demolition Notice" in bold face  
21 letters. Immediately thereafter, the applicant shall cause the Notice of Building Permit Issued to  
22 be posted within 24 hours of permit issuance along the front property line, and in the case of  
23 demolition permits on the street face of each building to be demolished. In such cases, the  
24 building permit shall not be considered effective nor shall any work be commenced thereon, until  
25 the expiration of ten days following such posting.

26  
27 **8.08.130 Appendix J - Section J110 Erosion Control.** Section J110 is amended by  
28 adding a new subsection, J110.3 (Storm water runoff) to read as follows:

29  
30 **J110.3 Storm water runoff.** All work which will disturb the ground surface may be  
31 prohibited or stopped by the City Engineer and/or Building Official during times in which in  
32 his/her opinion there is a likelihood of rainfall causing damage to the site or to public or other  
33 private property. Projects not scheduled for completion prior to October 15th of any year, or  
34 started between October 15th and May 1st, must provide an interim drainage and erosion control  
35 plan for City approval. The approved controls must be installed by October 15th of any year.  
36 When required by the City Engineer or Building Official, a deposit in an amount established by  
37 resolution of the City Council shall be paid to the Community Development Department at the  
38 time the building permit is issued. The purpose of this deposit is to guarantee that any damage  
39 resulting from storm water runoff will be promptly repaired. This deposit is in addition to any  
40 other deposit required under any City ordinance or resolution.

41  
42  
43 **Chapter 8.10**

44  
45 **CALIFORNIA RESIDENTIAL CODE**  
46

1 Sections:

- 2
- 3 8.10.010 Adoption of the California Residential Code, with amendments
- 4 8.10.020 Section 1.8.8 Appeals Board.
- 5 8.10.021 Section R105 Permits.
- 6 8.10.022 Section R108 Fees
- 7 8.10.023 Section R112 Board of Appeals
- 8 8.10.024 Sections R113, R114, Appendix J; Violations
- 9 8.10.030 Section 202 Definitions.
- 10 8.10.040 Section R313.1 Townhouse automatic fire sprinkler system
- 11 8.10.041 Section R313.1.1 Design and installation
- 12 8.10.042 Section R313.2 One- and two-family dwelling automatic fire sprinkler systems
- 13 8.10.043 Section R313.2.1 Design and installation
- 14 8.10.044 Section R313.4 Sprinkler system supervision and alarms
- 15 8.10.050 Section R326 Swimming Pools, Spas and Hot Tubs
- 16 8.10.060 Section R337.1.5 Vegetation management compliance
- 17 8.10.061 Section R337.2 Definition- Wildland Urban Interface Fire Area
- 18 8.10.070 Chapter 9 Fire Retardant roof coverings
- 19

20 **8.10.010 California Residential Code.** The City Council hereby adopts, for the  
21 purpose of providing minimum requirements for the protection of life, limb, health, property,  
22 safety, and the welfare of the general public, that certain code known as the 2019 California  
23 Residential Code, (based on the International Residential Code, 2018 Edition), in its entirety,  
24 including only appendix chapters Appendix E, H & J, as published by the California Building  
25 Standards Commission in the California Code of Regulations, Title 24, Part 2.5, hereinafter  
26 referred to as the “California Residential Code”, save and except such portions as are hereinafter  
27 changed or modified below. Not less than one copy of said code shall be maintained by the office  
28 of the Building Department.

29  
30 **8.10.020 Section 1.8.8 Appeals Board.** Subsection 1.8.8.1 (General) of the  
31 California Residential Code is amended by adding a new sentence to the end of the second  
32 paragraph to read as follows:

33  
34 “Nothing contained in this section shall prevent the mayor or city council from appointing  
35 the mayor and city council as the board of appeals.”

36  
37 **8.10.021 Section R105 Permits.** Subsection R105.2 Work exempt from permit is  
38 amended to read as follows:

39  
40 **Building:** (1) is revised to read as follows:

41 1. One story detached accessory structures used as tool and storage sheds, playhouses, and  
42 similar uses, providing the floor area does not exceed 120 square feet and the structure  
43 contains no plumbing, electrical or heating appliances.

44 **Building:** (2) is revised to read as follows:

45 2. Fences not over 6 feet high, except that masonry, concrete and stone fences in excess of  
46 3 feet high shall require a building permit.

1        **Building:** (6) is revised to read as follows:

2        6. Painting, papering, tiling, carpeting, millwork, counter tops and similar finish work.

3        **Building:** (10) is revised to read as follows:

4        10. Decks not exceeding 200 square feet in area that are not more than 30 inches above  
5        grade at any point, are not attached to a dwelling, and are not part of any path of egress  
6        from the dwelling.

7  
8        Section R105.7 is amended by adding the following:

9  
10        “A ‘Notification of Building Permit Issuance’ placard shall be issued to each building  
11        permit recipient, and said placard shall be prominently posted and displayed on the front of the  
12        building or structure where such building permit activity is to be conducted, and shall be clearly  
13        visible from the street or right-of-way and shall remain in place for the duration of the construction  
14        activity.”

15  
16        **8.10.022**        **Section R108 Fees.** Subsections R108.2, R108.6 are amended to read as  
17        follows:

18  
19        **R108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical and  
20        plumbing systems or alterations requiring a permit, a fee for each permit shall be required as set  
21        forth in the Master Fee Schedule Resolution as adopted by the Sausalito City Council and  
22        amended from time to time.

23  
24        **R108.6 Work commencing before permit issuance.** Any person who commences any  
25        work on a building, structure, electrical, gas, mechanical or plumbing system for which a permit is  
26        required before obtaining the necessary permit(s) may be subject to a fee equal to three times the  
27        amount of the normal permit fee for that work, and shall be in addition to the normal permit fee as  
28        specified in the Master Fee Schedule Resolution. This fee shall be collected whether or not a  
29        permit is then or subsequently issued.

30  
31        Section R108.7 is added to read as follows:

32  
33        **R108.7 After-hours inspection fees.** An after-hours inspection is an inspection conducted  
34        outside of normal work hours; 8:30 AM – 5:00 PM, Monday – Friday. Where an after-hours  
35        inspection is performed before or following normal work hours that inspection may be charged by  
36        the hour. Where an inspector is called back to duty to perform an after-hours inspection, that  
37        inspection may be charged at three (3) hours minimum, then by the hour for any additional hours  
38        required over three (3). The after-hours inspection fee shall be charged at a rate of one and one-  
39        half (1½) times the fully burdened hourly rate as established in the Master Fee Schedule  
40        Resolution.

41  
42        **8.10.023**        **Board of Appeals.** Subsection R112.3 is amended by adding thereto the  
43        following concluding sentence:

44  
45        “Nothing contained in this section shall prevent the mayor or city council from appointing  
46        the mayor and city council as the board of appeals.”



1  
2  
3 **8.10.024 Sections R113, R114, Appendix J.** Subsections R113.4 Violation  
4 penalties, R114.2 Unlawful continuance, and AJ102.1 General, are amended by adding a new  
5 sentence to the end of the paragraph to read as follows:  
6

7 “Violations are punishable as specified in Section 8.02.010 and 8.02.020 of the Sausalito  
8 Municipal Code.”  
9

10 **8.10.030 Section R202 Definitions.** Section R202 of the California Residential  
11 Code is amended by adding the following definitions for purposes of this Title 8 and are not  
12 intended to replace or be used to define similar or the same terms in other portions of the Sausalito  
13 Municipal Code:  
14

15 The definition of “Grade Plane” is modified to read as follows:  
16

17 **GRADE PLANE.** A reference plane representing the average of finished ground level  
18 adjoining the building at exterior walls. Where the finished ground level slopes away  
19 from the exterior walls, the reference plane shall be established by the lowest points within  
20 the area between the building and the lot line or, where the lot line is more than 5 feet from  
21 the building, between the building and a point 5 feet from the building.  
22

23 The definition of “Kitchen” is deleted, and the definition of “Residential Kitchen” is  
24 added to read as follows:  
25

26 **RESIDENTIAL KITCHEN.** An area in which the preparation of food for eating occurs  
27 that has provisions for cooking or heating of food, or washing and storing of dishware and  
28 utensils, or refrigeration or storing of food.  
29

30 The definition of “Substantial Remodel” is added to read as follows:  
31

32 **SUBSTANTIAL REMODEL.** Substantial remodel shall mean the alteration of any  
33 structure which combined with any additions to the structure, affects a floor area which  
34 exceeds fifty percent (50%) of the existing floor area of the structure within any 36 month  
35 period. When any changes are made in the building, such as walls, columns, beams or  
36 girders, floor or ceiling joists and coverings roof rafters, roof diaphragms, foundations,  
37 piles or retaining walls or similar components, the floor area of all rooms affected by such  
38 changes shall be included in computing floor areas for purposes of applying this definition.  
39 This definition does not apply to the replacement and upgrading of residential roof  
40 coverings.  
41

42 **8.10.040 Section R313 Automatic Fire Sprinkler Systems.** Section R313.1 is  
43 amended to read as follows:  
44

45 **R313.1 Townhouse automatic fire sprinkler system.** An automatic fire sprinkler system  
46 shall be installed in all of the following:

1 1. Every newly constructed building and facility.

2  
3 Exceptions:

4 a. Free standing Group U Occupancies not more than 1,000 square feet and  
5 provided with exterior wall and opening protection as per Table 602 of the 2016 Building Code.

6  
7 b. Agricultural buildings as defined in Appendix C of the 2016 Building Code and  
8 not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials,  
9 exceeding 60 feet in all directions and not exceeding 25 feet in height.

10  
11 2. In all buildings that have more than fifty percent (50%) floor area added or any  
12 “substantial remodel” as defined in this code, within any 36-month period. Exceptions may be  
13 granted by the Fire Code Official when alternate means of protection are installed as approved by  
14 the Fire Code Official.

15  
16 3. A change in the use of a structure that results in a higher fire or life safety exposure  
17 when the square footage of the area changing use is more than 50% of the square footage of the  
18 building.

19  
20 **8.10.041** Section R313.1.1. Section R313.1.1 is amended to read as follows:

21  
22 **R313.1.1 Design and installation.** All automatic fire sprinkler systems shall be installed in  
23 accordance with the written standards of the Fire Code Official and the following:

24  
25 a. In all townhomes required to be sprinkled. Any attached garages shall be  
26 sprinkled, and except for one- and two-family dwellings, in all residential occupancies the attics  
27 shall be sprinkled.

28  
29 b. In all existing townhomes, where fire sprinklers are required by provisions of  
30 this code, they shall be extended into all unprotected areas of the building.

31  
32 c. All townhomes in excess of 5,000 square feet shall have automatic fire  
33 sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed  
34 by the Fire Code Official.

35  
36 d. If an existing townhouse is equipped with an automatic fire sprinkler system,  
37 the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the  
38 existing townhouse.

39  
40 **8.10.042** Section R313.2. Section R313.2 is amended to read as follows:

41  
42 **R313.2 One- and two-family dwelling automatic fire sprinkler system.** An automatic  
43 fire sprinkler system shall be installed in all of the following:

44  
45 1. Every newly constructed building and facility.

46

1 Exceptions:

2  
3 a. Free standing Group U Occupancies not more than 1,000 square feet and  
4 provided with exterior wall and opening protection as per Table 602 of the 2016 Building Code.

5  
6 b. Agricultural buildings as defined in Appendix C of the 2016 Building Code and  
7 not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials,  
8 exceeding 60 feet in all directions and not exceeding 25 feet in height.

9  
10 2. In all buildings that have more than fifty percent (50%) floor area added or any  
11 “substantial remodel” as defined in this code, within any 36-month period. Exceptions may be  
12 granted by the Fire Code Official when alternate means of protection are installed as approved by  
13 the Fire Code Official.

14  
15 3. A change in the use of a structure that results in a higher fire or life safety exposure  
16 when the square footage of the area changing use is more than 50% of the square footage of the  
17 building.

18  
19 **8.10.043** Section R313.2.1. Section R313.2.1 is amended to read as follows:

20  
21 **R313.2.1 Design and installation.** All automatic fire sprinkler systems shall be installed  
22 in accordance with the written standards of the Fire Code Official and the following:

23  
24 a. In all residential buildings required to be sprinkled any attached garages shall  
25 be sprinkled, and except for one- and two-family dwellings, in all residential occupancies the attics  
26 shall be sprinkled.

27  
28 b. In all existing buildings, where fire sprinklers are required by provisions of this  
29 code, they shall be extended into all unprotected areas of the building.

30  
31 c. All single-family dwellings in excess of 5,000 square feet shall have automatic  
32 fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards  
33 developed by the Fire Chief.

34  
35 d. If an existing one- or two-family dwelling is equipped with an automatic fire  
36 sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and  
37 alterations to the existing one- or two-family dwelling.

38  
39 **8.10.044** Section R313.4 added. Section R313.4 is added to read as follows:

40  
41 **R313.4 Sprinkler system supervision and alarms.** All valves controlling the water  
42 supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air  
43 pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a  
44 listed fire alarm control unit.

45  
46 Exceptions:

1. Jockey pump control valves that are sealed or locked in the open position.
2. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

**8.10.0050 Section R326 Swimming Pools, Spas and Hot Tubs.** Section R326 Swimming pool, spas and hot tubs, is added.

Section R326.1 General is added to read:

**R326.1 General.** The design and construction of pools, spas and hot tubs shall comply with the 2019 California Building Code Section 3109.

**8.10.060 Section R337.1.5.** Section R337.1.5 is amended to read as follows:

**R337.1.5 Vegetation management compliance.** A vegetation management plan shall be prepared for all new construction and substantial remodels located within a defined Wildland Urban Interface Area. The vegetation management plan shall be in compliance with the provisions of the California Fire Code, which is adopted and amended in Ordinance 2019/20202-01 adopted by the Southern Marin Fire Protection District Board of Directors. The Southern Marin Fire Protection District shall be the responsible party for compliance inspection.

**8.10.061 Section R337.2 Definitions.** Section R337.2, definition “Wildland Urban Interface Area,” is amended to read as follows:

Wildland Urban Interface Fire Area is a geographical area located within any Moderate, High, or Very High Fire Severity Zone as recommended by the CFD Director pursuant to Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189, in a Very High Fire Severity Zone of a local responsibility area (LRA) or as identified in WUI maps adopted by the City Council.

**8.10.070 Chapter 9, Roof Assemblies**

Section R902.1.3 is amended to read as follows:

**R902.1.3 Roof coverings within all other areas.** The entire roof covering of every existing structure, where more than 50% of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least class A.

Section R902.1.4 is amended to read as follows:

1  
2 **R902.1.4 Roofing requirements in a Wildland-Urban Interface Fire Area.** Roofing  
3 requirements for structures located in a Wildland-Urban Interface (WUI) Fire Area shall be a  
4 minimum class A roof covering and shall also comply with California Residential Code Section  
5 337.5.  
6

7  
8 **Chapter 8.12**  
9

10 **CALIFORNIA ELECTRICAL CODE**  
11

12 Sections:  
13

- 14 8.12.010 Adoption of the California Electrical Code, with amendments  
15 8.12.020 Section 89.108.3 Local Enforcing Agency.  
16 8.12.021 Section 89.108.5 Right of Entry  
17 8.12.022 Section 89.108.8.1 Appeals Board  
18 8.12.030 Annex H Administration and Enforcement  
19  
20

21 **8.12.010 California Electrical Code.** The City Council hereby adopts, for the  
22 purpose of providing minimum requirements for the protection of life, limb, health, property,  
23 safety, and the general welfare of the general public, that certain code known as the 2019  
24 California Electrical Code, in its entirety, except that only the following Annex is adopted: Annex  
25 H, as amended by the California Building Standards Commission in the California Code of  
26 Regulations, Title 24, Part 3, hereinafter referred to as the “California Electrical Code”, save and  
27 except such portions as are hereinafter modified or amended below Not less than one copy of said  
28 code shall be maintained by the office of the Building Department  
29

30 **8.12.020 Section 89.108.3 Local Enforcing Agency.** Subsection 89.108.3.1 (Duties  
31 and Powers) of the California Electrical Code, is amended by adding a new sentence at the end of  
32 the first paragraph to read as follows:  
33

34 “Violations are punishable as specified in Section 8.02.010 and 8.02.020 of the Sausalito  
35 Municipal Code.”  
36

37 **8.12.021 Section 89.108.5 Right of Entry for Enforcement.** Section 89.108.5.1 is  
38 amended to read as follows:  
39

40 89.108.5.1 General. Subject to the provisions of law, including Code of Civil Procedure  
41 Section 1822.50 et. seq., officers and agents of the building official may enter and inspect public  
42 and private properties to secure compliance with the provisions of this code and the rules and  
43 regulations promulgated by the department of housing and community development. For  
44 limitations and additional information regarding enforcement, see the following:

45 [The remainder of this section is unchanged]  
46

1           **8.12.022**       **Appeals Board.** Section 89.108.8.1 is amended by adding a sentence to the  
2 end that reads as follows:

3  
4           Section 89.108.8.1 is amended by adding a sentence to the end that reads as follows:

5  
6           “Nothing contained in this section shall prevent the mayor or city council from appointing  
7 the mayor and city council as the local appeals board or housing appeals board.”

8  
9           **8.12.030**       **ANNEX H.** Annex H is amended as follows:

10  
11           Annex H is amended to replace the term “National Electrical Code” with the term  
12 “California Electric Code” wherever that term appears.

13  
14           Section 80.2 is amended to revise the following definition:

15  
16           **AUTHORITY HAVING JURISDICTION** -- The Authority Having Jurisdiction shall  
17 mean the building official or such official’s duly authorized representative.

18  
19           Section 80.7 is deleted.

20  
21           Section 80.15 is deleted

22  
23           Section 80.19(A) Application, is amended to read as follows:

24  
25           “(1) **Application.** To obtain a permit, the applicant shall apply to the Authority Having  
26 Jurisdiction for that purpose.”

27                   [The remainder of this section is unchanged]

28  
29           Section 80.19(E) Fees is amended to read as follows:

30  
31           “Any person desiring a permit required by this code shall, at the time of issuance therefore,  
32 pay a fee as set forth in the Master Fee Schedule Resolution of the Sausalito City Council as  
33 adopted from time to time.”

34  
35           Section 80.19 (E)(1) is added to read as follows:

36  
37           (1) Any person who commences any work on a electrical system for which a permit is  
38 required before obtaining the necessary permit(s) may be subject to a fee equal to three times the  
39 amount of the normal permit fee for that work, and shall be in addition to the normal permit fee as  
40 specified in the Master Fee Schedule Resolution. This fee shall be collected whether or not a  
41 permit is then or subsequently issued. This provision shall not apply to emergency work when it  
42 is proved to the satisfaction of the Building Official that the work was urgently necessary and that  
43 it was not practical to obtain the required permit before commencement of the work. In all such  
44 emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an  
45 unreasonable delay in obtaining such permit, the special investigation fees provided shall be  
46 charged, notwithstanding the earlier emergency.

1  
2 Section 80.19(F)(3) is amended to read as follows:  
3

4 “(3) When any portion of the electrical installation within the jurisdiction of an electrical  
5 inspector is to be hidden from view by the permanent placement of parts of the building, the  
6 person, firm, or corporation installing the equipment shall notify the electrical inspector and such  
7 equipment shall not be concealed until it has been approved by the electrical inspector.”  
8

9 Section 80.19(F)(5) is amended to add the following concluding sentence:  
10

11 “To obtain reinspection, the applicant shall first pay the reinspection fee in accordance  
12 with the Master Fee Schedule Resolution of the City Council as adopted, and then schedule the  
13 inspection for the next normally available time.”  
14

15 Section 80.23 is deleted.  
16

17 Section 80.25 is amended to change the first sentence to read as follows:  
18

19 **80.25 Connection to Electricity Supply.** Connections to the electrical supply shall  
20 conform to (A) through (D).  
21

22 Section 80.25(B), Special Consideration, is amended to change the first sentence to read:  
23

24 “By special permission of the Authority Having Jurisdiction, temporary power shall be  
25 permitted to be supplied to the premises for specific needs of the construction project.”  
26

27 Section 80.25(C) is deleted.  
28

29 Sections 80.25(D) and (E) are renumbered to be (C) and (D) respectively  
30  
31

## 32 Chapter 8.14

### 33 CALIFORNIA MECHANICAL CODE

34  
35  
36 Sections:

- 37  
38 8.14.010 Adoption of the California Mechanical Code, with amendments  
39 8.14.020 Amendments to Administrative Sections  
40 8.14.030 Definitions  
41  
42

43 **8.14.010 California Mechanical Code.** The City Council hereby adopts, for the  
44 purpose of providing minimum requirements for the protection of life, limb, health, property,  
45 safety, and the welfare of the general public, that certain code known as the 2019 California  
46 Mechanical Code, in its entirety, as published by the California Building Standards Commission in

1 the California Code of Regulations, Title 24, Part 4, hereinafter referred to as the “California  
2 Mechanical Code”, save and except such portions as are hereinafter modified or amended below.  
3 Not less than one copy of said code shall be maintained by the office of the Building Department.  
4

5 **8.14.020 Amendments to administrative sections.**

6 Subsection 1.8.3.1 (Duties and Powers) of the California Mechanical Code is amended by  
7 adding a new sentence at the end of the first paragraph to read as follows:  
8

9 “Violations are punishable as specified in Section 8.02.010 and 8.02.020 of the Sausalito  
10 Municipal Code.”  
11

12 Section 1.8.5, “Right of Entry for Enforcement” is amended to read as follows:  
13

14 **1.8.5.1 General.** Subject to the provisions of law, including Code of Civil Procedure  
15 Section 1822.50 et. seq., officers and agents of the building official may enter and inspect public  
16 and private properties to secure compliance with the provisions of this code and the rules and  
17 regulations promulgated by the department of housing and community development. For  
18 limitations and additional information regarding enforcement, see the following:

19 [The remainder of this section is unchanged]  
20

21 Section 1.8.8.1 is amended by adding a sentence to the end that reads as follows:  
22

23 “Nothing contained in this section shall prevent the mayor or city council from appointing  
24 the mayor and city council as the local appeals board or housing appeals board.”  
25

26 Section 104.3 is amended to read as follows:  
27

28 **104.3 Application for permit.** To obtain a permit, the applicant shall apply to the  
29 Authority Having Jurisdiction for that purpose. Every such application shall:

30 [The remainder of this section is unchanged]  
31

32 Section 104.3.2 is revised as follows:

33 The first paragraph is amended to add the phrase “as set forth in the Master Fee Schedule  
34 Resolution” to the end of the second sentence.

35 The fourth paragraph is amended to change the final phrase “in Table 104.5” to “as set in  
36 the Master Fee Schedule Resolution”.  
37

38 Section 104.5 is amended to read as follows:  
39

40 **“104.5 Fees.** Fees shall be assessed in accordance with the provisions of this section and  
41 as set forth in the Master Fee Schedule Resolution of the City Council as amended from time to  
42 time.”  
43

44 Section 104.5.2 is amended to read as follows:  
45

46 **104.5.2 Investigation Fees.** Any person who commences any work on a mechanical



1 system for which a permit is required before obtaining the necessary permit(s) may be subject to a  
2 fee equal to three times the amount of the normal permit fee for that work and shall be in addition  
3 to the normal permit fee as specified in the Master Fee Schedule Resolution. This fee shall be  
4 collected whether or not a permit is then or subsequently issued. This provision shall not apply to  
5 emergency work when it is proved to the satisfaction of the Building Official that the work was  
6 urgently necessary and that it was not practical to obtain the required permit before  
7 commencement of the work. In all such emergency cases, a permit must be obtained as soon as it  
8 is practical to do so, and if there is an unreasonable delay in obtaining such permit, the special  
9 investigation fees provided shall be charged, notwithstanding the earlier emergency.

10  
11 Section 104.5.3 (2) is amended to read as follows:

12  
13 **104.5.3** (2) The Authority Having Jurisdiction may authorize refunding of not more than  
14 80 percent of the permit fee paid when no work has been done under a permit issued in accordance  
15 with this code.

16  
17 Section 105.2.6 is amended to replace the fourth paragraph with the following:

18  
19 “To obtain reinspection, the applicant shall first pay the reinspection fee in accordance  
20 with the Master Fee Schedule Resolution of the City Council as amended from time to time, and  
21 then schedule the inspection for the next normally available time.”

22  
23 Section 107.1 is amended to add the following concluding sentence:

24  
25 “Nothing contained in this section shall prevent the mayor or city council from appointing  
26 the mayor and city council as the local appeals board or housing appeals board.”

27  
28 Table 104.5 is deleted.

29  
30 **8.14.030 Definitions.**

31  
32 Section 203.0 is amended to read as follows:

33  
34 The definition of “AUTHORITY HAVING JURISDICTION” is amended to read as follows:

35  
36 **AUTHORITY HAVING JURISDICTION** -- The Authority Having Jurisdiction shall mean the  
37 building official or such official’s duly authorized representative.

38  
39  
40  
41 **Chapter 8.16**

42  
43 **CALIFORNIA PLUMBING CODE**

44  
45 Sections:

46

- 1           8.16.010 Adoption of the California Plumbing Code, with amendments
- 2           8.16.020 Amendments to Administrative sections
- 3           8.16.030 Section 203 - Definitions

4  
5  
6           **8.16.010 California Plumbing Code.** The City Council hereby adopts, for the  
7 purpose of providing minimum requirements for the protection of health, safety, and the general  
8 welfare of the general public, that certain code known as the 2019 California Plumbing Code, in  
9 its entirety except that only the following appendices are adopted: Appendices A, C, D and I, as  
10 amended by the California Building Standards Commission in the California Code of Regulations,  
11 Title 24, Part 5, hereinafter referred to as the “California Plumbing Code”, save and except such  
12 portions as are hereinafter modified or amended below. Not less than one copy of said code shall  
13 be maintained by the office of the Building Department.

14  
15           **8.16.020 Amendments to Administrative Sections.**

16  
17           **Section 1.8.3, Local Enforcing Agency.** Subsection 1.8.3.1 Duties and Powers, is  
18 amended by adding a new sentence at the end of the first paragraph to read as follows:

19  
20           “Violations are punishable as specified in Section 8.02.010 and 8.02.020 of the Sausalito  
21 Municipal Code.”

22  
23           Section 1.8.5, “Right of Entry for Enforcement” is amended to read as follows:

24  
25           **1.8.5.1 General.** Subject to the provisions of law, including Code of Civil Procedure  
26 Section 1822.50 et. seq., officers and agents of the building official may enter and inspect public  
27 and private properties to secure compliance with the provisions of this code and the rules and  
28 regulations promulgated by the department of housing and community development. For  
29 limitations and additional information regarding enforcement, see the following:

30           [The remainder of this section is unchanged]

31  
32           Section 1.8.8.1 is amended by adding a sentence to the end that reads as follows:

33  
34           “Nothing contained in this section shall prevent the mayor or city council from appointing  
35 the mayor and city council as the local appeals board or housing appeals board.”

36  
37           Section 104.3 is amended to read as follows:

38  
39           **“104.3 Application for permit.** To obtain a permit, the applicant shall apply to the  
40 Authority Having Jurisdiction for that purpose. Every such application shall: “

41           [The remainder of this section is unchanged]

42  
43           Section 104.3.2 is amended to read as follows:

44  
45           **104.3.2 Plan Review Fees.** Where a plan or other data is required to be submitted by  
46 Section 104.3.1, a plan review fee shall be paid at the time of submitting plans and specifications

1 for review. The plan review fees specified in this subsection are separate from and in addition to  
2 the other permit fees specified in this section. The plan review fees shall be set forth in the fee  
3 schedule adopted by the latest resolution of the City Council. Where plans are incomplete or  
4 changed so as to require additional review, additional plan review fees may be charged as set forth  
5 in the Town's resolution.

6  
7 Section 104.5 is amended to read as follows:

8  
9 “**104.5 Fees.** Any person desiring a permit required by this code shall, at the time of  
10 issuance therefore, pay a fee, which fee shall be as set forth in the Master Fee Schedule Resolution  
11 of the City Council as adopted.”

12  
13 Section 104.5.2 is amended to read as follows:

14  
15 “**104.5.2 Investigation Fees.** Any person who commences any work on a plumbing  
16 system for which a permit is required before obtaining the necessary permit(s) may be subject to a  
17 fee equal to three times the amount of the normal permit fee for that work and said fee shall be in  
18 addition to the normal permit fee as specified in the Master Fee Schedule Resolution. This fee  
19 shall be collected whether or not a permit is then or subsequently issued. This provision shall not  
20 apply to emergency work when it is proved to the satisfaction of the Building Official that the  
21 work was urgently necessary and that it was not practical to obtain the required permit before  
22 commencement of the work. In all such emergency cases, a permit must be obtained as soon as it  
23 is practical to do so, and if there is an unreasonable delay in obtaining such permit, the  
24 investigation fees shall be charged, notwithstanding the earlier emergency.

25  
26 Section 104.5.3 (2) is amended to read as follows:

27  
28 “The Authority Having Jurisdiction may authorize refunding of not more than 80 percent  
29 of the permit fee paid when no work has been done under a permit issued in accordance with this  
30 code.”

31  
32 Section 105.2.6 is amended to replace the fourth paragraph with the following:

33  
34 “To obtain reinspection, the applicant shall first pay the reinspection fee in accordance  
35 with the Master Fee Schedule Resolution of the City Council as adopted, and then schedule the  
36 inspection for the next normally available time.”

37  
38 Table 104.5 is deleted.

39  
40 **8.16.030 Definitions.**

41  
42  
43 **Section 203.0** is amended to read as follows:

44  
45 The definition of “AUTHORITY HAVING JURISDICTION” is amended to read as  
46 follows:

1  
2 **AUTHORITY HAVING JURISDICTION** -- The Authority Having Jurisdiction shall  
3 mean the building official or such official's duly authorized representative.  
4  
5

6  
7 **Chapter 8.18**

8  
9 **CALIFORNIA ENERGY CODE**

10  
11 Sections:

- 12  
13 8.18.010 Adoption of the California Energy Code, with amendments  
14 8.18.020 Amendments to Administrative sections  
15

16 **8.18.010 California Energy Code.** The City Council hereby adopts, for the purpose of  
17 providing minimum requirements for the protection of health, safety, and the general welfare of  
18 the general public, that certain code known as the 2019 California Energy Code, in its entirety as  
19 amended by the California Building Standards Commission in the California Code of Regulations,  
20 Title 24, Part 5, hereinafter referred to as the "California Energy Code", save and except such  
21 portions as are hereinafter modified or amended below. Not less than one copy of said code shall  
22 be maintained by the office of the Building Department.  
23

24 **8.18.020 Subchapter 1, Section 100.0- Scope.** Subsection 100.0(a) (Buildings  
25 covered) of the California Energy Code is amended by adding a new subsection, 100.0(a)4  
26 (Violations), to read as follows:  
27

28 **100.0(a)4 Violations.** Violations are punishable as specified in Section 8.02.010 and  
29 8.02.020 of the Sausalito Municipal Code.  
30  
31

32 **Chapter 8.22**

33  
34 **CALIFORNIA EXISTING BUILDING CODE**

35  
36 Sections:

- 37  
38 8.22.010 Adoption of the California Existing Building Code, with amendments  
39 8.22.020 Amendments to administrative section 108  
40 8.22.030 Definitions  
41 8.22.040 Maintenance  
42  
43

44 **8.22.010 California Existing Building Code.** The City Council hereby adopts, for  
45 the purpose of providing minimum requirements for the protection of health, safety, and the  
46 general welfare of the general public, that certain code known as the 2019 California Existing

1 Building Code, in its entirety as amended by the California Building Standards Commission in the  
2 California Code of Regulations, Title 24, Part 10, hereinafter referred to as the “California  
3 Existing Building Code”, save and except such portions as are hereinafter modified or amended  
4 below. Not less than one copy of said code shall be maintained by the office of the Building  
5 Department.  
6

7 **8.22.020** **Section 108 Fees.** Section 108.2 Schedule of permit fees are amended to  
8 read as follows:  
9

10 **108.2 Schedule of permit fees.** The fee for each permit shall be as set forth by the latest  
11 resolution of the City Council.  
12

13 Section 108.2.1 is added to read as follows:  
14

15 **108.2.1 Plan review fees.** When a plan or other data are required to be submitted, a plan  
16 review fee shall be paid at the time of submitting plans and specifications for review. Said plan  
17 review shall be as set forth in the resolution of Town Council. Where plans are incomplete or  
18 changed so as to require additional plan review, an additional plan review fee may be charged at  
19 the rate established by resolution of the City Council.  
20

21 Section 108.4.1 “Investigation fee for work commencing prior to obtaining a permit” is  
22 added to read as follows:  
23

24 **108.4.1 Investigation fee for work commencing prior to obtaining a permit.** Any  
25 person who commences any work on a building, structure, electrical, gas, mechanical or plumbing  
26 system for which a permit is required before obtaining the necessary permit(s) may be subject to a  
27 fee equal to three times the amount of the normal permit fee for that work, and shall be in addition  
28 to the normal permit fees as specified in the Master Fee Schedule Resolution. This fee shall be  
29 collected whether or not a permit is then or subsequently issued.  
30

31 **8.22.030** **Section 202 Definitions.** Section 202, the Code Official Definition is  
32 amended to read as follows:  
33

34 Code Official. The officer or other designated authority charged with the administration  
35 and enforcement of this code shall be the Building Official.  
36

37 **8.22.040** **Section 302.6, Maintenance.** Section 302.6 Maintenance is added to read  
38 as follows:  
39

40 **302.6 Maintenance.** Buildings and structures, and parts thereof, shall be maintained in a  
41 safe and sanitary condition. Devices or safeguards which are required by this code shall be  
42 maintained in conformance with the code edition under which installed. The owner or the owner’s  
43 designated agent shall be responsible for the maintenance of buildings and structures. To  
44 determine compliance with this subsection, the Building Official shall have the authority to  
45 require a building or structure to be re-inspected. The requirements of this chapter shall not  
46 provide the basis for removal or abrogation of fire protection and safety systems and devices in

1 existing structures.

2  
3 **Chapter 8.28**

4  
5 **INTERNATIONAL PROPERTY MAINTENANCE CODE**

6  
7 Sections:

- 8  
9 8.28.010 Adoption of the International Property Maintenance Code, with amendments  
10 8.28.020 Amendments to the Administrative sections  
11 8.28.030 Definitions  
12 8.28.040 Amendments to Chapter 3  
13 8.28.050 Amendments to Chapter 6  
14  
15

16 **8.28.010 International Property Maintenance Code.** The City Council hereby  
17 adopts, for the purpose of regulating and governing the conditions and maintenance for all  
18 property, buildings and structures; by providing the standard for supplied utilities and facilities  
19 and other physical conditions essential to ensure that structures are safe, sanitary, and fit for  
20 occupation and use; that certain code known as the International Property Maintenance Code,  
21 2018 Edition including Appendix A, as published by the International Code Conference,  
22 hereinafter referred to as the “Property Maintenance Code,” save and except such portions as are  
23 hereinafter changed, added to or amended below. Not less than one copy of said code shall be  
24 maintained by the office of the Building Department.  
25

26 **8.28.020 Administrative amendments.**

27  
28 Section **101.1** is amended to read as follows:

29  
30 **101.1 Title.** These regulations shall be known as the Property Maintenance Code of the  
31 City of Sausalito (hereinafter referred to as “the Code” or “this Code”).  
32

33 Section **102.7** is amended to add the following to the end of the first paragraph:  
34

35 Where the term “International Building Code” appears, it shall mean the California  
36 Building Code as adopted by this jurisdiction. Where the term “International Fire  
37 Code appears, it shall mean the California Fire Code as adopted by this jurisdiction.  
38 Where the term “International Existing Building Code” appears, it shall mean the  
39 California Building Code as adopted by this jurisdiction. Where the term  
40 “International Fuel Gas Code” appears, it shall mean the California Plumbing Code  
41 as adopted by this jurisdiction. Where the term “International Mechanical Code”  
42 appears, it shall mean the California Mechanical Code as adopted by this  
43 jurisdiction. Where the term “International Plumbing Code” appears, it shall mean  
44 the California Plumbing Code as adopted by this jurisdiction. Where the term  
45 “International Zoning Code” appears, it shall mean the Sausalito Municipal Code,  
46 Title 10.

1  
2 Section 103 is deleted.

3  
4 Section 104.3 is amended as follows:

5  
6 Add the words “including the warrant provisions of Section 1822.50 et seq. of the Code of  
7 Civil Procedure of the State of California.” to the end of the section.

8  
9 Sections 107 is deleted.

10  
11 Section 108.3 is amended as follows:

12  
13 **108.3 Notice.** Whenever the code official has condemned a structure or equipment under  
14 the provisions of this section, notice shall be posted in a conspicuous place in or about the  
15 structure affected by such notice and served on the owner or the person or persons responsible for  
16 the structure or equipment in accordance with Section 1.10.060 of the Sausalito Municipal Code.  
17 If the notice pertains to equipment, it shall also be placed on the condemned equipment.

18  
19 Sections 109.2, 109.3 and 109.4 are amended to read as follows;

20  
21 **109.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever,  
22 in the opinion of the code official, there is imminent danger due to an unsafe condition, the code  
23 official may order the necessary work to be done, including the boarding up of openings, to render  
24 such structure temporarily safe whether or not the legal procedure herein described has been  
25 instituted; and shall cause such other action to be taken as the code official deems necessary to  
26 meet such emergency.

27 **109.3 Closing streets.** When necessary for public safety, the code official may temporarily  
28 close structures and close or order the authority having jurisdiction to close, sidewalks, streets,  
29 public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

30 **109.4 Emergency repairs.** For the purposes of this section, the code official may employ  
31 the necessary labor and materials to perform the required work as expeditiously as possible.

32  
33 Sections 109.5 and 109.6 are deleted.

34  
35 Section 110.1 is amended to change “two years” to “one year” in the first sentence.

36  
37 Sections 110.2 and 110.3 are amended to read as follows:

38 **110.2 Notices and Orders.** All notices and orders shall comply with Sausalito Municipal  
39 Code Chapter \_1.10.060.

40  
41 **110.3 Failure to comply.** If the owner of a premises fails to comply with a demolition  
42 order within the time prescribed, the code official may cause the structure to be demolished and

1 removed, either through the forces of the an available public agency or by contract or arrangement  
2 with private persons, and the cost of such demolition and removal shall be charged against the real  
3 estate upon which the structure is located and shall be a lien upon such real estate.

4  
5 Section 111.2 is amended by adding thereto the following concluding sentence:

6  
7 Nothing contained in this section shall prevent the mayor or city council from appointing  
8 the mayor and city council as the housing advisory and appeals board.

9  
10 Section 112.4 is amended to read as follows

11  
12 **112.4 Failure to comply.** Any person who shall continue any work after having been  
13 served with a stop work order, except such work as that person is directed to perform to remove a  
14 violation or unsafe condition, shall be in violation of this code.

15  
16 **8.28.030 Section 202 Definitions:** The definition for CODE OFFICIAL is amended  
17 to read as follows:

18  
19 **CODE OFFICIAL.** Where used in this code, the term Code Official shall mean the  
20 Building and Planning Manager or the Building Official of the City of Sausalito, or their  
21 designees.

22  
23 **8.28.040 Amendments to Chapter 3.** Section 302.4 is amended to read as follows:

24  
25 **302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or  
26 plant growth in excess of 6 inches tall. All noxious weeds shall be prohibited. Weeds shall be  
27 defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided however,  
28 this term shall not include cultivated flowers and gardens.

29  
30 Section 304.14 is amended to read as follows:

31  
32 **304.14 Insect Screens.** Every door, window and other outside opening required for  
33 ventilation of habitable rooms, food preparation areas, food service areas or any areas where  
34 products to be included or utilized in food for human consumption are processed, manufactured,  
35 packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh  
36 per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-  
37 closing device in good working condition.

38 [Exception to remain unchanged.]

39  
40 Section 308.2.2 is amended to add these words to the end of the sentence:

41  
42 “or securing the doors in an approved manner.”

43  
44 Section 308.3.1 is amended to read as follows:

45



1 Add the words: "Every person maintaining or using any solid waste can or receptacle shall  
2 keep the same clean and sanitary.

3  
4 Section 308.3.1.1 is added to read as follows:

5  
6 **308.3.1.1.** Within all residential districts in the city, no person shall use, locate or maintain  
7 (store) any solid waste can, garbage container or other waste receptacle within the public right-of-  
8 way other than on the day of removal service. Such waste receptacles shall be stored out of public  
9 view on non-service dates, whenever practical, or stored nearest the main structure.

10  
11 **8.28.050** **Amendments to Chapter 6.** Section 602.3 is amended to read as follows:

12  
13 **602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one  
14 or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to  
15 the occupants thereof shall supply heat in order to maintain a temperature of not less than 68°F  
16 (20°C) in all habitable rooms, bathrooms and toilet rooms.

17  
18 Section 602.4 is amended to read as follows:

19  
20 **602.4 Occupiable workspaces.** Indoor occupiable workspaces shall be supplied with heat  
21 in order to maintain a temperature of not less than 65°F (18°C) during the period the spaces are  
22 occupied.

23 [Exceptions remain unchanged.]  
24  
25  
26

27 **SECTION 3.** **FINDINGS.**  
28

29 California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 require that  
30 findings be made in order to change or modify building standards found in the California Building  
31 Standards Code based on local climatic, geologic, or topographic conditions. Therefore, the  
32 Sausalito City Council hereby finds that these changes or modifications to the 2019 California  
33 Building Code as adopted in Chapter 8.08 of the Sausalito Municipal Code; the 2019 California  
34 Residential Code as adopted in Chapter 8.10 are reasonably necessary because of the following  
35 local climatic, geological and topographical conditions:

36  
37 I. **Climatic conditions:**  
38

- 39 a) Most of the annual rainfall in Sausalito occurs during the winter, it typically  
40 receives no measurable precipitation between May and October. During this  
41 time, temperatures average between 70 and 90 degrees. These conditions  
42 eliminate most of the moisture in the natural vegetation and heavily wooded  
43 hillsides. The area also suffers periodic droughts that can extend the dry  
44 periods to other months of the year. These conditions can be further  
45 exacerbated by occasional offshore hot, dry, Diablo winds; all of which  
46 contribute to an elevated fire hazard.

- 1  
2 b) Most of the annual rainfall in Sausalito occurs during the winter, and some  
3 portions of the City are subject to tidal influences, there are times that flooding  
4 conditions occur in low-lying areas  
5

6 II. Geologic conditions:  
7

- 8 a) Sausalito lies near several earthquake faults, including the very active San  
9 Andreas Fault, there are significant potential hazards such as road closures,  
10 fires, collapsed buildings, and isolation of residents requiring assistance.  
11  
12 b) Many areas of the city, including some highly developed industrial and  
13 commercial areas, are located on bay alluvial soils which are subject to  
14 liquefaction in the event of an earthquake.  
15

16 III. Topographic conditions:  
17

- 18 a) Much of Sausalito is located in hilly areas, and many of the residential areas are  
19 heavily landscaped, and many exist adjacent to hilly open space areas which are  
20 characterized by dry vegetation and have limited access. In addition, the  
21 steepness of grades located in the hills and canyons results in narrow and  
22 winding roads, and limited water supply, making timely access, rescue and  
23 firefighting activities by emergency providers difficult.  
24  
25 b) The major arterial route between San Francisco and Marin and Sonoma county  
26 areas, Highway 101, is the primary access into and out of Sausalito. Should that  
27 highway become impassable, diversion of traffic onto alternative routes via  
28 surface streets in Sausalito may cause heavy traffic congestion, further limiting  
29 emergency access.  
30

31 More specifically, the above modified building standards are listed below with the  
32 corresponding climatic, geological or topographical condition which necessitates the modification.  
33

CBC Section Numbers	Climatic, geological and topographical condition
105.2	Ia, IIa, IIIa
1015	Ib, IIa
903	Ia, IIa, IIIa,IIIb
904	Ia, IIa, IIIa,IIIb
907	Ia, IIa, IIIa
1505	Ia, IIIa
1807	Ib, Ic, Id, IIb
3109	IIIa
3202.2.3	IIa, IIb, IIIb
Appendix J	Ib, IIIa

1 CRC Section Numbers

2  
3 R105 Ia, IIa, IIIa  
4 R313 Ia, IIa, IIIa, IIIb  
5 R314.7.2 Ia, IIa, IIIa  
6 R902 Ia, IIIa  
7

8 CA Existing Building Code Section

9  
10 302.6 Ia, Id, IIIa  
11  
12

13 **SECTION 4. Compliance with the California Environmental Quality Act.**

14 The Sausalito City Council finds that this Ordinance is not subject to the California  
15 Environmental Quality Act (“CEQA”) pursuant to under California Code of Regulations, Title 14,  
16 sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect  
17 physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in  
18 Section 15378) of the CEQA Guidelines because it has no foreseeable potential for resulting in  
19 physical change to the environment, directly or indirectly.  
20  
21

22 **SECTION 5. Severability.**

23 If any section or provision of this Ordinance or the application thereof to any person or  
24 circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of  
25 competent jurisdiction or preempted by state legislation, such decision or legislation shall not  
26 affect the validity of the remaining portions of this Ordinance. The City Council hereby declares  
27 that it would have passed this Ordinance and each and every section, subsection, sentence, clause  
28 or phrase hereof not declared invalid or unconstitutional without regard to any such decision or  
29 preemptive legislation.  
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32 **SECTION 6. Effective Date and Posting.**

33 This Ordinance shall be effective 30 days following its adoption by the City Council or  
34 January 1, 2020, whichever is later. Before the expiration of fifteen (15) days after its passage,  
35 this ordinance, or a summary thereof as provided in California Government code Section 36933,  
36 shall be posted in at least three public places in the City of Sausalito, along with the names of the  
37 members of the City Council voting for and against its passage.  
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41 **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of  
42 Sausalito on the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote:  
43

44 AYES: Councilmembers:  
45 NOES: Councilmembers:  
46 ABSENT: Councilmembers:

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\_\_\_\_\_  
MAYOR OF THE CITY OF SAUSALITO

ATTEST:

\_\_\_\_\_  
CITY CLERK

Draft 1