

EXHIBIT 1

The Ventura County Building Code (VCBC)

VENTURA COUNTY
BUILDING CODE (VCBC)

2022 EDITION

Ventura County Ordinance

Compiled by

THE RESOURCE MANAGEMENT AGENCY
DIVISION OF BUILDING AND SAFETY

West County

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East County

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The Ventura County Building Code, as shown herewith, is a compilation of the following ordinances adopted by the Ventura County Board of Supervisors.

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ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF VENTURA UPDATING THE VENTURA COUNTY BUILDING CODE AND ADOPTING BY REFERENCE THE MOST CURRENT EDITIONS OF THE FOLLOWING STATE BUILDING STANDARDS CODES AND INTERNATIONAL MODEL CODES, WITH CERTAIN APPENDICES, TOGETHER WITH AMENDMENTS THERETO: CALIFORNIA BUILDING CODE; CALIFORNIA RESIDENTIAL CODE, CALIFORNIA ELECTRICAL CODE; CALIFORNIA MECHANICAL CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA ENERGY CODE; CALIFORNIA HISTORICAL BUILDING CODE; CALIFORNIA EXISTING BUILDING CODE; CALIFORNIA GREEN BUILDING STANDARDS CODE; AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND INTERNATIONAL SWIMMING POOL AND SPA CODE.

The Board of Supervisors of the County of Ventura ordains as follows:

ARTICLE 1 ADOPTION OF THE VENTURA COUNTY BUILDING CODE

CHAPTER 1 ADOPTION OF STATE CODES, APPENDICES, AND AMENDMENTS

SECTION 101 VENTURA COUNTY BUILDING CODE DEFINED

101.1 Elements. *The Ventura County Building Code contained herein is comprised of the elements described in sections 101.1.1 through 101.1.4. Taken together, the California codes, appendices, model codes, and amendments described below constitute the Ventura County Building Code (Code).*

101.1.1 California codes. *The following parts of the 2022 California Building Standards Code known as Title 24 of the California Code of Regulations, including the model codes adopted therein by reference, are hereby made a part of the Ventura County Building Code:*

Part 2. The 2022 California Building Code (based on the 2021 International Building Code, published by the International Code Council)

Part 2.5. The 2022 California Residential Code (based on the 2021 International Residential Code, published by the International Code Council)

Part 3. The 2022 California Electrical Code (based on the 2020 National Electrical Code, published by the National Fire Protection Association)

Part 4. The 2022 California Mechanical Code (based on the 2021 Uniform Mechanical Code, published by the International Association of Plumbing and Mechanical Officials)

Part 5. The 2022 California Plumbing Code (based on the 2021 Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials)

Part 6. The 2022 California Energy Code

Part 8. The 2022 California Historical Building Code

Part 10. The 2022 California Existing Building Code

Part 11. The 2022 California Green Building Standards Code

Part 12. The 2022 California Referenced Standards Code

101.1.2 Appendices. *The following Appendices found in the 2022 California Building Standards Code are hereby adopted and made a part of the Ventura County Building Code:*

a) Appendices of the California Building Code:

Appendix C, Agricultural Buildings
Appendix F, Rodent Proofing
Appendix I, Patio Covers
Appendix J, Grading
Appendix P, Emergency Housing

b) Appendices of the California Residential Code:

Appendix AF, Radon Control
Appendix AH, Patio Covers
Appendix AQ, Tiny Houses
Appendix AS, Strawbale Construction
Appendix AW, 3D-Printed Building Construction
Appendix AX, Swimming Pool Safety Act
Appendix AZ, Emergency Housing

c) Appendices of the California Mechanical Code:

Appendix B, Procedures to Place Gas Equipment in Operation
Appendix C, Installation and Testing of Oil Fuel-Fired Equipment
Appendix D, Fuel Supply: Manufactured/Mobile Home Parks

d) Appendices of the California Plumbing Code:

Appendix A, Recommended Rules for Sizing Water Supply
Appendix B, Notes on Combination Waste and Vent Systems
Appendix D, Sizing Storm Water Drainage Systems
Appendix H, Private Sewage Disposal Systems
Appendix I, Installation Standards
Appendix J, Combination of Indoor and Outdoor Combustion and Ventilation
Opening Design

e) Appendices of the California Existing Building Code:

Appendix A1, Seismic Strengthening for URM Buildings
Appendix A2, Earthquake Hazard Reduction in Existing Concrete and Masonry
Buildings with Flexible Diaphragms

*Appendix A3, Prescriptive Provisions for Seismic Strengthening of Cripple Walls
and Sill Plates of Light Wood-Framed Residential Buildings
Appendix A4, Earthquake Risk Reduction in Wood-Frame Residential Buildings
with Soft, Weak, or Open Front Walls
Appendix A5, Referenced Standards*

*f) Appendices of the California Green Building Standards Code:
Appendix A4, Residential Voluntary Measures
Appendix A5, Non-Residential Voluntary Measures*

101.1.3 Model codes. *The following model codes are hereby adopted and made a part of the Ventura County Building Code:*

a) The 2021 International Property Maintenance Code (including Appendix A)

b) The 2021 International Swimming Pool and Spa Code (for private residential swimming pools and spas only)

101.1.4 Amendments. *The Ventura County amendments to the above referenced codes are herein adopted and made a part of the Ventura County Building Code. Ventura County amendments to the California Building Standards Code and the other adopted model codes are found in Articles 2 through 15 of this Code.*

These amendments include stand-alone provisions for special structures, such as Mobile Homes and Commercial Coaches (Article 13) and Limited-Density Owner-Built Rural Dwellings (Article 15). The amendments also include administrative provisions for Post-Disaster Recovery and Reconstruction (Article 14).

For clarity of use of this Code, each of the amended sections are prefaced with a statement indicating whether the section represents an amendment, an addition, or a deletion to the language in the referenced adopted code. Where no such indication is made for a section or subsection, it is intended that the section(s) or subsection(s) that follow are adopted and followed.

In order to distinguish the amendments in the Ventura County Building Code from the language in the model codes and the California codes, the Ventura County amendments have been shown in italicized font.

101.2 Section numbering system for code amendments. *To facilitate cross-referencing amendments with the adopted State codes, the amended sections have been numbered using the same section numbers used in the State codes. Thus "Article 3, Chapter 7A Section 704A" in this Code amends and supersedes Chapter 7A, Section 704A as published in the California Building Code.*

Generally, each numbered section or subsection of the adopted codes is deemed to be separate and distinct from the other sections and subsections for the purposes of amendment. An amendment to one subsection changes only that portion and does not, by omission of the other subsections, amend or delete any part of them.

Where the amendment involves adding a new section or subsection that does not exist, the new section will follow the sequential numbering system in the State code to correspond with the other sections.

SECTION 102 ADMINISTRATION

102.1 Administration. *The administrative and enforcement provisions from each of the codes that comprise the Ventura County Building Code are contained in the Administrative Chapters of each of the respective referenced*

codes. Where administrative and enforcement provisions are not included in the referenced codes, such as the California Energy Code, then the administrative and enforcement provisions contained in Article 2 of this Code, shall apply.

SECTION 103 FILING WITH THE CLERK OF THE BOARD

103.1 Filing with the Clerk of the Board. *Not less than one (1) certified copy of this Code shall be kept on file in the office of the Clerk of the Board of Supervisors, and such certified copy of the code shall be kept at that office for public inspection while this Code is in force. A copy of each of the referenced State codes and model codes shall be kept in the offices of Building Official for inspection by the public.*

SECTION 104 COPIES OF CODE FOR SALE TO THE PUBLIC

104.1 Copies of the Code for sale. *Copies of the Ventura County Building Code shall be made available in the offices of the Building Official for examination. Copies of the Code shall be available for purchase by the public at a price not to exceed the actual cost thereof to the County plus a reasonable handling charge as established by the Building Official shall be available for purchase depending on the stock on hand.*

ARTICLE 2

AMENDMENTS TO THE CALIFORNIA BUILDING CODE (CBC)

(In addition to the amendments in Article 2, the following Building Code Appendices are adopted in their entirety for Ventura County: Appendices C, F, I, J, and P.)

CHAPTER 1

AMENDMENTS TO CBC CHAPTER 1, DIVISION II

SCOPE AND ADMINISTRATION

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the Building Standards contained in the Ventura County Building Code (Code), the Scope and Administration provisions of Chapter 1, Division II of the 2021 International Building Code (IBC) are hereby adopted in their entirety, except as amended below, and made part of this Code. These provisions supplement the provisions of Chapter 1, Division I of the California Building Code (CBC). Where a conflict exists between the provisions of Division I and Division II, the provisions of Division I shall take precedence, unless the provision has been expressly amended herein.

SECTION 101

GENERAL

Section 101.1 of the IBC is amended in the VCBC to read as follows:

101.1 Title. *This ordinance shall be known as the "Ventura County Building Code," may be cited as such, and will be referred to herein as "this Code." This ordinance shall adopt certain State and model codes by reference, together with amendments thereto, as published herein. These referenced codes and amendments shall have the same force and effect as if fully set forth herein.*

Section 101.4.3 of the IBC is amended in the VCBC to read as follows:

101.4.3 Plumbing. The provisions of the California Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the *California Plumbing Code, Appendix H* shall apply to private sewage disposal systems.

Section 101.4.5 of the IBC is amended in the VCBC to read as follows:

101.4.5 Fire prevention. The provisions of the California Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. *Fire Prevention is governed by Ordinance No. 31 of the Ventura County Fire Protection District as such ordinance may be amended or supplemented by the District from time to time.*

Section 101.5 is added to the Ventura County Building Code:

101.5 Authority. *This Code is adopted pursuant to the statutory authority of Health and Safety Code Section 17910 et seq., known as the "State Housing Law." It is further adopted in conformity with the provisions of*

Sections 50022.1 to 50022.10, inclusive, of the Government Code relating to the adoption of codes by reference.

SECTION 102 APPLICABILITY

Section 102.1 of the IBC is amended in the VCBC to read as follows:

102.1 General. *This Code shall apply within all of the unincorporated territory of Ventura County. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.*

Section 102.1.1 is added to the Ventura County Building Code:

102.1.1 Conflicts. *Wherever conflicts occur between the provisions of this Code and the separate codes adopted by reference hereby, or between different sections within such individual code or codes, the most restrictive provisions or those which set the highest standard of health and safety shall govern.*

Where conflicts occur between provisions of this Code and other duly enacted County codes and ordinances, those provisions becoming law last in time shall govern.

Wherever in this Code reference is made to an appendix, the appendix shall not apply unless specifically adopted.

Section 102.1.2 is added to the Ventura County Building Code:

102.1.2 Severability. *If any article, chapter, section, sub-section, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these regulations. The Ventura County Board of Supervisors hereby declares that it would have passed this ordinance, and each article, chapter, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, chapters, sections, sub-sections, sentences, clauses, and phrases be declared unconstitutional or invalid.*

SECTION 103 ADMINISTRATION AND ENFORCEMENT

Section 103.1 of the IBC is amended in the VCBC to read as follows:

103.1 Continuance of Division. *There is hereby continued within the County the "Division of Building and Safety" of the Resource Management Agency, which division shall be under the administrative and operational control of the Building Official designated by the appointing authority. The function of the agency shall be the implementation, administration and enforcement of the provisions of this Code*

Section 103.2 of the IBC is amended in the VCBC to read as follows:

103.2 Appointment. *The Building Official shall be appointed by the Director of the Resource Management Agency.*

Section 103.3 of the IBC is amended in the VCBC to read as follows:

103.3 Deputies. *In accordance with the prescribed procedures of the County and with the concurrence of the Director of the Resource Management Agency, the Building Official shall have the authority to appoint a deputy Building Official, district managers, related technical officers, inspectors, plan examiners, plan check engineers, and other employees. Such employees shall have powers as delegated by the Building Official.*

SECTION 104 POWERS AND DUTIES OF THE BUILDING OFFICIAL

Section 104.1 of the IBC is amended in the VCBC to read as follows:

104.1 General. The Building Official is hereby authorized and directed to enforce all the provisions of this Code and of the codes adopted by reference hereby. The decision of the Building Official in enforcing the provisions of this Code or of the codes adopted by reference, or in interpreting the provisions thereof, or in exercising the authority delegated thereby shall be final, subject to appeal as provided in this Code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

The Building Official shall have the authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions. and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code.

Section 104.5.1 is added to the Ventura County Building Code:

104.5.1 Power of citation. Pursuant to the authority vested in the Board of Supervisors of the County of Ventura by California Penal Code section 836.5, the Building Official and certain of his or her authorized subordinates as hereinafter provided shall have the power of arrest without warrant whenever they have reasonable cause to believe that the person to be arrested has committed in their presence a misdemeanor, misdemeanor/infraction, or infraction, consisting of a violation of the provisions of this Code or any other ordinance or statute which the Building Official has a duty to enforce.

The persons who are authorized to make arrests as herein provided shall consist of the Building Official and those of his or her subordinates as he or she may from time to time designate, whose duties include inspection and enforcement activities for Ventura County.

In any case in which a person is arrested pursuant to this section and the person arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the person on his or her promise to appear as prescribed by section 853.6 of the California Penal Code. The provisions of that chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this section.

Section 104.8.1 of the IBC is amended in the VCBC to read as follows:

104.8.1 Legal defense. Any civil suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by legal representatives of *Ventura County* until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code.

It is the intent of the Board of Supervisors to establish minimum standards for the protection of the public health, safety, and welfare. This Code shall not be construed to establish standards of performance, strength, or durability other than those specified. Neither this Code nor any services rendered in connection with or pursuant to its terms by County officers, inspectors, agents or employees, is intended nor shall be construed as the basis for any express or implied warranties or guarantees to any person relative to or concerning any structure or part, portion, or appurtenance thereto or thereof constructed, erected, altered, enlarged, repaired, moved, replaced, or removed pursuant to this Code or any permits against the County or any of its officers, inspectors, agents, or employees because any structure or portion thereof erected, constructed, altered, enlarged, repaired, moved, replaced, or removed, or any appliances installed, maintained, repaired or replaced hereunder does not meet the standards prescribed herein, or does not meet any other standards prescribed elsewhere as to performance, strength, durability or other characteristics.

This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the County be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates of inspection issued under this Code.

SECTION 105 PERMITS

Section 105.1.1 of the IBC is amended in the VCBC to read as follows:

105.1.1 Annual Maintenance Permits. In lieu of an individual permit for each alteration to an already-approved building fixture, system, or other building component, the Building Official may, upon receipt of the required fee and application, issue an annual maintenance permit to any authorized person, firm, or corporation regularly engaged in the repair, replacement, or facility maintenance of miscellaneous building components, including electrical, plumbing, and/or mechanical system components regulated by this Code. The annual maintenance permit shall cover maintenance work which is performed on the specific premises of a non-residential or multi-family facility and shall entitle the holder to receive inspections for said work when required and requested by the permit holder.

Section 105.1.1.1 is added to the Ventura County Building Code:

105.1.1.1 Annual maintenance inspections. The holder of an annual maintenance permit shall request an inspection by the County for all work. Inspections shall be requested and performed in accordance with the provisions of Section 110.1 of this Code. Requests for inspection shall be made in a timely manner, but in no case shall the request be made more than 15 working days following the date of completion of the work. Failure to request the required inspection(s) constitutes grounds for revocation of the Annual Permit, at the discretion of the Building Official.

Section 105.1.1.2 is added to the Ventura County Building Code:

105.1.1.2 Annual Maintenance Permit fees. Annual Maintenance Permit and Inspection fees shall be calculated based on the County's current adopted Fee Schedule. Fees for completed inspections shall be billed by the County to the permit holder in a timely fashion following the inspection. Applicable fees shall be paid by the permit holder within 30 days of the County invoice date. Failure to pay applicable inspection fees constitutes grounds for revocation of the Annual Permit.

Section 105.1.2 of the IBC is re-numbered to "Section 105.1.1.3" in the VCBC:

105.1.1.3 Annual permit records. The person to whom an Annual Permit is issued shall keep a detailed record of alterations made under such Annual Permit. The Building Official shall have access to such records at all times or such records shall be filed with the Building Official as designated.

Section 105.1.2 is added to the Ventura County Building Code:

105.1.2 Permits for small agricultural produce stands. The Building Official shall issue a building permit for small agricultural produce stands upon receipt of application for said permit, and where the produce stand is found to be in compliance with the provisions of this section. Small agricultural produce stands shall meet all of the following provisions:

1. A Zoning Clearance for the produce stand is approved by the Planning Division.
2. Approval for the sale of agricultural products is obtained from the Environmental Health Division.
3. Approval from the Environmental Health Division is obtained for properties with septic systems.
4. The produce stand is used exclusively for the sale of agricultural produce only.

5. *The building or structure is located not closer than 30 feet to an adjoining property line, or from a building on the same lot. (See Table 602).*
6. *The floor area of the building does not exceed 400 square feet and is a single story, entirely of conventional light-wood frame structure of type V-B construction.*
7. *An area equivalent to at least 65% of the area of the longest side is left open and unobstructed during business hours.*
8. *A code complying exit is provided from the structure.*
9. *Fixed or portable sanitation facilities are available for use by the employees within 300 feet of the produce stand.*

Plan review and inspection services for small agricultural produce stands shall be required only for the purposes of verification of compliance with these provisions.

Section 105.1.2.1 is added to the Ventura County Building Code:

105.1.2.1 Fees for small agricultural produce stands. *Except for the required permit issuance fee, no plan review fee shall be applicable to produce stands qualifying for exemption under the provisions of this section. A one-hour inspection fee shall be paid for a final inspection to verify compliance with the applicable provisions of Section 105.1.2.*

Section 105.1.2.2 is added to the Ventura County Building Code:

105.1.2.2 Other permits. *Plumbing, mechanical and electrical permits shall be required when applicable.*

Section 105.1.2.3 is added to the Ventura County Building Code:

105.1.2.3 Applicability to other agencies. *Nothing herein shall be construed as providing exemption from the requirements of any agency other than the Division of Building and Safety.*

Section 105.2 of the IBC is amended in the VCBC to read as follows:

105.2 Exempted work

Building: A building permit shall not be required for the following:

1. *One-story detached accessory buildings used as tool and storage sheds, provided the floor area does not exceed 120 square feet and are not more than 15 feet in height above grade, including patio covers, playhouses, playground or athletic equipment, and similar uses that are accessory to detached one-and two-family dwellings. Similar non-residential and agricultural sheds are also exempt when constructed further than 60 feet away from other non-residential buildings on the same parcel that are larger than 3,000 square feet. It is permissible that these structures still be regulated by Section 710A, despite exemption from a permit.*
2. *Fences not over 7 feet high measured from adjacent grade on the side which yields the greatest height, unless supporting a surcharge or structural element. See item #5 for masonry or concrete walls used as fences.*
3. *Oil derricks.*
4. *Non-fixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches high.*
5. *Block walls and other masonry or concrete walls which are not over 5 feet in height, measured from finished grade to the top of wall on the side that yields the greatest height, and retaining walls which are not over 3 feet in height, measured from finished grade on the lower side, to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.*
6. *Water tanks supported directly upon grade if the tank capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.*

7. *Platforms, sidewalks, decks, and driveways associated with one- and two-family dwellings, not more than 30 inches above grade at any point and not located over any basement or story below, nor supporting any structure above.*
8. *Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.*
9. *Temporary motion picture, television, and theater stage sets and scenery.*
10. *Window awnings supported completely by an exterior wall of Group R, Division 3 or Group U Occupancies when projecting not more than 54 inches nor encroaching into required yards.*
11. *Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy that are outside of the scope of Chapter 1 of the International Swimming Pool and Spa Code, as adopted herein.*
12. *Freestanding signs not more than 10 feet in height and not more than 72 square feet in area and wall signs not more than 200 square feet in area, when supported by an approved zone clearance.*
13. *Residential television and radio antennas and dish antennas not more than 3 feet in diameter when supported by an approved zone clearance.*
14. *Commercial antennas not over 15 feet in height, or located not more than 15 feet above grade, when supported by an approved zone clearance.*
15. *Electroliner standards and flag poles not over 35 feet in height when supported by an approved zone clearance.*
16. *Readily removable plastic covered hoop structures without in-ground footings or foundations that are not more than 12' in height.*
17. *Agricultural wind generating machines except that an electrical or gas permit is required if they are connected to a commercial utility.*
18. *Detached one story shade covers for animals when the covers are not over 12 feet in height above grade and not more than 1,000 square feet of roof area.*
19. *Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.*

Electrical: *An electrical permit will not be required for the following:*

1. **Repairs and maintenance:** *Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.*
2. **Radio and television transmitting stations:** *The provisions of this Code shall not apply to electrical equipment used for radio and television transmissions but do apply to equipment and wiring for a power supply and the installations of towers and antennas.*
3. **Temporary testing systems:** *A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.*
4. *Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this Code.*
5. *Repair or replacement of fixed motors, transformers, or approved fixed appliances of same type and rating and in the same location.*
6. *Temporary decorative lighting energized by cord or cable having an attachment plug end to be connected to an approved receptacle.*
7. *Reinstallation of attachment plug receptacles but not the outlets therefor.*
8. *Replacement of an overcurrent device of the same capacity and in the same location.*
9. *Repair or replacement of electrodes or transformers of the same size and capacity for approved signs or gas tube systems.*
10. *Removal of abandoned electrical wiring.*
11. *Electrical wiring, devices, appliance or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.*
12. *Low-energy power, control and signal circuits of Class II and III as defined in this Code.*

Section 105.2.1 of the IBC is amended in the VCBC to read as follows:

105.2.1 Emergency repairs. *The Building Official is hereby authorized to establish procedures for issuing retroactive permits for work that is necessary to correct or repair building systems or components under emergency situations. The Building Official may verbally authorize work to proceed for such purposes, with the condition that a standard permit application will be filed once the emergency has ended. The holders of such emergency permits shall proceed at their own risk without assurance that the work so accomplished will be approved as constructed.*

Emergency repairs to plumbing, electrical, and mechanical installations may be initiated prior to obtaining the required permits, provided that such work was urgently necessary, and it was impractical to obtain the permits prior to commencement of the work. Permits for all such work shall be obtained as soon as it is practical to do so.

All construction or work for which a permit is required shall be subject to inspection by the Building Official to ensure compliance with the requirements of this Code and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. In addition, certain types of construction shall have periodic or continuous inspection, as specified in Chapter 17 of this Code.

Section 105.2.2 of the IBC is amended in the VCBC to read as follows:

105.2.2 Public service agencies. A permit shall not be required for the installation, alteration or repair of equipment for the generation, transmission, distribution or metering of water, wastewater, or electrical energy or other related equipment that is under the ownership and control of public service agencies by established right.

Section 105.2.3 is added to the Ventura County Building Code:

105.2.3 Waiver of permit. *The Building Official may, by administrative order, waive permit requirements for work which is not inimical to the public health, safety or welfare, or which because of its temporary nature or special purpose, does not fall within the purview or intention of this Code.*

Section 105.3 of the IBC is amended in the VCBC to read as follows:

105.3 Application for permit. To obtain a permit the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

1. *Give such information as may be required by the Building Official, County agencies, or State law.*
2. *Be accompanied by such plans, diagrams, computations, schedules, specifications, and other data as may be necessary to determine compliance with this Code and other applicable codes, laws, ordinances, rules, and regulations.*

Section 105.3.2 of the IBC is amended in the VCBC to read as follows:

105.3.2 Expiration of application. *An application for which no permit is issued within 360 days following the date of application shall expire by limitation. Plans, documents, reports, and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. Before a permit is issued for the work described on the application, a new permit application or a written request for an extension shall be submitted to the Building Official. Upon written request by the applicant, a permit application may be extended by the Building Official where necessary and for good cause, for an extended time period that is deemed practical, provided:*

1. *The project plans and specifications have been updated to reflect compliance with any new applicable code provisions that came into effect as a result of an adopted code change, and*
2. *The request for extension is accompanied by an Application Extension Fee and a Plan Review Fee as prescribed in the County's adopted Fee Schedule for review of any required plan revisions,*

3. *There are no significant changes to the plans or the permit application.*

Section 105.5 of the IBC is amended in the VCBC to read as follows:

105.5 Expiration of permit. *Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 12 months after the permit issuance date, or if the work authorized by such permit is suspended or abandoned for a period of 180 days or more, at any time after the work is commenced.*

Before such work may be recommenced after expiration, a new or renewed permit shall first be obtained to do so. The fee therefor shall be based upon the valuation for the work remaining to be inspected and approved for the project, but such fee shall not exceed 50% of the full permit fee based on the latest adopted Fee Schedule. Revisions to the original plans and specifications for such unfinished work shall be required to be made where applicable provisions have changed as a result of a Code update. Such revisions shall be submitted for review and approval by the Building Official and pertinent fees paid in accordance with the County adopted Fee Schedule.

The Building Official may, without requiring payment of an additional permit fee, extend the time for action by the permittee one or more times, for good cause, upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permit extensions may be approved by the Building Official, in writing, for periods not exceeding 180 days from the permit extension date.

Demolition permits issued for the correction of violations shall expire after 30 days.

Section 105.8 is added to the Ventura County Building Code:

105.8 Permits transferable. *Permits required by this Code may be transferred from the original permittee to second parties when legal requirements have been satisfied, when approved by the Building Official, and when applicable fees have been paid.*

Section 105.9 is added to the Ventura County Building Code:

105.9 Voluntary Green Building standards. *When approved by the Building Official, new buildings shall receive expedited plan review processing and the expedited plan review fee shall be waived if the applicant voluntarily conforms to the Tier 1 or Tier 2 Voluntary Green Building Standards of Title 24, Part 11, Appendices A4 or A5.*

Section 105.9.1 is added to the Ventura County Building Code:

105.9.1 Failure to perform. *Projects that fail to comply with the selected Tier under this provision after receiving expedited plan check processing shall, upon notification by the Building Official, pay the expedited plan check fee applicable to the project at the time of permit issuance.*

Section 105.9.2 is added to the Ventura County Building Code:

105.9.2 Workload exemption. *When the Building Official determines that plan review workload or staffing levels are such that the acceptance of a plan review under this provision would extend the plan check turn-around-time for other applications to an unacceptable level, the Building Official is authorized to suspend the acceptance of plans under these provisions until plan review workload or staffing levels are deemed acceptable.*

SECTION 107 CONSTRUCTION DOCUMENTS

Section 107.1 of the IBC is amended in the VCBC to read as follows:

107.1 Submittal documents. *Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection, and structural observation programs, and other data shall constitute the submittal documents and shall be submitted electronically, except where specifically allowed by the Building*

Official to be submitted in paper format. When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

Computations, diagrams, schedules, soil reports, geological or geotechnical reports, and other data sufficient to show the correctness and adequacy of the plans shall be submitted when required by the Building Official.

Section 107.2.6 of the IBC is amended in the VCBC to read as follows:

107.2.6 Site plan. *The Construction Documents submitted in accordance with Section 107.1 of this Code shall be accompanied by a Site Plan, drawn to scale, showing the size and location of all proposed and existing buildings, structures, and other improvements. The site plan shall also show the following items:*

- 1. Point of connection to the public or private sewer system, water supply system and all other utilities serving the property.*
- 2. Distances between proposed and existing structures and setback distances from proposed structures to property lines and slopes*
- 3. Mature oak tree locations with approximate dripline perimeters*
- 4. Established street grades and proposed finished grades.*
- 5. Drainage courses*
- 6. Location of all recorded easements along with the easement descriptions.*

When applicable, Site Plans shall also indicate flood hazard areas, floodways, and design flood elevations, including finish floor elevations of the lowest habitable floor, or lowest horizontal structural member for coastal high hazard areas (V Zones).

When required by the Building Official, a survey of the lot shall be performed to assure that a structure is located in accordance with the requirements of this Code, and/or is situated with respect to Mean Sea Level such that it complies with regulations governing construction in flood-prone areas.

For non-residential buildings and multi-family buildings, the site plan shall include parking and path of travel identification and references to reflect compliance with applicable disabled access provisions of Chapter 11A or 11B.

Section 107.3 of the IBC is amended in the VCBC to read as follows:

107.3 Examination of documents. *When documents are required precedent to the issuance of a permit, per section 107.1, and those documents have been confirmed, by review, to comply with the requirements of this Code, the Building Official shall endorse, or cause to be endorsed, in writing or stamp on the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.*

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved provided adequate information and detailed statements have been found complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

Section 107.3.1 of the IBC is amended in the VCBC to read as follows:

107.3.1 Approval of construction documents. When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "*APPROVED*." One set of construction documents so reviewed shall be retained by the Building Official, one set shall be made available to the applicant *and* kept at the site of work and shall be *made available for use* by the Building Official *during inspections*. *The approved plans shall be made available to the Ventura County Tax Assessor's office.*

Section 107.3.2 of the IBC is amended in the VCBC to read as follows:

107.3.2 Previous approvals. This Code shall not require changes in the approved construction documents, construction, or designated occupancy of a structure for which a lawful permit has been issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith and has not been abandoned.

Section 107.3.4.1 of the IBC is amended in the VCBC to read as follows:

107.3.4.1 Deferred submittals. *For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period.* Deferral of any submittal items shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the Building Official.

Section 107.5 of the IBC is amended in the VCBC to read as follows:

107.5 Retention of construction documents. One set of approved construction documents shall be retained by the Building Official *as required by state or local laws*.

Section 107.6 is added to the Ventura County Building Code:

107.6 Permit issuance. *The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of the County to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this Code and other pertinent laws and ordinances, and all required fees have been paid, he shall issue a permit therefor to the applicant.*

Section 107.6.1 is added to the Ventura County Building Code:

107.6.1 Permit denial. *Except where special building designs or other mitigating measures have been approved by the Building Official and cooperating officials of other County agencies, a building permit may be denied where physical features of a building site are such that a denial of the building permit is deemed necessary to safeguard life or limb, health, property, or public welfare. Physical features which justify the denial of a permit shall include but shall not be limited to:*

- 1. Precipitous cliffs or other nearby vertical land masses of unknown stability.*
- 2. Unstable soils or geologic conditions.*
- 3. Terrain which is subject to flooding, inundation, or severe soil erosion.*

Section 107.6.2 is added to the Ventura County Building Code:

107.6.2 Permit restrictions. *The issuance of permits shall be restricted to those applicants or their authorized representatives who are entitled by the regulations and the exemptions in the State Contractor's License Law, Business and Professions Code, and other applicable statutes to perform work regulated by this Code.*

1. *Owner-Builder permits may be issued to a property owner who is proposing to build or improve his or her principal place of residence or appurtenances thereto, provided that all of the following conditions exist:*
 - a. *The residence is not intended or offered for sale.*
 - b. *The homeowner has actually resided in the residence for the 12-month period prior to the completion of the work for which the permits is issued.*
2. *Owner-Builder permits may be issued to a property owner building or improving structures thereon who subsequently enter into a contract for construction of such projects with licensed contractors pursuant to Division 3, Chapter 9, of the California Business and Professions Code.*
3. *Tenant Improvement permits may be issued to tenants when authorized by the building owner for work within the tenant space.*

SECTION 108 TEMPORARY STRUCTURES AND USES

Section 108.1 of the IBC is amended in the VCBC to read as follows:

108.1 General. *The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service but shall not be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated cause.*

Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the Building Official for a limited period. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by this Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

Contractor's tool houses, construction office trailers, and similar temporary structures associated with an active construction project may be placed and kept on the same site as the construction project without a special permit from the Building Official. Temporary construction sheds and construction office trailers shall be completely removed from the site in a timely manner following the completion of the project.

SECTION 109 FEES

Section 109.2 of the IBC is amended in the VCBC to read as follows:

109.2 Schedule of permit fees. *Fees for permits, plan review, and related services rendered pursuant to this Code shall be assessed as set forth in this Code, and in accordance with the latest Fee Schedule as established by the Ventura County Board of Supervisors.*

Section 109.2.1 is added to the Ventura County Building Code:

109.2.1 Plan review fees. *When a plan or other data are required to be submitted for review by the Building Official, per Section 105.3, a plan review fee shall be paid at the time of submitting plans and data for review.*

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

The amount of the plan review fee for the initial submittal of a "Standard Plan" as defined herein shall be the full plan review fee as specified above. The plan review fee for subsequent submittals of a plan which qualifies as a "Standard Plan" shall be one-half of the initial plan review fee. "Standard Plan" is hereby defined as a prototype plan for a building or structure which is to be utilized at more than one site, and which incorporates the same essential structural features, design, dimensions, and calculations as the original approved plan. A "Standard Plan" shall be void three years after its original approval or upon revision of the applicable codes under which it was initially reviewed, or at the discretion of the Building Official.

When plans are modified by the applicant for reasons other than to address requested clarifications or revisions made by the Building Official, and it is determined by the Building Official that the modifications require additional plan review, an additional plan review fee shall be paid by the applicant. Such fee shall be based on the valuation of the modifications made, or on an hourly rate for the time necessary for review of the modifications, whichever is less. Revised plans which are resubmitted to the Building Official for approval subsequent to initial plan review shall not be subject to an additional plan review fee, except that plans needing more than three reviews prior to approval are subject to a plan review surcharge fee in accordance with the Fee Schedule. The surcharge fee for additional plan review may be waived by the Building Official when the time consumed in the performance of such additional reviews totals less than one-half hour.

Section 109.2.2 is added to the Ventura County Building Code:

109.2.2 Permit fees. *The fee for each building permit, plumbing permit, electrical permit, mechanical permit, or combination permit shall be as set forth in the latest Fee Schedule as established by the Ventura County Board of Supervisors and in effect on the date of permit application.*

Section 109.2.3 is added to the Ventura County Building Code:

109.2.3 Other fees. *Other fees charged for services by the Division of Building and Safety shall be as set forth in the latest Fee Schedule as established by the Ventura County Board of Supervisors.*

Section 109.4 of the IBC is amended in the VCBC to read as follows:

109.4 Work commencing before permit issuance. *An owner may pay a demolition fee to demolish work commenced without a permit. In all other cases, an investigation fee, in addition to a permit fee, shall be collected for a permit issued retroactively for work commenced without a valid permit.*

The investigation fee for projects that have been commenced without a valid permit, but which have not been completed, shall be prorated with the actual amount of work completed without a permit, as determined by the Building Official.

Investigation fees shall be collected at the time of submittal of a permit application to legalize the unpermitted work. The investigation fee shall be based on the additional costs for plan review and building inspection services deemed necessary by the Building Official for verifying that the existing unpermitted improvements are adequately constructed, installed, and/or retrofitted to meet the applicable provisions of this Code, but in no case may the investigation fee be less than the amount prescribed by the latest Fee Schedule as established by the Ventura County Board of Supervisors.

The payment of such investigation fee shall not exempt any person from compliance with all applicable provisions of this Code or any of the codes adopted by reference hereby, nor from any penalty prescribed by law.

Section 109.6 of the IBC is amended in the VCBC to read as follows:

109.6 Fee refunds. *The Building Official may authorize the refunding of fees upon written application by the original permittee, within the limitations set forth herein.*

Refunds of fees for permits and services associated with construction projects which are canceled or withdrawn prior to commencement of plan review, inspection, or performance of other services by the Division of Building and Safety shall be subject to a partial refund as stated below.

- 1. Permit issuance fees shall be nonrefundable except as provided in subsection (2) below.*
- 2. 100% of any fee erroneously paid or collected shall be refundable.*
- 3. 90% of any plan review fee, shall be refundable, when the permit application is withdrawn or canceled prior to commencement of plan review.*
- 4. 90% of any permit fee, when the permit is withdrawn or canceled prior to commencement of the work covered by such permit.*
- 5. 90% of any Board of Appeals hearing fee, shall be refundable when such hearing is canceled prior to the issuance of a Notice of Hearing pertaining to the case.*

Failure of the permittee to make written application for a refund within 180 days following the cancellation or expiration of a plan review, permit, hearing, or request for service for which a fee has been paid, shall constitute a waiver of entitlement to a refund.

No partial refund shall be authorized, nor credit be applied against other fees which may be payable to the Division of Building and Safety, when a construction project is canceled or abandoned subsequent to partial completion of the work authorized by the permit.

SECTION 110 INSPECTIONS

Section 110.1 of the IBC is amended in the VCBC to read as follows:

110.1 General. All construction or work for which a permit is required shall be subject to inspection by the Building Official *to ensure compliance with the requirements of this Code* and all such construction or work shall remain accessible and exposed for inspection purposes until approved *by the Building Official*. *In addition, certain types of construction shall have periodic or continuous inspection, as specified in Chapter 17 of this Code.*

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the *permittee or the permittee's authorized agent* to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Section 110.1.1 is added to the Ventura County Building Code:

110.1.1 Setback and height certification. *When determined by the Building Official, a survey and certification may be required to confirm that the building or structure is placed on the site in accordance with the approved location and setback distances and to confirm that it does not exceed the approved building height shown on the approved plans.*

Section 110.3.6 of the IBC is amended by removing the Exception in the VCBC, to read as follows:

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

(The Exception in the IBC was removed for the VCBC)

Section 110.5 of the IBC is amended in the VCBC to read as follows:

110.5 Inspection requests. It shall be the duty of the *permittee* or the duly authorized agent to notify the Building Official when work is ready for inspection. *Such notification shall be given at least one working day before such inspection is desired.*

No portion of any building, structure, wiring, plumbing, ductwork or equipment which is required to be inspected shall be permanently covered or concealed without approval of the Building Official. The Building Official shall have authority to remove, or to require the removal of, any obstruction which prevents the required inspection of any portion of a building, structure, wiring, plumbing, ductwork, electrical, or mechanical equipment, as necessary to verify compliance with this Code and the approved drawings.

SECTION 111 CERTIFICATE OF OCCUPANCY

Section 111.3 of the IBC is amended in the VCBC to read as follows:

111.3 Temporary or partial certificate. *Upon application by the owner, and for reasonable cause, if the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the entire building is completed, a Temporary or Partial Certificate of Occupancy may be issued for a portion or portions of the building. Such Temporary or Partial Certificate must include compliance with this Code for all required access and exiting systems, toilet facilities and fire protection equipment and systems.*

The Building Official shall set a time period during which the Temporary Certificate of Occupancy is valid.

Upon completion of the entire structure all Temporary or Partial Certificates shall be surrendered to the Building Official in exchange for a final Certificate of Occupancy.

SECTION 112 SERVICE UTILITIES

Section 112.4 is added to the Ventura County Building Code:

112.4 Reconnection after order of disconnection. *No person shall make connections from any energy, power or fuel supply, nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.*

SECTION 113 BOARDS OF APPEALS

Section 113.1 of the IBC is amended in the VCBC to read as follows:

113.1 General. *To serve as the “Local Appeals Board” as provided for in Health and Safety Code Section 17920.5, and to determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretations of the provisions of this Code, and to hear the appeals provided for, there shall be and are hereby created a General Board of Appeals and a Board of Grading Appeals. Each Board of Appeals shall consist of five members. The Building Official shall act as, or appoint as necessary, a Secretary for each Board of Appeals. Each Board of Appeals shall be appointed by the Board of Supervisors and shall hold office at its pleasure. Each Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and hearings. All decisions and findings shall be rendered in writing to the appellant with duplicate copy to the Building Official. Copies of all rules and regulations adopted by each Board of Appeals shall be delivered to the Building Official who shall make them accessible to the public. All decisions of each Board of Appeals shall be final.*

Section 113.2 of the IBC is amended in the VCBC to read as follows:

113.2 Limitations of authority. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent or better form of construction is proposed. The *Board of Appeals* shall have no authority to waive requirements of this Code or interpret the administration of this Code.

Section 113.3 of the IBC is amended in the VCBC to read as follows:

113.3 Qualifications. The General Board of Appeals *and the Board of Grading Appeals* shall consist of members who are qualified by experience and training to pass on matters pertaining to *each Board’s respective areas of authority* and are not employees of the County.

Section 113.5 is added to the Ventura County Building Code:

113.5 Board of Grading Appeals. *The jurisdiction of the Board of Grading Appeals shall be limited to the appealable matters contained in Appendix J of the California Building Code.*

Section 113.6 is added to the Ventura County Building Code:

113.6 Appeals hearing fee. *Required fees as set forth in the latest Ventura County Building and Safety Fee Schedule shall accompany each application for a hearing before any of the Appeals Boards authorized by this Code.*

SECTION 114 VIOLATIONS

Sections 114.1 thru 114.4 remain unchanged from the IBC and are re-printed in the VCBC for reference:

114.1 Unlawful acts. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure, building service equipment, machine or equipment or cause or permit the same to be done in violation of this Code or to violate any provision of this Code.

114.2 Notice of violation. The Building Official or his or her designee is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be subject to penalties as prescribed by law.

Section 114.5 is added to the Ventura County Building Code:

114.5 Civil administrative penalties. *Civil administrative penalties may be imposed where a Notice of Violation is served in accordance with Section 114.2 of this Code and is not appealed or, if timely appealed, the Notice of Violation has been upheld. All notices required by this section shall be sent to the last known address of the violator(s) via one of the following methods:*

- 1. First class mail, which shall be deemed served three days after the date of mailing, or*
- 2. Certified mail with Return Receipt Requested, which shall be deemed served on the date of receipt*

The Building Official or his or her designees shall be Enforcement Officers authorized to impose civil administrative penalties as provided herein.

Sections 114.5.1 through 114.5.6 are added to the Ventura County Building Code:

114.5.1 Notice of impending civil penalties. *A Notice of Impending Civil Penalties shall be served upon the violator separately, or as part of the Notice of Violation. The Notice of Impending Civil Penalties shall: (1) state the violation(s); (2) state a range of the amount of the impending daily civil penalty per violation; (3) state the date by which the violation must be corrected, which date shall not be less than thirty days from the date of service of the notice; and (4) advise that the civil penalties will begin accruing on a daily basis if the violation is not corrected by the date established in the notice. If the Building Official determines that a violation creates an immediate danger to health or safety, penalties may be imposed after a period of time that is less than thirty days.*

The date upon which the daily penalty will begin to accrue may be extended by the Building Official, in his or her discretion, upon a showing that the time frame allotted in the Notice of Impending Civil Penalties is not a reasonable period of time to correct the violation.

114.5.2 Notice of imposition of civil penalties. *If the violation has not been corrected by the date stated in the Notice of Impending Civil Penalties or any extension thereof, then a Notice of Imposition of Civil Penalties shall be served upon the violator.*

The Notice of Imposition of Civil Penalties shall describe the property and state the following for each violation: (1) the amount of the penalty that will accrue daily per violation as determined pursuant to Section 114.5.4 of this Code; (2) the date the penalty will begin accruing, which may be the same date the notice is served; (3) that the daily penalty will continue to accrue until the violation is corrected as determined by the Building Official; (4) that the amount of the daily penalty may be increased in the future if the violation is not corrected; (5) that the accrued penalties are immediately due and owing and that a lien will attach to the property for all unpaid penalties; and (6) that the amount of the daily penalty may be administratively appealed in accordance with Section 114.5.5 of this Code within ten (10) days of the date of service of the Notice of Imposition of Civil Penalties.

114.5.3 Notice of increase in civil penalties. *Notwithstanding an appeal of a previously imposed penalty pursuant to Section 114.5.5 of this Code, the Enforcement Officer may increase the amount of the penalty if the violation continues uncorrected and the circumstances warrant an increase considering the factors set forth in Section 14.4.5.4 of this Code. To impose the increase, the Enforcement Officer must first serve a Notice of Increase in Civil Penalties upon the violator that shall state: (1) the amount of the increase of the daily civil penalty; (2) the effective date of the increase, which date shall not be less than thirty days from the date of service of the notice; and (3) that the amount of the increase, if contested, may be appealed, but only in accordance with Section*

114.5.5 of this Code. The amount of the penalty then in effect prior to the increase may not be appealed except as authorized by Section 114.5.5, below.

114.5.4 Factors considered in determining the amounts of civil penalties. *The amount of the penalty imposed for each separate violation may be up to, but not exceed, \$1,000 per day. In determining the amount of the penalty, the Enforcement Officer shall consider the known relevant circumstances in light of various factors which include, but are not limited to, the following:*

- 1. The actual or potential extent of the harm caused*
- 2. The likelihood to cause harm*
- 3. The seriousness or gravity of the violation (i.e., the level of threat to property, health, or safety of people and animals or the environment)*
- 4. Whether the violation is subject to correction by obtaining a permit or cannot be corrected by permit*
- 5. The culpability of the violator in causing the violation*
- 6. The length of time over which the violation occurs*
- 7. The history of past violations, either of a similar or different nature, on the same or different property under the same ownership*
- 8. The cooperation of the violator in resolving the existing and past violations*
- 9. The financial burden to the violator*
- 10. The factors and policies set forth in Resolution file number 222 adopted by the Board of Supervisors on November 21, 2006, and located in the files of the Clerk of the Board of Supervisors, and*
- 11. All other relevant circumstances*

Once imposed, the daily penalty will continue to accrue until the violation is corrected to the satisfaction of the Building Official. The Building Official may stay the imposition of penalties or decrease the amounts of penalties, either temporarily or permanently, if the Building Official determines that:

- 1. Substantial progress is being made toward correcting the violation and that decreasing the penalties would further the goal of correcting the violation; or*
- 2. Circumstances exist that were either beyond the control of the violator or were unknown at the time the penalties were imposed and warrant the reduction or suspension of the penalties. If the amount of the civil penalties is modified or suspended, the Notice of Imposition of Civil Penalties shall be amended stating the modified terms and shall be served on the violator.*

The daily civil penalty imposed for a violation that is prosecuted as an infraction by the District Attorney shall not exceed the maximum fines or penalties for infractions set forth in Government Code sections 25132, subdivision (b), and 36900, subdivision (b). In no event, shall the total amount of fines and penalties imposed under this Section on any property exceed the fair market value of that property, as determined by the Ventura County Assessor at the time of collection of the penalty.

114.5.5 Administrative appeal of civil penalties. *If disputed, the amount of the penalty must first be contested by filing an administrative appeal as provided herein and as required by Government Code section 53069.4 before seeking judicial relief. Only the violator may challenge the amount of the penalty. Only a Notice, or Amended Notice, of Imposition of Civil Penalties or a Notice, or Amended Notice, of Increase in Civil Penalties may be appealed.*

If an appeal is not timely filed, then the imposition of the penalties pursuant to the Notice, or Amended Notice, of Imposition of Civil Penalties or the Notice, or Amended Notice, of Increase of Civil Penalties, as the case may be, shall be final and no longer subject to appeal either administratively or judicially.

Appeals will be heard by a Hearing Officer selected by the Board of Supervisors or the County Executive Officer.

- a. ***Pre-appeal procedures and requirements.*** *An appeal must be filed with and received by the Enforcement Officer no later than ten (10) days from the date of service of the notice or amended notice from which the appeal is taken. An appeal form shall be provided by the Code Compliance Division upon request. In order to be deemed timely submitted, the appeal form must include the following:*
 1. *The violation case number and date stated on the notice or amended notice being appealed*
 2. *The facts and bases supporting the appellant's position that the penalty amount should be reduced*
 3. *The name and address of the appellant, and*
 4. *The filing fee established by the Board of Supervisors*

At least ten (10) days prior to the date of the hearing, the appellant shall be notified by first class mail at the address stated on the appeal form of the location, time and date of the hearing.

A continuance may be requested in writing to the Hearing Officer which must be received no later than ten (10) days before the date of the hearing. If timely filed, the hearing date will be continued to the next scheduled hearing date and the appellant and Code Compliance Division will be so notified.

- b. ***Hearing and Hearing Officer's final administrative order.*** *The jurisdiction of the Hearing Officer is limited solely to reviewing the amount of the penalty determined by the Enforcement Officer.*

Both parties (appellant(s) and the County) may present relevant evidence in support of their contention of the proper amount of the penalty. The content of the County's files submitted to the Hearing Officer which may include, but is not limited to, the Notice of Violation, the Notice of Noncompliance, the Notice of Impending Civil Penalties, the Notice of Imposition of Civil Penalties and the Notice of Increase in Civil Penalties (if applicable), and any amendments thereto, shall constitute prima facie evidence of the facts stated therein.

If the appellant or the appellant's representative does not appear at the hearing, the Hearing Officer shall only consider, on behalf of the appellant, the evidence submitted with the appeal form and any evidence submitted by the appellant to the Hearing Officer at least ten (10) days prior to the date of the hearing.

The Hearing Officer must evaluate the evidence presented in light of the factors set forth in Section 114.5.4 of this Code and, based thereon, shall either affirm or reduce the amount of the daily penalty imposed by the Enforcement Officer for each day the penalties have accrued and may continue to accrue into the future. The amount of the daily penalty determined by the Hearing Officer shall continue to accrue until the violation is corrected as determined by the Building Official or until the amount of the daily penalty is increased in accordance with Section 114.5.3.

The Hearing Officer's determination shall be set forth in a written order served upon the appellant by first class mail at the address stated on the appeal form submitted by the appellant. The order shall be considered the Final Administrative Order for purposes of Government Code section 53069.4.

Penalties shall continue to accrue while the appeal is pending. If some or all of the penalties have been paid and the Hearing Officer orders a reduction in the amount of the penalty that exceeds the total amount due and owing the County, including enforcement costs, then the County shall refund the difference to the person who paid the penalty unless penalties are continuing to accrue.

- c. ***Appeal of Hearing Officer's final administrative order.*** Pursuant to Government Code section 53069.4 subdivision (b)(1), if the Final Administrative Order is contested, review must be sought in the Superior Court as a limited civil case within twenty (20) days after the date of service of the Final Administrative Order. A copy of the Notice of Appeal must be served on the County of Ventura, Building Official either in person or by first class mail.

If no Notice of Appeal is timely filed with the Superior Court, the Final Administrative Order issued by the Hearing Officer shall be deemed confirmed and final.

114.5.6 Enforcement. A penalty that is final either by termination of appeal rights or by completion of the appeal process may be collected by any lawfully authorized means including but not limited to filing a civil action to recover the amount of the unpaid penalties.

In addition, the County shall have a lien against the subject property in the amount of the unpaid penalties accrued and to be accrued until the violation is corrected. The lien may be recorded in the Office of the County Recorder by the recording of the Notice, or Amended Notice, of Imposition of Civil Penalties or the Notice, or Amended Notice, of Increase in Civil Penalties, whichever is applicable.

The lien shall remain in effect until released and shall run with the land.

Upon correction of the violation(s) and payment of all penalties and costs associated with the imposition, enforcement and collection of the penalties, the Building Official shall record a release of lien pertaining to the paid penalties.

Section 114.6 is added to the Ventura County Building Code:

114.6 Infractions. It shall be an infraction of law for any person to remove, deface, or alter a posted notice of the Building Official or duly appointed representative when such notice constitutes a stop work order or a warning of substandard or hazardous conditions or prohibits or restricts the occupancy or use of a building, structure, or building service equipment regulated by this Code.

Section 114.7 is added to the Ventura County Building Code:

114.7 Misdemeanors. Any person, firm, or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, misdemeanor/infraction, or infraction, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted. Each and every violation of any provision of this Code is a misdemeanor unless designated by this Code to be an infraction or a misdemeanor/infraction.

Section 114.8 is added to the Ventura County Building Code:

114.8 Misdemeanors/infractions. Every violation of this Code designated a misdemeanor/infraction shall be a misdemeanor; provided that, where the District Attorney has determined that such action would be in the best interests of justice, the District Attorney may specify in the accusatory pleading that the violation shall be an infraction and the violation shall then be prosecuted as an infraction.

Section 114.9 is added to the Ventura County Building Code:

114.9 Punishments. Any person convicted of a misdemeanor, the penalty for which is not otherwise prescribed, shall be punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than six (6) months or both such fine and imprisonment. Any person convicted of an infraction, the penalty for which is not otherwise prescribed, shall be punished by (a) a fine not exceeding one hundred

dollars (\$100) for the first violation; (b) a fine not exceeding two hundred dollars (\$200) for a second violation of the same ordinance provision within one year; and (c) a fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance provision within one year.

SECTION 115 STOP WORK ORDER

Section 115.1 of the IBC is amended in the VCBC to read as follows:

115.1 Authority. *Whenever any building work is being done contrary to the provisions of this Code, or in violation of applicable ordinances of other County agencies, the Building Official is authorized to order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.*

Whenever the Building Official finds that a building or structure for which a permit has been issued may be flooded or is subject to erosion hazard if the work is completed in the manner proposed, or that the completion of such work will cause the flooding of other buildings or structures, the Building Official may order all work stopped and refer the matter to the Flood Plain Manager of the Ventura County Public Works Agency, or other qualified County officer for a determination as to such danger.

If the Flood Plain Manager or other qualified County officer reports that substantial danger exists, the Building Official shall order work stopped until plans to alleviate such danger have been reviewed and approved by the Flood Plain Manager or County officer.

Failure to order work stopped or to make such referral or both shall not be construed as a representation that danger of flooding or erosion does not or will not exist if the work is completed in the manner proposed.

Section 115.2 of the IBC is not amended and is re-printed in the VCBC for reference:

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions and requirements which must be met before the project under which the cited work will be permitted to resume.

Section 115.3 of the IBC is not amended and is re-printed in the VCBC for reference:

115.3 Emergencies. Where an emergency exists, the Building Official shall not be required to give a written notice prior to stopping the work.

Section 115.4 of the IBC is not amended and is re-printed in the VCBC for reference:

115.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the Ventura County Board of Supervisors.

Section 115.5 of the IBC is not amended and is re-printed in the VCBC for reference:

115.5 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties and investigation fees as prescribed by law.

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

Section 116.1 of the IBC is amended in the VCBC to read as follows:

116.1 Conditions. *Existing structures or equipment that are unsafe, unsanitary, or deficient because of inadequate means of egress, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the Building Official deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.*

Section 116.2 of the IBC is amended in the VCBC to read as follows:

116.2 Recordation of notice of non-compliance. *Whenever the Building Official determines that work has been done without the required permit or has not been completed in accordance with the requirements of this Code, the Building Official shall post the property and mail to the owner(s) of that property a Notice of Intent to Record a Notice of Noncompliance. The Notice of Intent shall describe the property, shall set forth the noncomplying conditions, and shall inform the owner(s) that the Building Official shall record a Notice of Noncompliance unless, by a date specified in the Notice of Intent, (1) it is demonstrated to the satisfaction of the Building Official that the noncomplying conditions have been corrected or (2) a timely Appeal has been filed with the Board of Appeal.*

- A. If by the date specified in the Notice of Intent, (1) it has not been demonstrated to the satisfaction of the Building Official that the noncomplying conditions have been corrected and (2) a timely Appeal has not been filed with the Board of Appeal, the Building Official shall record a Notice of Noncompliance.*
- B. If a timely Appeal is filed with the Board of Appeal and the Board finds that the noncomplying conditions have not been corrected and need to be corrected, the Building Official shall record a Notice of Noncompliance.*

Under either A or B above, the Notice of Noncompliance shall be recorded with the office of the County Recorder and the owner(s) of the property shall be notified of such action. The Notice of Noncompliance shall describe the property, shall set forth the noncomplying conditions, and shall state that the property owner(s) have been notified.

If after a Notice of Noncompliance has been recorded, it is demonstrated to the satisfaction of the Building Official that the noncomplying conditions have been corrected or removed, the Building Official shall record with the office of the County Recorder a Release of Notice of Noncompliance.

The Release shall describe the property, cross-referenced to the Notice of Noncompliance, and state that the noncomplying conditions have been corrected or removed. A fee as set forth in the latest Ventura County Building and Safety Fee Schedule may be charged the property owner(s) for issuing and recording the Release of Notice of Noncompliance.

Section 116.3 of the IBC is amended in the VCBC to read as follows:

116.3 Authority to condemn building service equipment. *Whenever the Building Official ascertains that any building service equipment regulated in the referenced technical codes has become hazardous to life, health or property, or becomes insanitary, he shall order, in writing, that such equipment either be removed or restored to a safe or sanitary condition, whichever is appropriate. The written order itself shall fix a time limit for compliance with such order. No person shall use or maintain defective building service equipment after receiving such notice.*

When any building service equipment is maintained in violation of this Code and in a violation of any notice issued pursuant to the provisions of this section, the Building Official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

Section 116.4 of the IBC is amended in the VCBC (in format only) to read as follows:

116.4 Method of service. Such notice shall be deemed properly served if a copy thereof is:

- (a) Delivered to the owner personally*

- (b) *Sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested, or*
- (c) *Delivered in any other manner as prescribed by law.*

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's authorized agent shall constitute service of notice upon the owner.

Section 116.5 of the IBC is amended in the VCBC to read as follows:

116.5 Restoration. When the structure or equipment determined to be unsafe by the Building Official is restored to a safe condition, the owner, the owner's authorized agent, operator or occupant of a structure, premises or equipment deemed unsafe by the Building Official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. To the extent that repairs, alterations or additions are made, or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of *the California Existing Buildings Code*.

CHAPTER 2 DEFINITIONS

SECTION 202 DEFINITIONS

Section 202 of the CBC is amended by adding the following definitions to the VCBC to read as follows:

APARTMENT HOUSE shall mean any building or portion thereof which contains three or more dwelling units and, for the purpose of this Code, includes residential condominiums and townhouses.

BUILDING OFFICIAL shall mean the Director of the Building and Safety Division, as appointed by the Director of the Resource Management Agency, charged with the administration and enforcement of this Code, or a duly authorized representative.

Exceptions:

1. For the purpose of enforcing the provisions contained in Appendix J, Grading, of the California Building Code, as amended, the term "Building Official" shall mean the Director of Public Works Agency, or a duly authorized representative. The Director of Public Works Agency or his or her duly authorized representative shall assume the power of citation for enforcement of Appendix J - as said Power of Citation is described in Article 2 - Chapter 1, Section 104, Powers and Duties of the Building Official.
2. For the purpose of enforcing those requirements of the California Plumbing Code, Chapter 7 and Appendix H pertaining to the approval, permitting and inspection of Onsite Wastewater Treatment Systems, the term "Building Official" shall mean the Director of the Environmental Health Division or the Director of the Building and Safety Division, or a duly authorized representative as appointed by the Director of the Resource Management Agency. The Environmental Health Official or his or her duly authorized representative shall assume the power of citation for the enforcement of Chapter 7 and Appendix H of the CPC for Onsite Wastewater Treatment Systems, as said Powers of Citation are described in Article 2 - Chapter 1, Section 104, Powers and Duties of the Building Official.
3. For the purposes of investigating and responding to complaints regarding substandard housing, illegal use and occupancy of buildings and structures, recreational vehicles, and construction without benefit of permits, and to take all legal and appropriate enforcement actions to ensure compliance with this Code, the term "Building Official" shall mean the Director of the Code Compliance Division, and/or the Director of the Building and Safety Division, or a duly authorized representative as appointed by the Director of the Resource Management Agency.

BUILDING SERVICE EQUIPMENT shall mean the plumbing, mechanical, electrical, and elevator equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting and transportation facilities essential for the habitable occupancy of a building or structure for its designated use and occupancy.

DESIGN FLOOD ELEVATION. The water surface elevation of the datum specified on the community's legally designated flood hazard map, plus one foot.

ENVIRONMENTAL HEALTH OFFICER or **ENVIRONMENTAL HEALTH OFFICIAL** shall mean the duly appointed Director of the Environmental Health Division or a duly authorized representative.

FIRE DEPARTMENT shall mean the Ventura County Fire Protection District or the fire service agency having jurisdiction.

GRADE or GRADE PLANE (Adjacent Ground Elevation for Structures within a LOCAL FLOOD HAZARD AREA) is the point of elevation 12 inches above the highest elevation of the paved portion of the roadway adjacent to the subject lot, or the minimum height above mean sea level, whichever is the highest, as determined by the Flood Plain Manager of the Public Works Agency.

The minimum elevation established by the Flood Plain Manager relates to the lowest habitable floor elevation containing habitable space, as defined in this Code; therefore, "GRADE" shall be established as the lowest habitable floor minus 6 inches in determining Reference Datum for measuring the maximum height of a structure.

For locations outside of Local Flood Hazard Areas as defined in this Code, "GRADE OR GRADE PLANE" means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. See Health and Safety Code Section 19955.3(d)

HABITABLE SPACE (room) is space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls storage or utility space, and similar areas, are not considered habitable space.

Exception: For structures located within Local Flood Hazard Areas, bathrooms, toilet compartments, closets, and laundry areas shall be considered as Habitable Space.

LOCAL FLOOD HAZARD AREA is an area subject to either flooding or erosion from surface water runoff, or from wave action of the Pacific Ocean, as determined by the Floodplain Manager of the Public Works Agency.

PERSON, FIRM, or CORPORATION shall mean any and all entities of whatsoever nature or kind, including but not limited to individuals, owners, tenants, lessees, unions or organizations, cooperatives and trusts, corporations, partnerships whether general or limited, and unincorporated associations and shall include the plural as well as the singular number, the male and female gender, and all governmental entities subject in whole or in part to this Code and the codes adopted by reference herein.

CHAPTER 3

*(Chapter 3 contains no amendments to
the California Building Code.)*

CHAPTER 4

SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

Section 456 is added in the Ventura County Building Code to read as follows:

SECTION 456

BUILDINGS CONSTRUCTED NEAR TALL SLOPES, ALL USES AND OCCUPANCIES

456.1 General. *New buildings constructed in or near Hazardous Fire Areas, on or near undeveloped tall slopes shall be set back from the slope, or otherwise protected, as provided in sections 456.2 through 456.7.*

456.2 Definitions.

SLOPE. *(See definition in Appendix Chapter J, Section J102.1)*

TALL SLOPE. *A slope or portion thereof having all of the following characteristics:*

- 1. An overall vertical height exceeding 100 feet, measured between the top and toe of the slope*
- 2. A gradient that is steeper than 5:1 and flatter than 0.5:1*
- 3. Located on the same parcel or an adjacent parcel, including slopes covering multiple parcels*
- 4. Located closer than 30 feet, measured from any point on the slope to any point on the building.*

TOE OF SLOPE. *The toe of the slope occurs at the point or line along the bottom of the slope where the surface of the slope changes to horizontal for a minimum horizontal distance of 30 feet*

TOP OF SLOPE. *The top of the slope occurs at the point or line along the uppermost portion of the slope where the surface of the slope changes to horizontal for a minimum horizontal distance of 30 feet*

UNDEVELOPED TALL SLOPE. *A tall slope, either natural or graded, having no habitable buildings or structures,*

UNENCLOSED STRUCTURE. *For the purposes of this section, “unenclosed” shall mean a building or portion thereof that is unenclosed a minimum of 50% of its perimeter.*

456.3 Setback distance from tall slopes. *New buildings and structures constructed adjacent to an undeveloped tall slope shall be setback from the undeveloped tall slope a minimum of 30 feet, measured horizontally.*

Exceptions:

- 1. Buildings may be constructed directly on an undeveloped tall slope, or closer than 30 feet from the tall slope, when the exterior walls and openings that are located within 30 feet of the slope are protected as follows:*
 - a. Exterior walls are constructed with a fire rating of not less than one-hour*
 - b. Exterior openings are protected with a fire rating of not less than 45 minutes.*
- 2. Buildings may be constructed directly on an undeveloped tall slope, or closer than 30 feet from the tall slope without protection of openings when the building is entirely constructed of materials that achieve a fire resistance rating of not less than one-hour for the following building elements:*
 - a. Primary structural frame*
 - b. Exterior and interior bearing walls*
 - c. Exterior non-bearing walls located closer than 30 feet from the tall slope*

- d. Floor construction and associated secondary members*
- e. Roof construction and associated secondary members*

456.4 Projections. *Cornices, eave overhangs, exterior balconies, and similar projections extending beyond the exterior wall shall conform to the requirements of sections 705.2.3.1 and 705.2.3.2 of this Code*

456.5 Additions. *Additions shall comply with the requirements of 456.3 for new buildings. When the size of the addition exceeds 50% of the area of the existing building, then the entire building shall comply with section 456.3.*

456.6 Remodels. *When the value of the remodel exceeds 50% of the estimated value of the existing building, the existing building shall comply with section 456.3.*

Exception: *Remodels that involve only interior work and/or replacement of existing windows.*

456.7 Accessory structures. *Accessory structures such as patio covers, decks, trellis structures, and similar outdoor unenclosed structures constructed adjacent to tall slopes shall be setback from the slope a minimum of 30 feet, measured horizontally.*

Exceptions:

- 1. Accessory structures attached to a building that complies with Exceptions 1 or 2 in section 456.3*
- 2. Attached accessory structures constructed in accordance with 705.2.3.1*
- 3. Residential and non-residential, Group U, detached accessory structures located further than 10 feet from the main building*

CHAPTERS 5 THRU 7
*(Chapters 5 thru 7 contain no amendments to
the California Building Code.)*

CHAPTER 7A MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE

SECTION 701A SCOPE, PURPOSE AND APPLICATION

Section 701A.2 of the CBC is amended in the VCBC to read as follows:

701A.2 Purpose. The purpose of this Chapter is to establish minimum standards for the protection of *buildings and structures hereafter erected in any Hazardous Fire Areas where concentrations of highly flammable brush, grass, or other combustible growth combined with periods of hot, dry winds create a high fire hazard, and where lives and property may thereby be endangered.*

Section 701A.3 of the CBC is amended in the VCBC by removing Exception #5, to read as follows:

701A.3 Application. New buildings and structures covered by this Code and located in any Hazardous Fire Areas, as designated by the Ventura County Fire Department, shall comply with the provisions of this chapter and shall be referred to in this chapter as “applicable building(s).”

Exceptions:

1. Group U occupancy accessory buildings of any size located at least 50 feet (15 240 mm) from an applicable building on the same lot.
2. Group U occupancy agricultural buildings, as defined in Section 202 of this code of any size located at least 50 feet (15 240 mm) from an applicable building.
3. Group C occupancy special buildings conforming to the limitations specified in Section 450.4.1.
4. New accessory buildings and miscellaneous structures specified in Section 710A shall comply only with the requirements of that section.
- ~~5. Additions to and remodels of buildings originally constructed prior to July 1, 2008.~~

SECTION 702A DEFINITIONS

Section 702A of the CBC is amended by adding the following definitions to the VCBC:

FINANCIAL HARDSHIP. For the purposes of section 712A, a financial hardship is reached when the cost of the retrofits required for full compliance exceeds 10% of the value of the project.

FIRE HAZARD SEVERITY ZONES are geographical areas in *unincorporated Ventura County designated by the Ventura County Fire Protection District* pursuant to California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, Sections 51175 through 51189. See California Fire Code Chapter 49.

The California Code of Regulations, Title 14, Section 1280, entitles the maps of these geographical areas as maps of the Fire Hazard Severity Zones in the State Responsibility Area of California.

HAZARDOUS FIRE AREA (HFA). Is land which is covered with grass, grain, brush, or forest, whether

privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire. Such areas are designated by the Fire Code Official. The Fire Code Official is authorized to utilize, as references, the definition of Wildland-Urban Interface Fire Area, State SRA maps, Local Agency Fire Hazard Severity Zone Maps designated pursuant to California Government Code, Sections 51175 through 51189 and the International Wildland-Urban Interface Code.

WILDLAND-URBAN INTERFACE FIRE AREA is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated a Hazardous Fire Area.

SECTION 705A ROOFING

Section 705A.2 of the CBC is amended in the VCBC to read as follows:

705A.2 Roof coverings. *Roof coverings shall be fire retardant Class “A” as specified in Section 1505 of this Code. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be fire-stopped with approved materials or have one layer of minimum 72-pound (32.4 kg) mineral-surfaced non-perforated cap sheet complying with ASTM D3909 installed over the combustible decking.*

Wood shakes and shingles may be used only for additions, alterations and repairs where the existing construction consists of existing wood shakes or shingles and the new roofing for the addition, alteration or repair is less than 50% of the existing roof area. The new shakes or shingles for the addition, alteration or repair shall be approved for a Class A roof as described in Section 1505.6.

SECTION 711A WAIVER OF REQUIREMENTS

Section 711A of the CBC is added to the Ventura County Building Code:

711A Waiver of requirements. *The Building Official may waive the requirements of this Chapter, in whole or in part, for specific construction projects within a Hazardous Fire Area when approval and determination is made by the Fire Marshal, that site conditions warrant a reduction in fire resistance.*

Section 712A is added to the CRC to read as follows:

712A.1 Existing buildings and structures in communities vulnerable to wildfires. *In order to reduce the fire risk and vulnerability of buildings, structures, and communities in or near Hazardous Fire Areas, existing buildings and structures that were not originally designed or constructed to meet the requirements for Materials and Construction Methods for Exterior Wildfire Exposure, which became effective July 1, 2008, shall be retrofitted as necessary to comply with Chapter 7A when other construction improvements are made, such as additions, remodels, and structural repairs. These retrofits shall be made in accordance with sections 712A.2 through 712A.5.*

712A.2 Alterations, additions, and structural repairs. *When alterations, additions or structural repairs are made to existing buildings and structures not originally constructed to meet the requirements of Chapter 7A, the original building or structure shall be retrofitted to meet these requirements to the greatest extent possible.*

Exceptions:

1. *Alterations made solely for the purpose of retrofitting an older building to comply with section Chapter 7A.*

2. *Re-roofs done to repair an existing roof may be limited to the extent of the reroof work.*
3. *Window change-outs necessary to repair or replace existing windows generally of the same size and type may be limited to the extent of window replacement work being done.*
4. *Projects involving only mechanical, electrical and/or plumbing work.*
5. *Projects involving only voluntary seismic retrofits*
6. *Projects involving only cosmetic work that is exempt from a building permit, as described in VCBC section 105.2.*
7. *When the extent of the retrofits necessary for full compliance with Chapter 7A creates a financial hardship for the property owner, the extent of required retrofits may be limited to a retrofit cost that does not exceed 10% of the value of the project.*

712A.3 Retrofits required for small projects. *Retrofits required for small projects may be phased commensurate with the size and scope of the project so that the cost of the retrofit does not exceed 10% of the value of the alteration, addition, or structural repair. At the discretion of the Building Official, retrofits for projects deemed very small may be postponed.*

712A.4 Minimum retrofit requirement for vents. *As a minimum retrofit for projects associated with existing buildings having attic or underfloor vents with openings larger than 1/8 inch, as measured in any direction, such vents shall be replaced, repaired, or retrofitted to comply with 706A.2.1.*

712A.5 Prioritization of retrofits. *In choosing which building elements to retrofit first, priority shall be given to those elements that add the greatest benefit for protecting the building from future wildfires, and generally done in the following order of priority:*

1. *Roofs made to comply with 705A*
2. *Vents and other openings into combustible attics and underfloor areas made to comply with 706A*
3. *Exterior walls, eaves, and other exterior surfaces protected in accordance with 707A*
4. *Exterior windows, skylights, and doors made to comply with 708A*
5. *Exterior decks made to comply with 709A*
6. *Accessory structures made to comply with 710A or 705.2.3.1*

CHAPTERS 8 THROUGH 14

*(Chapters 8 through 14 contain no amendments to
the California Building Code.)*

CHAPTER 15

ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

SECTION 1505

FIRE CLASSIFICATION

Section 1505.1.1 of the CBC is amended to read as follows:

1505.1.1 Roof coverings within *Hazardous Fire Areas*. The entire roof covering of every existing structure where more than 50 percent 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 *addition*, alteration, repair, or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A. (The Exception in the CBC is not amended in the VCBC, but is omitted for clarity.)

Section 1505.1.2 of the CBC is amended to read as follows:

1505.1.3 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50 percent 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 *addition*, alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class C.

Section 1505.1.4 is added to the Ventura County Building Code:

1505.1.5 Wood shakes and shingles. *Fire retardant wood shakes and shingles may be used for additions, alterations and repairs where the existing construction consists of existing wood shakes or shingles and the new roofing for the addition, alteration or repair is less than 50% of the existing roof area. The new shakes or shingles for the addition, alteration or repair shall be approved for a Class A roof as described in section 1505.6.*

CHAPTER 16 STRUCTURAL DESIGN

SECTION 1602 DEFINITIONS AND NOTATIONS

Section 1602.2 is added to the CBC to include the following definitions:

1602.2 Definitions: *For the purposes of this section certain terms are defined as follows:*

BASE LEVEL DIAPHRAGM is the floor at, or closest to, the top of the highest level of the foundation.

DIAPHRAGM ANCHORS are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

DOWNHILL DIRECTION is the descending direction of the slope approximately perpendicular to the slope contours.

FOUNDATION means the concrete or masonry elements which support a building, including footings, stem walls, retaining walls, and grade beams.

FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION is a foundation running downhill and approximately perpendicular to the uphill foundation.

HILLSIDE BUILDING is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3%). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

PRIMARY ANCHORS are diaphragm anchors designed for and providing a direct connection, as described in Sections 1613.8.5 and 1613.8.7.3 between the diaphragm and the uphill foundation.

SECONDARY ANCHORS are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.8.6 and 1613.8.7.4.

UPHILL DIAPHRAGM EDGE is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

UPHILL FOUNDATION is the foundation parallel and closest to the uphill diaphragm edge.

SECTION 1613 EARTHQUAKE LOADS

Section 1613.5 is added to the Ventura County Building Code:

1613.5 Seismic Design Provisions for Hillside Buildings.

1613.5.1 Purpose. *The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units horizontal (33.3%). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.*

1613.5.2 Scope. *The provisions of this section shall apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm shall be in accordance with the provisions for seismic and wind design as required elsewhere in this Code.*

Exception: *Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.*

1613.5.3 Analysis and Design.

1613.5.3.1 General. *Every hillside building within the scope of this section shall be analyzed, designed, and constructed in accordance with the provisions of this Code. When the Code-prescribed wind design produces greater effects, the wind design shall govern, but seismic detailing requirements and limitations prescribed in this and referenced sections shall be followed.*

1613.5.3.2 Base level diaphragm-downhill direction. *The following provisions shall apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.*

1613.5.3.2.1 Base for lateral force design defined. *For seismic forces acting in the downhill direction, the base of the building shall be the floor at or closest to the top of the highest level of the foundation.*

1613.5.3.2.2 Base shear. *In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems. The total base shear shall include the forces tributary to the base level diaphragm including forces from the base level diaphragm.*

1613.5.4 Base shear resistance-primary anchors

1613.5.4.1 General. *The base shear in the downhill direction shall be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.*

1613.5.4.2 Location of primary anchors. *A primary anchor and diaphragm strut shall be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts shall also be provided where interior vertical lateral-force-resisting elements occur above and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors shall in no case exceed 30 feet (9144 mm).*

1613.5.4.3 Design of primary anchors and diaphragm struts. *Primary anchors and diaphragm struts shall be designed in accordance with the requirements of Section 1613.8.8.*

1613.5.4.4 Limitations. *The following materials and lateral-force-resisting elements shall not be designed to resist seismic forces below the base level diaphragm in the downhill direction.*

1. *Wood structural panel wall sheathing*
2. *Cement plaster and lath.*
3. *Gypsum wallboard, and*
4. *Tension only braced frames*

Braced frames designed in accordance with the requirements of Section 2205.2.2 may be used to transfer forces from the primary anchors and diaphragm struts to the foundation provided lateral forces do not induce flexural stresses in any member of the frame or in the diaphragm

struts. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.5.5 Base shear resistance-secondary anchors.

1613.5.5.1 General. *In addition to the primary anchors required by Section 1613.10.5, the base shear in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.*

Exception: *Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet (9144 mm) on center extend up to and are directly connected to the base level diaphragm for at least 70% of the diaphragm depth.*

1613.5.5.2 Secondary anchor capacity and spacing. *Secondary anchors at the base level diaphragm shall be designed for a minimum force equal to the base shear, including forces tributary to the base level diaphragm, but not less than 600 pounds per lineal foot (8.76 kN/m). The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of four feet (1219 mm) on center.*

1613.5.5.3 Design. *Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.*

1613.5.6. Diaphragms below the base level-downhill direction. *The following provisions shall apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.*

1613.5.6.1 Diaphragm defined. *Every floor level below the base level diaphragm shall be designed as a diaphragm.*

1613.5.6.2 Design force. *Each diaphragm below the base level diaphragm shall be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.*

1613.5.6.3 Design force resistance-primary anchors. *The design force described in Section 1613.8.7.2 shall be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors shall be provided and designed in accordance with the requirements and limitations of Section 1613.8.5.*

1613.5.6.4 Design force resistance-secondary anchors.

1613.5.6.4.1 General. *In addition to the primary anchors required in Section 1613.8.7.3, the design force in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.*

Exception: *Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet (9144 mm) on center, extend up to and are directly connected to each diaphragm below the base level for at least 70% of the diaphragm depth.*

1613.5.6.4.2 Secondary anchor capacity. *Secondary anchors at each diaphragm below the base level diaphragm shall be designed for a minimum force equal to the design force but not less than 300 pounds per lineal foot (4.38 kN/m). The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of four feet (1219 mm) on center.*

1613.5.6.4.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.

1613.5.7 Primary and secondary anchorage and diaphragm strut design. Primary and secondary anchors and diaphragm struts shall be designed in accordance with the following provisions:

1. *Fasteners.* All bolted fasteners used to develop connections to wood members shall be provided with square plate washers at all bolt heads and nuts. Washers shall be minimum 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Nuts shall be tightened to finger tight plus one half (1/2) wrench turn prior to covering the framing.
2. *Fastening.* The diaphragm to foundation anchorage shall not be accomplished by the use of toe nailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.
3. *Size of Wood Members.* Wood diaphragm struts collectors, and other wood members connected to primary anchors shall not be less than three-inch (76 mm) nominal width. The effects of eccentricity on wood members shall be evaluated as required per Item 9.
4. *Design.* Primary and secondary anchorage, including diaphragm struts, splices, and collectors shall be designed for 125% of the tributary force.
5. *Allowable Stress Increase.* The one-third allowable stress increase permitted under Section 1605.3.2 shall not be taken when the working (allowable) stress design method is used.
6. *Steel Element of Structural Wall anchorage System.* The strength design forces for steel elements of the structural wall anchorage system, with the exception of anchor bolts and reinforcing steel, shall be increased by 1.4 times the forces otherwise required.
7. *Primary Anchors.* The load path for primary anchors and diaphragm struts shall be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.
8. *Secondary Anchors.* The load path for secondary anchors and diaphragm struts shall be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.
9. *Symmetry.* All lateral force foundation anchorage and diaphragm strut connections shall be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.
10. *Wood ledgers.* Wood ledgers shall not be used to resist cross-grain bending or cross-grain tension.

1613.5.8 Lateral-force-resisting elements normal to the downhill direction.

1613.5.8.1 General. In the direction normal to the downhill direction, lateral-force-resisting elements shall be designed in accordance with the requirements of this section.

1613.5.8.2 Base shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems.

1613.5.8.3 Vertical distribution of seismic forces. For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 shall be determined using the height measured from the top of the lowest level of the building foundation.

1613.5.8.4 Drift limitations. The story drift below the base level diaphragm shall not exceed 0.007 times the story height at strength design force level. The total drift from the base level diaphragm to the top of the foundation shall not exceed $\frac{3}{4}$ inch (19mm). Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height shall be measured from the average height of the top of the foundation. The story drift shall not be reduced by the effect of horizontal diaphragm stiffness.

1613.5.8.5 Distribution of lateral forces.

1613.5.8.5.1 General. The design lateral force shall be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.

1613.5.8.5.2 Wood structural panel sheathed walls. The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by AF&PA SDPWS Section 4.3.2. Sheathing and fastening requirements for the stiffest section shall be used for the entire wall. Each section of wall shall be anchored for shear and uplift at each step. The minimum horizontal length of a step shall be eight feet (2438 mm) and the maximum vertical height of a step shall be two feet, eight inches (813 mm).

1613.5.8.5.3 Reinforced concrete or masonry shear walls. Reinforced concrete or masonry shear walls shall have forces distributed in proportion to the rigidity of each section of the wall.

1613.5.8.6 Limitations. The following materials and lateral force-resisting elements shall not be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:

1. Cement plaster and lath
2. Gypsum wallboard
3. Tension-only braced frames

Braced frames designed in accordance with the requirements of Section 2205.2.2 of this Code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.5.9 Specific design provisions.

1613.5.9.1 Footings and grade beams. All footings and grade beams shall comply with the following:

1. *Grade beams shall extend at least 12 inches (305 mm) below the lowest adjacent grade and provide a minimum 24-inch (610 mm) distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.*
2. *Continuous footings shall be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.*
3. *All main footing and grade beam reinforcement steel shall be bent into the intersecting footing and fully developed around each corner and intersection.*
4. *All concrete stem walls shall extend from the foundation and reinforced as required for concrete or masonry walls.*

1613.5.9.2 Protection against decay and termites. *Where a footing or grade beam supports wood framing and extends across a descending slope, the stem wall, grade beam, or footing shall extend up to a minimum 18 inches (457 mm) above the highest adjacent grade.*

Exception: *At paved garage and doorway entrances to the building, the stem wall need only extend to the finished concrete slab, provided the wood framing is protected with a moisture proof barrier.*

1613.5.9.3 Sill plates. *All sill plates and anchorage shall comply with the following:*

1. *All wood framed walls, including nonbearing walls, when resting on a footing, foundation, or grade beam stem wall, shall be supported on wood sill plates bearing on a level surface.*
2. *Power-driven fasteners shall not be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.*

1613.5.9.4 Column base plate anchorage. *The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4000 pounds (17.8 kN) or more and the base plate for a steel column shall comply with the following:*

1. *When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal shall be designed and reinforced as required for concrete or masonry columns. The pedestal shall be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals shall be sloped for positive drainage.*
2. *The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, shall be confined with two No. 4 or three No. 3 ties within the top five inches (127 mm) of the concrete or masonry pedestal. The base plate anchor bolts shall be embedded a minimum of 20 bolt diameters into the concrete or masonry pedestal. The base plate anchor bolts and post bases shall be galvanized, and each anchor bolt shall have at least two galvanized nuts above the base plate.*

1613.5.9.5 Steel beam to column supports. *All steel beam to column supports shall be positively braced in each direction. Steel beams shall have stiffener plates installed on each side of the beam web at the column. The stiffener plates shall be welded to each beam flange and the beam web. Each brace connection or structural member shall consist of at least two 5/8-inch (15.9 mm) diameter machine bolts.*

CHAPTER 17

*(Chapter 17 contains no amendments to
the California Building Code.)*

CHAPTER 18

SOILS AND FOUNDATIONS

(NOTE: Refer to Appendix J, as amended in this Article for requirements governing grading, excavations and earthwork construction, including fills and embankments.)

SECTION 1803

GEOTECHNICAL INVESTIGATIONS

Section 1803.1 of the CBC is amended to read as follows:

1803.1 General. Geotechnical investigations shall be conducted in accordance with Section 1803.2 and reported in accordance with Section 1803.6. Where required by the Building Official or where geotechnical investigations involve in-situ testing, laboratory testing or engineering calculations, such investigations shall be conducted by a registered design professional.

The classification, testing and investigation of the soil shall be made under the responsible charge of a California registered geotechnical engineer. All recommendations contained in geotechnical and geohazard reports shall be subject to the approval of the enforcement agency. All reports shall be prepared and signed by a registered geotechnical engineer, certified engineering geologist, and a registered geophysicist, where applicable.

For projects requiring geologic evaluation, the evaluation shall be prepared by a California licensed Engineering Geologist and shall be based on Guidelines presented in California Department of Conservation Special Publication 117.

Section 1803.5.3 of the CBC is amended to read as follows:

1803.5.3 Expansive soils. In areas likely to have expansive soil, the building official shall require soil tests to determine where such soils do exist.

Soils meeting all four of the following provisions shall be considered to be expansive, except that tests to show compliance with Items 1, 2 and 3 shall not be required if the test prescribed in Item 4 is conducted:

1. Plasticity index (PI) of 15 or greater, determined in accordance with ASTM D4318.
2. More than 10 percent of the soil particles pass a No. 200 sieve, determined in accordance with ASTM D422.
3. More than 10 percent of the soil particles are less than 5 micrometers in size, determined in accordance with ASTM D422.
4. Expansion index greater than 20, determined in accordance with ASTM D4829

When required by the Building Official, the expansive characteristics of soil shall be determined by procedures in accordance with Section 1803.3 and the soils shall be classified according to Table 1809.7

Foundations for structures bearing on expansive soils shall require special design consideration in accordance with Section 1808.6. In the event the soil expansion index varies with depth, the weighted index shall be determined in accordance with section 1803.5.3 and applied in accordance with Table 1809.7 in this Code. The soil expansion index shall be listed in all geotechnical investigation reports.

Section 1803.5.3.1 is added to the Ventura County Building Code:

1803.5.3.1 Soils waiver. *Where an investigation waiver is authorized by the Building Official in accordance with Section 1803.2, such waiver may assume a weighted expansive index of 91-130 and the footings shall be designed in accordance with Table 1809.7 of this Code.*

SECTION 1805 DAMPPROOFING AND WATERPROOFING

Section 1805.1.4 is added to the Ventura County Building Code:

1805.1.4 Drainage and moisture protection. *Provisions shall be made for the control and drainage of surface water around buildings. Concentrated drainage such as rainwater from gutters and downspouts, scuppers, and roof valleys shall be diverted away from building foundations by means of concrete splash blocks and/or other approved non-erosive devices. Underfloor access crawl holes, vents, and similar openings below grade shall be provided with curbs extending not less than six (6) inches above adjacent grade to prevent surface water from entering the underfloor area.*

SECTION 1809 SHALLOW FOUNDATIONS

Section 1809.3 of the CBC is amended to read as follows:

1809.3 Stepped footings. The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures located in Seismic Design Categories D, E, and F, stepped footings shall be reinforced with four ½-inch diameter (12.7 mm) deformed reinforcing bars. Two bars shall be placed at the top of the footing and two bars shall be placed at the bottom of the footing.

Individual steps in continuous footings shall not exceed 18 inches in height and the slope of a series of such steps shall not exceed 1 unit vertical to 2 units horizontal unless otherwise recommended by a geotechnical report. The steps shall be detailed on the drawings.

Section 1809.4 of the CBC is amended to read as follows:

1809.4 Depth and width of footings. The minimum depth of footings below the undisturbed ground surface shall be 12 inches (305 mm), but not less than the depth as prescribed by Table 1809.7. Where applicable, the requirements of Section 1809.5 shall also be satisfied. The minimum width of footings shall be 12 inches (305 mm). *Footings and foundations, unless otherwise specifically provided, shall be constructed of masonry, concrete in conformance with this Code.*

TABLE 1809.7
PRESCRIPTIVE FOOTINGS FOR SUPPORTING WALLS OF LIGHT FRAME CONSTRUCTION*

WEIGHTED EXPANSION INDEX (13)	FOUNDATION FOR SLAB & RAISED FLOOR SYSTEM (4) (8)							CONCRETE SLABS (8) (12)		PREMOISTENING OF SOILS UNDER FOOTINGS, PIERS AND SLABS (4) (5)	RESTRICTION ON PIERS UNDER RAISED FLOORS	
	NUMBER OF STORIES	STEM THICKNESS	FOOTING WIDTH	FOOTING THICKNESS	ALL PERIMETER FOOTINGS (5)	INTERIOR FOOTINGS FOR SLAB AND RAISED FLOORS (5)	REINFORCEMENT FOR CONTINUOUS FOUNDATIONS (2) (6)	3-1/2" MINIMUM THICKNESS				
					DEPTH BELOW NATURAL SURFACE OF GROUND AND FINISH GRADE			REINFORCEMENT (3)	TOTAL THICKNESS OF SAND (10)			
												(INCHES)
0 - 20 Very Low (non-expansive)	1 2 3	6 8 10	12 15 18	6 6 8	12 18 24	12 18 24	1-#4 top and bottom		#4 @ 48" o.c. each way, or #3 @ 36" o.c. each way	2"	Moistening of ground recommended prior to placing concrete	Piers allowed for single floor loads only
21-50 Low	1 2 3	6 8 10	12 15 18	6 6 8	15 18 24	12 18 24	1-#4 top and bottom		#4 @ 48" o.c. each way, or #3 @ 36" o.c. each way	4"	120% of optimum moisture required to a depth of 21" below lowest adjacent grade. Testing required.	Piers allowed for single floor loads only
51-90 Medium	1 2	6 8	12 15	6 6	21 21	12 18	1-#4 top and bottom		#3 @ 24" o.c. each way	4"	130% of optimum moisture required to a depth of 27" below lowest adjacent grade. Testing required	Piers not allowed
	3	10	18	8	24	24	#3 bars @ 24" in ext. footing Bend 3' into slab (7)					
91-130 High	1 2	6 8	12 15	6 6	27 27	12 18	2-#4 Top and Bottom		#3 @ 24" o.c. each way	4"	140% of optimum moisture required to a depth of 33" below lowest adjacent grade. Testing required.	Piers not allowed
	3	10	18	8	27	24	#3 bars @ 24" in ext. footing Bend 3' into slab (7)					
Above 130 Very High	Special design by licensed engineer/architect											

*Refer to next page for footnotes (1) through (14).

FOOTNOTES TO TABLE 1809.7

1. *Premoistening is required where specified in Table 1809.7 in order to achieve maximum and uniform expansion of the soil prior to construction and thus limit structural distress caused by uneven expansion and shrinkage. Other systems which do not include premoistening may be approved by the Building Official when such alternatives are shown to provide equivalent safeguards against the adverse effects of expansive soil.*
2. *Reinforcement for continuous foundations shall be placed not less than 3" above the bottom of the footing and not less than 3" below the top of the stem.*
3. *Reinforcement shall be placed at mid-depth of slab.*
4. *After premoistening, the specified moisture content of soils shall be maintained until concrete is placed. Required moisture content shall be verified by an approved testing laboratory not more than 24 hours prior to placement of concrete.*
5. *Crawl spaces under raised floors need not be pre-moistened except under interior footings. Interior footings which are not enclosed by a continuous perimeter foundation system or equivalent concrete or masonry moisture barrier complying with Footnote # 12 of Table 1809.7 shall be designed and constructed as specified for perimeter footings in Table 1809.7.*
6. *Foundation stem walls which exceed a height of three times the stem thickness above lowest adjacent grade shall be reinforced in accordance with Chapter 21 and Section 1914 in the IBC, or as required by engineering design, whichever is more restrictive.*
7. *Bent reinforcing bars between exterior footing and slab shall be omitted when floor is designed as an independent, "floating" slab.*
8. *Where frost conditions or unusual conditions beyond the scope of this table are found, design shall be in accordance with recommendations of a foundation investigation. Concrete slabs shall have a minimum thickness of 4 inches when the expansion index exceeds 50.*
9. *The ground under a raised floor system may be excavated to the elevation of the top of the perimeter footing, except where otherwise required by engineering design or to mitigate groundwater conditions.*
10. *GRADE BEAM, GARAGE OPENING. A grade beam not less than 12" x 12" in cross section, or 12" x depth required by Table 1809.7, whichever is deeper, reinforced as specified for continuous foundations in Table 1809.7, shall be provided at garage door openings.*
11. *Where a post-tensioning slab system is used, the width and depth of the perimeter footings shall meet the requirements of this table.*
12. *An approved vapor barrier shall be installed below concrete slab-on-grade floors of all residential occupancies in such a manner as to form an effective barrier against the migration of moisture into the slab. When sheet plastic material is employed for this purpose it shall be not less than 6 mils (.006 inch) in thickness. The installation of a vapor barrier shall not impair the effectiveness of required anchor bolts or other structural parts of a building. Foundations at the perimeter of concrete floor slabs shall form a continuous moisture barrier of Portland cement concrete or solid grouted masonry to the depths required by Table 1809.7.*
13. *When buildings are located on expansive soil having an expansion index greater than 50, gutters, downspouts, piping, and/or other non-erosive devices shall be provided to collect and conduct rainwater to a street, storm drain, or other approved watercourse or disposal area.*
14. *Fireplace footings shall be reinforced with a horizontal grid located 3" above the bottom of the footing and consisting of not less than No. 4 Bars at 12" on center each way. Vertical chimney reinforcing bars shall be hooked under the grid. Depth of fireplace chimney footings shall be no less than that required by Table 1809.7.*

CHAPTERS 19 THROUGH 30

*(Chapters 19 through 30 contain no amendments to
the California Building Code.)*

CHAPTER 31

SPECIAL CONSTRUCTION

The 2021 International Swimming Pool and Spa Code is hereby adopted in its entirety, as amended hereby. These provisions shall apply in addition to the applicable provisions of the State of California Swimming Pool Safety Act.

SECTION 3109

SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

Section 3109.1 of the CBC is amended to read as follows:

3109.1 General. The design and construction of *private* swimming pools, spas and hot tubs shall comply with the provisions of the International Swimming Pool and Spa Code *as well as the provisions of the California Health and Safety (HS) Code, known as the Swimming Pool Safety Act. These provisions are referenced and published in Chapter 31 of the California Building Code.*

***Exception:** The administrative provisions of the California Building Code, as amended by the County of Ventura in Article 2 of this Code, shall apply to permits, fees, inspections, enforcement, and related administrative provisions for swimming pools and spas.*

Section 3109.3 is added to the Ventura County Building Code:

3109.3 Protection from adjacent properties. *Swimming pools protected by the two safety devices required by Section 115922 of the Health and Safety Code, but which are not protected by an enclosure that complies with Section 115923, shall be additionally protected by a barrier or power-operated pool cover to prevent unsupervised access by children from adjacent properties and from the public way. This protection shall be provided by means of one of the following safety measures:*

- 1. A non-climbable barrier placed along the property line, or within the same property as the pool, that is not less than 48 inches in height measured from grade on the side of the barrier opposite to the pool, and which isolates the pool from adjacent properties and the public way. The barrier shall comply with the requirements for barriers in the International Swimming Pool and Spa Code.*
- 2. A power-operated pool cover that is listed as meeting the performance standards of ASTM F1346-91.*

Section 3109.4 is added to the Ventura County Building Code:

3109.4 Pool design and construction.

3109.4.1 General. *Pool design and construction shall be in accordance with accepted engineering practice, shall be in conformity with applicable provisions of the adopted building, electrical, plumbing, and mechanical codes, and shall be structurally suitable for the soil, topographic, and geologic conditions prevailing at the construction site.*

3109.4.2 Expansive soil design. *Pools constructed below grade shall be designed on the assumption that their construction is to be in an area of moderately expansive soil having an expansion index of 51-90 and an equivalent fluid pressure of not less than 45 pounds per cubic foot (45 pcf).*

***Exception:** Where tests indicate that soils at a pool site are non-expansive or have low expansion characteristics from the ground surface to the full depth of the pool, structural design may be based on an equivalent fluid pressure not less than 30 pcf.*

In highly expansive soils having an expansion index of 91-130, pools shall be designed for not less than 60 pcf equivalent fluid pressure.

In very highly expansive soils having an expansion index over 130, pool design shall be subject to special requirements based on a site investigation, soil testing, and engineering analysis by a registered civil engineer to determine appropriate design parameters for the site.

3109.4.3 Hydrostatic uplift. *In areas of anticipated highwater table or moderate to highly expansive soil an approved hydrostatic relief system or device shall be installed.*

Section 3109.5 is added to the Ventura County Building Code:

3109.5 Decks

3109.5.1 General. *A deck shall be provided around below-grade swimming pools except when special engineering design is furnished which indicates that such deck is not necessary for the purpose of maintaining the structural integrity of the pool and/or for controlling surface water and moisture content in the soil adjacent to the pool. Decks shall not be required for spas and hot tubs.*

3109.5.2 Deck design and construction. *Required decks shall be constructed of concrete or other approved impervious material and shall be sloped to provide positive drainage away from the perimeter of the pool. Except as provided below, decks shall have a minimum width of four feet and shall be at least 3-1/2 inches in thickness. Reinforcement shall be #3 bars spaced not over 24 inches on-center, each way, or equivalent reinforcing.*

Approved joints shall be provided in the deck at corners, at maximum 10-foot intervals, and wherever necessary in order to control cracking, to allow for differential movement, and to minimize damage to the deck from such movement should it occur.

Joints in decks and coping shall be made watertight with an approved permanent resilient sealant.

CHAPTERS 32 THROUGH 35

*(Chapters 32 through 35 contain no amendments to
the California Building Code.)*

CBC APPENDIX J GRADING

Appendix J of the International Building Code is adopted in its entirety and amended in the VCBC as follows...

SECTION J101 GENERAL

Section J101 in CBC Appendix J has been amended in the VCBC to read as follows:

J101.1 General. *All grading must be executed in accordance with the provisions of this Code unless specifically amended herein, and all references in this appendix apply to this Code except where noted.*

For the purposes of this appendix, the term "Building Official" shall mean the Director of Public Works, as defined in Article 2, Section 202 of this Code.

J101.2 Scope and purpose. *The provisions of this appendix set forth the rules and regulations to control grading, excavations, and earthwork construction, including fills and embankments and the control of site runoff from active grading projects, erosion, sedimentation, and grading-related pollutants; establishes the administrative procedure for the issuance of grading permits and provides for approval of plans and inspection of grading construction. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern. The purpose of this appendix is to safeguard life, limb, property, and the public welfare by regulating grading on private and public property in the unincorporated areas of Ventura County.*

J101.3 Special Flood Hazard areas. *A floodplain permit, or floodplain clearance is required for all grading work within a special flood hazard area as defined in the Ventura County Floodplain Management Ordinance and any amendments thereto in addition to provisions of the California Building Code Section 1612. A separate watercourse encroachment permit may be required from the Ventura County Watershed Protection District for any grading work within their jurisdictional channels.*

In special flood hazard areas established by the Ventura County Floodplain Management Ordinance and referenced in Section 1612.3, grading and/or fill shall not be approved unless such fill is placed, compacted and sloped to minimize shifting, slumping and erosion during the rise and fall of flood water and, as applicable, wave action, and that the registered design professional can demonstrate through hydrologic and hydraulic analyses that the proposed grading or fill, or both will not result in any increase in the one percent annual chance flood elevation. In special flood hazard areas subject to high-velocity wave action such as in the coastal communities, grading and/or fill shall not be approved unless such fill is conducted and/or placed to avoid diversion of water and waves toward any building or structure.

J101.4 General hazards. *Whenever the Building Official determines that any existing excavation or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage course, the Building Official may give written notice thereof to the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property. Upon receipt of notice, the owner or another person or agent in control of the property shall repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this Code, within the period specified in said notice.*

J101.5 Safety precautions. *If at any stage of the work the Building Official determines by inspection that continuing grading is likely to endanger any public or private property or result in the deposition of debris on any public way or interfere with an existing drainage course, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such person shall immediately stop such work. The work may proceed once the Building Official finds adequate safety precautions are taken or corrective measures are incorporated in the work to avoid likelihood of such danger, deposition or interference.*

If the grading work has created or resulted in a hazardous condition, the Building Official shall give written notice requiring correction thereof as specified in Section J101.4 of this Code.

J101.6 Protection of utilities. *The permittee and owner of any property on which grading is performed shall be responsible for the prevention of damage to any public utilities, public services, or private services.*

J101.7 Protection of adjacent properties. *The permittee and owner of the property on which grading is performed shall be responsible for the prevention of damage to adjacent property, including public and private streets, and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public or private street, sidewalk, alley, or other public or private property without taking adequate measures to support and protect such property from settling, cracking or other damage that might result. Any person performing any grading that involves imported or exported materials shall take special precautions, as approved by the Building Official, to prevent materials from being deposited on the adjacent public way and/or in drainage courses.*

J101.7.1 Documentation of existing property line conditions. *Prior to the issuance of a grading permit, the permittee and owner of the property on which grading is proposed, shall provide the Building Official with representative photographs of all property lines and private or public streets adjacent to the proposed grading area. The purpose of the photo documentation is to establish the pre-grading condition of adjacent property to avoid claims for damage during construction of the site. Photos of the adjacent public or private street shall include enough detail for a distance of one block on each side of the property (approximately 400 feet or to the nearest intersection) to exhibit the existing conditions of street pavement, sidewalks, curb and gutter, driveways, shoulder parking areas, mailboxes, above grade utility services, gates, fences, walls, street trees, parkways, vault covers and survey monument wells, landscaping and irrigation, and catch basins/inlets. The photos of the property lines shall be representative of the setback areas on both sides of the property lines and include fences, walls, landscaping and irrigation, natural features, driveways, buildings, and drainage devices. Photos shall be submitted to the Building Official, in a “.jpg or .bmp” or equivalent digital file format and include adequate description and direction to identify the location of each photo.*

J101.8 Storm water control measures. *The permittee and owner of any property on which the grading is performed shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, and deposition of mud, debris, and grading-related pollutants originating from the site in accordance with Section J112.*

J101.9 Maintenance of protective devices and rodent control. *The permittee and owner of any property on which grading has been performed pursuant to a permit issued under the provisions of this Code, or any other person or agent in control of such property, shall implement a program to control burrowing rodents if recommended by project Field Engineer and maintain in good condition and function of all drainage structures and other protective devices.*

J101.10. Conditions of approval. *In granting any permit under this Code, the Building Official may include such conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to public or private property. Such conditions may include, but shall not be limited to:*

- 1. Improvement of any existing grading to comply with the standards of this Code.*
- 2. Requirements for fencing of excavations or fills that would otherwise be hazardous.*

SECTION J102 DEFINITIONS

Section J102 in CBC Appendix J has been amended in the VCBC to read as follows:

J102.1 Definitions. For the purposes of this appendix, the terms, phrases and words listed in this section and their derivatives shall have the indicated meanings.

AGRICULTURAL GRADING. Grading to enhance or conduct farming, including animal husbandry and the production and management of crops (including aquatic crops) for food, fiber, fuel and ornament, and the rearing of biological control agents as defined in the Ventura County Non-Coastal Zoning Ordinance. Agricultural grading does not include grading for buildings, barns, equestrian facilities, permanent structures with a foundation, and paved parking lots.

APPROVAL. When the proposed work or completed work conforms to this appendix as determined by and to the satisfaction of the Building Official.

AVERAGE NATURAL SLOPE DETERMINATION. Slope is the ratio of the vertical distance to the horizontal distance, or the elevation change in feet divided by the distance in feet. The percent slope of a development area (ie, the entire contiguous area that will be disturbed by the land clearing, grading, or other earthmoving activities) is the natural slope of the existing terrain and not the finished or proposed percent slope resulting from the project. The average natural slope, in percent, for a given area is the product of the selected contour interval and the sum of the length of each selected contour interval divided by the area in square feet and is shown in formula: $S = (I \times L \times 100) / (A \times 43,560)$, where:

S = Average existing land slope, in percent

I = Interval, in feet, of the topographic map contour lines

L = The sum, in feet, of the length of the contour lines, at the selected contour interval "I"

A = The total area, in acres, of the disturbed area of the development

The cross section of the selected contour shall be representative of the property and drawn perpendicular to the contours of the proposed disturbed area using a site plan with a contour interval not to exceed five feet at a scale of 1 inch = 100 feet or better.

AS-BUILT. A record drawing of the completed work including improvements, line and grade.

BEDROCK. The relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of alluvium, colluvium and/or soil.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

BEST MANAGEMENT PRACTICE (BMP). A stormwater pollution mitigation measure that is required to be employed in order to comply with the requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollution Discharge Elimination System (NPDES) Permit (See Section J112 of this Code).

BORROW. Earth material acquired from an adjacent area within the property boundary for use in grading.

BUILDING OFFICIAL. See Article 2, Section 202 of this Code.

CIVIL ENGINEER. A professional engineer licensed by the State of California to practice in the field of Civil Engineering.

CIVIL ENGINEERING. The application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design, and construction of civil works.

COMPACTION. The densification of a fill by mechanical means.

CUT. See "Excavation."

DESIGN ENGINEER. *The Civil Engineer responsible for the preparation of the grading plans for the site grading work.*

DESIGNATED WATERWAY. *A watercourse that is identified as one or more of the following: a Redline jurisdictional channel as defined by the Ventura County Watershed Protection District; a blueline stream as shown on a USGS Quad Map; or a regulated floodway as shown on the Federal Emergency Management Agency Flood Insurance Rate Maps for Ventura County.*

DESIGNATED WETLAND. *A wetland identified by an Environmental Impact Report or a wetland habitat, not including those within man-made structures, as identified on the latest National Wetlands Inventory Maps on file with the Resource Management Agency.*

DESILTING BASINS. *Physical structures constructed for the removal of sediments from surface water runoff.*

DISCRETIONARY GRADING PERMIT. *Grading permits that are subject to the Permits Streamlining Act and exceeds thresholds provided herein in Section J103.3.*

DOWN DRAIN. *A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.*

DRAINAGE COURSE. *The natural or manmade path that runoff will follow through a property or parcel of land.*

EARTH MATERIAL. *Bedrock, rock, natural soil or unconsolidated natural material above bedrock or mixture thereof.*

ENGINEERING GEOLOGIST. *A Professional Geologist licensed by the State of California with a specialty certificate of Engineering Geology.*

ENGINEERING GEOLOGY. *The application of geologic knowledge and principles in the investigation and evaluation of geologic factors relating to Civil Engineering.*

EROSION. *The wearing away of the ground surface as a result of the movement of wind, water, or ice.*

EXCAVATION. *The removal of earth material by artificial means, also referred to as a cut.*

EXPORT. *The removal of excess graded materials from the property.*

FIELD ENGINEER. *The Civil Engineer, or designee, responsible for performing the functions as set forth in Section J106.3.*

FILL. *Deposition of earth materials by artificial means.*

GEOTECHNICAL ENGINEER. *See "Soils Engineer."*

GEOTECHNICAL HAZARD. *An adverse condition due to landslide, settlement, and/or slippage. These hazards include but are not limited to loose debris, slope wash, and mud flows from natural or graded slopes.*

GRADE. *The vertical location of the ground surface.*

GRADE, EXISTING. *The natural grade prior to any grading.*

GRADE, FINAL. *See Section J106.7.*

GRADE, FINISHED. *The grade of the site at the conclusion of all grading efforts.*

GRADE, INITIAL. See Section J106.7.

GRADE, ROUGH. See Section J106.7.

GRADING. An excavation or fill or combination thereof.

HILLSIDE EROSION CONTROL ORDINANCE. A Ventura County Ordinance (Ord. Nos. 3539 and 3683) that regulates agriculture grading in critical erosion areas. This ordinance is administered by the Ventura County Resource Conservation District and requires property owners who desire to perform agricultural grading to enter into a cooperative agreement with the Resource Conservation District and prepare a Hillside Erosion Control Plan before any grading is commenced.

IMPORT. Earth material acquired from outside the property boundaries for use in grading on a site.

ISOLATED, SELF-CONTAINED AREA. That portion of a parcel of land or of contiguous parcels of land under single ownership which meets one of the following three criteria:

1. The grading area is only used for growing crops or raising livestock for sale.
2. The area is constructed under the direct control of the U.S. Department of Agriculture, Natural Resources Conservation Service.
3. The area contains oilfield operations which are established under an existing land use entitlement and the grading involves exploration, development, production, or maintenance activities.

KEY. A trench excavated in earth material generally constructed at the toe of a proposed fill slope and may include a subsurface drain system. Also known as a “keyway.”

LANDSCAPE ARCHITECT. A person who holds a State of California license to practice landscape architecture under the applicable landscape architecture provisions of Division 3, Chapter 3.5 of the Business and Professions Code.

LINE. The horizontal location of the ground surface.

MINISTERIAL GRADING PERMIT. Grading permits that are not subject to the time limits established under the Permits Streamlining Act and do not exceed certain thresholds. These permits require no special discretion or judgment in whether or how the project should be carried out. The grading permit is not subject to the provisions of the California Environmental Quality Act.

PERMITTEE. The property owner or property owner’s authorized agent. See Section J106.6.

PRIVATE SEWAGE DISPOSAL SYSTEM. A septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits or into a combination of subsurface disposal field and seepage pit or of such other facilities as may be permitted by the Resource Management Agency Environmental Health Division.

PROJECT CONSULTANTS. The professional consultants required by this Code which may consist of the design engineer, field engineer, soils engineer, engineering geologist, and landscape architect as applicable to this appendix.

PROFESSIONAL INSPECTION. The inspection required by this Code to be performed by the Project Consultants or persons under the responsible supervision of a California licensed Engineer or Geologist. Such inspections shall be sufficient to form an opinion relating to the conduct of the work.

PUBLIC WORKS AGENCY. *The Public Works Agency, County of Ventura.*

RAINY SEASON. *That period of time when rainfall is likely to occur and is defined within the months and dates as shown in the current Ventura Countywide Stormwater Quality Management Program, National Pollution Discharge Elimination System (NPDES) Permit.*

RETAINING WALL. *A wall-type structure that is built to restrain a vertical or near vertical face mass of earth. The earth behind the wall may be a natural embankment or backfill material placed adjacent to the retaining wall.*

RESOURCE MANAGEMENT AGENCY. *The Resource Management Agency, County of Ventura.*

SITE. *A lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.*

SLOPE. *A stretch of ground forming a natural or artificial inclined ground surface, between two level areas, and is expressed as a ratio of horizontal distance to vertical distance. The overall slope height does not include in its height calculation any portion of slope supported by retaining walls or any portions less than 5:1 in gradient. A level area can be a road, but not a terrace drain.*

SOIL. *Naturally-occurring superficial deposits.*

SOILS ENGINEER (GEOTECHNICAL ENGINEER). *A Civil Engineer experienced and knowledgeable in the practice of soils engineering or qualified by the State of California to use the title.*

SOILS ENGINEERING (GEOTECHNICAL ENGINEERING). *The application of the principals of soils mechanics in the investigation, evaluation, and design of civil works involving the use of earth materials and the inspection or testing of construction thereof.*

SOIL TESTING AGENCY. *An agency regularly engaged in the testing of soils and rock under the direction of a licensed Civil Engineer experienced in soil testing.*

STORM DRAIN SYSTEM. *A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, pipes, and man-made channels, designed or used for collecting and conveying storm water.*

STORM WATER POLLUTION CONTROL PLAN (SWPCP). *A site drawing with details, notes, and related documents that identify the measures proposed by the permittee or property owner, during construction of the site that incorporates Best Management Practices (BMPs) to effectively control erosion, sediment loss, and prohibits the discharge of pollutants from the construction site area. SWPCPs are required on projects less than one acre of disturbed area.*

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). *A site drawing with details, notes, and related documents that identify the measures proposed by the permittee or property owner to (1) control erosion and prevent sediment and construction-related pollutants from being carried offsite by stormwater, and (2) prevent non-stormwater discharges from entering the storm drain system. A SWPPP shall be prepared and implemented in accordance with the Ventura Countywide Stormwater Quality Management Program, National Pollution Discharge Elimination System (NPDES) Permit.*

SURFACE DRAINAGE. *Flows over the ground surface.*

TERRACE. *A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.*

TEMPORARY STOCKPILE. *The creation of a mound of earth with side slopes of 3 units horizontal to 1 unit vertical (33% slope) or flatter, and not to exceed eight feet in height and removed or protected prior to*

the rainy season.

TRUCK ROUNDTrip. *One truck roundtrip is counted as a heavy axle wheeled vehicle, single or tandem, entering and leaving the project site as part of the permitted grading with a load of earth materials or road base materials.*

SECTION J103 PERMITS REQUIRED

Section J103 in CBC Appendix J has been amended in the VCBC to read as follows:

J103.1 Permits required. Except as *specified* in Section J103.2, no grading shall be performed without first having obtained a grading permit from the Building Official.

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

1. *When approved by the Building Official and without conflicts with zoning ordinances, grading in an isolated, self-contained area, provided there is no danger to the public and that such grading will not adversely affect adjoining properties*
2. *Excavation for construction of a structure and authorized by a valid building permit provided the excavation is limited to the removal of earth material for the footprint of the structure plus a distance of five feet measured horizontally from any footprint edge for construction of footings, caissons, piles, foundation systems, retaining walls, or a pool. This shall not exempt any fill in excess of 50 cubic yards made with the material from such excavation at or below the natural grade unless approved by the Building Official.*
3. Cemetery graves.
4. Refuse disposal sites *complying with Public Resources Code Section 40000, et. seq., as determined by the Local Enforcement Agency or controlled by other regulations.*
5. Excavations for wells, tunnels, or trenches for public utilities. *Private utility trenches shall be exempt unless the trench is for a private storm drain conduit or private utility conduit that exceeds 18-inches in diameter and the trench excavation exceeds 50 cubic yards.*
6. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay *where established and provided for by law, as administered by the Resource Management Agency, provided such operations do not affect the lateral support or increase the stresses in soil or pressure upon structures on any adjacent or contiguous property.*
7. Exploratory excavations under the direction of a *Soils Engineer or Engineering Geologist. This shall not exempt grading of access roads or pads created for exploratory excavations. Exploratory excavations must not create a hazardous condition to adjacent properties or the public in accordance with Section J101.4. Exploratory excavations must be restored to existing conditions, unless approved by the Building Official. Exploratory excavations that will be greater than 50 feet in depth may require a permit from the County of Ventura Watershed Protection District.*
8. *An excavation that complies with one of the following conditions (See Figure J103.2): (1) is less than 2 feet in depth and does not exceed 50 cubic yards, or (2) does not create a cut slope greater than 5 feet measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent*

slope) and does not exceed 50 cubic yards or (3) routine maintenance to re-establish storage capacity for debris basins.

9. The cumulative placement of fill on any one lot that does not obstruct a drainage course and complies with one of the following conditions (See Figure J103.2): (1) is less than 1 foot in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope) and does not exceed one acre in size or 1000 cubic yards; or (2) is less than 3 feet in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, not intended to support structures, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope); or (3) is less than 5 feet in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, not intended to support a structure, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

EXCAVATIONS		FILLS	
		- NOT INTENDED TO SUPPORT STRUCTURES - DO NOT OBSTRUCT A DRAINAGE COURSE	
AN EXCAVATION WHICH IS LESS THAN 2 FT IN DEPTH AND DOES NOT EXCEED 50CY		FILL PLACED ON NATURAL GRADE NOT STEEPER THAN 5:1 AND LESS THAN 1FT DEEP	
AN EXCAVATION WHICH CREATES A CUT SLOPE NOT GREATER THAN 5FT IN HEIGHT, NOT STEEPER THAN 2:1, AND DOES NOT EXCEED 50CY		FILL LESS THAN 3FT DEEP AT ITS DEEPEST POINT THAT DOES NOT EXCEED 50CY	
		FILL LESS THAN 5FT DEEP AT ITS DEEPEST POINT THAT DOES NOT EXCEED 20CY	

FIGURE J103.2

10. Grading to support irrigated agricultural production under an approved hillside erosion control plan by the Ventura County Resource Conservation District (VCRCD) in compliance with the Hillside Erosion Control Ordinance (HECO). Should the VCRCD exempt or deny a property owner from the requirements of the Hillside Erosion Control Ordinance, the property owner is required to obtain a grading permit or a formal grading permit exemption from the Building Official.
11. When approved by the Building Official, sand and gravel backfill behind retaining walls to a horizontal distance equal to 1.5 times the height of the retaining wall authorized by a valid building permit.

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

J103.3 Ministerial permits. The issuance or denial of a grading permit pursuant to this Code is a ministerial act for the purposes of Section 21080, subdivision (b) (1), of the Public Resources Code, except in the following five cases:

1. *Where the average natural slope within the area to be graded exceeds 10% and the amount of excavation or fill exceeds 10,000 cubic yards*
2. *Where the average natural slope within the area to be graded exceeds 35% and the amount of excavation or fill exceeds 1,000 cubic yards*
3. *Where the proposed grading creates a slope exceeding 40 vertical feet in height, as measured in plan view, perpendicular to the slope.*
4. *Where the proposed grading is within an area that has specific permitting requirements related to a protected resource documented by the Resource Management Agency, Planning Department*
5. *Where the total truck roundtrips for the grading operation carrying earth materials exceeds 5 trucks per hour, or occurs during peak traffic hours, or creates a safety hazard for ingress or egress routes such as truck staging, clogging turn pockets, or line of sight*

In each of the five cases listed above, the issuance or denial of a grading permit is discretionary for the purposes of Section 21080, subdivision (a) of the Public Resources Code except in the following three cases in which such issuance or denial is a ministerial act:

1. *Where a professional prepared report, study, map, or entitlement on file with the County Public Works Agency or Resource Management Agency demonstrates that the proposed grading has no adverse effect to a protected resource documented by the Resource Management Agency, Planning Department.*
2. *The grading is related to oilfield operations, involving exploration, development or production of oil, and all of the following conditions are satisfied; (a) The grading will be restricted to an area on which such oilfield operations may lawfully take place pursuant to an existing use permit for such operations issued by the County; (b) the proposed graded slopes will be less than 40 feet in vertical height; (c) before the grading commences, grading bonds are submitted to the Building Official guaranteeing all erosion control facilities, slope planting and slope maintenance necessary to meet then existing County standards; and (d) within 60 days of completion of the grading, all slopes created or modified are hydro-mulched with a native plant and an irrigation method sufficient to ensure establishment of such plants.*
3. *The grading related to oilfield operations involving the exploration, development of production of oil, and is limited to one or more of the following: (a) routine maintenance or repair of existing drill sites or existing roads which does not materially alter the location, size or configuration of the original sites or roads; (b) routine dredging of waste materials for which a permit has been issued by the Environmental Health Division of Ventura County Resource Management Agency; (c) maintenance of existing oilfield facilities.*

J103.4 Discretionary Grading Permit. *The issuance or denial of a discretionary grading permit pursuant to this Code is a discretionary act for the purposes of Section 21080, subdivision (a) of the Public Resources Code when the proposed grading is not for an exempted project as described in Section J103 or does not meet any one of the criteria described in Section J103.2 or cannot be determined as ministerial by the Building Official. A discretionary grading permit shall become operative on the 15th calendar day after its issuance or, in the case of an appeal, on the date the Board of Supervisors issues its decision upholding or ordering issuance. The discretionary grading permit will require the preparation of engineered grading plans as described in Section J105.2.2.*

J103.5 Discretionary Grading Permit review. *The only discretionary powers to be exercised in conjunction with*

the issuance or denial of discretionary grading permit shall be exercised by the Building Official, or by the Board of Supervisors on appeal. Those discretionary powers shall be limited to all of those discretionary powers, (i) to issue the permit subject to conditions or changes in the project needed to mitigate significant environmental effects which would otherwise result from the grading, (ii) to deny the permit in order to avoid such effects, or (iii) to issue the permit despite such effects, as are conferred upon the lead agency by the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code) and are generally described in Section 15040 through 15043 of the State CEQA Guidelines (Section 15000 et seq. of Title 14 of the California Administrative Code).

J103.6 Discretionary Grading Permit hearing. *With respect to a discretionary grading permit, the Building Official shall issue or deny the permit only after holding a public hearing, considering the applicable environmental document, and, if appropriate, certifying that such document has been prepared in compliance with the California Environmental Quality Act. The Building Official shall give at least 10 days written notice of such hearing to the applicant for the permit and to any owner of real property in the vicinity of the proposed grading whose property interest might be substantially affected by issuance or denial of the permit. The notice shall specify the time, date and place of the hearing, shall give a general description of the grading to which the permit application pertains, shall give a general description of the property on which the grading would occur, and shall state that any interested person will be given an opportunity to present relevant evidence at the hearing. The hearing shall be limited to, and any decision of the Building Official shall be based upon, the environmental issues with respect to which the Building Official has been granted discretion by this section.*

J103.7 Discretionary Grading Permit appeal. *Any interested person may appeal the issuance or denial of a discretionary grading permit by filing with the Building Official the appeal fee prescribed by the Board of Supervisors together with a notice of appeal on a form satisfactory to the Building Official within 10 days after the issuance or denial. The hearing on appeal shall be noticed and conducted by the Board of Supervisors in the same manner as the original hearing before the Building Official, except that the notice shall also be given to the appellant. The decision of the Board of Supervisors on appeal shall be issued in writing after the hearing on appeal and shall be final and conclusive when issued. A copy of the decision shall be served upon the applicant for the permit and upon the appellant. If the decision is to order the issuance of a grading permit previously denied or to modify a grading permit previously issued by the Building Official, the written order shall constitute the permit and shall include appropriate conditions.*

A ministerial grading permit shall be operative immediately upon issuance. A discretionary grading permit shall become operative on the 15th calendar day after its issuance or, in the case of an appeal, on the date the Board of Supervisors issues its decision upholding or ordering issuance.

SECTION J104 GRADING PERMIT REQUIREMENTS

Section J104 is added to the VCBC.

J104.1 Grading designation.

The following are the types of Grading permits:

1. *Stockpile Permit: Import and Grading necessary to temporarily place a Stockpile of earth materials for future Grading activity.*
2. *Removal and Re-compaction Grading Permit: Grading necessary only to prepare a site and access for the placement of a structure that meets both of the following:*
 - a. *More than 50 cubic yards to be removed and replaced in accordance with the recommendations of a Geotechnical Report, and*

- b. *An increase in elevation beneath the structure of 1-foot or less from the existing grade.*
3. *Agricultural or Oilfield: Grading necessary for agricultural operations or for oil field operations, involving maintenance, exploration, development or production of oil.*
4. *Regular Grading: Grading involving 500 cubic yards or less of cut or fill. The reported earthwork quantities should not include the volumes generated by removal and re-compaction grading.*
5. *Engineered Grading: Grading in excess of 500 cubic yards of cut or fill. The reported earthwork quantities should not include the volumes generated by removal and re-compaction grading.*

J104.2 Permit expirations.

The Building Official may extend the time for completion of the grading and other improvements authorized by the grading permit for one (1) additional year, if circumstances beyond the permittee's control have prevented the completion of the project, and necessary inspection fees have been deposited. Only subdivisions with an approved Subdivision Improvements Agreement, or a development agreement, can be extended for more than three years but not in excess of the time limits of the agreement.

1. *Stockpile Permit: The Stockpile permit issued by the Building Official under the provisions of this Code shall expire by limitation at the end of 1 year and is required to be converted and included in a regular or engineered grading permit.*
2. *Removal and Re-compaction (R&R) Grading Permit: The grading permit issued by the Building Official under the provisions of this Code shall expire by limitation after 1 year from the date of such permit issuance.*
3. *Agricultural or Oilfield: The grading permit issued by the Building Official under the provisions of this Code shall expire by limitation if the grading authorized by such a permit is not completed within 2 years from the date of such permit issuance.*
4. *Regular or Engineering Grading: The grading permit issued by the Building Official under the provisions of this Code shall expire by limitation if the grading and other improvements authorized by such a permit are not completed within 3 years from the date of such permit.*

J104.3 Grading permit fees. *Grading permits and grading plan review fees shall be as set forth in schedules enacted by the Board of Supervisors. Except as otherwise specified in such schedule, grading permit and grading plan review fees shall not be refundable unless approved by the Building Official.*

J104.4 Grading security. *The Building Official may require a security in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. When the Building Official determines that a security is necessary, a grading permit shall not be issued for grading unless the owner posts with the Building Official a security of the type and format that complies with the latest edition of the Ventura County Public Works Agency Bond Book.*

J104.4.1 Amount of security. *The amount of security shall be based on the approved grading plan and engineer's estimate that includes: the number of cubic yards of material in either excavation or fill, whichever is greater; the cost of all drainage or other protective devices for work necessary to eliminate geotechnical hazards; appurtenant improvements such as access roads for fire protection purposes; temporary and permanent BMP sediment control; landscaping and irrigation; and an amount to*

guarantee that damaged public and private property during the grading construction work will be repaired.

J104.4.2 Conditions. *All security shall include the conditions that the principal shall:*

- 1. Comply with all of the provisions of this appendix, applicable laws, and ordinances*
- 2. Comply with all of the terms and conditions of the grading permit*
- 3. Complete all of the work authorized by the grading permit*
- 4. Complete all repairs to public and private property in a timely manner to the satisfaction of the Building Official*

J104.4.3 Term of security. *The term of each security shall begin upon the filing with the Building Official and the security shall remain in effect until the work authorized by the grading permit, including any repairs to public and private property, is completed and approved by the Building Official.*

J104.4.4 Default procedures. *In the event any grading for which a permit has been issued is not completed in accordance with the approved plans and specifications for said work or with all terms and conditions of the grading permit, the Building Official shall give notice thereof to the principal and surety or financial institution executing the security, or to the owner in the case of a cash bond or assignment. The Building Official may thereafter determine the work that is necessary to mitigate any hazardous or unsafe conditions on the site, and also include damaged public or private property adjacent to the site and cause such work to be performed. Where the security consists of a bond or instrument of credit, the surety or financial institution executing the security shall be responsible for the payment of all costs and expenses incurred by the Building Official in causing such work to be performed, up to the full amount of the surety. In the case of a cash bond or assignment, the Building Official may pay all costs and expenses incurred in causing such work to be performed from the funds deposited and return any unused portion of such deposit or funds to the person making said deposit or assignment.*

J104.5 Right of entry. *The Building Official or the authorized representative of the surety company or financial institution shall have access to the premises described in the permit for the purpose of inspecting the work. In the event of default in the performance of any term or condition of the permit, the surety or financial institution or the Building Official, or any person employed or engaged on the behalf of any of these parties, shall have the right to go upon the premises to perform the required work. The owner or any other person who interferes with or obstructs the ingress into or egress from any such premises, of any authorized representative of the surety or financial institution or of the County of Ventura engaged in the correction or completion of the work for which a grading permit has been issued, after a default has occurred in the performance of the terms or conditions thereof, is guilty of a misdemeanor.*

J104.6 Availability of permit at site. *No person shall perform any grading that requires a permit under this appendix unless a copy of the grading permit is in the possession of a responsible person and available at the site.*

J104.7 Land use. *The Building Official may issue a grading permit for work on a parcel of land and by doing such does not legalize the parcel or create an entitlement for future development of the parcel. The determination of a parcel as being capable of being developed is determined by the Resource Management Agency.*

J104.8 Coordination and permits with other agencies. *The property owner shall be responsible for coordinating their proposed project with other agencies to determine if a permit or agreement is necessary for conducting grading within another agency's jurisdiction. Agencies that may have jurisdiction in rivers, creeks, streams, and barrancas may include the Army Corps of Engineers, the California Department of Fish and Wildlife, the Regional Water Quality Control Board, and the Ventura County Watershed Protection District. If a permit is required from such an agency, a copy of the permit or agreement will be kept at the project site and no grading work can occur in those areas where the other agency has jurisdiction until a permit or agreement*

is obtained.

J104.9 Unpermitted grading. *For the purposes of this appendix, unpermitted grading shall be defined as the following:*

- 1. Any grading that was performed without the required permit(s) having first been obtained from the Building Official, pursuant to Section J103.1*
- 2. Grading that was permitted and the work was not completed pursuant to Section J106, and the grading permit has expired pursuant to Section J104.2*

J104.10 Limitation on grading permit issuance. *When a grading permit of any type has been issued to a parcel, the grading permit must be completed and closed prior to issuance of any additional grading permits, unless approved by the Building Official.*

SECTION J105 PERMIT APPLICATION AND SUBMITTALS

Section J104 in CBC Appendix J has been renumbered to become Section J105 in the VCBC, and amended to read as follows:

J105.1 Submittal requirements. In addition to the provisions of *this Section*, the applicant shall state the estimated quantities of excavation, fill, import, and export.

J105.2 Site plan requirements. In addition to the provisions of *this Section*, a grading plan shall *be drawn to scale*, show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work, and show in detail that it complies with the requirements of this Code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this Code. *The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan.*

J105.3 Grading permit requirements.

J105.3.1 Stockpile requirements. *Grading for stockpile permits must comply with the Sections J105 and Section J112 for stormwater and erosion control. In addition to the provisions of this Section, a stockpile grading permit must be accompanied by a plan(s) to indicate the stockpile location relative to property lines, truck haul routes and a cross-section through the stockpile.*

J105.3.2 Removal and re-compaction (R&R) grading requirements. *Grading necessary only to prepare a site and access for the placement of a structure must comply with Sections J105 through J108, and J112 for stormwater and erosion control.*

J105.3.3 Agricultural and oilfield grading requirements. *Grading for agricultural or oilfield operations must comply with Section J105 and also Section J111 for erosion control. Grading for new agriculture must also provide a planting and irrigation plan.*

J105.3.4 Regular grading requirements. *Grading involving less than 500 cubic yards of cut or fill shall be designated "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the Building Official determines that special conditions or unusual hazards exist in which case grading shall conform to the requirements for engineered grading. Grading for regular grading permits must comply with all Sections J105 through J113.*

In addition, an application for a regular grading permit shall be accompanied by two sets of plans

in sufficient clarity to indicate the nature and extent of the work and supporting data consisting of a soils engineering report and if applicable, an engineering geology report. The regular grading plan and submittal documents shall include the following information:

- 1. General vicinity of the proposed site.*
- 2. Limits and depths of cut and fill.*
- 3. The preparer of the plans shall complete and sign the grading plan checklist form DS-05, provide the appropriate documents, and attachments to submit with plans.*
- 4. Stormwater provisions in accordance with Section J112.*

J105.3.5 Engineered grading requirements. *All grading in excess of 500 cubic yards shall be performed in accordance with the approved grading plan prepared by a Civil Engineer and shall be designated as "engineered grading." Grading for engineered grading permits must comply with all Sections J105 through J113*

In addition, an application for an engineered grading permit shall be accompanied by two sets of plans, specifications, and supporting data. The plans and specifications shall be prepared and signed by a Civil Engineer licensed by the state to prepare such plans or specifications. Specifications shall contain information covering construction and material requirements. Plans shall show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules, and regulations.

The plans, specifications, and supporting data shall include, but not limited to, the following information:

- 1. General vicinity of the proposed site.*
- 2. Property limits and accurate contours of existing ground and details of terrain and area drainage.*
- 3. A hydrology and hydraulics report that includes a map showing the existing and proposed drainage areas and the associated estimated runoff of the area shall also be provided. The hydrology and hydraulics report shall examine several frequencies of storms (10-year, 50-year, and 100-year events) and demonstrate that the proposed site drainage design will either retain or detain the difference between the developed project storm flow rate and undeveloped or existing storm flow rate for the storm events listed above. This difference in storm flow rates may either be percolated into the ground onsite, stored for future irrigation use, or released at the undeveloped flow rate from the site in such a manner as to not cause an adverse impact downstream in velocity or duration. The Civil Engineer shall consider alternative low impact design (LID) methods to handle and improve stormwater quality runoff. Hydrology, hydraulics, and LID analysis calculations, and design shall be prepared in accordance with Ventura County Public Works Agency accepted standards and methods.*
- 4. A soils engineering report, and if applicable an engineering geology report.*
- 5. Stormwater provisions in accordance with Section J112.*
- 6. The Civil Engineer that prepared the plans shall complete, sign and stamp the grading plan, grading plan checklist form, LDS-05, provide appropriate documents and attachments to submit with plans.*

J105.4 Soils engineering and engineering geology reports. *The soils engineering report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for structures or corrective measures, including buttress fills, when necessary, and an opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes. All reports shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications. The engineering geology report shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors. The engineering geology report shall include a geologic map and cross sections utilizing the most recent grading plan as a base. All reports shall be signed and stamped by the professional and are subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications. Soil Reports must be dated within 1-year of application date. unless approved by the Building Official.*

Exception: *A soils engineering/geology report is not required where the Building Official determines that the nature of the work applied for is such that a report is not necessary.*

SECTION J106 INSPECTIONS

Section J105 in CBC Appendix J has been renumbered to become Section J106 in the VCBC, and amended to read as follows:

J106.1 General. *In addition to general inspections outlined in Section 110, Chapter 1, Division II of this Code, grading inspections shall be as indicated hereon. Grading operations for which a permit is required shall be subject to inspection by the Building Official. In addition, professional inspection of grading operations must be provided by the Field Engineer, Soils Engineer and Engineering Geologist, or designee, retained to provide such services in accordance with this Section.*

J106.2 Special and supplemental inspections. *The special inspection requirements of Section 1705.6 shall apply to work performed under a grading permit where required by the Building Official. In addition to the inspections specified in Section J106.11, the Building Official may make additional inspections as may be deemed necessary to determine that the work is being performed in conformance with the requirements of this Code and with adequate oversight by the responsible professionals. The Building Official may require investigations and reports by the Field Engineer, Soils Engineer and/or Engineering Geologist.*

Inspection reports shall be provided when requested in writing by the Building Official. The Building Official may require continuous inspection during installation of subsurface drainage systems or drainage devices by the Field Engineer in accordance with this section.

J106.3 Field engineer. *The Field Engineer shall provide professional inspection of the grading project within such engineer's area of technical specialty, oversee and coordinate all field surveys including grade stakes, and provide site inspections during grading operations to ensure the site is graded in accordance with the approved grading plan and the requirements of this Code. During site grading, and at the completion of both rough grading and final grading, the Field Engineer shall submit statements and reports required by Sections J106.11 and J106.12. If revised grading plans are required during the course of the work, they shall be prepared by the Civil Engineer and approved by the Building Official.*

J106.4 Soils engineer. *The Soils Engineer shall provide professional inspection within such Soils Engineer's*

area of technical specialty, which shall include observation during preparation of the ground to receive fills, grading activity, benching and keyway construction, subsurface drainage systems, and testing for required compaction. The Soils Engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to certify that such work is being performed in accordance with the recommendations of the approved report and plan and the requirements of this appendix. If conditions differing from the approved soils engineering and engineering geology reports are encountered during grading, the Soils Engineer shall provide revised recommendations to the permittee, the Building Official, and the Field Engineer. During site grading and at the completion of both rough grading and final grading, the Soils Engineer shall submit statements and reports required by Section J106.12.

J106.5 Engineering geologist. The Engineering Geologist shall provide professional inspection of those parts of the grading project within such Engineering Geologist's area of technical specialty, which shall include professional inspection of all bedrock excavation surfaces and subsurface drainage systems to determine if conditions encountered are in conformance with the approved report. If conditions differing from the approved engineering geology report are encountered, the Engineering Geologist shall provide revised recommendations to the Soils Engineer. During site grading and at the completion of both rough grading and final grading, the Engineering Geologist shall submit statements and reports required by Section J106.12.

J106.6 Permittee. The permittee shall be responsible for ensuring that the grading is performed in accordance with the approved plans and specifications and in conformance with the provisions of this Code. The permittee shall retain and engage project consultants, if required under the provisions of this Code, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the project consultants, the contractor, and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.

J106.7 Required inspections. The permittee shall call for an inspection by the Building Official at the following stages of work and shall obtain the approval of the Building Official prior to proceeding to the next stage of work:

Pre-grade. Before any construction or grading activities occur at the site. Permittee shall schedule a pre-grade inspection with the Building Official. The permittee is responsible for coordinating that all project consultants are present at the pre-grade inspection.

Initial. When the site has been cleared of vegetation and unapproved fill and it has been scarified, keyed or benched, or otherwise prepared for fill. No fill shall have been placed prior to this inspection.

In progress. Verify proper benching, subsurface drainage systems, temporary slope heights, fill compaction and sufficient oversight and testing by the project professionals are being conducted during grading activities. These inspections will also observe that the proper Stormwater quality practices are installed and maintained.

Rough. When approximate final elevations have been established; drainage terraces, swales and other drainage devices necessary for the protection of the building sites from flooding are installed; berms installed at the top of the slopes; and the statements required by Section J106.12 have been received.

Final. When grading has been completed; all drainage devices necessary to drain the building pad are installed; slope planting established, slope irrigation systems installed, if any, and the signed "As-Built" plans and required statements and reports have been submitted.

J106.8 Notification of non-compliance. If, in the course of fulfilling their respective duties under this appendix, the Field Engineer, the Soils Engineer or the Engineering Geologist finds that the work is not being done in conformance with this appendix or the approved grading plans, the Field Engineer, Soils Engineer, or the

Engineering Geologist shall immediately report, in writing, the discrepancies and the recommended corrective measures to the permittee and to the Building Official.

J106.9 Transfer of responsibility. If the Field Engineer, the Soils Engineer, or the Engineering Geologist of record is changed after the grading has commenced, the Building Official may stop the grading until the permittee has identified a replacement and the replacement has agreed in writing to assume responsibility for the grading project that are within the replacement's area of technical competence. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.

J106.10 Non-inspected grading. No person shall own, use, occupy or maintain any non-inspected grading. For the purposes of this Code, non-inspected grading shall be defined as any grading for which a grading permit was first obtained, pursuant to Section J103, supra, but which has progressed beyond any point requiring inspection and approval by the Building Official without such inspection and approval having been obtained.

J106.11 Routine field inspections and reports. Unless otherwise directed by the Building Official, the Field Engineer, Soils Engineer, and Engineering Geologist for all engineered grading projects shall prepare routine inspection reports and shall file these reports with the Building Official as follows:

1. Bi-weekly during all times when grading of 400 cubic yards or more per week is occurring on the site
2. Monthly, at all other times, and
3. At any time when requested in writing by the Building Official

Such reports shall certify to the Building Official that the Field Engineer has inspected the grading and related activities and has found them in compliance with the approved grading plans and specifications, the building code, grading permit conditions, and all other applicable ordinances and requirements.

J106.12 Completion of work. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for regular and engineered grading or when required by the Building Official:

1. An "As-Built" grading plan prepared by the Field Engineer retained to provide such services in accordance with Section J106.3 showing all plan revisions as approved by the Building Official. This shall include original ground surface elevations, "As-Built" ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and the outlets of subsurface drains. "As-Built" locations, elevations and details of subsurface drains shall be shown as reported by the Soils Engineer.

The "As-Built" grading plan shall be accompanied by certification by the Field Engineer to the best of their knowledge, the work within the Field Engineer's area of responsibility was done in accordance with the final approved grading plan.

2. A report prepared by the Soils Engineer retained to provide such services in accordance with Section J106.4, including locations and elevations of field density tests, summaries of field and laboratory tests, location of keyways and subdrains, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. All data must be shown on the latest approved plans or the As-Built grading plans. The report shall include a certification by the Soils Engineer that, to the best of their knowledge, the work within the Soils Engineer's area of responsibility is in accordance with the approved soils engineering report and applicable provisions of this appendix. The report shall contain a finding

regarding the safety of the completed grading and any proposed structures against geotechnical hazards.

3. A report prepared by the Engineering Geologist retained to provide such services in accordance with Section J106.5, including a final description of the geology of the site and any new information, if any, on the recommendations incorporated in the approved grading plan. The report shall contain a certification by the Engineering Geologist that, to the best of his or her knowledge, the work within the approved engineering geologist report and applicable provisions of this appendix. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against geotechnical hazards. The report must contain a final “As-Built” geologic map utilizing the latest approved plans or the As-Built grading plans and cross-sections depicting all the information collected prior to and during grading.

4. The grading contractor shall certify, on a form prescribed by the Building Official, that the grading conforms to said “As-Built” plan and approved specifications.

J106.13 Notification of completion. The permittee shall notify the Building Official in writing when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices; and all erosion-control measures have been completed in accordance with the final approved grading plan, the required reports have been submitted and approved, all damages to public and private property have been repaired to the satisfaction of the Building Official, all grading permit fees have been paid.

J106.14 Change of ownership. Prior to the transfer of property with an issued grading permit, the owner shall notify the County in writing of the pending transfer and pay any outstanding fees or return of any deposit. For owners, applicants or developers with multiple single lots with separate grading permits, any outstanding fees for all permits must be paid. Unless otherwise required by the Building Official, the new property owner shall be required to deposit applicable fees to the County to transfer the grading permit to the new property owner and complete the requirements of the grading permit.

SECTION J107 EXCAVATIONS

Section J106 in CBC Appendix J has been renumbered to become Section J107 in the VCBC, and amended to read as follows:

J107.1 Excavations adjacent to foundations. Excavations adjacent to foundations shall comply with Section 1804.

J107.2 Maximum cut slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 2 units horizontal to 1 unit vertical (50 percent) unless the *applicant* furnishes a *soils engineering or an engineering geology* report, or both justifying a steeper slope. *The reports must contain a statement by the Soils Engineer or Engineering Geologist that a steeper slope will be stable and not create a hazard to public or private property. The statement shall be based on appropriate investigation, testing, and analysis. The Building Official may require the slope of cut surfaces to be flatter in slope than 2 units horizontal to 1 unit vertical if the Building Official finds it necessary for stability and safety of the slope.*

Exception: A cut surface may be at a slope of 1.5 units horizontal to 1 unit vertical (67 percent) provided that all the following are met:

1. It is not intended to support structures or surcharges.
2. It is adequately protected against erosion.
3. It is no more than 8 feet in height.

4. It is approved by the Building Official.
5. Groundwater is not encountered.

J107.3 Drainage. Drainage, including drainage terraces and overflow protection, shall be provided as required by Section J110.

J107.4 Blasting. Blasting or the use of explosives that is required for excavation of earth materials as part of a grading permit shall be in accordance with Section 7.10.4.3 of the Standard Land Development Specifications.

SECTION J108 FILLS

Section J107 in CBC Appendix J has been renumbered to become Section J108 in the VCBC, and amended to read as follows:

J108.1 General. Unless otherwise recommended in the soils report, fills shall conform to provisions of this section.

***Exception:** The Building Official may permit a deviation from the provisions of this appendix for minor fills not intended to support structures, where no soils engineering report has been prepared.*

J108.2 Preparation of ground. Fill slopes shall not be constructed on natural slopes steeper than 2 units horizontal to 1 unit vertical (50 percent slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil, and other unsuitable materials, including any existing fill that does not meet the requirements of this appendix, and scarifying the ground to provide a bond with the fill material.

Subsurface drainage systems shall be provided under all fills placed in natural drainage courses and in other locations where seepage is evident, except where the Soils Engineer or Engineering Geologist recommends otherwise. Such sub-drainage systems shall be of a material and design and approved by the Soils Engineer and acceptable to the Building Official. The Soils Engineer shall provide continuous inspection during the process of subdrain installations. The location of the subdrains shall be shown on a plan by the Soils Engineer. Excavations for the subdrains shall be inspected by the Engineering Geologist and Soils Engineer.

Subdrains shall be provided under all fill slope keyways except where the Soils Engineer or Engineering Geologist recommends otherwise and concludes a subdrain is not necessary for slope stability.

J108.3 Benching. Where existing grade is at a slope steeper than 5 units horizontal to 1 unit vertical (20 percent) and the depth of the fill exceeds 5 feet benching shall be provided into sound bedrock or other competent material as determined by the Soils Engineer. The ground preparation shall be in accordance with Figure J108.3 or as determined by the Soils Engineer. When fill is to be placed over a cut, a key shall be provided which is at least 10 feet in width and 2 feet in depth. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be constructed thereon. The Soils Engineer or Engineering Geologist or both shall inspect and approve the cut as being suitable for the foundation and placement of fill material before any fill material is placed on the excavation.

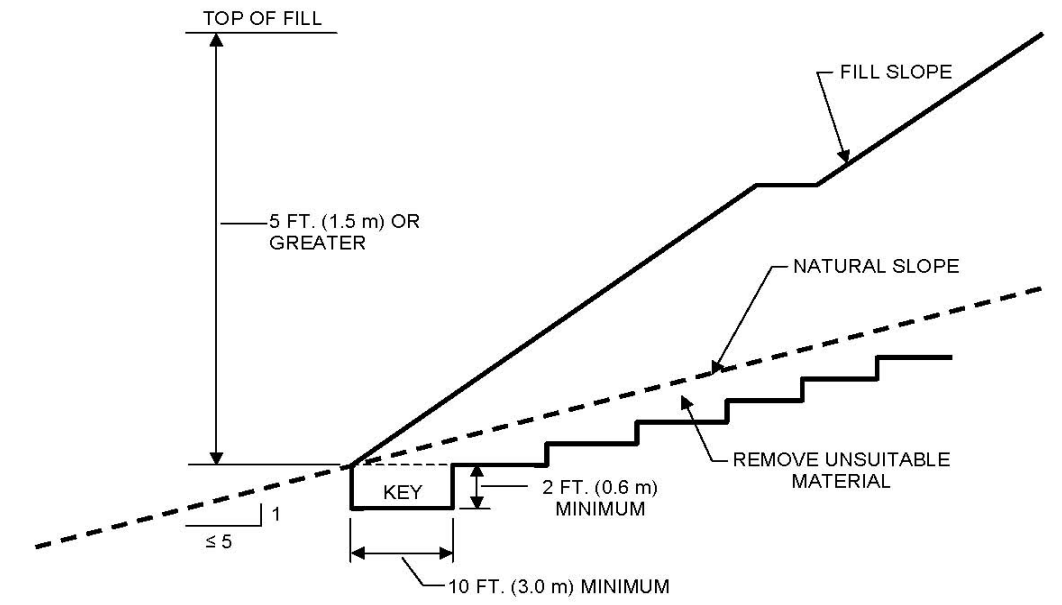


FIGURE J108.3 BENCHING DETAILS

J108.4 Fill material. Fill material shall not include organic, frozen or other deleterious materials. No rock or similar irreducible material greater than 12 inches in any dimension shall be included in fills. Fill material shall not include solid waste, as defined in the Ventura County Ordinance Code Section 4701-26, and the California Public Resources Code Section 40191, including but not limited to, construction waste, demolition waste, or inert debris, without written authorization from the County of Ventura Environmental Health Division and, if required, a permit from the County of Ventura Planning Division.

Exception: The Building Official may permit placement of larger rock when the Soils Engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically.
3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.
4. The reports submitted by the Soils Engineer shall acknowledge the placement of the oversized material and whether the work was performed in accordance with the engineer's recommendations and the approved plans.
5. The location of oversized rock dispersal areas shall be shown on the as-built plan.

J108.5 Compaction. All fill material shall be compacted to a minimum of 90 percent of maximum density as determined by ASTM D 1557, Modified Proctor, in lifts not exceeding 8 inches in depth within 40 feet below finished grade and 93 percent of maximum dry density deeper than 40 feet below finished grade, unless a lower relative compaction (not less than 90 percent of maximum dry density) is justified by the Soils Engineer and approved by the Building Official. Where ASTM D 1557, Modified Proctor is not applicable, a test acceptable to the Building Official shall be used.

Field density shall be determined by a method acceptable to the Building Official.

Fill slopes steeper than 2 units horizontal to 1 unit vertical (50 percent slope) shall be constructed by the placement of soil a sufficient distance beyond the proposed finish slope to allow compaction equipment to operate at the outer surface limits of the final slope surface. The excess fill is to be removed prior to completion of rough grading. Other construction procedures may be utilized when it is first shown to the satisfaction of the Building Official that the angle of slope, construction method and other factors will comply with the intent of this Section.

J108.6 Maximum fill slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 2 units horizontal to 1 unit vertical (50 percent) shall be justified by *the soils engineering report stating that the site has been investigated, that a fill at a steeper slope will be stable, and not create a nuisance or hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50 percent slope) if the Building Official finds it necessary for stability and safety of the slope.*

Fill slopes steeper than 2 units horizontal to 1 unit vertical (50 percent slope) are to be designed and constructed using a geosynthetic reinforcement as recommended by the Soil Engineer and Civil Engineer. Other construction materials and methods may be utilized, provided the Building Official is satisfied that the angle of slope, construction procedure and other factors will comply with the intent of this Section.

J108.7 Slopes to receive fill. *Where fill is to be placed above the top of an existing slope steeper than 3 units horizontal to 1 unit vertical (33 percent slope), the toe of the fill shall be set back from the top edge of the slope a minimum distance of 6 feet measured horizontally or such other distance as may be specifically recommended by the Soils Engineer or Engineering Geologist and approved by the Building Official.*

J108.8 Inspection of fill. *The Soils Engineer shall provide sufficient inspections during the preparation of the natural ground and the placement, drainage, and compaction of the fill to ensure that the work is performed in accordance with the approved plan and the requirements of this appendix. In addition to the above, the Soils Engineer shall provide continuous inspection of the entire fill placement, drainage, and compaction of fills that will exceed a vertical height or depth of 30 feet or result in a slope surface steeper than 2 units horizontal to 1 unit vertical (50 percent slope).*

J108.9 Testing of fills. *Sufficient tests of the fill soils shall be made to determine the compaction and to verify compliance of the soil properties with the design requirements. This includes soil types and strengths in accordance with Referenced Standards, Section J113.*

SECTION J109 SETBACKS

Section J108 in CBC Appendix J has been renumbered to become Section J109 in the VCBC, and amended to read as follows:

J109.1 General. Cut and fill slopes shall be set back from property lines in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the property line and shall be as shown in Figure J109.1, unless substantiating data is submitted justifying reduced setbacks *and is recommended by a soils engineering and/or engineering geology report approved by the Building Official. The setbacks and other restrictions specified by this Section are minimum standards and may be increased by the Building Official or by recommendation of the civil engineer, soils engineer, or engineering geologist to assure slope stability, prevent damage to adjacent properties from deposition or erosion, provide access for slope maintenance and drainage, or otherwise provide for public safety.*

J109.2 Top of slope. The setback at the top of a cut slope shall not be less than that shown in Figure J109.1, or than is required to accommodate required interceptor drains, whichever is greater. *For graded slopes, the grading design must be such that the property line between adjacent lots will be at the apex of the berm at the top of the slope. Property lines between adjacent lots shall not be located on a graded slope steeper than to 5 units horizontal to 1 unit vertical (20 percent slope).*

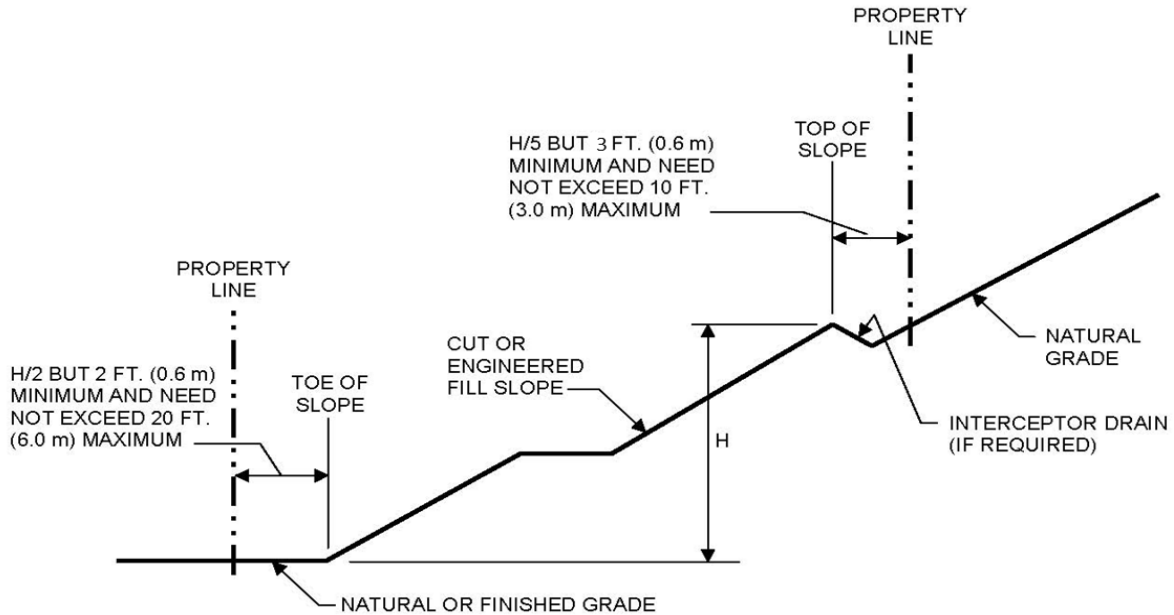


FIGURE J109.1 SETBACK DIMENSIONS

J109.3 Toe of fill slope. The setback from the toe of a fill slope shall not be less than that shown by Figure J109.1. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the Building Official, shall be included. Such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure J109.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.

SECTION J110 DRAINAGE AND TERRACING

Section J109 in CBC Appendix J has been renumbered to become Section J110 in the VCBC, and amended to read as follows:

J110.1 General. Unless otherwise recommended by the Civil Engineer, and approved by the Building Official, drainage facilities and terracing shall be provided in accordance with the requirements of section J110.2 for all cut and fill slopes where the ground slope is steeper than 3 units horizontal to 1 unit vertical (33 percent slope).

For slopes flatter than 3 units to 1 unit vertical, drainage facilities and terracing may not need to be provided

in accordance with the Soil and Civil Engineer's recommendations.

J110.2 Drainage terraces. *Drainage terraces at least 6 feet in width shall be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris. When only one terrace is required, it shall be at mid-height. Where more than two terraces are required, one terrace located at approximately mid-height, shall be at least 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height shall be designed by the Civil Engineer and approved by the Building Official. Suitable access to drainage terraces shall be provided to permit proper cleaning and maintenance.*

Swales or ditches shall be provided on terraces. They shall have a longitudinal grade of not less than 5 percent nor more than 12 percent and a minimum depth of 1 foot at the flow line. There shall be no reduction in grade along the direction of flow unless the velocity of flow is such that slope debris will remain in suspension on the reduced grade. Such terraces must be paved with reinforced concrete not less than 3 inches in thickness, reinforced with 6-inch by 6-inch No. 10 by No. 10 welded wire fabric or equivalent reinforcing centered in the concrete slab or other materials suitable to the application. They shall have a minimum paved width of 5 feet. Drainage terraces exceeding 6 feet in width need only be paved for a width of 5 feet. A single run of swale shall not collect runoff from a tributary area exceeding 13,500 square feet without discharging into a down drain. Down drains and drainage outlets shall be of approved materials and of adequate capacity to convey the intercepted waters to the point of disposal as defined in Section J110.5.

J110.3 Interceptor drains and overflow protection. *Berms, interceptor drains, swales or other devices shall be provided at the top of cut or fill slopes to prevent surface waters from overflowing onto and causing erosion of the slope surface. Building pad berms used for slope protection shall not be less than 12 inches above the level of the pad and shall slope back at least 4 feet from the top of the slope.*

Interceptor drains shall be installed along the top of graded slopes greater than 5 feet in height receiving drainage from a slope with a tributary width greater than 40 feet measured horizontally. They shall have a minimum depth of 1 foot and a minimum width of 3 feet. The longitudinal grade shall be approved by the Building Official but shall not be less than 50 units horizontal to 1 unit vertical (2 percent). The drain shall be paved with reinforced concrete not less than 3 inches in thickness, or by other materials suitable to the application. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the Building Official.

J110.4 Drainage across property lines. *Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices.*

J110.5 Disposal. *All drainage facilities shall be designed to carry waters to the nearest practicable street, storm drain, or natural watercourse approved by the Building Official or other appropriate governmental agency provided that the discharge of such waters at that location will not create or increase a hazard to life or property. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices. Desilting basins, filter barriers or other methods, as approved by the Building Official, shall be utilized to remove sediments from surface waters before such waters are allowed to enter streets, storm drains, or natural watercourses. If the drainage device discharges onto natural ground, riprap or a similar energy dissipator may be required.*

Building pads greater than 10 feet horizontally from the foundation shall have a minimum drainage gradient of two percent toward approved drainage facilities, a public street or drainage structure approved to receive storm waters unless waived by the Building Official. A lesser slope may be approved by the Building Official for sites graded in relatively flat terrain, or where special drainage provisions are made, when the Building Official finds such modification will not result in a hazard to life or property.

SECTION J111

SLOPE PLANTING AND EROSION CONTROL

Section J111 is added to the VCBC.

J111.1 General. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall be permitted to consist of effective planting, erosion control blankets, soil stabilizers or other means as approved by the Building Official. Erosion control for the slopes shall be installed as soon as practicable and prior to calling for final inspection.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials as approved by the Soils Engineer and/or Engineering Geologist to the satisfaction of the Building Official.

J111.2 Other devices. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

J111.3 Planting. The surface of all cut slopes more than 5 feet in height and fill slopes more than 3 feet in height shall be protected against damage by erosion by planting with grass or ground cover vegetation, shrubs and trees or other suitable stabilizing surface methods, either permanent or temporary. The plants selected and planting methods used shall be suitable for the soil and climatic conditions of the site.

Plant material shall be selected which will produce a coverage of permanent planting to effectively control erosion. Consideration shall be given to deep-rooted plant material needing limited watering, maintenance, high root to shoot ratio, wind susceptibility and fire-retardant characteristics. Non-invasive plants are recommended.

Planting may be modified for the site if specific recommendations are provided by both the Soils Engineer and Landscape Architect. Specific recommendations must consider soils and climatic conditions, irrigation requirements, planting methods, fire retardant characteristics, water efficiency, maintenance needs, and other regulatory requirements. Recommendations must include a finding that the alternative planting will provide a permanent and effective method of erosion control. Modifications to planting must be approved by the Building Official prior to installation.

J111.4 Irrigation. Slopes required to be planted by Section J111.3 shall be provided with an approved system of irrigation that is designed to cover all portions of the slope. Irrigation system plans shall be submitted and approved prior to installation. A functional test of the system may be required.

For slopes less than 20 feet in vertical height, hose bibs to permit hand watering will be acceptable if such hose bibs are installed at conveniently accessible locations where a hose no longer than 50 feet is necessary for irrigation.

Irrigation requirements may be modified for the site if specific recommendations are provided by both the Soils Engineer and the Landscape Architect. Specific recommendations must consider soils and climatic conditions, plant types, planting methods, fire retardant characteristics, water efficiency, maintenance needs, and other regulatory requirements. Recommendations must include a finding that the alternative irrigation will sustain the proposed planting to provide a permanent and effective method of erosion control. Modifications for irrigation systems must be approved by the Building Official prior to installation.

J111.5 Plans and specifications. If requested by the Building Official, slope planting and irrigation details shall be included on the grading plan.

J111.6 Rodent control. Graded slopes shall be protected from potential slope damage by a preventative program of rodent control.

J111.7 Release of security for landscaping. The planting and irrigation systems required by this section shall be

installed as soon as practical after rough grading. Prior to final approval of grading and before the release of the grading security or occupancy, the planting shall be well established and growing on the slopes and there shall be evidence of an effective rodent control program.

**SECTION J112
NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)**

Section J112 is added to the VCBC.

J112.1 General. *All grading plans and permits and soil disturbance activities shall comply with the provisions of this section for applicable NPDES Permit compliance. Grading on larger projects, 1 acre or greater of soil disturbance, is subject to both General Construction NPDES Permit No. CAS000002 (General Construction Permit), and Ventura Countywide Municipal Stormwater Permit Order No. R4-2010-0108, as amended from time to time (Municipal Stormwater Permit/*).*

All temporary best management practices (BMPs), required during construction activities, shall be installed to effectively prevent erosion and sediment loss, and discharge of construction wastes, before grading begins. As grading progresses, all best management practices shall be updated as necessary to be maintained in good working order to the satisfaction of the Building Official unless final grading approval has been granted by the Building Official and all permanent drainage and erosion control systems, if required, are in place.

All permanent, post-construction, BMPs, shall be constructed and installed per County's approved design plans for Building Official's approval prior to final occupancy sign off. After grading permit's closeout, post-construction BMPs shall be maintained by the property owner per County's approved Maintenance Plan to ensure effective stormwater capture, retention, and/or treatment in compliance with County Ordinance Code No. 4450 and Municipal Stormwater Permit. Annually property owner shall submit Maintenance Verification Form to Ventura County Public Works Agency, verifying on-going maintenance and operational condition of the post-construction BMPs.

J112.2 Construction BMPs for small sites. *The Building Official may require implementation of an effective combination of erosion and sediment control BMPs to prevent erosion and sediment loss, and discharge of construction wastes in accordance with Municipal Stormwater Permit and County Ordinance Code No. 4450, as amended from time to time. The minimum of required BMPs for small construction sites, with disturbance of less than 1 acre of soil, shall be documented using County's SW-1 form for Building Official's approval prior to issuance of Grading Permit. The construction BMPs are subject to inspection by the Building Official; if any deficiencies are identified, the grading permit applicant will have a maximum of two weeks to make corrections and ensure proper functioning of the construction BMPs. Continued noncompliance is subject to progressive enforcement in accordance with the County Ordinance Code No. 4450.*

J112.3 Enhanced construction BMPs for high-risk sites. *The Building Official may require implementation of an effective combination of enhanced erosion and sediment control BMPs to prevent erosion and sediment loss, and discharge of construction wastes in accordance with Municipal Stormwater Permit and County Ordinance Code No. 4450, as amended from time to time. The minimum of required enhanced BMPs for high-risk construction sites including hillsides, as defined in the Municipal Stormwater Permit, shall be documented using County's SW-HR form for Building Official's approval prior to issuance of Grading Permit. The enhanced construction BMPs are subject to inspection by the Building Official; if any deficiencies are identified, the grading permit applicant will have a maximum of two weeks to make corrections and ensure proper functioning of the enhanced construction BMPs. Continued noncompliance is subject to progressive enforcement in accordance with the County Ordinance Code No. 4450.*

J112.4 Construction BMPs and general construction permit for large sites. *The Building Official may require obtaining coverage under the NPDES General Construction Permit and implementation of an effective combination of erosion and sediment control BMPs to prevent erosion and sediment loss, and discharge of construction wastes in accordance with Municipal Stormwater Permit and County Ordinance Code No. 4450, as amended from time to time. The minimum of required BMPs for large construction sites with soil disturbance of 1 acre or greater, shall be documented using County's SW-2 form for Building Official's approval prior to issuance of the Grading Permit. In addition, no grading permit will be issued until the Building Official is provided with a written Notice of Intent required by the State Water Resources Control Board and site-specific Stormwater Pollution Prevention Plan (SWPPP) prepared by the Qualified SWPPP Developer (QSD). Implementation of SWPPP requirements during construction activities shall be completed under supervision of Qualified SWPPP Practitioner (QSP). Proper coverage and compliance with the General Construction Permit may be evaluated by the Building Official during required inspections of the construction BMPs; if any deficiencies are identified, the grading permit applicant will have a maximum of two weeks to make corrections and ensure proper functioning of the enhanced construction BMPs. Continued noncompliance is subject to progressive enforcement in accordance with the County Ordinance Code No. 4450.*

J112.5 Post-construction BMPs. *New development and significant redevelopment projects within County's Existing Communities (urban areas) or large projects in other unincorporated areas may be subject to post-construction BMPs in accordance with applicability criteria defined in the Municipal Stormwater Permit. Applicable projects require submittal of design plans, Post-Construction Stormwater Management Plan (PCSMP), Maintenance Plan, Stormwater Treatment System Access and Maintenance Agreement for Building Official's approval prior to issuance of Grading Permit. The Building Official may inspect progress of construction and installation of post-construction BMPs to verify compliance with approved design plans. Final occupancy will not be issued until completion and Building Official's approval of post-construction BMPs. After grading permit's closeout, post-construction BMPs shall be maintained by the property owner per County's approved Maintenance Plan to ensure effective stormwater capture, retention, and/or treatment in compliance with County Ordinance Code No. 4450 and Municipal Stormwater Permit. Annually property owner shall submit Maintenance Verification Form to Ventura County Public Works Agency, Watershed Protection District, verifying on-going maintenance and operational condition of the post-construction BMPs. If any deficiencies are identified during construction or as related to required long-term maintenance activities, the Building Official may undertake progressive enforcement process in accordance with the County Ordinance Code No. 4450.*

J112.6 Storm water BMP non-compliance. *Should the owner fail to install the best management practices required by Sections J112.2 through J112.5 by the dates specified therein, it shall be deemed that a default has occurred under the conditions of the grading permit security. The Building Official may deem necessary to protect adjoining property from the effects of erosion, flooding, or the deposition of mud, debris or constructed related pollutants and require the surety to install and maintain adequate sediment control BMPs and protect the adjacent properties and watercourses that may be threatened from sedimentation. The Building Official may also cause the owner to be prosecuted as a violator of this Code and/or Code No. 4450. The Building Official shall have the authority to apply a penalty in the amount as adopted by the latest resolution by the Board of Supervisors regarding fines and civil penalties for unauthorized grading. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this appendix in execution of the work.*

SECTION J113 REFERENCED STANDARDS

Section J111 in CBC Appendix J has been renumbered to become Section J113 in the VCBC, and amended to read as follows:

J113.1 Referenced standards. *These regulations establish minimum standards and are not intended to prevent the use of alternate materials, methods or means of conforming to such standards, provided such alternate has been approved. The Building Official shall approve such an alternate provided he or she finds that the alternate is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, durability and safety.*

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the alternate. Compliance with these recognized standards shall be prima facie evidence with the standard of duty set forth in Section J108. The standards listed below are recognized standards:

ASTM D1557-12. Test Method for Laboratory Compaction Characteristics of Soil Using Modified Effort [56,000 ft-lb/ft³, (2,700kN-m/m³)]

SECTION J114

HAZARDS/PUBLIC HAZARDS

Section J114 is added to the VCBC.

J114.1 Hazards declared a public nuisance. *Any manmade excavation, embankment or fill on private property which has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, or fails to comply with the provisions of this Code is hereby declared to be a public nuisance.*

J114.2 Unpermitted earthwork operations and import/export of earth materials by trucks declared a public nuisance. *The act of performing earthwork operations, when a grading permit or building permit is required and the property has not obtained such a permit, but continues to grade, excavate, or fill their property and/or have trucks import and export earth materials to/from their property in excess of 5 trucks per hour unless part of a discretionary permit that provides additional truck trips, is hereby declared by the Building Official to be a public nuisance.*

J114.3 Notice and order to abate. *When the Building Official has determined that such a public nuisance exists, he/she shall issue a notice and order to the record property owner upon which the nuisance is located. The notice and order shall contain:*

- 1. The street address, if any, and a legal description sufficient for identification of the property upon which the nuisance is located*
- 2. A statement that the Building Official has found the excavation, embankment or fill placed to be a public nuisance and a concise description of the conditions, such as conducting grading without a permit and causing excessive truck traffic, which render it a public nuisance*
- 3. An order requiring that all applicable permits be secured, and that the nuisance be abated within a specified time determined by the Building Official to be reasonable in circumstances*
- 4. A statement that, if the nuisance is not abated within the time specified, the County may cause the work to be done and charge the cost thereof against the property or its owner*
- 5. A statement that any person having a legal interest in the property may appeal from the notice and order to the Board of Grading Appeals if the appeal is made in writing as provided in this Section and is filed with the Clerk of the Board of Supervisors within 30 days of service of the notice and order, and*

6. *A statement that failure, neglect or refusal to abate the nuisance within the time set forth in the notice and order or, in the case of an appeal, within the time set by the Board of Grading Appeals is a misdemeanor*

J114.4 Service of Notice and Order. *The notice and order shall be mailed by US Postal Service and posted on the property near its main entrance by the Building Official in the manner and subject to conditions set forth of Section 107 of the International Property Maintenance Code (IPMC), as adopted and amended by Article 11 of this Code, with respect to notices and orders relating to dangerous buildings.*

J114.5 Recordation of grading non-compliance certificate respecting nuisance. *If compliance is not had with the notice and order within the time specified therein by the Building Official or, if an appeal has been filed pursuant to this Section, within the time specified by the Board of Grading Appeals, the Building Official shall file in the Office of the County Recorder for recordation of a Grading Noncompliance certificate describing the property and certifying (1) that the unpermitted earthwork operations that may include the excavation, creation of an embankment or fill constitutes a public nuisance and/or hazard, (2) that the import and export of earth materials to and from the property by excessive truck trips constitutes a public nuisance and (3) that the owner has been so notified. Whenever the nuisance thereafter has been abated, the Building Official shall file in the office of the County Recorder for recordation a new certificate describing the property and certifying that the nuisance has been abated.*

J114.6 Appeal from Notice and Order. *Any person entitled to service under Section J114.4 may, upon payment prescribed by the Board of Supervisors for such purposes, appeal from the notice and order to abate by filing with the Clerk of the Board of Supervisors a written appeal in the form prescribed by the Building Official. The appeal shall be filed within 30 days after the date of service of the notice and order. Upon receipt of an appeal, the Clerk shall present it at the next regular or special meeting of the Board of Supervisors which, at such meeting, shall fix a date, time and place for the hearing of the appeal by the Board of Grading Appeals. Notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Clerk either by causing a copy of such notice to be delivered personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his or her address shown on the appeal. Enforcement of a notice and order to abate shall be stayed during the pendency of an appeal therefrom which is properly and timely filed. In connection with the hearing, the Board of Grading Appeals, and any member thereof, may administer oaths and affirmations and issue subpoenas. The hearing shall be conducted by the Board of Grading Appeals in the manner set forth in DBC Section 604. If, after the hearing, the Board of Grading Appeals determines that the excavation, embankment or fill does not constitute a public nuisance, it shall allow the appeal and cancel the notice and order to abate. If, after the hearing, the Board of Grading Appeals determines otherwise, it shall deny the appeal and set a date by which the nuisance must be abated, which date shall be no earlier than the last day of the period set forth in original notice and order to abate. The decision of the Board of Grading Appeals is final when made.*

J114.7 Compliance with Notice and Order required. *It shall be unlawful for any person, firm or corporation to who or to which a notice and order to abate is directed pursuant to this Section to fail, neglect or refuse to obey such order within the time specified in such notice and order or, in the case of an appeal, within the time set by the Board of Grading Appeals.*

J114.8 Abatement by County upon failure to comply with Notice and Order. *If the nuisance is not abated within the time set forth in the notice and order to abate or, in the case of an appeal by the date set by the Board of Grading Appeals, the Board of Supervisors may, without further notice or hearing direct that the nuisance be abated by the County. Such abatement by the County shall not excuse any prior failure, neglect, or refusal to comply with the notice and order to abate and shall be in addition to whatever other remedies may be provided by this Code or other provisions of law.*

J114.9 Summary abatement by County in emergency. *If the nuisance threatens substantial injury to persons or property which is, in the opinion of the Building Official, so imminent as to require immediate corrective measures, the County may summarily abate such nuisance without complying with the provisions of Section J114.3 through J114.8, provided that the Building Official shall give such notice to the owner of the property as may be practicable in the circumstances.*

J114.10 Manner of abatement by County; right of entry. Abatement by the County may be done directly by County personnel or through contractors in the same manner and subject to the same restrictions as public works. The County and its contractors may enter upon private property to effectuate such abatement.

J114.11 Determining cost of abatement work by County. The Building Official shall keep an itemized account of the costs involved to investigate, respond to the public's concerns, and administer the enforcement actions necessary to require the property owner to abate the violation, including the actual of abatement by the County pursuant to Section J114.8 or J114.9 and, upon completion of the abatement work, shall prepare an itemized written cost report. The Building Official shall thereupon forward a copy of the report to the Clerk of the Board of Supervisors who shall set a date (at least 10 days after receipt of the report), time and place for a hearing before the Board of Supervisors respecting such report and any objections thereto. Notice of such hearing shall be served and posted at least 10 days prior to the hearing in the manner and subject to the conditions set forth in Section J114.4 with respect to the notice and order to abate. Such notice of hearing shall contain:

1. The street address, if any, and a legal description sufficient for identification of the property affected by the report
2. A statement that the report has been prepared and is available for inspection in the office of the Building Official
3. A statement that the Board of Supervisors will hold a hearing to consider the report and any timely objections thereto
4. The date, time and place of such hearing
5. A statement that the property owner will be fined a monetary amount for the nuisance and that the trucks will be stopped and cited by the County Sheriff if they are observed to be importing and/or exporting earth materials from the property
6. A statement that any interested person wishing to object to such report must file, prior to the hearing, a written statement of the grounds for the objection

Any interested person may file written objections prior to the hearing. Each such objection shall contain a statement of the grounds therefore. A contention that the condition abated did not constitute a public nuisance shall be a ground for objecting to the report only if the report relates to a summary abatement pursuant to Section J114.9. At the hearing, the Board of Supervisors shall receive and consider the report, any timely written objections thereto, and such other information as it may deem proper. At the conclusion of the hearing, the Board of Supervisors may make such corrections in the report as it may deem just and, when it is satisfied that the report (as submitted or corrected) is correct, it shall, by resolution, determine the total amount of such cost of abatement took place.

J114.12 Reimbursement of cost of abatement work by County. At any time within 10 days after the Board of Supervisors has adopted a resolution pursuant to Section J114.11 determining the cost of abatement by the County, the Building Official may receive payment of such amount and issue receipts therefor. If payment is not received within such period of time, the Building Official shall forward a copy of the resolution to the Auditor-Controller.

J114.12.1 Special assessment for cost of abatement by County. For cost of abatement by the County, pursuant to Section J114.8 or J114.9, for which payment is not made pursuant to Section J113.11, shall be a special assessment against the parcel on which the nuisance has been located. Such special assessment shall be levied for the fiscal year commencing on the July 1 next following receipt by the Auditor-Controller of the resolution of the Board of Supervisors determining the amount of such cost. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary County taxes. All laws applicable to the levy,

collection and enforcement of County taxes shall be applicable to such special assessment, except that if any real property to which such cost of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then such cost of abatement shall not result in a lien against such real property but instead shall be transferred to the unsecured roll for collection.

J114.13 Civil penalties for unauthorized grading work. *The Building Official shall have the authority to apply a penalty to a property owner for creating a hazard as defined in Section J114.1 and J114.2 in the amount as adopted by the latest resolution by the Board of Supervisors regarding fines and civil penalties for unauthorized grading. Truck drivers delivering or removing earth materials to or from a property that has been determined by the Building Official to be in violation of Appendix J can be cited and fined by the Building Official or County Sheriff for each instance they cause to deliver or remove earth materials from the property. Failure to pay the fine to the County of Ventura within 30 calendar days shall constitute a misdemeanor. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this appendix in execution of the work.*

CBC APPENDIX P EMERGENCY HOUSING

Appendix P of the California Building Code is adopted in its entirety and amended in the VCBC as follows...

SECTION P 103 EMERGENCY HOUSING

Section P 103.1 of Appendix P is amended to read as follows:

P 103.1 General. Emergency sleeping cabins, emergency transportable housing units, membrane structures and tents constructed and/or assembled in accordance with this Appendix, shall be occupied only during declaration of state of emergency, local emergency, or shelter crisis.

Buildings and structures constructed in accordance with the California Building Standards Code, for other than residential uses, shall be permitted to be permanently occupied for use as emergency housing only after it has been determined by the Building Official that the building or structure complies with the Change of Occupancy requirements established by Section 506 of the California Existing Building Code.

ARTICLE 3

AMENDMENTS TO THE

CALIFORNIA RESIDENTIAL CODE (CRC)

(In addition to the amendments in Article 3, the following Residential Code Appendices are adopted in their entirety for Ventura County: Appendices AF, AH, AQ, AS, AW, AX, and AZ.)

CHAPTER 1

ADMINISTRATION

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the standards and provisions contained in the Residential Code, the Scope and Administration provisions of the Building Code shall be used, as adopted and amended in Article 2. The administrative provisions in Article 2 supplement the provisions of Chapter 1, Division I of the California Residential Code (CRC).

CHAPTER 2

DEFINITIONS

*(Chapter 2 contains no amendments to
the California Residential Code.)*

CHAPTER 3 BUILDING PLANNING

SECTION R301 DESIGN CRITERIA

Section R301.1.1.1 of the CRC is amended to read as follows:

R301.1.1.1 Alternative provisions for limited-density owner-built rural dwellings. *Ventura County uses the alternative provisions of Title 25 of the California Code of Regulations for permitting and approval of limited-density rural dwellings.*

The provisions listed in items 1 through 5 of this section in the California Residential Code apply. They can be used where applicable. See the provisions of Article 15 of this Code for more detailed requirements.

Any references made to “technical codes” or “uniform codes” in Title 25 shall mean the latest adopted California Codes, as amended by Ventura County.

All applicable sections in Title 25 pertaining to limited density rural dwellings can be found in the California Code of Regulations, Title 25, Chapter 1, Subchapter 1, Article 8.

SECTION R302 FIRE RESISTIVE CONSTRUCTION

Section R302.15 is added to the CRC to read as follows:

R302.15 Buildings constructed near tall slopes.

R302.15.1 General. *New buildings constructed in, or near, Hazardous Fire Areas, on or near undeveloped tall slopes shall be set back from the slope, or otherwise protected, as provided in sections R302.15.2 through R302.15.7.*

R302.15.2 Definitions.

FINANCIAL HARDSHIP. *For the purposes of this section a financial hardship is reached when the cost of the retrofits required for full compliance exceeds 10% of the value of the project.*

SLOPE. *(See definition in VCBC Appendix Chapter J, Section J102.1)*

TALL SLOPE. *A slope having an overall vertical height exceeding 100 feet and having a gradient steeper than 5:1 and flatter than 0.5:1.*

UNDEVELOPED TALL SLOPE. *A tall slope, either natural or graded, which has no habitable buildings or structures located on it*

UNENCLOSED STRUCTURE. *For the purposes of this section, “unenclosed” shall mean a building or portion thereof that is unenclosed a minimum of 50% of its perimeter.*

R302.15.3 Setback distance from tall slopes. *New buildings and structures constructed adjacent to undeveloped tall slopes shall be setback from the slope a minimum of 30 feet, measured horizontally.*

Exceptions:

1. Buildings may be constructed directly on an undeveloped tall slope, or closer than 30 feet from the tall slope, when the exterior walls and openings that are located within 30 feet of the slope are protected as follows:
 - a. Exterior walls are constructed with a fire rating of not less than one-hour
 - b. Exterior openings are protected with a fire rating of not less than 45 minutes.
2. Buildings may be constructed directly on an undeveloped tall slope, or closer than 30 feet from the tall slope without protection of openings when the building is entirely constructed of materials that achieve a fire resistance rating of not less than one-hour for the following building elements:
 - a. Primary structural frame
 - b. Exterior and interior bearing walls
 - c. Exterior non-bearing walls located closer than 30 feet from the tall slope
 - d. Floor construction and associated secondary members
 - e. Roof construction and associated secondary members

R302.15.4 Projections. Cornices, eave overhangs, exterior balconies, and similar projections extending beyond the exterior wall shall conform to the requirements of CBC sections 705.2.3.1 and 705.2.3.2.

R302.15.5 Additions. Additions shall comply with the requirements of R302.15.3 for new buildings. When the size of the addition exceeds 50% of the area of the existing building, then the entire building shall comply with section R302.15.3.

R302.15.6 Remodels. When the value of the remodel exceeds 50% of the estimated value of the existing building, the existing building shall comply with section R302.15.3.

Exception: Remodels that involve only interior work and/or replacement of existing windows.

R302.15.7 Accessory structures. Accessory structures such as patio covers, decks, trellis structures, and similar outdoor unenclosed structures constructed adjacent to an undeveloped tall slope shall be setback from the slope a minimum of 30 feet, measured horizontally.

Exceptions:

1. Accessory structures attached to a building that complies with section R302.15.3, Exceptions 1 or 2
2. Attached accessory structures constructed in accordance with CBC 705.2.3.1
3. Residential detached accessory structures located further than 10 feet from the main building

SECTION R337 MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE

Section R337.1.3 of the CRC is amended in the VCBC by removing Exception #5, to read as follows:

R337.1.3 Application. New residential buildings and accessory structures covered by this Code and located in any Hazardous Fire Areas, as designated by the Ventura County Fire Department shall comply with the provisions of this chapter and shall be referred to in this chapter as “applicable building(s).”

Exceptions:

1. Group U occupancy accessory buildings of any size located at least 50 feet (15 240 mm) from an applicable building on the same lot.
2. Group U occupancy agricultural buildings, as defined in Section 202 of this code of any size located at least 50 feet (15 240 mm) from an applicable building.
3. Group C occupancy special buildings conforming to the limitations specified in Section 450.4.1.
4. New accessory buildings and miscellaneous structures specified in Section 710A shall comply only with the requirements of that section.
5. ~~Additions to and remodels of buildings originally constructed prior to July 1, 2008.~~

Section R337.2 of the CRC is amended to add the following definitions:

FINANCIAL HARDSHIP. For the purposes of this section a financial hardship is reached when the cost of the retrofits required for full compliance exceeds 10% of the value of the project.

Section R337.11 is added to the CRC to read as follows:

R337.11.1 Existing buildings and structures in residential communities vulnerable to wildfires. In order to reduce the fire risk and vulnerability of buildings, structures, and communities in or near Hazardous Fire Areas, existing buildings and structures that were not originally designed or constructed to meet the requirements for Materials and Construction Methods for Exterior Wildfire Exposure, which became effective July 1, 2008, shall be retrofitted as necessary to comply with section R337 when other construction improvements are made, such as additions, remodels, and structural repairs. These retrofits shall be made in accordance with sections R337.11.2 through R337.11.5.

R337.11.2 Alterations, additions, and structural repairs. When alterations, additions or structural repairs are made to existing buildings or structures not originally constructed to meet the requirements of R337, the original building or structure shall be retrofitted to meet these requirements to the greatest extent possible.

Exceptions:

1. Alterations made solely for the purpose of retrofitting an older building or structure to comply with section R337.
2. Re-roofs done to repair an existing roof may be limited to the extent of the reroof work.
3. Window change-outs necessary to repair or replace existing windows generally of the same size and type may be limited to the extent of window replacement work being done.
4. Projects involving only mechanical, electrical and/or plumbing work.
5. Projects involving only voluntary seismic retrofits
6. Projects involving only cosmetic work that is exempt from a building permit, as described in VCBC section 105.2.
7. When the extent of the retrofits necessary for full compliance with R337 creates a financial hardship for the property owner, the extent of required retrofits may be limited to a retrofit cost that does not exceed 10% of the value of the project.

R337.11.3 Retrofits required for small projects. Retrofits required for small projects may be phased commensurate with the size and scope of project so that the cost of the retrofit does not exceed 10% of the value of the alteration, addition, or structural repair. At the discretion of the Building Official, retrofits for projects deemed very small may be postponed.

R337.11.4 Minimum retrofit requirement for vents. As a minimum retrofit for projects associated with existing buildings having attic or underfloor vents with openings larger than 1/8 inch, in any direction, such vents shall be replaced, repaired, or retrofitted to comply with R337.6.2.1.

R337.11.5 Prioritization of retrofits. In choosing which building elements to retrofit first, priority shall be given to those elements that add the greatest benefit for protecting the building from future wildfires, and generally done in the following order of priority:

1. Roofs made to comply with R337.5
2. Vents and other openings into combustible attics and underfloor areas made to comply with R337.6
3. Exterior walls, eaves, and other exterior surfaces protected in accordance with 337.7
4. Exterior windows, skylights, and doors made to comply with R337.8
5. Exterior decks made to comply with R337.9
6. Accessory structures made to comply with R337.10 or CBC 705.2.3.1

CHAPTER 4 FOUNDATIONS

SECTION R401 GENERAL

Section R401.1 of the CRC is amended to read as follows:

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC PWF.

Exception: The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.
2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15 240 mm).

Wood foundations in Seismic Design Category D_0 , D_1 , D_2 and E shall be designed in accordance with accepted engineering practice.

SECTION R403 FOOTINGS

Section R403.1.2 of the CRC is amended to read as follows:

R403.1.2 Continuous footing in Seismic Design Categories D_0 , D_1 AND D_2 . *The braced wall panels at exterior walls of buildings located in Seismic Design Categories D_0 , D_1 and D_2 shall be supported by continuous footings. All required interior braced wall panels in buildings shall be supported by continuous footings.*

Section R403.1.3.1 of the CRC is amended to read as follows:

R403.1.3.1 Concrete stem walls with concrete footings. In Seismic Design Categories D_0 , D_1 , D_2 , and E where a construction joint is created between a concrete footing and a stem wall, not fewer than one No.4 vertical bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall have a standard hook and extend to the bottom of the footing and shall have support and cover as specified in Section R403.1.3.5.3 and extend not less than 14 inches (357 mm) into the stem wall. Standard hooks shall comply with Section R608.5.4.5. Not fewer than one No. 4 horizontal bar shall be installed within 12 inches of the top of the stem wall and one No. 4 horizontal bar shall be located 3 to 4 inches from the bottom of the footing.

Section R403.1.3.2 of the CRC is amended to read as follows:

R403.1.3.2 Masonry stem walls with concrete footings. In Seismic Design Categories D_0 , D_1 , D_2 and E where a masonry stem wall is supported on a concrete footing, not fewer than one No.4 vertical bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall have a standard hook and extend to the bottom of the footing and shall have support and cover as specified in Section R403.1.3.5.3 and extend not less than 14 inches into the stem wall. Standard hooks shall comply with Section R608.5.4.5. Not fewer than one No. 4 horizontal bar shall be installed within 12 inches of the top of the

wall and one No. 4 horizontal bar shall be located 3 to 4 inches from the bottom of the footing. Masonry stem walls shall be solid grouted.

Section R403.1.5 of the CRC is amended to read as follows:

R403.1.5 Slope. The top surface of footings shall be level. The bottom surface of footings shall not have a slope exceeding one unit vertical in ten units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in ten units horizontal (10-percent slope).

For structures located in Seismic Design Categories D₀, D₁, D₂, and E, stepped footings shall be reinforced with four ½-inch diameter (12.7 mm) deformed reinforcing bars. Two bars shall be placed at the top of the footing and two bars shall be placed at the bottom of the footing.

SECTION R404 FOUNDATION AND RETAINING WALLS

Section R404.2 of the CRC is amended to read as follows:

R404.2 Wood foundation walls. *Wood foundation walls shall not be used for structures located in Seismic Design Categories D₀, D₁, D₂, and E.*

CHAPTERS 5 THROUGH 7

*(Chapters 5 through 7 contain no amendments to
the California Residential Code.)*

CHAPTER 8

ROOF-CEILING CONSTRUCTION

SECTION R802

WOOD ROOF FRAMING

Section R802.8 of the CRC is amended to read as follows:

R802.8 Lateral support. Roof framing members and ceiling joists having a depth-to-thickness ratio exceeding *2 to 1* based on nominal dimensions shall be provided with lateral support at points of bearing to prevent rotation. For roof rafters with ceiling joists attached per Table R602.3(1), the depth-thickness ratio for the total assembly shall be determined using the combined thickness of the rafter plus the attached ceiling joist.

CHAPTER 9 ROOF ASSEMBLIES

SECTION R902 ROOF CLASSIFICATION

Section R902.1.1 of the CRC is amended to read as follows:

R902.1.1 Roof coverings within very high fire hazard severity zones. The entire roof covering of every existing structure where more than 50 percent 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 *addition*, 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 R902.1.2 of the CRC is amended to read as follows:

R902.1.2 Roof coverings within State Responsibility Areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within anyone-year period, the entire roof covering of every new structure, and any roof covering applied in the *addition*, 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 R902.1.3 of the CRC is amended to read as follows:

R902.1.3 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent 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 *addition*, alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class C.

Section R902.1.5 is added to the Ventura County Code:

R902.1.5 Wood shakes and shingles. *Fire retardant wood shakes and shingles may be used for additions, alterations and repairs where the existing construction consists of existing wood shakes or shingles and the new roofing for the addition, alteration or repair is less than 50% of the existing roof area. The new shakes or shingles for the addition, alteration or repair shall be approved for a Class A roof as described in R902.2.*

CHAPTER 10 CHIMNEYS AND FIREPLACES

SECTION R1001 MASONRY FIREPLACES

Section R1001.3.1 of the CRC is amended to read as follows:

R1001.3.1 Vertical reinforcing. For chimneys up to 40 inches (1016 mm) wide, four No.4 continuous vertical bars shall be placed between wythes of solid masonry or within the cells of hollow unit masonry, *extended to the bottom third of the footing, turned a minimum 24 inches horizontally* and grouted in accordance with Section R606. Grout shall be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches (1016 mm) wide, two additional No.4 vertical bars shall be provided for each additional flue incorporated into the chimney or for each additional 40 inches (1016 mm) in width or fraction thereof.

CRC APPENDIX AZ EMERGENCY HOUSING

Appendix AZ of the California Residential Code is adopted in its entirety and amended in the VCBC as follows...

SECTION AZ 103 EMERGENCY HOUSING

Section AZ 103.1 of Appendix AZ is amended to read as follows:

AZ 103.1 Emergency housing. Emergency sleeping cabins, emergency transportable housing units, membrane structures and tents constructed and/or assembled in accordance with this Appendix, shall be occupied only during declaration of state of emergency, local emergency, or shelter crisis.

Buildings and structures constructed in accordance with the California Building Standards Code, for other than residential uses, shall be permitted to be permanently occupied for use as emergency housing only after it has been determined by the Building Official that the building or structure complies with the Change of Occupancy requirements established by Section 506 of the California Existing Building Code.

ARTICLE 4 AMENDMENTS TO THE CALIFORNIA ELECTRICAL CODE (CEC)

NEC ARTICLE 89 GENERAL CODE PROVISIONS

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the Building Standards contained in the Ventura County Electrical Code, the Scope and Administration provisions of the California Building Code as amended in Article 2, Chapter 1 are hereby adopted in their entirety, except as amended below, and are hereby made part of this Code. These provisions supplement the provisions of Article 90 of the 2020 National Electrical Code (NEC). Where a conflict exists between the two codes the more restrictive provisions shall apply.

NEC ARTICLE 90 INTRODUCTION

NEC Article 90.4.1 is added to the Ventura County Electrical Code:

Article 90.4.1 Powers and duties of the Building Official.

90.4.1.1 Connection to electrical installations. Except where work is done under an annual electrical maintenance permit, it shall be unlawful for any person, firm, or corporation to make connection from a source of electrical energy or to supply electrical service to any electrical wiring, device, appliance, or equipment which requires a permit for installation, or to cause or permit same to be done, or to continue or allow to continue any such connection unless such person, firm, or corporation shall have obtained evidence from the Building Official that such equipment is authorized to be energized.

Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances and such use shall not exceed the time constraints of Section 590.1.

90.4.1.2 Authority to abate. Any electrical wiring or equipment regulated by this Code, which is unsafe, or which constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purpose of this Section, unsafe. Any use of equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Any such unsafe electrical wiring or equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure set forth in the International Property Maintenance Code or such alternate procedure as may be adopted by the County. As an alternative, the Building Official or an authorized representative may institute any other appropriate action to prevent, restrain, correct, or abate the violation.

90.4.1.3 Authority to condemn wiring and equipment. Whenever the Building Official ascertains that any electrical wiring or equipment, or portion thereof, regulated by this Code has become hazardous to life, health or property, a written order shall be issued to cause such wiring or equipment to be either removed or restored to a safe condition, as appropriate. The written notice

itself shall fix a time limit for compliance with such order. No person shall use or maintain defective equipment after receiving such notice.

CHAPTERS 1 THROUGH 9

*(Chapters 1 through 9 contain no amendments to
the California Electrical Code.)*

ARTICLE 5

AMENDMENTS TO THE

CALIFORNIA MECHANICAL CODE (CMC)

(In addition to the amendments in Article 5, the following Mechanical Code Appendices are adopted in their entirety for Ventura County: Appendices B, C, and D)

CHAPTER 1

ADMINISTRATION

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the Building Standards contained in the Ventura County Mechanical Code, the Scope and Administration provisions of Chapter 1, Division II of the 2021 Uniform Mechanical Code (UMC), as amended below, are hereby adopted in their entirety and made part of this Code. Where a conflict exists between the provisions of Division I and Division II, the provisions of Division I shall take precedence, unless the provision has been expressly amended herein.

SECTION 101.0

GENERAL

Section 101.1 of the UMC is amended to read as follows:

101.1 Title. *This ordinance shall be known as the "Ventura County Mechanical Code," may be cited as such, and will be referred to herein as "this Code." This ordinance shall adopt certain State and model codes by reference, together with amendments thereto, as published herein. These referenced codes and amendments shall have the same force and effect as if fully set forth herein.*

Section 101.2 of the UMC is amended to read as follows:

101.2 Scope. *The provisions of this Code shall apply to the erection, installation, alteration, repair, relocation replacement, addition to, use, or maintenance of mechanical systems. This Code shall apply within all of the unincorporated territory of Ventura County.*

Section 101.6 is added to the Ventura County Mechanical Code:

101.6 Authority. *This Code is adopted pursuant to the statutory authority of Health and Safety Code Section 17910 et seq., known as the "State Housing Law." It is further adopted in conformity with the provisions of Sections 50022.1 to 50022.10, inclusive of the Government Code relating to the adoption of codes by reference.*

SECTION 102.0

APPLICABILITY

Section 102.1 of the UMC is amended to read as follows:

102.1 Conflicts between Codes. *Wherever conflicts occur between the provisions of this Code and the separate codes adopted by reference hereby, or between different sections within such individual code or codes, the most restrictive provisions or those which set the highest standard of health and safety shall govern.*

Where conflicts occur between provisions of this Code and other duly enacted County codes and ordinances, those provisions becoming law last in time shall govern.

Wherever in this Code reference is made to the Appendix, the Appendix shall not apply unless specifically adopted.

Section 102.1.1 is added to the Ventura County Mechanical Code:

102.1.1 Severability. *If any article, chapter, section, sub-section, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these regulations. The Ventura County Board of Supervisors hereby declares that it would have passed this ordinance, and each article, chapter, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, chapters, sections, sub-sections, sentences, clauses, and phrases be declared unconstitutional or invalid.*

SECTION 103.0
DUTIES AND POWERS OF THE BUILDING OFFICIAL

Section 103.1 of the UMC is amended to read as follows:

103.1 General. *There is hereby continued within the County the "Division of Building and Safety" of the Resource Management Agency, which division shall be under the administrative and operational control of the Building Official designated by the appointing authority.*

The Building Official shall be appointed by the Director of the Resource Management Agency. Any references in this Code to the "Authority Having Jurisdiction" shall have the same force and effect as the "Building Official."

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the Director of the Resource Management Agency, the Building Official shall have the authority to appoint a deputy Building Official, district managers, related technical officers, inspectors, plan examiners, plan check engineers, and other employees. Such employees shall have powers as delegated by the Building Official.

The Building Official is hereby authorized and directed to enforce all the provisions of this Code and of the codes adopted by reference hereby. The decision of the Building Official in enforcing the provisions of this Code or of the codes adopted by reference, or in interpreting the provisions thereof, or in exercising the authority delegated thereby shall be final, subject to appeal as provided in this Code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

The Building Official shall have the power to render interpretations of this Code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

Section 103.1.1 is added to the Ventura County Mechanical Code:

103.1.1 Power of citation. *Pursuant to the authority vested in the Board of Supervisors of the County of Ventura by California Penal Code section 836.5, the Building Official and certain of his authorized subordinates as hereinafter provided shall have the power of arrest without warrant whenever they have reasonable cause to believe that the person to be arrested has committed in their presence a misdemeanor, misdemeanor/infraction, or infraction, consisting of a violation of the provisions of this Code or any other ordinance or statute which the Building Official has a duty to enforce.*

The persons who are authorized to make arrests as herein provided shall consist of the Building Official and those of his subordinates as he may from time to time designate, whose duties include inspection and enforcement activities for Ventura County.

In any case in which a person is arrested pursuant to this section and the person arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the person on his promise to appear as prescribed by section 853.6 of the California Penal Code. The provisions of that chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this section.

Section 103.2 of the UMC is amended to read as follows:

103.2 Liability. *Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by legal representatives of Ventura County until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code.*

It is the intent of the Board of Supervisors to establish minimum standards for the protection of the public health, safety, and welfare. This Code shall not be construed to establish standards of performance, strength, or durability other than those specified. Neither this Code nor any services rendered in connection with or pursuant to its terms by County officers, inspectors, agents or employees, is intended nor shall be construed as the basis for any express or implied warranties or guarantees to any person relative to or concerning any structure or part, portion, or appurtenance thereto or thereof constructed, erected, altered, enlarged, repaired, moved, replaced, or removed pursuant to this Code or any permits against the County or any of its officers, inspectors, agents, or employees because any structure or portion thereof erected, constructed, altered, enlarged, repaired, moved, replaced, or removed, or any appliances installed, maintained, repaired or replaced hereunder does not meet the standards prescribed herein, or does not meet any other standards prescribed elsewhere as to performance, strength, durability or other characteristics.

This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the County be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates of inspection issued under this Code.

Section 103.5 is added to the Ventura County Mechanical Code:

103.5 Emergency repairs. *The Building Official is hereby authorized to establish procedures for issuing emergency permits or retroactive permits for work that is necessary to correct or repair building systems or components under emergency situations. The Building Official may verbally authorize work to proceed for such purposes, with the condition that a standard permit application will be filed once the emergency has been overcome. The holders of such emergency permits shall proceed at their own risk without assurance that the work so accomplished will be approved as constructed.*

Emergency repairs to plumbing, electrical, and mechanical installations may be initiated prior to obtaining the required permits, provided that such work was urgently necessary, and it was impractical to obtain the permits prior to commencement of the work. Permits for all such work shall be obtained as soon as it is practical to do so.

SECTION 104.0 PERMITS

Section 104.2.1 of the UMC is added to read as follows:

104.2.1 Public service agencies. *A permit shall not be required for the installation, alteration or repair of equipment for the generation, transmission, distribution or metering of water, wastewater, or electrical energy or other related equipment that is under the ownership and control of public service agencies by established right.*

Section 104.2.2 is added to the Ventura County Mechanical Code:

104.2.2 Waiver of permit. *The Building Official may, by administrative order, waive permit requirements for work which is not inimical to the public health, safety or welfare, or which because of its temporary nature or special purpose, does not fall within the purview or intention of this Code.*

Section 104.3 of the UMC is amended to read as follows:

104.3 Application for permit. To obtain a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose. Every such application shall:

1. Give such information as may be required by the Building Official, County Agencies, or State Law.
2. Be accompanied by such plans, diagrams, computations, schedules, specifications, and other data as may be necessary to determine compliance with this Code and other applicable codes, laws, ordinances, rules, and regulations.

Section 104.3.3 of the UMC is amended to read as follows:

104.3.3 Expiration of application. *Applications for which no permit is issued within 360 days following the date of application shall expire by limitation. Plans, documents, reports, and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. Before a permit is issued for the work described on the application, a new permit application or a written request for an extension shall be submitted to the Building Official. Upon written request by the applicant, a permit application may be extended by the Building Official where necessary and for good cause, for an extended time period that is deemed practical, provided:*

1. The project plans and specifications have been updated to reflect compliance with any new applicable code provisions that came into effect as a result of an adopted code change, and
2. The request for extension is accompanied by an Application Extension Fee and a Plan Review Fee as prescribed in the County's adopted Fee Schedule, for review of any required plan revisions.

Section 104.4 is amended to the Ventura County Mechanical Code:

104.4 Permit issuance. *The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of the County to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this Code and other pertinent laws and ordinances, and that all required fees have been paid, he shall issue a permit therefore to the applicant.*

Section 104.4.1.1 is added to the Ventura County Mechanical Code:

104.4.1.1 Submittal documents. *Plans, specifications, engineering calculations, diagrams, and other data shall constitute the submittal documents and shall be submitted with each application for a permit. When such plans are not prepared by a professional mechanical contractor with a specialty contractor's license issued by the State of California, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.*

Exception: *The Building Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code.*

Computations, diagrams, schedules, and other data sufficient to show the correctness and adequacy of the plans shall be submitted when required by the Building Official.

Section 104.4.1.2 is added to the Ventura County Mechanical Code:

104.4.1.2 Site plan. *The Construction Documents submitted in accordance with Section 107.1 of this Code shall be accompanied by a Site Plan, drawn to scale, showing the size and location of all proposed buildings, structures, and other improvements, all existing buildings and structures on the site, including the locations of all exterior mechanical equipment, and pertinent utility connections serving the equipment, distances between proposed and existing structures, and setback distances from proposed structures to property lines and slopes, mature oak tree locations with approximate dripline perimeters, and the established street grades and proposed finished grades. Site Plans shall also include the drainage courses and location of all recorded easements along with the easement descriptions. When applicable, Site Plans shall also indicate flood hazard areas, floodways, and design flood elevations, including finish floor elevations of the lowest habitable floor, or lowest horizontal structural member for coastal high hazard areas (V Zones).*

When required by the Building Official, a survey of the lot shall be performed to assure that the structure or improvements are located in accordance with the requirements of this Code, and/or is situated with respect to Mean Sea Level such that it complies with regulations governing construction in flood-prone areas.

Section 104.4.1.3 is added to the Ventura County Mechanical Code.

104.4.1.3 Examination of documents. *When documents are required precedent to the issuance of a permit, and those documents have been confirmed, by review, to comply with the requirements of this Code, the Building Official shall endorse, or cause to be endorsed, in writing or stamp on the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.*

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been approved provided adequate information and detailed statements have been found complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

Section 104.4.1.4 is added to the Ventura County Mechanical Code.

104.4.1.4 Approval of construction documents. *When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "APPROVED." One set of construction documents so reviewed shall be retained by the Building Official, one set shall be returned to the applicant and kept at the site of work and shall be made available for use by the Building Official or a duly authorized representative during inspections. The approved plans shall be made available to the Ventura County Tax Assessor's office.*

Section 104.4.1.5 is added to the Ventura County Mechanical Code.

104.4.1.5 Previous approvals. *This Code shall not require changes in the approved construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith and has not been abandoned.*

Section 104.4.2.1 is added to the Ventura County Mechanical Code:

104.4.2.1 Permit denial. *Except where special building designs or other mitigating measures have been approved by the Building Official and cooperating officials of other County agencies, a building permit may be denied where physical features of a building site are such that a denial of the building permit is deemed necessary to safeguard life or limb, health, property, or public welfare. Physical features which justify the denial of a permit shall include but shall not be limited to:*

- 1. Precipitous cliffs or other nearby vertical land masses of unknown stability.*
- 2. Unstable soils or geologic conditions.*
- 3. Terrain which is subject to flooding, inundation, or severe soil erosion.*

Section 104.4.2.2 is added to the Ventura County Mechanical Code:

104.4.2.2 Permit restrictions. *The issuance of permits shall be restricted to those applicants or their authorized representatives who are entitled by the regulations and the exemptions in the State Contractor's License Law, Business and Professions Code, and other applicable statutes to perform work regulated by this Code.*

- 1. Owner-Builder permits may be issued to a property owner building or improving his or her principal place of residence or appurtenances thereto, provided all of the following conditions exist:*
 - a. The residence is not intended or offered for sale.*
 - b. The homeowner has resided in the residence for the 12-month period prior to the completion of the work for which the permits is issued.*
- 2. Owner-Builder permits may be issued to a property owner building or improving structures thereon who subsequently enter into a contract for construction of such projects with licensed contractors pursuant to Division 3, Chapter 9, of the California Business and Professions Code.*

Tenant Improvement permits may be issued to tenants when authorized by the building owner for work within the tenant space.

Section 104.4.3 of the UMC is amended to read as follows:

104.4.3 Expiration of permit. *Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 360 days after the permit issuance date, or if the work authorized by such permit is suspended or abandoned for a period of 180 days or more at any time after the work is commenced.*

Before such work may be recommenced, a new or renewed permit shall first be obtained to do so. The fee therefor shall be based upon the work remaining to be inspected and approved for the project, but such fee shall not exceed 50% of the full permit fee based on the latest adopted fee schedule. Revisions to the original plan and specifications for such unfinished work shall be required to be made where applicable provisions have changed as a result of a Code update. Such revisions shall be submitted for review and approval by the Building Official and pertinent fees paid in accordance with the County adopted Fee Schedule.

The Building Official may, without requiring payment of an additional permit fee, extend the time for action by the permittee one or more times, for good cause, upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permit extensions may be approved by the Building Official, in writing, for periods not exceeding 180 days from the permit extension date.

Demolition permits issued for the correction of violations shall expire after 30 days.

Section 104.4.6 of the UMC is amended to read as follows:

104.4.6 Retention of construction documents. *One set of approved construction documents shall be retained by the Building Official as required by state or local laws.*

Section 104.4.7 is added to the Ventura County Mechanical Code:

104.4.7 Permits transferable. *Permits required by this Code may be transferred from the original permittee to second parties when legal requirements have been satisfied, when approved by the Building Official, and when applicable fees have been paid.*

Section 104.5 of the UMC is amended to read as follows:

104.5 Fees. *Fees for permits, plan review, and related services rendered pursuant to this Code shall be assessed as set forth in this Code, and in accordance with the latest Fee Schedule as established by the Ventura County Board of Supervisors.*

Section 104.5.1 of the UMC is amended to read as follows:

104.5.1 Work commencing before permit issuance. *An owner may pay a demolition fee to demolish work commenced without a permit. In all other cases, an investigation fee, in addition to a permit fee, shall be collected for a permit issued retroactively for work commenced without a valid permit.*

The investigation fee for projects that have been commenced without a valid permit, but which have not been completed, shall be prorated with the actual amount of work completed without a permit, as determined by the Building Official.

Investigation fees shall be collected at the time of submittal of a permit application to legalize the unpermitted work. The investigation fee shall be based on the additional hourly costs for plan review and building inspection services deemed necessary by the Building Official for verifying that the existing unpermitted improvements are adequately constructed, installed, and/or retrofitted to meet the applicable provisions of this Code, but in no case may the investigation fee be less than the amount prescribed by the latest Fee Schedule.

The payment of such investigation fee shall not exempt any person from compliance with all applicable provisions of this Code or any of the codes adopted by reference hereby, nor from any penalty prescribed by law.

Section 104.5.3 of the UMC amended to read as follows:

104.5.3 Fee refunds. *The Building Official may authorize the refunding of fees upon written application by the original permittee, within the limitations set forth herein:*

- (a) Permit issuance fees shall be nonrefundable except as provided in subsection (b) below.*
- (b) 100% of any fee erroneously paid or collected shall be refundable.*
- (c) 90% of any plan review fee, as listed in the Fee Schedule, shall be refundable when the permit application is withdrawn or canceled prior to commencement of plan review. Plan review fees shall not be refundable after the review by the Building Official or his designee has commenced or completed the review.*
- (d) 90% of any permit fee, as listed in the Fee Schedule, shall be refundable when none of the work covered by such permit has commenced. All other fees paid with the permit fee shall be 100% refundable.*

- (e) 90% of any Board of Appeals hearing fee, shall be refundable when such hearing is canceled prior to the issuance of a Notice of Hearing pertaining to the case.

Failure of the permittee to make written application for a refund within 180 days following the cancellation or expiration of a plan review, permit, hearing, or request for service for which a fee has been paid, shall constitute a waiver of entitlement to a refund.

No partial refund shall be authorized, nor credit be applied against other fees which may be payable to the Division of Building and Safety, when a construction project is canceled or abandoned subsequent to partial completion of the work authorized by the permit.

SECTION 105.0 INSPECTIONS AND TESTING

Section 105.1 of the UMC is amended to read as follows:

105.1 General. *All construction or work for which a permit is required shall be subject to inspection by the Building Official to ensure compliance with the requirements of this Code and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. In addition, certain types of construction shall have periodic or continuous inspection, as specified in Chapter 17 of the California Building Code.*

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permittee or the permittee's authorized agent to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the permittee or the duly authorized agent to notify the Building Official when work is ready for inspection. Such notification shall be given at least one working day before such inspection is desired.

No portion of any building, structure, wiring, plumbing, ductwork or equipment which is required to be inspected shall be permanently covered or concealed without approval of the Building Official. The Building Official shall have authority to remove, or to require the removal of, any obstruction which prevents the required inspection of any portion of a building, structure, wiring, plumbing, ductwork, electrical, or mechanical equipment, as necessary to verify compliance with this Code and the approved drawings.

Section 105.4.1 is added to the Ventura County Mechanical Code:

105.4.1 Reconnection after order of disconnection. *No person shall make connections from any energy, power, or fuel supply, nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.*

SECTION 106.0 VIOLATIONS AND PENALTIES

Sections 106.1 of the UMC is amended to read as follows:

106.1 General. *It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure, building service*

equipment, machine or equipment or cause or permit the same to be done in violation of this Code or to violate any provision of this Code.

Violations and penalties shall be administered in accordance with the provisions of Article 2, Section 114 of the Ventura County Building Code, and where applicable, the International Property Maintenance Code.

SECTION 107.0 BOARDS OF APPEALS

Section 107.1 of the UMC is amended to read as follows:

107.1 General. *To serve as the “Local Appeals Board” as provided for in Health and Safety Code Section 17920.5, and to determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretations of the provisions of this Code, and to hear the appeals provided for, there shall be and are hereby created a General Board of Appeals and a Board of Grading Appeals. Each Board of Appeals shall consist of five members. The Building Official shall act as, or appoint as necessary, a Secretary for each Board of Appeals. Each Board of Appeals shall be appointed by the Board of Supervisors and shall hold office at its pleasure. Each Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and hearings. All decisions and findings shall be rendered in writing to the appellant with duplicate copy to the Building Official. Copies of all rules and regulations adopted by each Board of Appeals shall be delivered to the Building Official who shall make them accessible to the public. All decisions of each Board of Appeals shall be final.*

Section 107.2 of the UMC is amended to read as follows:

107.2 Limitations of authority. *An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. The Board of Appeals shall have no authority to waive requirements of this Code.*

Section 107.3 of the UMC is added to read as follows:

107.3 Qualifications. *The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to each Board’s respective areas of authority and are not employees of this jurisdiction.*

Section 107.4 is added to the Ventura County Mechanical Code:

107.4 Appeals hearing fee. *Required fees as set forth in the latest Ventura County Building and Safety Fee Schedule shall accompany each application for a hearing before any of the Appeals Boards authorized by this Code.*

CHAPTER 2 THROUGH 17

*(Chapters 2 through 17 contain no amendments to
the California Mechanical Code.)*

ARTICLE 6

AMENDMENTS TO THE CALIFORNIA PLUMBING CODE (CPC)

(In addition to the amendments in Article 6, the following Plumbing Code Appendices are adopted in their entirety for Ventura County: Appendices A, B, D, H, I, and J.)

CHAPTER 1 ADMINISTRATION

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the Building Standards contained in the Ventura County Plumbing Code, the Scope and Administration provisions of Chapter 1, Division II of the 2021 Uniform Plumbing Code (UPC) are hereby adopted in their entirety, except as amended below, and made part of this Code. Where a conflict exists between the provisions of Division I and Division II, the provisions of Division I shall take precedence, unless the provision has been expressly amended herein.

SECTION 101.0 GENERAL

Section 101.1 of the UPC is amended to read as follows:

101.1 Title. This ordinance shall be known as the "*Ventura County Plumbing Code*," may be cited as such, and will be referred to herein as "this Code." This ordinance shall adopt certain State and model codes by reference, together with amendments thereto, as published herein. These referenced codes and amendments shall have the same force and effect as if fully set forth herein.

Section 101.2 of the UPC is amended to read as follows:

101.2 Scope. The provisions of this Code shall apply to the erection installation, alteration, repair, relocation replacement, addition to, use, or maintenance of plumbing systems. *This Code shall apply within all of the unincorporated territory of Ventura County.*

Section 101.6 is added to the Ventura County Plumbing Code:

101.6 Authority. *This Code is adopted pursuant to the statutory authority of Health and Safety Code Section 17910 et seq., known as the "State Housing Law." It is further adopted in conformity with the provisions of Sections 50022.1 to 50022.10, inclusive of the Government Code relating to the adoption of codes by reference.*

SECTION 102.0 APPLICABILITY

Section 102.1 of the UPC is amended to read as follows:

102.1 Conflicts between codes. *Wherever conflicts occur between the provisions of this Code and the separate codes adopted by reference hereby, or between different sections within such individual code or codes, the most restrictive provisions or those which set the highest standard of health and safety shall govern.*

Where conflicts occur between provisions of this Code and other duly enacted County codes and ordinances, those provisions becoming law last in time shall govern.

Wherever in this Code reference is made to the Appendix, the Appendix shall not apply unless specifically adopted.

Section 102.1.1 is added to the Ventura County Plumbing Code:

102.1.1 Severability. *If any article, chapter, section, sub-section, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these regulations. The Ventura County Board of Supervisors hereby declares that it would have passed this ordinance, and each article, chapter, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, chapters, sections, sub-sections, sentences, clauses, and phrases be declared unconstitutional or invalid.*

**SECTION 103.0
DUTIES AND POWERS OF THE BUILDING OFFICIAL**

Section 103.1 of the UPC is amended to read as follows:

103.1 General. *There is hereby continued within the County the "Division of Building and Safety" of the Resource Management Agency, which division shall be under the administrative and operational control of the Building Official designated by the appointing authority.*

The Building Official shall be appointed by the Director of the Resource Management Agency. Any references in this Code to the "Authority Having Jurisdiction" shall have the same force and effect as the "Building Official."

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the Director of the Resource Management Agency, the Building Official shall have the authority to appoint a deputy Building Official, district managers, related technical officers, inspectors, plan examiners, plan check engineers, and other employees. Such employees shall have powers as delegated by the Building Official.

The Building Official is hereby authorized and directed to enforce all the provisions of this Code and of the codes adopted by reference hereby. The decision of the Building Official in enforcing the provisions of this Code or of the codes adopted by reference, or in interpreting the provisions thereof, or in exercising the authority delegated thereby shall be final, subject to appeal as provided in this Code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

The Building Official shall have the power to render interpretations of this Code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

Section 103.1.1 is added to the Ventura County Plumbing Code:

103.1.1 Power of citation. *Pursuant to the authority vested in the Board of Supervisors of the County of Ventura by California Penal Code section 836.5, the Building Official and certain of his authorized subordinates as hereinafter provided shall have the power of arrest without warrant whenever they have reasonable cause to believe that the person to be arrested has committed in their presence a misdemeanor, misdemeanor/infraction, or infraction, consisting of a violation of the provisions of this Code or any other ordinance or statute which the Building Official has a duty to enforce.*

The persons who are authorized to make arrests as herein provided shall consist of the Building Official and those of his subordinates as he may from time to time designate, whose duties include inspection and enforcement activities for Ventura County.

In any case in which a person is arrested pursuant to this section and the person arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the person on his promise to appear as prescribed by section 853.6 of the California Penal Code. The provisions of that chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this section.

Section 103.2 of the UPC is amended to read as follows:

103.2 Liability. *Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by legal representatives of Ventura County until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code.*

It is the intent of the Board of Supervisors to establish minimum standards for the protection of the public health, safety, and welfare. This Code shall not be construed to establish standards of performance, strength, or durability other than those specified. Neither this Code nor any services rendered in connection with or pursuant to its terms by County officers, inspectors, agents or employees, is intended nor shall be construed as the basis for any express or implied warranties or guarantees to any person relative to or concerning any structure or part, portion, or appurtenance thereto or thereof constructed, erected, altered, enlarged, repaired, moved, replaced, or removed pursuant to this Code or any permits against the County or any of its officers, inspectors, agents, or employees because any structure or portion thereof erected, constructed, altered, enlarged, repaired, moved, replaced, or removed, or any appliances installed, maintained, repaired or replaced hereunder does not meet the standards prescribed herein, or does not meet any other standards prescribed elsewhere as to performance, strength, durability or other characteristics.

This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the County be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates of inspection issued under this Code.

Section 103.5 is added to the Ventura County Plumbing Code:

103.5 Emergency repairs. *The Building Official is hereby authorized to establish procedures for issuing emergency permits or retroactive permits for work that is necessary to correct or repair building systems or components under emergency situations. The Building Official may verbally authorize work to proceed for such purposes, with the condition that a standard permit application will be filed once the emergency has been overcome. The holders of such emergency permits shall proceed at their own risk without assurance that the work so accomplished will be approved as constructed.*

Emergency repairs to plumbing, electrical, and mechanical installations may be initiated prior to obtaining the required permits, provided that such work was urgently necessary, and it was impractical to obtain the permits prior to commencement of the work. Permits for all such work shall be obtained as soon as it is practical to do so.

SECTION 104.0 PERMITS

Section 104.2.1 of the UPC is added to read as follows:

104.2.1 Public service agencies. *A permit shall not be required for the installation, alteration or repair of equipment for the generation, transmission, distribution or metering of water, wastewater, or electrical energy or other related equipment that is under the ownership and control of public service agencies by established right.*

Section 104.2.2 is added to the Ventura County Plumbing Code:

104.2.2 Waiver of permit. *The Building Official may, by administrative order, waive permit requirements for work which is not inimical to the public health, safety or welfare, or which because of its temporary nature or special purpose, does not fall within the purview or intention of this Code.*

Section 104.3 of the UPC is amended to read as follows:

104.3 Application for permit. To obtain a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose. Every such application shall:

1. Give such information as may be required by the Building Official, County Agencies, or State Law.
2. Be accompanied by such plans, diagrams, computations, schedules, specifications, and other data as may be necessary to determine compliance with this Code and other applicable codes, laws, ordinances, rules, and regulations.

Section 104.3.3 of the UPC is amended to read as follows:

104.3.3 Expiration of application. *Applications for which no permit is issued within 360 days following the date of application shall expire by limitation. Plans, documents, reports, and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. Before a permit is issued for the work described on the application, a new permit application or a written request for an extension shall be submitted to the Building Official. Upon written request by the applicant, a permit application may be extended by the Building Official where necessary and for good cause, for an extended time period that is deemed practical, provided:*

- a. *The project plans and specifications have been updated to reflect compliance with any new applicable code provisions that came into effect as a result of an adopted code change, and*
- b. *The request for extension is accompanied by an Application Extension Fee and a Plan Review Fee as prescribed in the County's adopted Fee Schedule, for review of any required plan revisions.*

Section 104.4 is amended to the Ventura County Plumbing Code:

104.4 Permit issuance. *The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of the County to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this Code and other pertinent laws and ordinances, and that all required fees have been paid, he shall issue a permit therefore to the applicant.*

Section 104.4.1.1 is added to the Ventura County Plumbing Code:

104.4.1.1 Submittal documents. *Plans, specifications, engineering calculations, diagrams, and other data shall constitute the submittal documents and shall be submitted with each application for a permit. When such plans are not prepared by a professional plumber with a specialty contractor's license issued by the State of California, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.*

Exception: *The Building Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code.*

Computations, diagrams, schedules, and other data sufficient to show the correctness and adequacy of the plans shall be submitted when required by the Building Official.

Section 104.4.1.2 is added to the Ventura County Plumbing Code:

104.4.1.2 Site plan. *The Construction Documents submitted in accordance with Section 107.1 of this Code shall be accompanied by a Site Plan, drawn to scale, showing the size and location of all proposed buildings, structures, and other improvements, all existing buildings and structures on the site, including the Point of Connection to the Public or Private Sewer System, and Water Supply system and all other serving utilities, distances between proposed and existing structures, and setback distances from proposed structures to property lines and slopes, mature oak tree locations with approximate dripline perimeters, and the established street grades and proposed finished grades. Site Plans shall also include the drainage courses and location of all recorded easements along with the easement descriptions. When applicable, Site Plans shall also indicate flood hazard areas, floodways, and design flood elevations, including finish floor elevations of the lowest habitable floor, or lowest horizontal structural member for coastal high hazard areas (V Zones).*

When required by the Building Official, a survey of the lot shall be performed to assure that the structure or improvements are located in accordance with the requirements of this Code, and/or is situated with respect to Mean Sea Level such that it complies with regulations governing construction in flood-prone areas.

Section 104.4.1.3 is added to the Ventura County Plumbing Code.

104.4.1.3 Examination of documents. *When documents are required precedent to the issuance of a permit, and those documents have been confirmed, by review, to comply with the requirements of this Code, the Building Official shall endorse, or cause to be endorsed, in writing or stamp on the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.*

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been approved provided adequate information and detailed statements have been found complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

Section 104.4.1.4 is added to the Ventura County Plumbing Code.

104.4.1.4 Approval of construction documents. *When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "APPROVED." One set of construction documents so reviewed shall be retained by the Building Official, one set shall be returned to the applicant and kept at the site of work and shall be made available for use by the Building Official or a duly authorized representative during inspections. The approved plans shall be made available to the Ventura County Tax Assessor's office.*

Section 104.4.1.5 is added to the Ventura County Plumbing Code.

104.4.1.5 Previous approvals. *This Code shall not require changes in the approved construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith and has not been abandoned.*

Section 104.4.2.1 is added to the Ventura County Plumbing Code:

104.4.2.1 Permit denial. *Except where special building designs or other mitigating measures have been approved by the Building Official and cooperating officials of other County agencies, a building permit may be denied where physical features of a building site are such that a denial of the building permit is deemed necessary to safeguard life or limb, health, property, or public welfare. Physical features which justify the denial of a permit shall include but shall not be limited to:*

- 1. Precipitous cliffs or other nearby vertical land masses of unknown stability.*
- 2. Unstable soils or geologic conditions.*
- 3. Terrain which is subject to flooding, inundation, or severe soil erosion.*

Section 104.4.2.2 is added to the Ventura County Plumbing Code:

104.4.2.2 Permit restrictions. *The issuance of permits shall be restricted to those applicants or their authorized representatives who are entitled by the regulations and the exemptions in the State Contractor's License Law, Business and Professions Code, and other applicable statutes to perform work regulated by this Code.*

- 1. Owner-Builder permits may be issued to a property owner building or improving his or her principal place of residence or appurtenances thereto, provided that all of the following conditions exist:*
 - a. The residence is not intended or offered for sale.*
 - b. The homeowner has actually resided in the residence for the 12-month period prior to the completion of the work for which the permits is issued.*
- 2. Owner-Builder permits may be issued to a property owner building or improving structures thereon who subsequently enter into a contract for construction of such projects with licensed contractors pursuant to Division 3, Chapter 9, of the California Business and Professions Code.*

Tenant Improvement permits may be issued to tenants when authorized by the building owner for work within the tenant space.

Section 104.4.3 of the UPC is amended to read as follows:

104.4.3 Expiration of permit. *Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 360 days after the permit issuance date, or if the work authorized by such permit is suspended or abandoned for a period of 180 days or more at any time after the work is commenced.*

Before such work may be recommenced, a new or renewed permit shall first be obtained to do so. The fee therefor shall be based upon the work remaining to be inspected and approved for the project, but such fee shall not exceed 50% of the full permit fee based on the latest adopted fee schedule. Revisions to the original plan and specifications for such unfinished work shall be required to be made where applicable provisions have changed as a result of a Code update. Such revisions shall be submitted for review and approval by the Building Official and pertinent fees paid in accordance with the County adopted Fee Schedule.

The Building Official may, without requiring payment of an additional permit fee, extend the time for action by the permittee one or more times, for good cause, upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permit extensions may be approved by the Building Official, in writing, for periods not exceeding 180 days from the permit extension date.

Demolition permits issued for the correction of violations shall expire after 30 days.

Section 104.4.6 of the UPC is amended to read as follows:

104.4.6 Retention of construction documents. *One set of approved construction documents shall be retained by the Building Official as required by state or local laws.*

Section 104.4.7 is added to the Ventura County Plumbing Code:

104.4.7 Permits transferable. *Permits required by this Code may be transferred from the original permittee to second parties when legal requirements have been satisfied, when approved by the Building Official, and when applicable fees have been paid.*

Section 104.5 of the UPC is amended to read as follows:

104.5 Fees. *Fees for permits, plan review, and related services rendered pursuant to this Code shall be assessed as set forth in this Code, and in accordance with the latest Fee Schedule as established by the Ventura County Board of Supervisors.*

Section 104.5.1 of the UPC is amended to read as follows:

104.5.1 Work commencing before permit issuance. *An owner may pay a demolition fee to demolish work commenced without a permit. In all other cases, an investigation fee, in addition to a permit fee, shall be collected for a permit issued retroactively for work commenced without a valid permit.*

The investigation fee for projects that have been commenced without a valid permit, but which have not been completed, shall be prorated with the actual amount of work completed without a permit, as determined by the Building Official.

Investigation fees shall be collected at the time of submittal of a permit application to legalize the unpermitted work. The investigation fee shall be based on the additional hourly costs for plan review and building inspection services deemed necessary by the Building Official for verifying that the existing unpermitted improvements are adequately constructed, installed, and/or retrofitted to meet the applicable provisions of this Code, but in no case may the investigation fee be less than the amount prescribed by the latest Fee Schedule.

The payment of such investigation fee shall not exempt any person from compliance with all applicable provisions of this Code or any of the codes adopted by reference hereby, nor from any penalty prescribed by law.

Section 104.5.3 of the UPC is amended to read as follows:

104.5.3 Fee refunds. *The Building Official may authorize the refunding of fees upon written application by the original permittee, within the limitations set forth herein:*

- 1. Permit issuance fees shall be nonrefundable except as provided in subsection (2) below.*
- 2. 100% of any fee erroneously paid or collected shall be refundable.*
- 3. 90% of any plan review fee, as listed in the Fee Schedule, shall be refundable when the permit application is withdrawn or canceled prior to commencement of plan review. Plan review fees shall not be refundable after the review by the Building Official or his designee has commenced or completed the review.*
- 4. 90% of any permit fee, as listed in the Fee Schedule, shall be refundable when none of the work covered by such permit has commenced. All other fees paid with the permit fee shall be 100% refundable.*

5. 90% of any Board of Appeals hearing fee, shall be refundable when such hearing is canceled prior to the issuance of a Notice of Hearing pertaining to the case.

Failure of the permittee to make written application for a refund within 180 days following the cancellation or expiration of a plan review, permit, hearing, or request for service for which a fee has been paid, shall constitute a waiver of entitlement to a refund.

No partial refund shall be authorized, nor credit be applied against other fees which may be payable to the Division of Building and Safety, when a construction project is canceled or abandoned subsequent to partial completion of the work authorized by the permit.

SECTION 105.0 INSPECTIONS AND TESTING

Section 105.1 of the UPC is amended to read as follows:

105.1 General. *All construction or work for which a permit is required shall be subject to inspection by the Building Official to ensure compliance with the requirements of this Code and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. In addition, certain types of construction shall have periodic or continuous inspection, as specified in Chapter 17 of the California Building Code.*

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permittee or the permittee's authorized agent to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the permittee or the duly authorized agent to notify the Building Official when work is ready for inspection. Such notification shall be given at least one working day before such inspection is desired.

No portion of any building, structure, wiring, plumbing, ductwork or equipment which is required to be inspected shall be permanently covered or concealed without approval of the Building Official. The Building Official shall have authority to remove, or to require the removal of, any obstruction which prevents the required inspection of any portion of a building, structure, wiring, plumbing, ductwork, electrical, or mechanical equipment, as necessary to verify compliance with this Code and the approved drawings.

Section 105.4.1 is added to the Ventura County Plumbing Code:

105.4.1 Reconnection after order of disconnection. *No person shall make connections from any energy, power or fuel supply, nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.*

SECTION 106.0 VIOLATIONS AND PENALTIES

Sections 106.1 of the UPC is amended to read as follows:

106.1 General. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure, building service equipment, machine or equipment or cause or permit the same to be done in violation of this Code or to violate any provision of this Code.

Violations and penalties shall be administered in accordance with the provisions of Article 2, Section 114 of the Ventura County Building Code, and where applicable, the International Property Maintenance Code.

SECTION 107.0 BOARDS OF APPEALS

Section 107.1 of the UPC is amended to read as follows:

107.1 General. *To serve as the “Local Appeals Board” as provided for in Health and Safety Code Section 17920.5, and to determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretations of the provisions of this Code, and to hear the appeals provided for, there shall be and are hereby created a General Board of Appeals and a Board of Grading Appeals. Each Board of Appeals shall consist of five members. The Building Official shall act as, or appoint as necessary, a Secretary for each Board of Appeals. Each Board of Appeals shall be appointed by the Board of Supervisors and shall hold office at its pleasure. Each Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and hearings. All decisions and findings shall be rendered in writing to the appellant with duplicate copy to the Building Official. Copies of all rules and regulations adopted by each Board of Appeals shall be delivered to the Building Official who shall make them accessible to the public. All decisions of each Board of Appeals shall be final.*

Section 107.2 of the UPC is amended to read as follows:

107.2 Limitations of authority. *An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. The Board of Appeals shall have no authority to waive requirements of this Code.*

Section 107.3 of the UPC is added to read as follows:

107.3 Qualifications. *The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to each Board’s respective areas of authority and are not employees of this jurisdiction.*

Section 107.4 is added to the Ventura County Plumbing Code:

107.4 Appeals hearing fee. *Required fees as set forth in the latest Ventura County Building and Safety Fee Schedule shall accompany each application for a hearing before any of the Appeals Boards authorized by this Code.*

CHAPTER 2 DEFINITIONS

Chapter 2 of the CPC is amended by adding the following definitions:

ALTERNATE PRIVATE SEWAGE DISPOSAL SYSTEM. Alternate private sewage disposal systems are specially-designed, engineered, and approved private sewage disposal systems suitable for use in localities where the Administrative Authority has determined that the presence of shallow groundwater, rock, bedrock formations of concern, or adverse soil, geologic, or hydrologic conditions makes the use of conventional sewage disposal systems potentially hazardous to public health. Alternate private sewage disposal systems shall be limited to "mound" systems and "subsurface sand filtration" systems, "Supplemental Treatment" systems, or other Alternative private sewage disposal systems as approved by the Authority Having Jurisdiction.

CESSPOOL. Cesspool means an excavation in the ground receiving domestic wastewater, designed to retain the organic matter and solids, while allowing the liquids to seep into the soil. Cesspools do not include septic tanks as a component of the system.

ONSITE WASTEWATER TREATMENT SYSTEM(S). Onsite Wastewater Treatment System(s), also referred to by the short form OWTS, means individual disposal systems, community collection and disposal systems, and alternative collection and disposal systems that use subsurface disposal. The short form of the term may be singular or plural. OWTS do not include "graywater" systems pursuant to Health and Safety Code Section 17922.12.

PUBLIC WATER SYSTEM. A Public Water System is a water system regulated by the California State Water Resources Control Board, Division of Drinking Water or a Local Primacy Agency pursuant to Part 12, Chapter 4, California Safe Drinking Water Act, Section 116275 (h) of the California Health and Safety Code.

PUBLIC WATER WELL. A public water well is a ground water well serving a public water system. A spring which is not subject to the California Surface Water Treatment Rule, CCR, Title 22, sections 64650 through 64666 is a public well.

QUALIFIED PROFESSIONAL. Means an individual licensed or certified by a State of California agency to design OWTS and practice as professionals for other associated reports, as allowed under their license or registration. This may include an individual who possesses a registered environmental health specialist certificate or is currently licensed as a professional engineer or professional geologist.

SEEPAGE PIT. A seepage pit is a rock filled excavation which receives the effluent from a septic tank and is so designed as to permit such effluent to seep through the bottom and sides of the pit into the surrounding soil.

SERVICE PROVIDER. Service Provider means a person capable of operating, monitoring, and maintaining an OWTS in accordance to this Code.

SUPPLEMENTAL TREATMENT. Supplemental Treatment means any OWTS or component of an OWTS, except a septic tank or dosing tank, which performs additional wastewater treatment so that the effluent meets a predetermined performance requirement prior to discharge of effluent into the dispersal field.

CHAPTER 3 GENERAL REGULATIONS

SECTION 303 DISPOSAL OF LIQUID WASTE

Section 303.0 of the CPC is amended to read as follows:

303.1 General. It shall be unlawful for any person to cause, suffer, or permit the disposal of sewage, human excrement, or other liquid wastes, in any place or manner, except through and by means of an approved drainage system, installed and maintained in accordance with the provisions of this Code.

Exception: Limited-density owner-built rural dwellings. A water closet shall not be required when an alternate system is provided and has been approved *by the Administrative Authority pursuant to Appendix H of this Code*. Where an alternative to the water closet is installed, a system for the disposal or treatment of Graywater shall be provided to the dwelling. Graywater systems shall be designed according to water availability, use and discharge. The design, use and maintenance standards of such systems shall be the prerogative of the Building Official.

CHAPTERS 4 AND 5

*(Chapters 4 and 5 contain no amendments to
the California Plumbing Code.)*

CHAPTER 6 WATER SUPPLY AND DISTRIBUTION

SECTION 601.0 RUNNING WATER REQUIRED

Section 601.1.2 is added to the Ventura County Plumbing Code:

601.1.2 Requirements for water wells. *When the potable water supply for a structure is to be provided by a well, the well must meet water quality standards as determined by the Health Authority Having Jurisdiction, and pass the applicable pump and recovery test specified in the Ventura County Water Works Manual, as amended from time to time, for the purpose of demonstrating that the well is likely to remain an adequate source of potable water throughout the expected useful life of the structure.*

Exceptions: *A well shall not be required to pass the pump and recovery test if the structure to be served by it:*

- 1. Is connected to a public water system or a state small water system as defined in Section 116275 of the Health and Safety Code; or*
- 2. Overlies an aquifer that has been determined by the administrative authority to be adequate to meet all existing and projected demands made upon it for potable water without experiencing overdraft; or*
- 3. Overlies an aquifer that may experience over-drafting but that has nonetheless been determined by the administrative authority, based upon a study and report prepared pursuant to the Ventura County Waterworks Manual, to be adequate to meet all existing and projected demands made upon it for potable water throughout the expected useful life of the structure.*

This section does not preclude the adoption and imposition of additional or more stringent well test requirements and standards in connection with subdivision approvals, conditional use permits, or other discretionary (as opposed to ministerial) permits.

CHAPTER 7 SANITARY DRAINAGE

SECTION 713.0 SEWER REQUIRED

Section 713.4 of the CPC is amended to read as follows:

713.4 Conventional private sewage disposal systems.

1. When the applicant seeks to install a new conventional private sewage disposal system, the public sewer may be considered as not being available when such public sewer is located more than two hundred (200) feet from any property line *or the sewer service agency has determined that a connection cannot be made.*
2. *When the applicant seeks to repair/replace a conventional private sewage disposal system, the public sewer may be considered as not being available when such public sewer is located more than two hundred (200) feet from any building containing a drainage system or the sewer service agency has determined that a connection cannot be made.*

Section 713.4.1 is added to the Ventura County Code.

713.4.1 Alternate private sewage disposal systems.

1. *When the applicant seeks to install a new alternate private sewage disposal system, the public sewer may be considered as not being available when such sewer is located more than one-half mile (2,640 feet) from any property line or the sewer service agency has determined that a connection cannot be made.*
2. *When the applicant seeks to repair/replace an alternate private sewage disposal system, the public sewer may be considered as not being available when such public sewer is located more than one-half mile (2,640 feet) from any building containing a drainage system or the sewer service agency has determined that a connection cannot be made.*

Section 713.7 is added to the Ventura County Plumbing Code

713.7 Administrative authority. *For the purpose of administering those requirements of Chapter 7 and Appendix H of this Code, pertaining to the approval, permitting and inspection of private sewage disposal systems, the Administrative Authority shall mean the Environmental Health Officer. All other requirements of this Code shall be regulated and enforced by the Building Official.*

SECTION 714.0 DAMAGE TO PUBLIC SEWER OR PRIVATE SEWAGE DISPOSAL SYSTEM

Section 714.6 is added to the Ventura County Plumbing Code

714.6 Restrictions on holding tanks.

1. A holding tank for industrial/commercial waste shall be installed only when it is permitted by and is in conformance with standards and safeguards established by the Administrative Authority and the Health Officer to prevent anticipated surface or subsurface contamination or pollution, damage to the public sewer, or other hazardous or nuisance condition.

2. *Holding tanks for domestic waste shall only be permitted when existing OWTS has failed and replacement OWTS is not feasible due to setback restrictions and/or geologic features.*

SECTION 721.0 LOCATION

Section 721.1 of the CPC is amended to read as follows:

721.1 Location of sewage disposal systems. Except as provided in section 721.2 of the *California Plumbing Code*, no building sewer or private sewage disposal system, or parts thereof, shall be located in any lot other than the lot which is the site of the building or structure served by such sewer or private sewage disposal system; nor shall any building sewer or private sewage disposal system or part thereof be located at any point having less than the minimum distances indicated in *Appendix Table H 1, as amended in this Code by the County of Ventura*.

Table 721.1 of the CPC is deleted in its entirety.

CHAPTERS 8 THROUGH 17

*(Chapters 8 through 17 contain no amendments to
the California Plumbing Code.)*

CPC APPENDIX H PRIVATE SEWAGE DISPOSAL SYSTEMS

Appendix H of the Uniform Plumbing Code is adopted in its entirety and amended in the VCBC as follows...

SECTION H 101.0 GENERAL REQUIREMENTS

Section H 101.2 in Appendix H is amended to read as follows:

Section H 101.2 General requirements. *Where permitted by Section 713.2 of this Code the building sewer may be connected to a private sewage disposal system in accordance with the provisions of this Code. The type of system shall be determined on the basis of information contained in the soil report concerning location, soil porosity, groundwater, depth of fractured rock or impervious formations, and hillside stability, and shall be designed to receive all sanitary sewage from the property. The system, except as otherwise provided, shall consist of a septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits, into a combination of subsurface disposal field and seepage pits, into a mound system or into a subsurface sand filtration system, or other Alternate sewage disposal system as approved by the Administrative Authority pursuant to Section H 101.11 of this Code.*

The Authority Having Jurisdiction shall be permitted to grant exceptions to the provisions of this appendix for permitted structures that have been destroyed due to fire or natural disaster and that cannot be reconstructed in compliance with these provisions provided that such exceptions are the minimum necessary.

Table H 101.8 in Appendix H is superseded in its entirety. The amended table is listed at the end of this Chapter, as Table H-1.

SECTION H 201.0 CAPACITY OF SEPTIC TANKS

Section H 201.1 in Appendix H is amended to read as follows:

201.1 Minimum tank capacity. *A minimum septic tank capacity of 1,000 gallons is required for each dwelling unit.*

SECTION H 301.0 AREA OF DISPOSAL FIELDS AND SEEPAGE PITS

Section H 301.2 is added to Appendix H.

H 301.2 Sizing disposal areas. *The required absorption area shall be as set forth in CPC Appendix H, Table H 201.1(3) for seepage pits, and as set forth in Table VCBC Appendix H-6 in this Code for leaching area.*

Section H 301.3 is added to Appendix H.

H 301.3 Oversizing disposal fields. *When adding sidewall area in excess of the required twelve (12) inches as allowed in H 301.1, such increase shall be limited to 50% of the required absorption area.*

Section H 301.4 is added to Appendix H.

H 301.4 Plastic leaching chambers. *Plastic leaching chambers shall be sized on bottom absorption area (nominal unit width) in square feet and the required area shall be calculated using Table VCBC H-6 of this Code with a 0.70 multiplier.*

Section H 301.5 is added to Appendix H.

H 301.5 Horizontal setback on slope. All distribution areas of a leach line or leaching bed shall provide a minimum 15 feet horizontal setback to slope surface or fill.

Section H 301.6 is added to Appendix H:

H 301.6 Seepage pits. Seepage pits may only be used where conditions are unsatisfactory for the installation of leach lines or leach beds, as determined by a qualified professional with the concurrence of the Administrative Authority.

Section H 301.7 is added to Appendix H:

H 301.7 Seepage pits in areas impacted by nitrate. In areas of known nitrate impacted groundwater basins or impaired water bodies, no new conventional OWTS utilizing seepage pits shall be installed. Repairs to existing OWTS utilizing seepage pits in known nitrate impacted groundwater basins shall be based on pit performance testing.

SECTION H 401.0 PERCOLATION TESTS

Section H 401.4 is added to Appendix H.

H 401.4 Testing procedures. Percolation tests shall be performed under the supervision of a California-registered environmental health specialist, civil engineer, geologist or engineering geologist. Test data shall be submitted on a form provided for that purpose and shall include such information as may reasonably be required by the Administrative Authority to determine the correctness and adequacy of the proposed disposal system. Each percolation test shall be made with clear water in an excavation which has been thoroughly soaked prior to the test. All percolation test rates shall be performed by presoaking of percolation test holes and continuing the test until a stabilized rate is achieved.

Section H 401.5 is added to Appendix H.

H 401.5 Soil suitability. Soil suitability shall be determined by percolation tests. The percolation rate and absorption capacity of soils shall determine whether a Conventional OWTS or an Alternate OWTS is required:

1. Areas where percolation test rates are between one (1) and ninety (90) minutes per inch are considered suitable for a conventional OWTS, provided site conditions also meet other requirements in CPC and this Code.
2. If the percolation rate is faster than one (1) minute per inch, or slower than ninety (90) minutes per inch, the installation of an Alternate OWTS will be required.
3. When the absorption capacity is greater than 5.12 gal/sq ft/day or less than 0.83 gal/sq ft/day, the installation of an Alternate OWTS will be required.

SECTION H 501.0 SEPTIC TANK CONSTRUCTION

Section H 501.5.1 is added to Appendix H.

H 501.5.1 Access openings. Access openings shall have watertight risers, the tops of which shall be set at most six (6) inches below finished grade and access openings at grade or above shall be locked or secured

to prevent unauthorized access.

SECTION H 601.0 DISPOSAL FIELDS

Section H 601.9 in Appendix H is amended to read as follows:

H 601.9 Construction. Disposal fields shall be constructed in accordance with Table H 601.9. Minimum spacing between trenches or leaching beds shall be not less than 4 feet plus 2 feet for each additional foot of depth in excess of 1 foot below the bottom of the drain line. Distribution drain lines in leaching beds shall be not more than 6 feet apart on centers, and no part of the perimeter of the leaching bed shall exceed 3 feet from a distribution drain line. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent.

The depth of earth cover for leach lines, leaching beds and disposal fields shall be a minimum of 12 inches and a maximum of 36 inches.

Exception: For repair or replacement of existing disposal fields, earth cover depth exceeding 36 inches shall be backfilled with clean rock.

TABLE H 601.9
General Disposal Field Requirements

	Minimum	Maximum
Number of drain lines per field	1	-
Length of each line	-	100 feet
Bottom width of trench	18 inches	36 inches
Spacing of lines, center-to-center	6 feet	-
Depth of earth cover of lines	12 inches	36 inches (18 inches preferred)
Grade of lines	Level	3 inches per 100 feet
Filter material under drain lines	12 inches	-
Filter material over drain lines	2 inches	-

SECTION H 701.0 SEEPAGE PITS

Section H 701.3 in Appendix H is amended to read as follows:

H 701.3 Construction. A seepage pit shall be circular in shape and shall have an excavated diameter of not less than 4 feet. Each such pit shall be filled with rock and pipe. Approval shall be obtained prior to construction for any pit having an excavated diameter greater than 6 feet.

- a. Seepage pits shall be filled with clean rock 3/4 inches to 2 1/2 inches in diameter, free from fines, except when otherwise approved by the Administrative Authority. Where groundwater is encountered, the bottom of the seepage pit shall be backfilled with clean coarse sand at least ten (10) feet above the ground water encountered. Rock fill in seepage pits shall be covered with asphalt-treated building paper and backfilled with a minimum of eighteen (18) inches of earth.
- b. Effluent shall be conducted to the bottom of the excavation by means of approved perforated pipe extending to the entire depth of the pit. Connections between a septic tank

and seepage pits shall be made with approved watertight pipe. Such pipe shall be laid on natural ground or compacted fill.

Section H 701.4 in Appendix H is deleted in its entirety.

Section H 701.5 in Appendix H is deleted in its entirety.

Section H 701.7 in Appendix H is deleted in its entirety.

Section H 701.8 in Appendix H is deleted in its entirety.

Section H 701.10 is added to Appendix H.

H 701.10 Seepage pits in bedrock formations. *The bottom of a seepage pit shall not extend to within 10 feet of any bedrock formations (except when the pit is part of a subsurface sand filtration system) and shall not extend to within 10 feet of any impermeable soil or rock. For the purposes of this section, impermeable soil or rock shall mean soil or rock exhibiting an absorption rate of less than 0.83 gal/sq. ft./day.*

SECTION H 801.0 CESSPOOLS

Section H 801.1 in Appendix H is deleted in its entirety and revised to read as follows:

H 801.1 Limitations.

1. New and replacement cesspools are prohibited.
2. Any increase in the number of plumbing fixture units or bedroom equivalents in a structure connected to an existing cesspool is prohibited.

Section H 801.2 in Appendix H is deleted in its entirety.

Section H 801.3 in Appendix H is deleted in its entirety.

Section H 801.4 in Appendix H is deleted in its entirety.

SECTION H 901.0 COMMERCIAL OR INDUSTRIAL SPECIAL LIQUID WASTE DISPOSAL

Section H 901.8 is added to Appendix H.

H 901.8 Limitations on subsurface industrial discharges. The discharge of industrial waste into a soil absorption system shall be prohibited unless specifically approved by the Authority Having Jurisdiction.

SECTION H 1301.0 ALTERNATE PRIVATE SEWAGE DISPOSAL SYSTEMS

Section H 1301.1 is added to Appendix H.

H 1301.1 General. Designs for alternate private sewage disposal systems may be accepted for review by the Administrative Authority when it has been adequately demonstrated that the character of the soil, geology, hydrology, or impacts to hydrologic features at or near the site is such that a conventional private sewage disposal system will not function in accordance with recognized health and sanitation standards. Such systems shall be designed by a qualified professional who shall submit written verification upon completion

of an alternate private sewage disposal system that the installation is in conformance with the approved design.

The design and construction of alternate private sewage disposal systems shall comply with the requirements of this Section and with other appropriate criteria established by the Administrative Authority.

1. Component parts of alternate private sewage disposal systems shall comply with the applicable setback requirements in Appendix Table H-1 of this Code. The construction and capacity of septic tanks installed as components of alternate systems shall comply with Section H 201.0 and Appendix Table H 201.1
2. Leach lines, leaching beds, and seepage pits which are components of alternate systems shall comply with the applicable requirements of this Code. No portion of a distribution bed or related filter material that is a component of a mound or subsurface sand filtration system shall be installed under a walkway, parking area, driveway, or similar paved surface.
3. The sizing of mound, subsurface sand filtration systems, or alternative systems shall be based upon the percolation rate of the natural soil at the location and depth of the proposed system, and the number of bedrooms or plumbing fixture units, in accordance with this Code and other applicable standards for sizing conventional leach lines, leaching beds and seepage pits.

Section H 1301.2 is added to Appendix H.

H 1301.2 Mound systems. A mound system is an alternate private sewage disposal system which utilizes pressurized piping to deliver effluent from a septic tank into an above-ground gravel distribution bed, from which the effluent percolates and is filtered through mounded sand fill into natural soil. Typical components of such systems include a septic tank, lift pump and wet well, pressurized effluent piping, a sand fill mound, a distribution bed composed of gravel filter material and perforated distribution piping, a cover of topsoil over the top and sloped sides of the mound.

The lift pump and wet well shall be designed to handle peak flow from the septic tank. In no case shall pump capacity be less than twenty (20) gallons per minute nor shall the pump motor be rated at less than one-half horsepower. The pump shall be approved for use in a sewage environment. The liquid holding capacity of the wet well shall be at least 300 gallons for one or two-bedroom dwelling units. An additional 100 gallons capacity shall be provided for each bedroom in excess of two. Equivalent capacity shall be provided for occupancies other than dwellings based on fixture unit calculations as set forth in this Code.

1. The wet well shall be fitted with automatic high and low-level pump controls. Operation of the lift pump shall not cause surges in the liquid level within the tank. An alarm device shall be installed which will provide audio and visual warning signals to occupants of the property in advance of any overflow from the wet well.
2. Mounds shall not be installed on a slope greater than 12%. The base of the mound shall be located at least two (2) feet above the highest known seasonal groundwater elevation at the site and two (2) feet above fractured bedrock, if any. Fill material comprising the mound shall be clean sand having a uniform grain size distribution within the acceptable range indicated in Appendix Table H-7 of this Code. Conformance with this grain size standard shall be determined by sieve analysis performed on representative samples taken prior to placement of the fill material onto the mound. The slope of the sides of the mound shall be not steeper than 3 horizontal to 1 vertical.
3. Distribution beds shall be level and shall be located a minimum of five (5) feet above the highest known seasonal groundwater elevation at the site. Filter material comprising the bed shall be clean gravel varying in size from .75 inch to 2.5 inches. The total thickness of the bed shall be sufficient to provide a minimum of twelve (12) inches of filter material

below, and at least two (2) inches of such material above all distribution piping within the bed. Distribution piping shall uniformly distribute effluent over the entire area of the bed. Distribution beds shall be of sufficient size to limit the application rate for effluent to not more than 1.5 gallons per square foot per day.

4. After filter material has been placed over the piping, the distribution bed shall be covered with untreated building paper, straw, or similar porous material to prevent closure of voids when earth covering is added. Topsoil shall be placed to a depth of at least twelve (12) inches over the top of the distribution bed and shall be placed on the sloping sides of the mound to a thickness of at least six (6) inches.

Section H 1301.3 is added to Appendix H.

H 1301.3 Subsurface sand filtration systems. A subsurface sand filtration system is an alternate private sewage disposal system which utilizes gravity to deliver effluent from a septic tank to a subsurface gravel distribution bed, from which the effluent is filtered through a bed of sand to reduce organic matter and pathogenic organisms, and thence percolates into natural soil. Typical components of such systems include a septic tank, effluent piping, a subsurface distribution bed composed of gravel filter material and perforated distribution piping, a sand filtration bed, and a leaching bed, leach lines, or seepage pits.

1. Distribution beds shall be designed and constructed in a manner similar to that set forth for mound systems in section (c) above, using approved, perforated gravity-flow piping in lieu of pressurized piping. Sand filtration beds shall extend not less than five (5) feet vertically below and five (5) feet horizontally from the edges of any distribution bed.
2. Filtration material shall be clean sand having a uniform grain size distribution within the acceptable range indicated on Appendix Table H-7 of this Code. Conformance with this grain size standard shall be determined by sieve analysis performed on representative samples taken prior to placement of the filtration material into the filter bed excavation.

Section H 1301.4 is added to Appendix H.

H 1301.4 Supplemental treatment. Supplemental Treatment means any OWTS or component of an OWTS, except a septic tank or dosing tank, which performs additional wastewater treatment so that the effluent meets a predetermined performance requirement prior to discharge of effluent into the dispersal field.

1. Supplemental Treatment Components required to meet Nitrogen reduction:
Effluent from the supplemental treatment components designed to reduce nitrogen shall be certified by NSF (NSF/ANSI Standard 245) to meet a 50 percent reduction in total nitrogen when comparing the 30-day average influent to the 30-day average effluent.
2. Supplemental Treatment Components required to meet Pathogen reduction:
Supplemental treatment components designed to perform disinfection shall be certified by NSF (NSF/ANSI Standard 40 or 245) to provide sufficient pretreatment of the wastewater so that effluent from the supplemental treatment components does not exceed a 30-day average TSS of 30 mg/L and shall further achieve an effluent fecal coliform bacteria concentration less than or equal to 200 Most Probable Number (MPN) per 100 milliliters.
3. Supplemental treatment components shall be inspected for proper operation while the system is in use by a service provider unless a telemetric monitoring system is capable of continuously assessing the operation of the disinfection system. Testing of the wastewater flowing from supplemental treatment components that perform disinfection shall be sampled at a point in the system after the treatment components and prior to the dispersal system and shall be conducted quarterly based on analysis of total coliform with a minimum detection limit of 2.2 MPN. All effluent samples must include the geographic coordinates of the sample's location. Effluent samples shall be

taken by a service provider approved by the Authority Having Jurisdiction and analyzed by a State-certified laboratory.

4. Supplemental Treatment Components installed in lieu of "subsurface sand filtration" systems shall meet both Nitrogen and Pathogen reduction and other treatment requirements as required by the Authority Having Jurisdiction.
5. Supplemental Treatment Components shall be installed by a contractor with a valid C-42 license from the state of California and in accordance with manufacturer's specifications.

SECTION H 1401.0 NONHAZARDOUS LIQUID WASTE TRANSFER FACILITIES

Section H 1401.0 is added to Appendix H.

H 1401.1 General. A Nonhazardous Liquid Waste Transfer Facility is a temporary holding facility for non-hazardous liquid waste from recreational vehicle holding tanks and portable toilets. A Nonhazardous Liquid Waste Transfer Facility consists of a holding tank, liquid waste loading area with washdown equipment, associated piping, and holding tank liquid level alarm system.

1. Holding tank construction shall be consistent with CPC section H 501.0, with the following exceptions:
 - a. Baffles are not required
 - b. Only one access port is required
 - c. Tanks shall be traffic-rated IAPMO approved
2. All piping, including but not limited to materials, cleanouts, and venting, shall be consistent with CPC sections 715.0 through 720.0, inclusive.
3. The minimum setbacks for holding tanks shall be as follows:

<i>Streams and Watercourses</i>	<i>50 feet</i>
<i>Wells</i>	<i>50 feet</i>
<i>Groundwater</i>	<i>5 feet</i>
<i>Structures</i>	<i>5 feet</i>
<i>Property Line</i>	<i>5 feet</i>
<i>On-Site Domestic Water Line</i>	<i>5 feet</i>
<i>Public Water Main</i>	<i>10 feet</i>

4. Minimum holding tank capacity shall be not less than three times the anticipated daily loading to the holding tank and in no case shall be less than 1,000 gallons.
5. An alarm system constructed of durable, corrosion-resistant material shall be installed on each holding tank. This alarm shall give a conspicuous audio and visual indication whenever the tank becomes two-thirds full.
6. The liquid waste loading area shall consist of an impermeable, easily cleanable area designed and constructed in a manner which prevents the formation of insanitary conditions. A ¾ inch water hose connection shall be installed at the liquid waste loading area to allow connection of a hose for area washdown following holding tank pumping. An approved backflow prevention assembly shall be installed in the water service line to the hose connection. Provisions shall be made to store the washdown hose off the ground. A warning sign shall be posted at the water hose connection reading: DANGER - UNSAFE WATER.

7. Holding tanks shall be pumped by a licensed pumper as needed. Quarterly reports of holding tank pumping shall be submitted to the Ventura County Environmental Health Division by March 30, June 30, September 30, and December 31 of each year.
8. Offer to grant an easement to County Service Area 32 is required. A contractual maintenance agreement with a public utility may also be required.

SECTION H 1501.0 CLUSTERED SYSTEMS

Section H 1501.1 is added to Appendix H.

H 1501.1 Definition. Clustered systems are comprised of three or more private sewage disposal systems with soil absorption components located in a common area on a single legal lot.

All components of clustered systems shall comply with all applicable requirements of this Code pertaining to private sewage disposal systems and the following additional requirements:

1. The primary (installed) soil absorption components of the clustered system shall provide 200% of the minimum area calculated for each structure connected to the clustered system pursuant to Section H 301.0 of this Code.
2. Land area providing for complete replacement of the primary soil absorption components of the clustered system shall be set aside for future expansion, and shall conform with Appendix Table H-1 of this Code.
3. Limitations on number of structures allowed to be connected to each system shall be as follows:
 - a. For residential structures, each private sewage disposal system comprising the clustered system shall be connected to not more than one dwelling unit within a structure.
 - b. For non-residential structures, each private sewage disposal system comprising a clustered system shall be connected to one or more structures with a combined daily wastewater discharge not to exceed 1,500 gallons.
4. The soil absorption component of each private sewage disposal system within the clustered system shall be located at least sixteen horizontal feet from the soil absorption component of any other private sewage disposal system within the same clustered system.
5. When a clustered system is (or can become) located on land jointly owned by more than one owner of the structures served (e.g., condominium projects), an easement and agreement approved by the Environmental Health Division providing for access to inspect, maintain, and repair/replace the clustered system shall be recorded in the Office of the County Recorder.
6. A monitoring well, constructed and maintained in conformance with procedures adopted by the Administrative Authority, shall be provided in an approved location.
7. All distribution boxes within the clustered system shall be fitted with risers extending to finish grade elevation.

8. The applicant for each clustered system shall provide a signed statement from a California-Certified Engineering Geologist, certifying the following:
 - a. The proposed clustered system site is free against the potential hazard from landslide, excessive settlement and slippage.
 - b. Incorporation of geotechnical and geologic recommendations in concert with safe construction practices is anticipated to result in a site which is considered geotechnically and geologically suitable for the intended use and will not adversely affect adjoining properties.

APPENDIX TABLE H-1

Superscript numbers refer to footnotes (1) through (10)

LOCATION OF SEWAGE DISPOSAL SYSTEMS

Minimum Horizontal Distance in Feet From:	Building Sewer	Septic Tank ⁹	Disposal Field	Seepage Pit	Subsurface Sand Filtration System	Mound System
Building or Structures ¹	2	5	8	8	8	20 ⁷
Property line adjoining private property	Clear ²	5	5	8	8	10
Private Water supply well on suction line	50 ³	50	100	150	100 ⁸	100
Streams, lakes, tidal waters or ocean waters	50	50	100	150	100	100
Large Trees	--	10	--	10	10	--
Seepage pits cesspools	--	5	5	12	--	--
Disposal Field	--	5	4 ⁴	5	--	--
On site domestic water service line	1 ⁵	5	5	5	5	5
Distribution Box	--	--	5	5	--	--

Pressure public water main	10 ⁶	10	10	10	10	10
Public water well	50 ³	50	150	200 ¹⁰	150-200 ¹⁰	150
Public water systems' surface water intake point	--	--	200-400 ¹⁰	200-400 ¹⁰	200-400 ¹⁰	200-400 ¹⁰

FOOTNOTES TO TABLE CPC APPENDIX H-1

NOTE: When disposal fields or seepage pits are installed in sloping ground, the minimum horizontal distance between any part of the leaching system and ground surface shall be fifteen (15) feet.

When facilities are located near tidal or ocean waters, the horizontal distance shall be measured from the historically most landward location of the beach at the mean high tide elevation. Structures or facilities shall be constructed in accordance with Federal, State and local laws to prevent erosion of the beaches and movement of the mean high tide closer than the horizontal distances specified above.

- (1) Including porches and steps, whether covered or uncovered, breezeways, roofed port-cocheres, roofed patios, carports, covered walks, covered driveways and similar appurtenances.
- (2) See Section 312.3 of the CPC.
- (3) The distance may be reduced to not less than twenty-five (25) feet when approved metallic piping is installed. Where special hazards are involved, the distance required shall be increased as may be directed by the County Health Officer or the Administrative Authority.
- (4) Plus two (2) feet for each additional foot of depth in excess of one (1) foot below the bottom of the drain line (see Section H 601.0 of the CPC).
- (5) See Section 720.0 of the CPC.
- (6) For parallel construction. For crossings, approval by the Administrative Authority is required.
- (7) This distance shall be increased to 30 feet when the system is located upslope of the structure.
- (8) This distance shall be increased to 150 feet when seepage pits are used as a component of the system.
- (9) Includes components of Supplemental Treatment
- (10) Except as provided for in 10 (f) and 10 (g), new or replacement OWTS with minimum horizontal setbacks less than any of the following are not authorized:
 - (a) 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet in depth.
 - (b) 200 feet from a public water well where the depth of the effluent dispersal system exceeds 10 feet in depth.
 - (c) Where the effluent dispersal system is within 600 feet of a public water well and exceeds 20 feet in depth the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated. A qualified professional shall conduct this evaluation. However, in no case shall the setback be less than 200 feet.
 - (d) Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake point, within the catchment of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.
 - (e) Where the effluent dispersal system is located more than 1,200 feet but less than 2,500 feet from a public water systems' surface water intake point, within the catchment area of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.
 - (f) For replacement OWTS that do not meet the above horizontal separation requirements, the replacement OWTS shall meet the horizontal separation to the greatest extent practicable. In such case, the replacement OWTS shall utilize supplemental treatment and other mitigation measures, unless the permitting authority finds that there is no indication that the previous system is adversely affecting the public water source, and there is limited potential that the replacement system could impact the water source based on topography, soil depth, soil texture, and groundwater separation.
 - (g) For new OWTS, installed on parcels of record existing at the time of the effective date of this Policy, that cannot meet the above

horizontal separation requirements, the OWTS shall meet the horizontal separation to the greatest extent practicable and shall utilize supplemental treatment for pathogens as specified in section 10.8 of the State OWTS Policy and any other mitigation measures prescribed by the Authority Having Jurisdiction.

APPENDIX TABLE H-2 SINGLE FAMILY DWELLINGS

Calculate septic tank capacity by both number of bedrooms and by number of plumbing fixture units. Use the capacity based on plumbing fixture units if greater than capacity based on number of bedrooms.

Number of Bedrooms	Septic Tank Capacity (gallons)	Number of Plumbing Fixture Units	Septic Tank Capacity (gallons)
3 or less	1,000	25 or less	1,000
4	1,200	26-33	1,200
5-6	1,500	34-45	1,500
Additional Bedrooms	Add 150 gallons capacity per bedroom in excess of 6	46-55	2,000
		56-60	2,250
		61-70	2,500
		71-80	2,750
		81-90	3,000
		91-100	3,250
		Over 100	Add 25 gallons capacity per fixture unit in excess of 100

NON-RESIDENTIAL STRUCTURES

Calculate septic tank capacity based solely on number of plumbing fixture units.

Number of Plumbing Fixture Units	Septic Tank Capacity (gallons)
20 or less	1,000
21-25	1,200
26-33	1,500
34-45	2,000
46-55	2,250
56-60	2,500
61-70	2,750
71-80	3,000
81-90	3,250
91-100	3,500
Over 100	Add 25 gallons capacity per plumbing fixture unit in excess of 100

Note: Where tank size is not commercially available for calculated capacity, round up to the next available size.

APPENDIX TABLE H-6

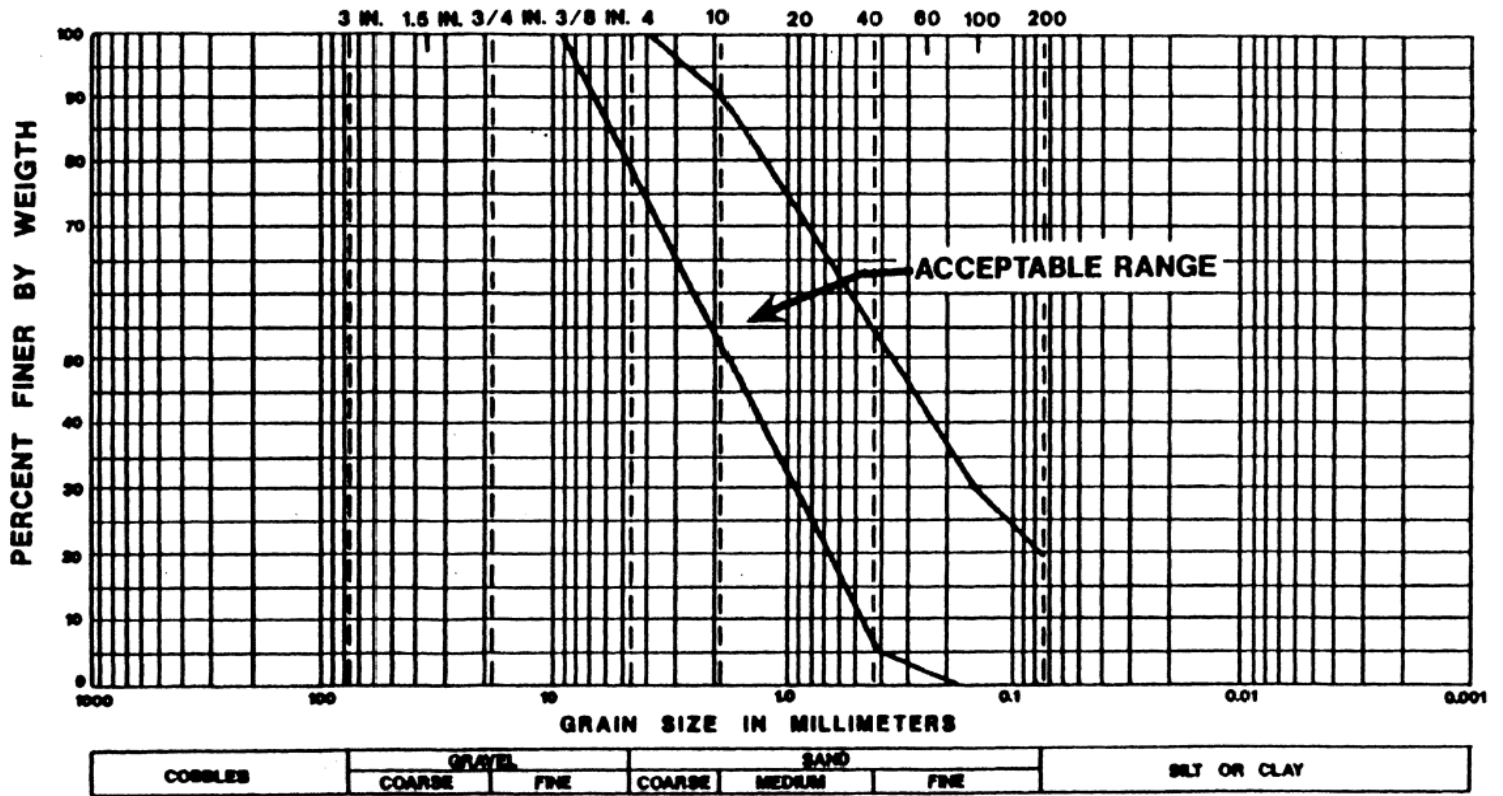
ABSORPTION AREA REQUIREMENTS

Percolation Rate (Time in minutes required for water to fall one inch)	Required Absorption Area (Sq. ft. per bedroom using standard leach lines.) See notes (a) through (e) below.
1 or less	75
2	85
3	100
4	115
5	125
10	165
15	190
30	250
45	300
60	330
over 60 (e)	---

- (a) Sufficient usable land area must be available to provide 100% expansion of required absorption area when/if necessary. See Section CPC APPENDIX H-1(d) in this Code.
- (b) Absorption area should be sufficient to accommodate increased future use stemming from the addition of bedrooms or conversion of unfinished spaces to bedroom use, whenever such changes can reasonably be anticipated.
- (c) The absorption area for leach lines and leaching beds is calculated as trench bottom area only except as provided in Section CPC APPENDIX Table H-6 in this Code. Minimum required area for leaching trenches is 150 sq. ft.
- (d) The above table allows for the connection of domestic food waste units and automatic clothes washing machines without further increase in absorption area.
- (e) Soil having a percolation rate over 90 min/inch is unsuitable for installation of conventional absorption system. An alternative absorption system, such as a drip system, is required for percolations rates greater than 90 min/inch.

APPENDIX TABLE H-7

U.S. STANDARD SIEVE SIZE



GRADATION CURVE

ARTICLE 7 AMENDMENTS TO THE CALIFORNIA ENERGY CODE

CHAPTER 1 GENERAL PROVISIONS

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the standards and provisions contained in the California Energy Code, the Scope and Administration provisions of the Building Code shall be used, as adopted, and as amended in Article 2.

CHAPTERS 2 THROUGH 9

*(Chapters 2 through 9 contain no amendments to
the California Energy Code.)*

**ARTICLE 8
AMENDMENTS TO THE
CALIFORNIA HISTORICAL BUILDING CODE**

**CHAPTER 1
ADMINISTRATION**

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the standards and provisions contained in the California Historical Building Code, the Scope and Administration provisions of the Building Code shall be used, as adopted, and as amended in Article 2.

CHAPTERS 2 THROUGH 10

*(Chapters 8-2 through 8-10 contain no amendments to
of the California Historical Building Code.)*

ARTICLE 9 AMENDMENTS TO THE CALIFORNIA EXISTING BUILDING CODE

(The following Appendices in the California Existing Building Code are adopted in their entirety for Ventura County: Appendices A1, A2, A3, A4, and A5.)

CHAPTER 1 ADMINISTRATION

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the standards and provisions contained in the California Existing Building Code, the Scope and Administration provisions of the Building Code shall be used, as adopted, and as amended in Article 2.

CHAPTERS 2 THROUGH 16

*(Chapters 2 through 16 contain no amendments to
of the California Existing Building Code.)*

ARTICLE 10
AMENDMENTS TO THE
CALIFORNIA GREEN BUILDING STANDARDS CODE

*(The following Appendices in the California Green Building Standards Code
are adopted in Ventura County: Appendices A4 and A5. These appendices are voluntary.)*

CHAPTER 1
ADMINISTRATION

In order to carry out the necessary civil, administrative, and criminal procedures for enforcing the standards and provisions contained in the California Green Building Standards Code, the Scope and Administration provisions of the Building Code, as adopted and as amended in Article 2, shall be used to supplement the administrative provisions of Chapter 1 of this Code,

CHAPTER 2

SECTION 202 DEFINITIONS

Section 202 of the CBGSC is amended by adding the following definitions to the VCBC to read as follows:

ALL-ELECTRIC BUILDING. *A building that contains no combustion equipment or plumbing for combustion equipment serving space heating, water heating (including pools and spas), cooking appliances, or clothes drying in the building or within building property lines and instead uses electrical heating appliances for service.*

COMBUSTION EQUIPMENT. *Any equipment or appliance used for space heating, water heating, cooking, clothes drying, and/or lighting that uses natural gas.*

ELECTRICAL HEATING APPLIANCE. *A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.*

CHAPTER 3

*(Chapter 3 contains no amendments to
the California Green Building Standards Code.)*

CHAPTER 4 RESIDENTIAL MANDATORY MEASURES

SECTION 4.509 REDUCTION OF GREENHOUSE GASES

Section 4.509 is added in the VCBC to read as follows:

4.509.1 All electric equipment and appliances. *In order to reduce the amount of greenhouse gases produced by equipment and appliances in buildings, all new residential buildings, qualifying additions, and qualifying alteration projects shall be constructed to comply with Sections 4.509.2 through 4.509.4 so that they do not use combustion equipment, except where otherwise allowed by this code.*

4.509.2 New residential buildings. *All newly constructed residential buildings shall be designed and constructed to be all-electric buildings having no natural gas burning appliances or equipment.*

Exceptions:

1. *Indoor and outdoor fireplaces and fire pits*
2. *Outdoor grills and other outdoor cooking appliances*
3. *Swimming pool and spa heaters*
4. *Emergency standby generators*
5. *If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification to allow the use of natural gas space heating equipment.*

4.509.3 Qualifying additions. *When the size of the addition exceeds 50% of the area of the existing building, then all appliances and equipment serving the addition shall be all-electric.*

Exceptions: *The exceptions for new residential buildings also apply to qualifying additions.*

4.509.4 Qualifying alteration projects. *When the value of the alteration exceeds 50% of the estimated value of the existing building, then all appliances and equipment serving the altered area shall be all-electric.*

Exceptions: *The exceptions for new residential buildings also apply to qualifying alteration projects.*

CHAPTER 5 NON-RESIDENTIAL MANDATORY MEASURES

SECTION 5.509 REDUCTION OF GREENHOUSE GASES

Section 5.509 is added in the VCBC to read as follows:

5.509.1 All electric equipment and appliances. *In order to reduce the amount of greenhouse gases produced by equipment and appliances in buildings, all new non-residential buildings, qualifying additions, and qualifying alteration projects shall be constructed to comply with Sections 5.509.2 through 5.509.4 so that they do not use combustion equipment, except where otherwise allowed by this code.*

5.509.2 New non- residential buildings. *All newly constructed non-residential buildings shall be designed and constructed to be all-electric buildings having no equipment or appliances that use natural gas.*

Exceptions:

1. *Indoor and outdoor fireplaces and fire pits.*
2. *Swimming pool and spa heaters*
3. *Emergency standby generators.*
4. *Nonresidential buildings containing kitchens (e.g., restaurants, jails, university campuses) or other specialized commercial or industrial equipment, may qualify for a modification to install commercial or industrial equipment served by natural gas when a finding is made by the Building Official that the following conditions exist:*
 - a. *A business-related need exists for the use of combustion equipment, and*
 - b. *The need cannot be performed equivalently with an electrical appliance*
5. *If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification to allow the use of natural gas space heating equipment.*

5.509.3 Qualifying additions. *When the size of the addition exceeds 50% of the area of the existing building, then all appliances and equipment serving the addition shall be all-electric.*

Exceptions: *The exceptions for new non-residential buildings also apply to qualifying additions.*

5.509.4 Qualifying alteration projects. *When the value of the alteration exceeds 50% of the estimated value of the existing building, then all appliances and equipment serving the altered area shall be all-electric.*

Exceptions: *The exceptions for new non-residential buildings also apply to qualifying alteration projects.*

CHAPTERS 6 THROUGH 8
*(Chapters 6 through 8 contain no amendments to
the California Green Building Standards Code.)*

ARTICLE 11

INTERNATIONAL PROPERTY MAINTENANCE CODE

(In addition to the amendments in Article 11, the following Appendix in the International Property Maintenance Code is adopted in Ventura County: Appendix A.)

CHAPTER 1

SCOPE AND ADMINISTRATION

(Chapter 1 contains no amendments to the International Property Maintenance Code.)

CHAPTER 2 DEFINITIONS

SECTION 202 GENERAL DEFINITIONS

**Section 202 of the IPMC is amended with the following definitions:
Section 202 General definitions.**

INOPERABLE MOTOR VEHICLE. A vehicle that cannot be driven upon the public streets for reason including but not limited to being wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

PREMISES. A lot, plot or parcel of land, *or* easement, including any structures thereon.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, legally occupying a building or portion thereof as a unit.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 302 EXTERIOR PROPERTY AREAS

Section 302.4 (Weeds) in the IPMC is deleted for the Ventura County Building Code.

Section 302.8 in the IPMC is amended to read as follows:

302.8 Motor vehicles. Except as provided for in other regulations, inoperative motor vehicles shall not be parked, kept, or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

Section 302.9 (Defacement of property) in the IPMC is deleted for the Ventura County Building Code.

SECTION 304 EXTERIOR STRUCTURE

Section 304.14 (Insect screens) in the IPMC is deleted for the Ventura County Building Code.

SECTION 305 INTERIOR STRUCTURE

Section 305.6 in the IPMC is amended to read as follows:

305.6 Interior doors. Every interior door shall fit well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 INTERIOR STRUCTURE

Section 306.1.1 in the IPMC is amended to read as follows:

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the California Building Code or the California Existing Building Code as required for existing buildings:

(The remaining part of this section in the IPMC, items 1 thru 6, including all sub-items and exceptions remain a part of this Code and are not amended in the County Code, but are omitted, for brevity.)

SECTION 309 PEST ELIMINATION

Section 309.5 in the IPMC is amended to read as follows:

309.5 Occupant. The occupant of any structure may be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

CHAPTER 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

SECTION 404

OCCUPANCY LIMITATIONS

Section 404.7 (Food preparation) in the IPMC is deleted for the Ventura County Building Code.

CHAPTER 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION 501

GENERAL

Section 501.3 is added to the Ventura County Building Code.

***501.3 Referenced Plumbing Code.** All references in this chapter to provisions and sections of the International Plumbing Code shall be replaced with the corresponding provisions and sections of the California Plumbing Code.*

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION 601

GENERAL

Section 601.3 is added to the Ventura County Building Code.

601.3 Referenced Plumbing and Mechanical Codes. *All references in this chapter to provisions and sections of the International Plumbing Code or the International Mechanical Code shall be replaced with the corresponding provisions and sections of the California Plumbing Code and the California Mechanical Code.*

SECTION 602

HEATING FACILITIES

Section 602.2 in the IPMC is amended to read as follows:

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms, and toilet rooms *in accordance with the provisions of Section R303.10 of the California Residential Code*. Cooking appliances shall not be used, nor shall portable, unvented fuel-burning space heaters be used as a means to provide required heating.

Section 602.3 (Heat supply) in the IPMC is deleted for the Ventura County Building Code.

Section 602.4 (Occupiable workspaces) in the IPMC is deleted for the Ventura County Building Code.

CHAPTER 7

FIRE SAFETY REQUIREMENTS

SECTION 701

GENERAL

Section 701.3 is added to the Ventura County Building Code.

701.3 Referenced codes. *All references in this chapter to provisions and sections of the International Fire Code or the International Building Code or the International Residential Code shall be replaced with the corresponding provisions and sections of the California Fire Code and/or the California Building Code and/or the California Residential Code.*

CHAPTER 8

REFERENCED STANDARDS

*(Chapter 8 contains no amendments to
the International Property Maintenance Code.)*

IPMC APPENDIX A BOARDING STANDARD

Appendix A of the International Property Maintenance Code is adopted in its entirety and amended in the VCBC as follows...

SECTION A101 GENERAL

Section A101.2 is added to the Ventura County Property Maintenance Code.

***A101.2 Referenced Building Code.** All references in this chapter to provisions and sections of the International Building Code shall be replaced with the corresponding provisions and sections of the California Building Code.*

ARTICLE 12

AMENDMENTS TO THE INTERNATIONAL SWIMMING POOL AND SPA CODE

CHAPTER 1

SCOPE AND ADMINISTRATION

SECTION 102

GENERAL

Section 101.2 of the ISPSC is amended to read as follows:

101.2 Scope. The provisions of this Code shall apply to the construction, alteration, movement, renovation replacement, repair, and maintenance of *residential* aquatic recreation facilities, pools and spas. The pools and spas covered by this Code are either permanent or temporary and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing, or wading.

Section 102.7.1 of the ISPSC is amended to read as follows:

102.7.1 Application of the *California* codes. *All references in this chapter to provisions and sections of the International Building Code, the International Residential Code, the International Plumbing Code, the International Mechanical Code, or the International Energy Conservation Code shall be replaced with the corresponding provisions and sections of the California Building Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, and California Energy Code, respectively. All references to the International Fuel Gas Code shall be replaced with the corresponding references to the California Plumbing Code.*

CHAPTERS 2 AND 3

*(Chapters 2 and 3 contain no amendments to
the International Swimming Pool and Spa Code.)*

CHAPTERS 4 THROUGH 6

(Chapters 4 through 6 of the International Swimming Pool and Spa Code are not adopted in Ventura County.)

CHAPTERS 7 THROUGH 11

*(Chapters 7 through 11 contain no amendments to
the International Swimming Pool and Spa Code.)*

ARTICLE 13

MOBILEHOMES AND COMMERCIAL COACHES

CHAPTER 1

SCOPE

SECTION 101

101.1 The provisions of this Article shall apply to mobile homes and commercial coaches installed outside mobile home parks in all locations where the County of Ventura is the primary enforcement authority for applicable provisions of the State Mobile home Parks Act, Subchapter 1 of Chapter 2, California Code of Regulations, Title 25.

CHAPTER 2 DEFINITIONS

SECTION 201

201.1 For the purposes of this Article the terms "mobile home," "commercial coach," "mobile home accessory structure," and "foundation system" shall have the meanings set forth in Title 25, California Code of Regulations, and shall also apply to "manufactured housing" and "factory-built housing".

For Recreational Vehicles, see Section 18010 of the State of California Health and Safety Code which reads as follows:

"Recreational vehicle" means either of the following:

- (a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:
 - (1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.
 - (2) It contains 400 square feet or less of gross area measured at maximum horizontal projections.
 - (3) It is built on a single chassis.
 - (4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- (b) A park trailer as defined in Health and Safety Code Section 18009.3

CHAPTER 3

INSTALLATION PERMIT REQUIRED

SECTION 301

301.1 No person, firm, or corporation shall install, occupy, or use a mobile home, mobile home accessory structure, or commercial coach or cause the same to be done without first obtaining an installation permit therefore. Said installation permit shall be issued subject to compliance with applicable laws and ordinances, including but not limited to:

1. Terms and conditions of a zoning clearance, including time limits established thereby.
2. Requirements for an approved foundation system.
3. Requirements for approved electrical, plumbing, and sewage disposal facilities.
4. Payment of installation permit fees in addition to fees for permits, services or clearances which may otherwise be required.

CHAPTER 4

SPECIAL REQUIREMENTS FOR COMMERCIAL COACHES

SECTION 401

401.1 Allowable area. The area of commercial coach units connected in multiple shall not exceed the allowable floor area for the occupancy housed therein and the Type of Construction, in accordance with Section 503 in the California Building Code.

401.2 Location on property. Commercial coaches shall be positioned on a site with sufficient setback from property lines so as to comply with the requirements of Table 602 of the California Building Code for fire-resistive protection of exterior walls and openings without the necessity for altering the structure or finish materials of the exterior walls of the coach.

401.3 Stairs and exits. Stairs, ramps, handrails, guardrails, landings, and exits shall be provided for commercial coaches as specified in Chapter 10 in the California Building Code. Such coaches shall also conform to applicable standards of the State of California for making buildings accessible by physically handicapped persons.

401.4 Sanitary facilities. Commercial coaches shall be provided with sanitary facilities in accordance with the requirements of this Code which are applicable to the particular occupancy housed therein. Sanitary facilities shall also conform to the applicable standards of the State of California for accessibility to physically handicapped persons.

CHAPTER 5

REQUIREMENTS IN FIRE HAZARD SEVERITY ZONES

SECTION 501

501.1 The requirements of Chapter 7A in this Code shall be applicable to mobile homes, mobile home accessory structures, manufactured or factory-built housing, and commercial coaches installed within Fire Hazard Severity Zones areas.

CHAPTER 6
SUBSTANDARD OR DANGEROUS MOBILE HOMES
AND COMMERCIAL COACHES

SECTION 601

601.1 All mobile homes, commercial coaches, or portions thereof, whether permanently or temporarily installed, which are determined to be substandard or dangerous as defined in the International Property Maintenance Code as amended by this Code, are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with procedures specified in such codes.

CHAPTER 7 RECREATIONAL VEHICLES

SECTION 701

701.1 Recreational vehicles may only be used as "temporary dwellings during construction", provided all of the following requirements are met:

1. A building permit for new residential construction or major remodeling rendering the primary dwelling uninhabitable is in full force and effect and subject to Zoning Clearance conditions.
2. The Recreational Vehicle is connected to:
 - a. An approved source of potable water
 - b. An approved sewage disposal system, whether public or private
 - c. An approved source of electrical power.

Recreational vehicles cannot be used as permanent dwellings or permanent accessory structures on private property, except as specifically allowed under California State law.

ARTICLE 14 POST-DISASTER RECOVERY AND RECONSTRUCTION

CHAPTER 1 SCOPE AND APPLICATION

SECTION 101 POST-DISASTER SAFETY ASSESSMENT PLACARDS AND SECURITY

101.1 Application of provisions. The provisions of this chapter are applicable to all buildings and structures, of all occupancies, regulated by the County of Ventura following each natural or man-made disaster.

CHAPTER 2 DEFINITIONS

SECTION 201 DEFINITIONS

201.1 Definitions. For the purpose of the chapter, the following definitions apply:

ARCHITECT is a person licensed by the State of California to practice architecture as prescribed by the State of California Business and Professions Code.

BUILDING OFFICIAL shall be as defined in Article 2, Section 103 of this Code.

CIVIL ENGINEER is a person registered by the State of California to practice Civil Engineering as prescribed by the State of California Business and Professions Code.

CURRENT CODE shall mean those codes listed in Article 1, Section 101.1 of this Code as adopted by the County of Ventura in accordance with operation of law pursuant to Section 18941.5 of the State of California Health and Safety Code. The edition to be applied shall be that edition in effect at the time of the declaration of a local emergency by the Board of Supervisors, County of Ventura.

ENGINEERING EVALUATION is an evaluation of a damaged building or structure, or suspected damaged building or structure, performed under the direction of a structural engineer, civil engineer, or architect retained by the owner of the building or structure. Engineering evaluations shall, at a minimum, contain recommendations for repair with appropriate opinion of construction cost for those repairs. All engineering evaluations shall include the engineer's or architect's stamp, wet-signature and license expiration date.

ESSENTIAL SERVICE FACILITY shall mean those buildings or structures designated by the County of Ventura to house facilities necessary for emergency operations subsequent to a disaster.

EVENT shall mean any occurrence which results in the declaration of a disaster by the Board of Supervisors, including but not limited to, fires, landslides, windstorms, earthquakes, and floods.

HISTORIC BUILDING OR STRUCTURE shall be any building or structure registered with a federal, state, county, or city government, or the register of points of interest. Historic buildings and structures shall also include those buildings and structures within a recognized historic district.

REPLACEMENT VALUE is the dollar value, as determined by the Building Official, for replacing a damaged structure with a new structure of the same size, same type of construction and same occupancy, and located on the same site.

SAFETY ASSESSMENT is a visual examination of a building or structure for the purpose of determining whether continued use or occupancy is appropriate following a natural or man-made disaster.

STATE HISTORIC PRESERVATION OFFICER (SHPO) is the person appointed by the Governor, pursuant to Section 101(b)(1) of the National Historic Preservation Act of 1966, as amended, to administer the State Historic Preservation Program.

Office of Historic Preservation
Department of Parks and Recreation
1725 23rd Street, Suite 100

Sacramento, CA 95816
Phone: (916) 445-7000
FAX: (916) 445-7053

STRUCTURAL ENGINEER is a person registered by the State of California to practice civil engineering and to use the title Structural Engineer as defined in Section 5537.1 of the State of California Business and Professions Code.

VALUE OF REPAIR is the dollar value, as determined by the Building Official, for making necessary repairs to the damaged structure.

CHAPTER 3

POST-DISASTER SAFETY ASSESSMENT PLACARDS AND SECURITY

SECTION 301 SCOPE

301.1 Scope. This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy after any natural or man-made disaster. It further authorizes the Division of Building and Safety as well as authorized representatives, to post appropriate placards at each entry point to a building or structure upon completion of a safety assessment.

SECTION 302 PLACARDS

302.1 Placards. The following official placards shall be used to designate the condition of buildings or structures following a disaster.

302.1.1 (Green) Inspected – Lawful Occupancy Permitted may be posted on any building or structure where no apparent hazard has been found. Placement of this placard does not mean that there is no damage to the building or structure.

302.1.2 (Yellow) Restricted or Limited Entry may be posted on each damaged building or structure where damage has created a hazardous condition which justifies restricted occupancy. The Building Official who posts this placard will note in general terms the hazard created and will clearly and concisely note the restrictions on occupancy.

302.1.3 (Red) Unsafe – Do Not Enter or Occupy may be posted on each damaged building or structure such that continued occupancy poses a threat to life or health. Buildings or structures posted with this placard may be entered only after authorization in writing by the Building Official. Safety assessment teams are authorized to enter these buildings at any time. This placard shall not be used or considered as a demolition order. The official who posts this placard shall note in general terms damage encountered.

302.1.4 Securing of unsafe buildings or structures. Buildings or structures that have been determined by the Building Official to pose a threat to life safety or to be unsafe due to damage may be required by the Building Official to be secured from entry by fencing or other approved means until such time that the damage or threat to life is removed by repair, reconstruction or demolition. The fencing or security measures shall not be removed without authorization from the Building Official.

302.1.5 Removal of placards. Once the placard has been attached to a building or structure, it shall not be removed, altered or covered until authorized by the Building Official.

302.2 Violations. Any violation of this Article is a misdemeanor and shall be subject to punishment according to the provisions of Article 2, Chapter 1, Section 114.

CHAPTER 4 POST-DISASTER ABATEMENT

SECTION 401 INTENT AND APPLICATION

401.1 Intent. This chapter establishes abatement criteria for all buildings and structures damaged as a result of a disaster for which a local emergency has been declared by the Board of Supervisors.

401.2 Application of provisions. The provisions of this chapter are applicable to all buildings and structures regulated by the County of Ventura.

SECTION 402 ABATEMENT CRITERIA

402.1 Notice of determination. Except as provided in section 45.2.4.2 below, the Building Official shall serve a written Notice of Determination to each property owner as found on the latest available copy of the last equalized assessment roll. Said Notice of Determination shall be delivered by hand-delivery, telephone, telegram, facsimile or other reasonable means, and shall clearly indicate that the structure is an imminent hazard and dangerous and that, as such, it constitutes a public nuisance. The notice shall set forth those factors which, in the opinion of the Building Official, make the structure an imminent hazard and dangerous, and shall also include a directive from the Building Official of the specific action or actions to be taken by the property owner. The Notice shall specify that within forty-eight (48) hours from the time of issuance of the Notice of Determination, the owner or other party of record with an equitable or legal interest in said property shall abate the nuisance in accordance with the directives written in the Notice of Determination by the Building Official.

402.2 Notice of determination exception. No prior notice shall be required, when the Building Official, after considering all the facts, determines, in writing, that the structure is an imminent hazard and dangerous, and that it must be abated immediately, and that time and circumstances do not permit the giving of prior notice to the owner. In those cases where time and circumstances do not permit the County to give the owner notice prior to abatement, the Building Official may cause the nuisance to be abated by the County with County resources or County contractors.

402.3 Appeal of notice of determination. A Notice of Determination delivered by the Building Official, that a building or structure is an imminent hazard and dangerous and therefore must be abated, may be appealed by the property owner or any other party of record with an equitable or legal interest in said property. Such appeal must be made to the Building Official within 48 hours of delivery of such notice of determination by the Building Official. Such appeal shall be accompanied by a written Hazard Abatement Plan signed by a State of California licensed engineer or architect or by a written report by a State of California licensed engineer or architect stating why the engineer or architect feels the building or structure is not an imminent hazard or dangerous at this time. Such report shall include a recommendation by the engineer or architect as to what should and/or should not be done at this time. If the Building Official accepts the proposed Hazard Abatement Plan in lieu of the Notice of Determination, the Hazard Abatement Plan must be implemented within 24 hours of acceptance by the Building Official. If the Building Official accepts an engineer's report and agrees there is no imminent hazard, the Building Official shall rescind in writing his former Notice of Determination.

Should the Building Official disagree with the Hazard Abatement Plan or should the Building Official disagree with the engineer's or architect's report, a hearing shall be conducted by the General Board of Appeals as soon as a quorum can be assembled.

402.4 General Board of Appeals hearing. At the hearing, the appellant shall have the right to call witnesses, submit evidence and to cross-examine the witnesses, submit evidence and to cross-examine the witnesses of the County. All witnesses shall be sworn.

A record of the entire proceedings shall be made by tape recording. Any relevant evidence may be submitted regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in the courts of this State.

At the close of this hearing, the General Board of Appeals shall act to either uphold, overrule or modify the determination and order of the Building Official. The determination and order of the Building Official shall be upheld, unless the Board of Appeals finds, based upon the evidence in the record, that the Building Official erred in determining that the structure is an imminent hazard and dangerous. The decision of the Board of Appeals, with the reasons therefore, may be given orally on the record. If given orally, the decision shall be memorialized in writing and served upon the applicant within twenty-four (24) hours of the time the oral decision is rendered.

If the General Board of Appeals upholds the decision of the Building Official, the property owners of record shall be ordered to abate the public nuisance within the time set forth in the order. If the structure is determined not to be an imminent hazard and dangerous, the Building Official's determination and order shall be vacated. The decision of the General Board of Appeals shall be final on the date it is rendered.

402.5 Hazard abatement plan. If a Hazard Abatement Plan is approved by the Building Official, the owner or other interested party of record shall execute such plan within twenty-four (24) hours of obtaining approval of the plan from the Building Official, or his designee. Within twenty-four (24) hours of completion of the abatement work the owner or other interested party of record shall provide the Building Official with a written certification that the public nuisance, as described in the Building Official's Notice of Determination, has been abated.

If the work performed pursuant to the Hazard Abatement Plan amounts to temporary abatement, the owner or other party of record, prior to proceeding with permanent repairs, shall obtain required permits and file a damage assessment report with the Building Official. The damage assessment report shall be reviewed and approved by the Building Official prior to proceeding with permanent repairs.

402.6 Failure to perform. In those instances, where the property owner or other interested party of record either does not respond to the Building Official's Notice of Determination or approved Hazard Abatement Plan, responds untimely, or responds timely but fails to abate the public nuisance within the required time period, the imminent hazard and dangerous structure shall be subject to immediate abatement by the Building Official.

402.7 Public nuisance. All structures or portions thereof which, after inspection by the Building Official, are determined to be an imminent hazard and dangerous, either to the public, occupants of the subject structure, or to any adjacent structures, are hereby declared to be public nuisances and shall be abated by the owner in accordance with the procedures specified in sections 45.2.4.4 and 45.2.4.5.

402.8 Suspension of abatement work. Notwithstanding any provisions herein to the contrary, the Building Official is authorized to suspend abatement work by the County, or the County's contractors, and to allow the property owner or other party of legal interest to complete the abatement work.

402.9 Change of status. When the conditions making a structure an imminent hazard and dangerous have been abated, the structure shall no longer be considered an imminent hazard and dangerous. However, if the abatement work is temporary in nature, as determined by the Building Official, the structure shall remain subject to the provisions of this Chapter.

402.10 Demolition permit. If the owner of any building or structure has decided to demolish rather than repair, the owner, or the owner's representative, shall obtain a demolition permit.

SECTION 403
HAZARD ABATEMENT OF
HISTORIC BUILDINGS OR STRUCTURES

403.1 Notification of imminent hazard. Within 10 days after the event, the Building Official shall notify the State Historic Preservation Officer that one of the following actions will be taken regarding any historic building or structure determined by the Building Official to represent an imminent hazard to the health or safety of the public, or to pose an imminent threat to the public right of way:

403.1.1 Bracing or shoring. Whenever possible, as determined by the Building Official, the building or structure may be braced or shored in such a manner as to mitigate the hazard to public health or safety or the hazard to the public right of way.

403.1.2 Condemnation. Whenever bracing or shoring is determined to be an unreasonable alternative, the Building Official may cause the building or structure to be condemned and immediately demolished. Such condemnation and demolition may be performed in the interest of public health or safety without a condemnation hearing as required by the International Property Maintenance Code as adopted by reference in Article 1, and as amended by Article 11 of this Code.

403.2 Condemnation proceedings. If, ten (10) days after the event and less than 30 days after the event, an historic building or structure is determined by the Building Official to represent a hazard to the health or safety of the public or to pose a threat to the public right of way, the Building Official may initiate condemnation proceedings in accordance with the International Property Maintenance Code as adopted by reference in Article 1, and as amended by Article 11 of this Code. The Building Official may also notify the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1966, as amended, of its intent to hold a condemnation hearing.

403.3 Request to demolish. If the Building Official and the owner of any historic building or structure agree that such a building or structure should be demolished, the Building Official shall submit a request to demolish to the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1986, as amended. Said request shall include all substantiating data.

CHAPTER 5 DISASTER REPAIR AND RECONSTRUCTION

SECTION 501 INTENT AND APPLICATION

501.1 Intent. This Chapter establishes standards and regulations for the expeditious repair and reconstruction of structures damaged as a result of a disaster for which a local emergency has been declared by the Board of Supervisors.

501.2 Application of provisions.

501.2.1 Declaration of emergency. The provisions of this chapter are applicable to all buildings and structures regulated by the County of Ventura following each disaster after a local emergency has been declared by the Board of Supervisors.

501.2.2 Waiver for engineering evaluation. The requirements of this chapter may be waived by the Building Official subject to an Engineering Evaluation as defined in this Article.

SECTION 502 REPAIR CRITERIA

502.1 General. Buildings and structures of all occupancies which have been damaged as the result of a disaster, except as otherwise noted, shall be repaired in accordance with the following criteria:

502.2 Repair Criteria for buildings

502.2.1 Up to ten percent repair value. When the estimated value of repair does not exceed ten percent (10%) of the replacement value of the structure, the damaged portion may be restored to the pre-disaster condition; except that when the damaged elements include suspended ceiling systems, the ceiling system shall be repaired with all bracing required by current code.

502.2.2 Up to fifty percent repair value. When the estimated value of repair is greater than ten percent (10%) but less than fifty percent (50%) of the replacement value of the structure, the damaged elements shall be repaired and/or brought into conformance with the structural requirements of the current code.

502.2.3 More than fifty percent repair value. When the estimated value of repair is fifty percent (50%) or more of the replacement value of the structure, the entire structure shall be brought into conformance with the fire and life safety and structural requirements of the current code. Buildings and structures located in a Flood Hazard Area which are found to be Substantially Damaged shall comply with the provisions for Flood-Resistant Construction of Sections 1612, or R322, as appropriate.

502.2.4 Chimney value exclusion. In group R, Division 3 occupancies, the repair value of damaged chimneys may be excluded from the computation of percentage of replacement value. Damaged chimneys shall be repaired in accordance with Section 45.3.5.

502.3 Repair criteria for fireplaces and chimneys.

502.3.1 General. All damaged masonry chimneys must be repaired or reconstructed to comply with the requirements of Chapter 21 of the California Building Code. Damaged portions of chimneys shall be removed in accordance with the following criteria.

502.3.2 Damage above the roof line. When the damaged portion of the chimney is located between the roof line and the top of the chimney, the damaged portion may be removed to the roof line provided the roof and ceiling anchorage are in sound condition. The reconstruction portion of the chimney shall be braced to the roof structure using an approved method.

502.3.3 Single-story structure damage below the roof line. For a single-story structure in which the damaged portion of the chimney is below the roof line or the damaged portion extends from above the roof line to below the roof line, the chimney shall be removed to the top of the firebox.

502.3.4 Multi-story structure damage below the roof line. For a multi-story structure, the damaged portion of the chimney shall be removed from the top to a floor line where anchorage is found.

502.3.5 Firebox damage. In any structure where the firebox has been damaged, the entire chimney and firebox shall be removed to the foundation. If the foundation is in sound condition, the firebox and chimney may be reconstructed using the existing foundation. If the foundation has been damaged, the foundation shall be removed and replaced. Such reconstruction and replacement of masonry shall be in accordance with Chapter 21 of this Code.

502.3.6 Engineered alternate solutions. Where existing conditions preclude the installation of all anchorage required by Chapter 21 of the California Building Code, alternate systems may be used in accordance with the alternate methods and materials provisions of the California Building Code when approved by the Building Official.

502.3.7 Bracing. Where the portion of the chimney extending above the roof line exceeds two times the least dimension of the chimney, that portion above the roof line shall be braced to the roof structure using an approved method.

SECTION 503 REPAIR CRITERIA FOR HISTORIC BUILDINGS OR STRUCTURES

503.1 Engineering evaluation required. Buildings or structures which are included on a national, state, or local register for historic places or which are qualifying structures within a recognized historic district, which have been damaged as a result of a disaster, shall have an Engineering Evaluation performed.

503.2 Minimum repair criteria. The minimum criteria for repair shall be as included in Section 45.3.4 Repair Criteria with due consideration given to the historical character and nature of the structures. Additional standards and criteria, as noted in the California Historical Building Code (Part 8, Title 24, California Code of Regulations) shall apply.

SECTION 504 REPAIR CRITERIA FOR UNREINFORCED MASONRY BUILDINGS AND STRUCTURES

504.1 General. All damaged buildings determined to be bearing wall buildings constructed of unreinforced masonry shall be repaired and strengthened to fully comply with the requirements of the California Existing Building Code as adopted by the County of Ventura.

ARTICLE 15

LIMITED DENSITY OWNER-BUILT RURAL DWELLINGS

SECTION 101 CONSTRUCTION, USE AND OCCUPANCY OF LIMITED-DENSITY OWNER-BUILT RURAL DWELLINGS

(Adopted from the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 8)

101.1 Purpose. *The purpose of this Article is to provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of limited density owner-built rural dwellings and appurtenant structures.*

101.2 Intent and application. *The provisions of this Article shall apply to the construction, enlargement, conversion, alteration, repair, use, maintenance, and occupancy of limited density owner-built rural dwellings and appurtenant structures. It is the intent of this Article that the requirements contained herein shall apply to seasonally or permanently occupied dwellings, hunting shelters, guest cottages, vacation homes, recreational shelters and detached bedrooms located in rural areas.*

101.3 Definitions. *For the purposes of this Article the following definitions shall apply:*

GRAYWATER *shall include all domestic wastewater obtained from the drainage of showers, bathtubs, kitchen and bathroom sinks, and laundry facilities, exclusive of water utilized for the transport and disposal of body eliminations*

LIMITED DENSITY RURAL DWELLING *is any structure consisting of one or more habitable rooms intended or designed to be occupied by one family with facilities for living and sleeping, where the structure does not exceed 12 feet in height and the floor area does not exceed one-thousand (1,000) square feet with use restricted to rural areas as defined in this Article that fulfill the requirements of this Article.*

OWNER BUILT *shall mean constructed by any person or family who acts as the general contractor for, or the provider of, part or all of the labor necessary to build housing to be occupied as the principal residence of that person or family, and not intended for sale, lease, rent or employee occupancy.*

RURAL. *In defining "rural," the County of Ventura has considered the local geographical and topographical conditions, as well as conditions of general development as evidenced by population densities and the availability of utilities or services. Suitable geographical areas generally include those areas wherein the predominant land usage is forestry, agriculture, grazing, recreation, or conservation. Therefore, for the purposes of permitting a Limited Density Owner-Built Rural Dwelling, Rural shall mean a parcel of land meeting all of the following:*

- 1. It is not included within the Sphere of Influence of any incorporated city.*
- 2. It is not provided, nor expected to be provided, with services such as an off-site domestic water source and off-site sewage treatment.*
- 3. Electrical power is not available from any commercial source.*
- 4. It is equal to or greater than 100 acres in area.*

SOUND STRUCTURAL CONDITION. For the purposes of this Article, a structure shall be considered to be in "sound structural condition" when it is constructed and maintained in substantial conformance with accepted construction principles, technical codes, or performance criteria which provide minimum standards for the stressing of structural members; footing sizes when related to major load-bearing points; proper support of load-bearing members; nailing schedules where essential to general structural integrity; and provisions for adequate egress, ventilation, sanitation, and fire safety. Conditions which would not render a structure unsound are the minor deflections or elasticity of structural members, size or arrangement of rooms, heating, plumbing, and electrification requirements, alternative materials, appliances or facilities, or methods of construction, or building designs that perform to protect health and safety for the application and purpose intended, and any other provisions of this Article regulating the construction, use and occupancy of dwellings and appurtenant structures.

101.4 Regulation of use. For the purposes of this Article the sale, lease, renting or employee occupancy of owner-built structures within three (3) years of the issuance of a Certificate of Occupancy shall be presumptive evidence that the structure was erected for the purpose of sale, lease or renting. The restrictions of this Article on the sale, lease, renting, or employee occupancy of these dwellings may be reasonably amended to be more restrictive if the Building Official determines that such an amendment is necessary to ensure compliance with the intent of this Article.

101.5 Abatement of substandard buildings All structures or portions thereof which are determined by the Building Official to constitute a substandard building shall be declared to be a public nuisance and shall be abated by repair, rehabilitation, or removal in accordance with Health and Safety Code Sections 17980 through 17995. In cases of extreme hardship to owner-occupants of the dwellings, the appropriate local body should provide for deferral of the effective date of orders of abatement.

101.6 Petitions for interpretations. Any person wishing to appeal a decision of the Building Official related to any provision of this Article may do so by filing such appeal in writing in accordance with the provisions of Section 113 of this Code.

101.7 Recording. The Building Official shall record a "Certificate of Occupancy" for limited density owner-built rural dwellings upon approval of final inspection.

101.8 Violations. The critical concern in the promulgation of this Article is to provide for health and safety while maintaining respect for the law and voluntary compliance with the provisions of this Article, and therefore, in the event that an order to correct a substandard condition is ignored, it is the intent of this section that civil abatement procedures should be the first remedy pursued by the Building Official.

101.9 Permits. Permits shall be required for the construction of rural dwellings and appurtenant structures. The application, plans, and other data filed by an applicant for such permit shall be reviewed by the Building Official to verify compliance with the provisions of this Article. When the Building Official determines that the permit application and other data indicate that the structure(s) will comply with the provisions of this Article, the Building Official shall issue a permit therefore to the applicant.

Exemptions: Permits shall not be required for small or unimportant work, or alterations or repairs that do not present a health or safety hazard, and which are in conformance with local zoning requirements or property standards. The determination, if any, of what work is properly classified as small or unimportant or without relation to health and safety hazards is to be made by the Building Official in conjunction with appropriate local agencies affected by such exemption.

101.10 Application. To obtain a permit to construct a Limited-Density Owner-Built Rural Dwelling, or an appurtenant structure, the applicant shall first file an application therefore with the Building Official. Permit applications shall contain the following information:

1. Name and mailing address of the applicant

2. *Address and location of the proposed structure(s)*
3. *A general description of the structure(s) which shall include mechanical installations with all clearances and venting procedures detailed, electrical installations, foundation, structural, and construction details*
4. *A plot plan indicating the location of the dwelling in relation to property lines, other structures, sanitation and bathing facilities, water resources, and water ways*
5. *Approval for the installation of a private sewage disposal system or alternate waste disposal means from the Environmental Health Division*
6. *A stipulation by the applicant that the building or structure is to be owner-built*
7. *A stipulation by the applicant that the dwelling is to be owner-occupied for the minimum period specified in Section 101.4 of this Article*
8. *The signature of the owner or authorized agent*
9. *The use or occupancy for which the work is intended, and*
10. *Any other data or information required by statute or regulation*

101.11 Plans. *Plans shall consist of a general description of the structure(s), including all necessary information to facilitate a reasonable judgment of conformance by the Building Official. This may include a simplified diagram of the floor plan and site elevation in order to determine the appropriate dimensions of structural members. Architectural drawings and structural analyses shall not be required except for structures of complex design or unusual conditions for which the Building Official cannot make a reasonable judgment of conformance to this Article based upon the general description and simplified plan(s).*

101.12 Waiver of plans. *The Building Official may waive the submission of any plans if it is determined that the nature of the work applied for is such that the reviewing of plans is not necessary to obtain compliance with this Article.*

101.13 Modifications. *Modifications to the design, materials, and methods of construction are permitted, provided that the structural integrity of the building or structure is maintained, the building continues to conform to the provisions of this Article and the Building Official is notified in writing of the intended modification.*

101.14 Permit validity. *Permits shall be valid for the terms stated in Section 105.5 of this Code.*

101.15 Inspections. *All construction or work for which a permit is required shall be subject to inspection by the Building Official.*

101.16 Special inspections. *Additional inspections may be conducted when required by the Building Official and necessary to assure compliance with this Article and to avoid creating a substandard condition as defined in Health and Safety Code Section 17920.3*

101.17 Inspection waivers. *Inspections may be waived by the Building Official for construction subject to this Article when such construction does not contain plumbing, electrical or mechanical installations and the Building Official finds that a substandard condition will not be created by waiving any inspection requirement.*

101.18 Inspection requests and notice. *It shall be the duty of the applicant to notify the Building Official that the construction is ready for inspection and to provide access to the premises. Inspections shall be requested by the applicant at least (48) hours in advance of the intended inspection. It shall be the duty of the Building Official to notify or inform the applicant of the day during which the inspection is to be conducted.*

101.19 Certificate of Occupancy. *After the structure(s) is completed for occupancy and any inspections which have been required by the Building Official have been conducted, and work approved, the Building Official shall issue a Certificate of Occupancy for such dwelling(s) and appurtenant structure(s) which comply with the provisions of this Article.*

101.20 Temporary occupancy. *The use and occupancy of a portion or portions of a dwelling or appurtenant structure prior to the completion of the entire structure shall be allowed, provided that approved sanitary facilities are available at the site and that the work completed does not create any condition to an extent that endangers life, health or safety of the public or occupants. The occupants of any such uncompleted structure shall assume sole responsibility for the occupancy of the structure or portion thereof.*

101.21 Fees. *Fees shall be required and collected by the Building Official in accordance with the approved Fee Schedule as adopted by the Ventura County Board of Supervisors in order to offset the cost of administering the provisions of this Article.*

101.22 General requirements. *Each structure shall be constructed in accordance with applicable requirements contained in the California Building Standards Code as adopted and amended by Ventura County and shall be maintained in a sound condition to be structurally safe, sanitary, and to adequately shelter the occupants from the elements.*

101.23 Intent of general requirements. *It shall be the purpose and intent of this Article to permit the use of ingenuity and preferences of the builder, and to allow and facilitate the use of alternatives to the specifications prescribed by the technical codes to the extent that a reasonable degree of health and safety is provided by such alternatives, and that the materials, methods of construction, and structural integrity of the structure shall perform in application for the purpose intended. To provide for the application of this Article, it shall be necessary for the Building Official to exercise reasonable judgment in determining the compliance of appropriate structures with the general and specific requirements of this Article.*

101.24 Technical codes to be a basis of approval. *Except as otherwise required by this Article, dwellings and appurtenant structures constructed pursuant to this part need not conform with the construction requirements prescribed by the latest applicable editions of the California Building Standards Code, or other applicable technical codes; however, it is not the intent of this section to disregard nationally accepted technical and scientific principles relating to design, materials, methods of construction, and structural requirements for the erection and construction of dwelling and appurtenant structures.*

101.25 Mechanical requirements. *Fireplaces, heating and cooking appliances, and gas piping installed in buildings constructed pursuant to this Article, shall be installed and vented in accordance with the applicable requirements contained in the California Mechanical Code, as amended by Ventura County in Article 5.*

101.26 Electrical requirements. *No dwelling or appurtenant structure constructed pursuant to this Article shall be required to be connected to a source of electrical power, or wired, or otherwise fitted for electrification, except as set forth in Section 101.27.*

101.27 Installation requirements. *Where electrical wiring or appliances are installed, the installation shall be in accordance with the applicable requirements contained in the California Electrical Code, as amended by Ventura County in Article 4.*

Exception: *In structures where electrical usage is confined to one or more rooms of a structure, the remainder of the structure shall not be required to be wired or otherwise fitted for electrification unless the Building Official determines the electrical demands are expected to exceed the confinement and capacity of that room(s). In these instances, the Building Official may require further electrification of the structure. It is the intent of this subsection to apply to buildings in which there exists a workshop, kitchen, or other single room which may require electrification, and where there is no expectation of further electrical demand. The Building Official shall, at the time of a permit application or other appropriate point, advise the applicant of the potential hazards of violating this section.*

101.28 Plumbing requirements. *Plumbing equipment and installation shall be in accordance with the applicable requirements contained in the California Plumbing Code, as amended by Ventura County in Article 6, where applicable to the construction of limited density owner-built rural dwellings. Sanitation facilities for rural dwellings shall be installed in accordance with Section 303 of Article 6.*

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ADOPTED this _____ day of _____, 2022 by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Chair, Board of Supervisors
County of Ventura

ATTEST: DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California

By: _____
Deputy Clerk of the Board