

ORDINANCE 2023-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING CHAPTER 15.04 OF THE SAN PABLO MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2022 CALIFORNIA ADMINISTRATIVE CODE, 2022 CALIFORNIA BUILDING CODE VOLUMES 1 AND 2, AS AMENDED; 2022 CALIFORNIA RESIDENTIAL CODE AS AMENDED; 2022 CALIFORNIA ELECTRICAL CODE; 2022 CALIFORNIA MECHANICAL CODE; 2022 CALIFORNIA PLUMBING CODE; 2022 CALIFORNIA ENERGY CODE, AS AMENDED; 2022 CALIFORNIA HISTORICAL BUILDING CODE; 2022 CALIFORNIA FIRE CODE WITH AMENDMENTS ADOPTED BY THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT; 2022 CALIFORNIA EXISTING BUILDING CODE; 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE; 2022 CALIFORNIA REFERENCED STANDARDS CODE; AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED; AND DETERMINING THAT ADOPTION OF THE AMENDMENTS IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council of the City of San Pablo does ordain as follows:

SECTION 1. SAN PABLO MUNICIPAL CODE AMENDMENT.

Chapter 15.04, Uniform Construction Codes, of Title 15 of the San Pablo Municipal Code (SPMC) is amended in its entirety to read as follows:

15.04.010 California Building Code and International Property Maintenance Code adoption by reference.

The California Code, 2022 Edition, including all volumes and appendices listed below, shall be the building code for the city and said code, together with the adopted appendices, shall regulate and govern the conditions and maintenance of all property, buildings and structures within the city by providing the standards for supplied utilities and facilities and other physical items and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use and providing for the condemnation and demolition of buildings and structures that are unfit for human occupancy and use, and the issuance of permits and collection of permit fees.

- A. The California Code of Regulations, Title 24, 2022 Edition, published by the International Code Council, International Association of Plumbing and Mechanical Officials, and BNi Building News, including Appendices listed below, is adopted by reference, including:

- 1) Part 1 - California Administrative Code.

The 2022 California Administrative Code, published by the International Code Council, as amended in Part 1 of the California Building Standards Code, California Code of Regulations Title 24;

2) Part 2 - California Building Code – Volumes 1 and 2

The 2022 California Building Code based on the International Building Code, 2021 Edition, published by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in Part 2 of the California Building Standards Code, California Code of Regulations Title 24; as amended in Section 15.04.020, including Chapter 17A, Appendix G, Appendix I, and as amended in Section 15.04.020;

3) Part 2.5 - California Residential Code

The 2022 California Residential Code based on the International Residential Code, 2021 Edition, published by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in Part 2.5 of the California Building Standards Code, California Code of Regulations Title 24; as amended in Section 15.04.020, including Appendix H, Appendix V, and Appendix X, as amended in Section 15.04.020;

4) Part 3 - California Electrical Code

The 2022 California Electrical Code based on the National Electrical Code, 2020 Edition, published by the National Fire Protection Association, together with those omissions, amendments, exceptions and additions thereto, as amended in Part 3 of the California Building Standards Code, California Code of Regulations Title 24;

5) Part 4 - California Mechanical Code

The 2022 California Mechanical Code based on the Uniform Mechanical Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, together with those omissions, amendments, exceptions and additions thereto, as amended in Part 4 of the California Building Standards Code, California Code of Regulations Title 24;

6) Part 5 - California Plumbing Code

The 2022 California Plumbing Code based on the Uniform Plumbing Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, together with those omissions, amendments, exceptions and additions thereto, as amended in Part 5 of the California Building Standards Code, California Code of Regulations Title 24;

7) Part 6 - California Energy Code

The 2022 California Energy Code, published by the International Code Council, as amended in Part 6 of the California Building Standards Code, California Code of Regulations Title 24; as further amended in Section 15.04.020 of the San Pablo Municipal Code;

8) Part 8 - Historic Building Code

The 2019 California Historical Building Code, published by the International Code Council, as amended in Part 8 of the California Building Standards Code, California Code of Regulations Title 24;

9) Part 9 - California Fire Code

The 2022 California Fire Code, as amended by Contra Costa County Fire Protection District and adopted by the Contra Costa County Board of Supervisors as County Ordinance number 2022-34.

10) Part 10 - California Existing Building Code

The 2022 California Existing Building Code, based on the International Existing Building Code, 2021 Edition, published by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in Part 10 of the California Building Standards Code, California Code of Regulations Title 24; including Appendix A, Chapter A1;

11) Part 11 - California Green Building Standards Code

The 2019 California Green Building Standards Code, published by the International Code Council, as amended in Part 11 of the California Building Standards Code, California Code of Regulations Title 24;

12) Part 12 - California Referenced Standards Code

The 2019 California Referenced Standards Code, published by the International Code Council, as amended in Part 12 of the California Building Standards Code, California Code of Regulations Title 24; and

13) 2021 - International Property Maintenance Code, as amended

The Housing and Property Maintenance Code for the City of San Pablo shall heretofore consist of the California Housing Law Regulations, as set forth in Division 13, Part 1.5, commencing with Section 17910, in the Health and Safety Code (as amended) combined with the 2021 International Property Maintenance Code (IPMC) including Appendix A except as amended by the

changes, additions and deletions set forth in this SPMC Chapter section 15.04.020.

- B. The above-listed codes are located in the California Code of Regulations, Title 24, with the exception of the 2021 International Property Maintenance Code which is published by the International Code Council. A copy of the California Codes and International Property Maintenance Code is on file in the Building Division for use and examination by the public.

SECTION 2. AMENDMENTS TO THE 2022 CALIFORNIA BUILDING CODES AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE.

15.04.020 - Amendments, additions and deletions.

(A) Amendments, additions and deletions to the 2022 California Building Code, Chapter 1, Division II, Scope and Administration:

- (1) New Section 105.3.2.1 is added as follows:

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

- (2) New Section 105.5.2 is added as follows:

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

- (3) New Section 109.4.1 is added as follows:

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

(4) Section 109.6 is amended to read as follows:

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

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

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

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

(5) New Section 109.7 is added as follows:

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

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

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

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

(B) Amendments, additions and deletions to 2022 California Residential Code Chapter 1 Division II Scope and Administration:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) Amendments, additions and deletions to 2021 International Property Maintenance Code (IPMC):

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

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

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

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

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

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

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

IPMC 304.14 Insect Screens. During the entire year, every door, window and other outside opening required for ventilation of habitable rooms, food preparation area, food service areas or area where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm) for purposes of insect

control, except that such screens shall not be required where air curtains or insect repellent fans are employed. Every screen door used for insect control shall have a self-closing device in good working condition.

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

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

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

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

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

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

(D) Amendments, additions and deletions to Title 24 Part 6, the 2022 California Energy Code:

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

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

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

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

Exception 3: Exemption for public agency owned and operated emergency centers. To take advantage of this exception, applicant shall provide third

party verification that the All-Electric requirement is not cost effective or feasible.

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

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

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

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

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

4. All electrical components, including conductors, receptacles, junction boxes, or blank covers, related to this section shall be installed in accordance with the California Electrical Code.

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

100.1(b) Definitions.

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

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

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

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

(4) The initial portion of Section 110.2 is amended to read as follows by adding the underlined language:

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

[Remainder of Section is unchanged]

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

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

[Remainder of Section is unchanged]

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

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

[Remainder of Section is unchanged]

(7) The initial portion of Section 110.5 is amended to read as follows by adding the underlined language:

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

[Remainder of Section is unchanged]

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

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

110.10(a) Covered Occupancies.

1. Single Family Residences. Single family residences located in subdivisions with ten or more single family residences for which an application for a tentative subdivision map for the residences has been deemed complete and approved by the enforcement agency, that do not have a photovoltaic system installed shall comply with the requirements of Section 110.10(b) through 110.10(e).

2. Low-rise Multifamily Buildings. Low-rise multi-family buildings that do not have a photovoltaic system installed shall comply with the requirements of Section 110.10(b) through 110.10(d).

3. Hotel/Motel Occupancies and High-rise Multifamily Buildings. Hotel/motel occupancies and high-rise multifamily buildings with ten habitable stories or fewer shall comply with the requirements of Section 110.10(b) through 110.10(d) and Table 110-10-A.

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

TABLE 110.10-A:

Solar Panel Requirements for All New Nonresidential and High-rise Residential Buildings.

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

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

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

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

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

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

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

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

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

15.04.030 Building board of appeals.

This section is renumbered but the text remains unchanged.

15.04.040 Permit fees.

This section is renumbered but the text remains unchanged.

15.04.050 Violation and Penalty.

This section is renumbered but the text remains unchanged.

15.04.060 Withholding of Permit.

This section is renumbered but the text remains unchanged.

SECTION 3. MODIFICATIONS IN THE CODE REQUIREMENTS.

The City Council recognizes that Health and Safety Code Sections 17958.5 and 17958.7 authorize the City to make such changes or modifications in the requirements contained in the codes adopted by reference in Section 1 of this Ordinance as the Council determines are necessary because of local conditions. In accordance with Health and Safety Code Section 17958.7, the City Council expressly finds and determines that any changes and modifications made in the codes adopted by reference in Section 1 are necessary because of local climatic, geological or topographical conditions, or are necessary to remove fire prevention requirements in the City's codes that duplicate those in a County Ordinance enforced by Contra Costa County Fire Protection District in the City of San Pablo and other jurisdictions with the District's jurisdiction:

A. Climatic

1. Precipitation and Relative Humidity

(a) Conditions

According to National Weather Service data, rain precipitation in San Pablo ranges from 15 to 24 inches per year with an average of approximately 20 inches per year. Ninety-six (96) percent falls during the months of October through April and four (4) percent from May through September.

(b) Impact

Locally experienced humidity causes moisture inside structures requiring additional ventilation to avoid mildew growth. Large quantities of rain precipitation can also cause severe damage to properties located in the flood zones, especially those that are not maintained in a safe condition.

2. Temperature

(a) Conditions

The National Weather Service indicates that temperatures for the City of San Pablo have been recorded as high as 110° F. Average summer highs are in the 90° range, with average maximums of 105° F.

(b) Impact

An impact from high temperatures is that combustible building material and

non-irrigated weeds, grass, and brush are preheated, thus causing these materials to ignite more readily and burn more rapidly and intensely. Additionally, the resultant higher temperature of the atmosphere surrounding the materials reduces the effectiveness of the water being applied to the burning materials and creates a hardship for firefighting responders.

3. Winds

(a) Conditions

The National Weather Service shows that the prevailing winds in the area are from the south or southwest in the mornings and from the north or northwest in the afternoons. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the fourteen (14) mph to twenty-three (23) mph ranges, gusting to twenty-five (25) to thirty-five (35) mph. Forty (40) mph winds are experienced occasionally and winds up to fifty-five (55) mph have been registered locally. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days creating extremely dry conditions.

(b) Impact

Winds such as those experienced locally can cause fires, both interior and exterior, to burn and spread rapidly. Fires involving non-irrigated weeds, grass, and brush can grow to a magnitude and be fanned to intensity beyond the control capabilities of the Fire District very quickly even by relatively moderate winds. Additionally, winds impose a load on structures that may cause severe damage and failure if these are not maintained in a safe condition.

B. Geological and Topographic

1. Seismicity

(a) Conditions

The California Geological Survey (CGS) indicates that the City of San Pablo is located in a Very High Seismic Hazard Area and is most likely to experience violent ground-shaking, intense enough to destroy buildings, as these are located near a major fault.

(b) Impact

A major earthquake could severely restrict the response of the City of San Pablo and its capability to provide infrastructure support, aid and assessment of all affected buildings and structures. The adequate maintenance and construction in accordance to the California Building Codes are essential to minimizing the risk of life and properties.

2. Soils

(a) Conditions

The most common soil types identified in geotechnical investigation reports for San Pablo are clay, silt, and sand. The soil conditions of the City of San Pablo vary depending on the location. Geological Hazards identified in different locations within the City are: ground faults, liquefaction, sliding, and the possibility of floods.

3. Topographic

(a) Conditions

The topography in the City of San Pablo is composed of different terrains such as: mountain, plain, and valley terrains. An arrangement of natural and manmade surface features, including: hills, creeks, canals, freeways, housing tracts, single family dwellings, commercial development, fire and police stations, government and medical offices, streets, and roads.

(b) Impact

The above local geological and topographical conditions increase the magnitude, exposure, and risks presented to the City of San Pablo residents and overall population. Safety assessment, emergency response and aid distribution following an earthquake may be hindered should a significant seismic event occur. Public Safety resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single dwelling or structure fires. Additionally, some areas in the City are at risk for sliding, flooding or severe structural damage.

SECTION 4. ENVIRONMENTAL REVIEW.

The purpose of the City's adoption of the 2019 California Codes of Regulations, Title 24 Maintenance Code is to provide updated minimum standards to safeguard life, limb, health, property, and public welfare for all types of construction. Adoption of these codes will not have the effect of deleting or substantially changing any regulatory standards or required findings, because it can be determined with certainty that the adoption of codes has no potential for causing a significant effect on the environment. The codes and amendments are therefore exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061(b)(3) (i.e., the "common sense" exemption). In addition, adoption of these codes is exempt from review under CEQA Guidelines section 15308 because the project is an action being taken by a regulatory agency where the process involves procedures for the protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 5. SEVERABILITY.

If any sections, subsections, sentences, clauses, phrases, or portions of this ordinance are

for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause of this ordinance whether or not any one or more sections, subsections, phrases or clauses may be declared invalid or unconstitutional on their face or as applied.

SECTION 6. EFFECTIVE DATE; PUBLICATION.

This Ordinance shall become effective thirty (30) days following its adoption. The City Clerk’s Office shall publish and post the Ordinance in accordance with California Government Code section 36933.

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First introduced at a regular meeting of the City Council of the City of San Pablo on December 19, 2022, and finally passed and adopted at a regular meeting of the City Council held on January 17, 2023, by the following vote:

AYES: COUNCILMEMBERS: Xavier, Pabon-Alvarado, Cruz,
Ponce and Pineda

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ATTEST: APPROVED:

/s/ Dorothy Gantt
Dorothy Gantt, City Clerk

/s/ Abel Pineda
Abel Pineda, Mayor