

ORDINANCE NO. 104537  
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,  
STATE OF CALIFORNIA

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AN ORDINANCE ADOPTING THE LATEST EDITIONS (2010) OF THE CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, 2010 CALIFORNIA BUILDING CODE (PART 2), 2010 CALIFORNIA RESIDENTIAL CODE, TITLE 24 (PART 2.5), 2010 CALIFORNIA ELECTRICAL CODE (PART 3), 2010 CALIFORNIA MECHANICAL CODE (PART 4), 2010 CALIFORNIA PLUMBING CODE (PART 5), 2010 CALIFORNIA ENERGY CODE (PART 6), 2010 CALIFORNIA ELEVATOR SAFETY CONSTRUCTION CODE (PART 7), 2010 CALIFORNIA HISTORICAL BUILDING CODE (PART 8), 2010 CALIFORNIA FIRE CODE (PART 9), 2010 CALIFORNIA EXISTING BUILDING CODE (PART 10), 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE (PART 11), 2010 CALIFORNIA REFERENCE STANDARDS CODE (PART 12) AND RE-ADOPTING THE SAN MATEO COUNTY ORDINANCE CODE, DIVISION VII (BUILDING REGULATIONS), AND AMENDING SECTIONS 9100, 9150, 9180, 9200, 9104, 9113, 9114, 9117, 9184, 9015, 9041 AND 9058, ADDING SECTIONS 9118 AND 9119, AND AMENDING THE SAN MATEO COUNTY ORDINANCE CODE, DIVISION VII (BUILDING REGULATIONS) TO REFERENCE THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE

The Board of Supervisors of the County of San Mateo, State of California,

**ORDAINS** as follows

**SECTION 1.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 1,

Section 9100 is hereby amended to read as follows:

**SECTION 9100. ADOPTION OF 2010 CALIFORNIA BUILDING STANDARDS**

**CODE.** The latest adopted editions of the 2010 California Building Standards Code, Title 24, excluding Part 1 (California Administrative Code) and including the 2010 California Building Code (Part 2), 2010 California Residential Code, Title 24 (Part 2.5), 2010 California Energy Code (Part 6), 2010 California Elevator Safety Construction Code (Part 7), 2010 California Historical Building

104537

Code (Part 8), 2010 California Fire Code (Part 9), 2010 California Existing Building Code (Part 10), 2010 California Reference Standards Code (Part 12) and all appendices, amendments, errata, and emergency supplements are hereby adopted and by reference except as otherwise provided in Division VII, as the Building Code of the County of San Mateo. A copy of the "California Building Standards Code" is on file at the San Mateo County Building Inspection Section. The mandatory requirements of the appendix to the California Building Standards Code shall be enforceable to the same extent as if contained in the body of the Building Code. Any amendments, errata and/or emergency supplements to this code shall be enforceable to the same extent as if contained in the body of the "California Building Standards Code."

**SECTION 2.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 2, Section 9150 is hereby amended to read as follows:

**SECTION 9150. ADOPTION OF 2010 CALIFORNIA ELECTRICAL CODE.**

The latest adopted edition of the 2010 California Electrical Code (Title 24, Part 3), based on the 2008 National Electrical Code (NEC) is hereby adopted and incorporated by reference. All appendices within the referenced standard above, and all amendments, errata, and/or emergency supplements are also adopted during this triennial California Building Standards Code cycle. A copy of the "California Electrical Code" is on file at the San Mateo County Building Inspection Section.

04537

**SECTION 3.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 1, Sections 9118 and 9119 are hereby added to read as follows.

**SECTION 9118. ADOPTION OF 2010 CALIFORNIA RESIDENTIAL CODE.**

The latest adopted edition of the 2010 California Residential Code, Title 24 (Part 2.5) is hereby adopted and incorporated by reference. All appendices within the referenced standard above and all amendments, errata, and/or emergency supplements are also adopted during this triennial California Building Standards Code cycle. A copy of the "California Residential Code" is on file at the San Mateo County Building Inspection Section.

**SECTION 9119. ADOPTION OF 2010 CALIFORNIA GREEN BUILDING**

**STANDARDS CODE.** The latest adopted edition of the 2010 California Green Building Standards Code, Title 24 (Part 11) is hereby adopted and incorporated by reference. All appendices within the referenced standard above and all amendments, errata, and/or emergency supplements are also adopted during this triennial California Building Standards Code cycle. A copy of the "California Green Building Code" is on file at the San Mateo County Building Inspection Section.

**SECTION 4.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 3, Section 9180 is hereby amended to read as follows:

**SECTION 9180. ADOPTION OF 2010 CALIFORNIA PLUMBING CODE.** The latest adopted edition of the 2010 California Plumbing Code (Title 24, Part 5),

based on the 2009 Uniform Plumbing Code (UPC) is hereby adopted and incorporated by reference. All appendices within the referenced standard above, and all amendments, errata, and/or emergency supplements are also adopted during this triennial California Building Standards Code cycle. A copy of the "California Plumbing Code" is on file at the San Mateo County Building Inspection Section.

**SECTION 5.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 4, Section 9200 is hereby amended to read as follows:

**SECTION 9200. ADOPTION OF 2010 CALIFORNIA MECHANICAL CODE.**

The latest adopted edition of the 2010 California Mechanical Code (Title 24, Part 4), based on the 2009 Uniform Mechanical Code (UMC) is hereby adopted and incorporated by reference. All appendices within the referenced standard above, and all amendments, errata, and/or emergency supplements are also adopted during this triennial California Building Standards Code cycle. A copy of the "California Mechanical Code" is on file at the San Mateo County Building Inspection Section.

**SECTION 6.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 1, Section 9104(a) is hereby amended to read as follows:

- (a) Minimum Slab Thickness. The minimum thickness of floor slabs supported directly on the ground shall be not less than 3 1/2 inches (89 mm). The

slab shall be supported by not less than 6 inches by 6 inches with 10-gauge wire mesh or approved alternative installed at mid height of the slab.

**SECTION 7.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 1, Section 9113 is hereby amended to read as follows:

1. The following requirements shall apply to all new buildings or structures and existing structures that require a building permit issued by San Mateo County.
  - a. The roof covering for every new building or structure, or any existing building or structure which is undergoing a re-roof and all materials applied as part of a roof covering assembly, shall have a minimum fire rating of Class B or higher, treated in accordance with California Building Standards Code, Standard 15-2. Where required by the California Building Standards Code or other provision of law, roof coverings must meet a higher fire rating.
  - b. Subsection 1.a of this section shall not apply to buildings or structures that are less than 120 square feet in floor area.
  - c. Any person installing or constructing a roof covering shall, immediately upon completion of the roof covering, provide certification of the roof covering classification to the building owner and to the inspection authority having jurisdiction.

2. The requirements of this section are minimum standards for new construction and re-roofing of existing structures. Where the International Building Code, International Residential Code, International Fire Code, or the California Building Standards Code contains higher standards or additional or more stringent requirements than required by this section, those additional or more stringent requirements shall apply. Further, nothing in this section shall prevent any fire authority having jurisdiction from adopting and enforcing regulations imposing more stringent requirements than those provided by this section.

**SECTION 8.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 1, Section 9114 is hereby amended to read as follows:

1. The following requirements shall apply to all new buildings or structures that require a building permit issued by San Mateo County.
  - a. Except as otherwise provided by this section, or as provided under Section 903.1 of the California State Building Standards Code, automatic fire sprinkler systems shall be installed and maintained in every new building or structure of any type of construction, use, occupancy or size that requires a building permit issued by San Mateo County.
  - b. The term "automatic fire sprinkler system" as used in this section means an integrated system of underground and overhead piping,

including a water supply such as a gravity tank, fire pump, reservoir, pressure tank, or connection by underground piping to a fire main, which system complies in all respects with the requirements for such systems contained in standards issued by the National Fire Protection Association based upon occupancy classification.

- c. An automatic fire sprinkler system shall be provided throughout an existing structure when a building permit is issued to allow additions, alterations, or repairs within any 12-month period, which increase the value of the structure by fifty percent (50%) for one- and two-family dwellings or fifty percent (50%) for all other structures.
  - d. Automatic fire sprinklers shall be installed in any garage or carport and breezeway attached to any structure for which a fire sprinkler system is required. A detached non-habitable garage, 1,000 square feet or more in size, or which has an attached studio or workshop shall require the installation of an NFPA-13 light hazardous automatic fire sprinkler system.
2. The following structures are exempt from the requirements of this section.
- a. Agricultural Buildings. For the purpose of this section, an "agricultural building" is defined as a non-residential structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. "Agricultural building" includes a

place of employment where agricultural products are processed, treated or packaged. Office uses within agricultural buildings shall not exceed ten percent (10%) of the total floor area of the building unless such buildings are provided with an automatic fire sprinkler system throughout. "Agricultural buildings" shall include green-houses.

- b. Non-residential structures less than 1,000 square feet.
- c. Recreational trailers, fifth wheels, and similar structures used for temporary housing during the construction of a permitted building.
- d. Mausoleums of Type I construction, as defined by the California Building Standards Code, which do not contain offices, chapels, stores, or other places of public occupancy for purposes other than parking of vehicles.
- e. Open air parking garages of Type I construction, as defined by the California Building Standards Code, which do not contain offices, chapels, stores, or other places of public occupancy for purposes other than parking and are detached from other buildings.
- f. Car wash structures where no offices or waiting rooms are attached.



3. Additions, alterations or modifications to any existing structure containing automatic fire sprinklers shall require the extension or modification of the fire sprinkler system throughout the added, altered, or modified areas.

Plans for the installation, extension or modification of an automatic sprinkler system shall be submitted to the Planning and Building Department of San Mateo County for review and approval by the appropriate fire department or district prior to installation. Additions, alterations, or remodels to an existing dwelling previously equipped with automatic sprinklers shall require the submittal of three sets of sprinkler plans and hydraulic calculations. All components of the existing system shall be submitted for review to determine compliance with the applicable standards.

4. All automatic fire sprinkler systems shall comply with the most current adopted edition of NFPA-13, NFPA-13-D, NFPA-13-R and any additional County specifications, or modifications imposed by supplemental rules and regulations adopted by the County of San Mateo.
5. The installation of an automatic fire suppression system may be required by the Building Official when an alteration, addition or change in use or occupancy of a building or portion of a building thereof increases the hazard of fire or threat to life and safety.

6. The requirements of this section are intended to represent minimum standards for new construction. Nothing in this section shall prevent any fire authority having jurisdiction from adopting and enforcing any regulations, which impose more stringent requirements. Further, any requirements of the International Building Code, International Residential Code, International Fire Code or the California Building Standards Code, which is more restrictive, specify higher standards or mandates specific locations within a structure for automatic sprinkler systems shall be applicable.

**SECTION 9.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 1, Section 9117 is hereby amended to read as follows:

**SECTION 9117. CHAPTER 7A OF THE 2010 CALIFORNIA BUILDING STANDARDS CODE.** The following requirements shall apply to all new buildings that require a building permit issued by San Mateo County.

Chapter 7A of the 2010 California Building Standards Code and the Local Responsibility Area (LRA), and the State Responsibility Area (SRA) Fire Hazard Severity Zone maps shall apply to all new buildings in the County that require a building permit.

**SECTION 10.** San Mateo County Ordinance Code, Division VII, Chapter 3, Article 3, Section 9184 is hereby amended to read as follows:

1. Chapter 6 of the Uniform Plumbing Code is hereby amended to read as follows:

**SECTION 604.0. MATERIALS**

**SECTION 604.1.** All potable water piping and fittings shall be brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, or galvanized steel. All materials used in the water supply system, except valves and similar devices, shall be of like material.

**SECTION 604.1.1.** CPVC pipe for non-potable hot and cold water distribution systems within the interior of residential buildings is permitted provided all conditions of Section 604.1.1 of the Uniform Plumbing Code are satisfied.

2. Chapter 7 of the Uniform Plumbing Code is hereby amended to read as follows:

**SECTION 701.0. MATERIALS**

**SECTION 701.1.** Drainage piping shall be cast iron, galvanized steel, galvanized wrought iron, copper, brass, Stainless Steel 304 or 316L, Schedule 40 ABS (DWV), Schedule 40 PVC (DWV), extra-strength vitrified clay pipe, or other approved materials having a smooth and uniform bore.

**SECTION 701.1.1.** No galvanized wrought iron or galvanized steel pipe shall be used underground. Galvanized wrought iron or galvanized steel pipe shall be kept at least six (6) inches (152 mm) aboveground.

**SECTION 701.1.2.** ABS and PVC (DWV) piping installations shall be limited to underground installation outside of the structure, and in accordance with IS 5, IS 9, and Chapter 15, "Firestop Protection." Except for individual single-family dwelling units, materials exposed within ducts or plenums shall have a flame-spread index of not more than 25 and a smoke-developed index of not more than 50, when tested in accordance with the Test for Surface - Burning Characteristics of the Building Materials. (See the Building Code Standards based on ASTM E-84 and ANSI/UL 723.)

3. Chapter 9 of the Uniform Plumbing Code is hereby amended to read as follows:

**SECTION 903.0. MATERIALS**

**SECTION 903.1.** Vent pipe shall be cast iron, galvanized steel, galvanized wrought iron, copper, brass, Schedule 40 ABS (DWV), Schedule 40 PVC (DWV), Stainless Steel 304 or 316L (Stainless Steel 304 pipe and fittings shall not be installed underground and shall be kept at least six (6) inches (152 mm) aboveground), or other approved materials having a smooth and uniform bore.

**SECTION 903.1.2.** ABS and PVC (DWV) shall not be approved for use for vent piping or fittings except for underground installation beginning two (2) feet outside the structure.

4. The provisions of Section 9184 shall not apply to the minor repair of existing in place plastic pipe when authorized by the Building Official.

**SECTION 11.** San Mateo County Ordinance Code, Division VII, Chapter 2, Article 1, Section 9015 is hereby amended to read as follows:

**SECTION 9015. VIOLATIONS AND PENALTIES**

1. It shall be unlawful for any person, firm, or corporation to erect, install, construct, enlarge, alter, repair, move, improve, remove, replace, convert, equip, use, occupy, maintain or demolish any building, structure or equipment therein regulated by this code or the construction codes, or cause the same to be done, contrary to or in conflict with or in violation of any of the provisions of said code or codes.
2. Any person, firm, or corporation violating any of the provisions of this code or the construction codes shall be deemed guilty of a misdemeanor as provided in Title 1, Chapter 1.08, Section 1.08.010 of the San Mateo County Ordinance Code. A Stop Work Notice will be posted at the address of the violation(s), and a \$500.00 per day fine will be applied to the owner(s) and/or the address in violation. The Community Development

Director and/or the Building Official may reduce this fine to zero if the owner(s) in violation apply(ies) for their permit(s) within ten (10) business days after the Stop Work Notice has been posted.

**SECTION 12.** San Mateo County Ordinance Code, Division VII, Chapter 2, Article 4, Section 9041 is hereby amended to read as follows:

**SECTION 9041. INVESTIGATION FEES.** The following provisions shall govern investigation fees.

1. The Board of Supervisors hereby finds that there is a substantial cost to the County in identifying and investigating construction or work commenced without first obtaining the prescribed permits therefor, or done in violation of prescribed permits, and in assuring compliance with permit requirements and other pertinent County code provisions when such violations are determined to exist. The Board of Supervisors further finds that a reasonable measure of the cost to the County in identifying, investigating and obtaining compliance for such violations is ten times the value of the applicable permit, and that this cost should be borne by the violator in the form of an investigation fee to be assessed as set forth in Subsection 2, of this section.
2. Whenever any construction or work for which permit is required by this code or by any other code incorporated by reference and made a part of this code, is started or commenced without the prescribed permit having

first been obtained, an investigation fee in the amount of ten times the prescribed permit fee shall be added to the permit fee, and shall be collected at time of application for the permit. Such investigation fee shall be collected for each separate and distinct permit required for a specific project. Where a permit has been previously obtained, but construction or work is commenced which goes beyond the scope of the permit, or is in violation of the terms of the permit, the above described investigation fee shall be assessed for such portion of the construction or work done beyond the scope of, or in violation of, the permit. This investigation fee shall be required and collected whether or not a permit is then or subsequently issued. The maximum investigation fee which may be assessed and collected as to any individual permit shall be three thousand dollars (\$3,000.00). Nothing in this section shall relieve any person(s) from fully complying with the requirements of this code, or with any codes incorporated by reference and made a part of this code, in the execution of the work, or from any other penalties prescribed by law.

3. Whenever any Farm Labor Housing, temporary or permanent, has been found to have been installed, constructed, altered or created or moved without first obtaining the required permits, an investigation fee shall be assessed whether or not the prescribed permits are then or subsequently issued. Such investigation fees shall be based on an hourly cost to compensate staff time spent on processing the violation.

4. Whenever Low Income or Affordable Housing, temporary or permanent, has been found to have been installed, constructed, altered, or created or moved without first obtaining the required permits, an investigation fee shall be assessed whether or not the prescribed permits are then or subsequently issued. Such investigation fee shall be based on an hourly cost to compensate for staff time spent on processing the violation.
5. The Building Official shall have the authority to adjust investigation fees for minor and major violations, as listed below, provided such violation is a first offense, and/or extenuating circumstances determined by the Building Official. In no case shall the investigation fee be reduced to less than two times the permit fee, plus the permit fee. Such reduction in investigation fees shall not relieve the applicant from full compliance with all applicable codes and zoning regulations. Such reduced investigation fee shall be based on an hourly cost to compensate for staff time spent on processing the violation.
  - a. Water heater installations or replacements
  - b. Furnace/heater installations or replacements
  - c. Recreational decks for single-family dwellings
  - d. Re-roofing of a single-family dwelling
  - e. Electrical service changes to a single-family dwelling
  - f. Non-habitable accessory structures not exceeding 200 square feet
  - g. Water or sewer line replacements for single-family dwellings



- h. Fences
  - i. Kitchen or bathroom remodels of single-family dwellings
6. The Building Official or authorized representative shall have the authority to issue an Information Notice in lieu of a Stop Work Notice for minor violations listed above or in the event that work has just begun on other violations. The issuance of an Information Notice shall waive the requirement for investigation fees provided that the work stops immediately and the violator has contacted the Planning and Building Department to initiate the permit process within ten (10) working days of the issuance of the Information Notice. Failure to comply with these two requirements will result in the issuance of a Stop Work Notice and shall also result in the disqualification of the reduction of investigation fees as allowed in Item #5 of this section.

**SECTION 13.** San Mateo County Ordinance Code, Division VII, Chapter 2, Article 5, Section 9058 is hereby amended to read as follows:

**SECTION 9058. FINAL INSPECTION AND ADDRESSING**

1. There shall be a final inspection and approval on all buildings or structures when completed and ready for occupancy. A final inspection approval may, upon notice, be revoked by the Building Official if it is found that construction, work, or equipment fails in any respect to comply with the

requirement of these codes, or that the installation is unsafe, dangerous, or a hazard to life or property.

2. The address of the structure must be posted on all buildings in a position such that it is plainly visible and legible from the street or road fronting the property. Buildings with multiple units or tenants must have each unit or suite identified by a separate address or unit number/letter. Where structures are remote to the public or is a private road, additional directional signage may be required at each driveway or roadway intersecting the access to the building or structure. Nothing in this subsection shall prevent any fire authority having jurisdiction from adopting and enforcing regulations imposing more stringent requirements for addressing requirements.
3. The Community Development Director or the Building Official has the authority to change a property address if it is found to be inconsistent or out of sequence with surrounding addresses.

**SECTION 14.** The San Mateo County Ordinance Code, Division VII (Building Regulations), is hereby re-adopted in its entirety except as amended or added within this ordinance. A copy of the "Building Regulations" is on file at the San Mateo County Building Inspection Section.

**SECTION 15.** All references to the "Uniform Building Code" contained within the San Mateo County Ordinance Code, Division VII (Building Regulations) is hereby amended and replaced with "International Building Code" and International "Residential Code."

**SECTION 16.** This Ordinance will be in full force and effective thirty (30) days after the adoption by the Board of Supervisors.

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Regularly passed and adopted this 25<sup>th</sup> day of January, 2011.

AYES and in favor of said ordinance:

Supervisors:

CAROLE GROOM

DON HORSLEY

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors:

NONE

Absent Supervisors:

NONE

Carole Groom

President, Board of Supervisors  
County of San Mateo  
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Marie L. Peterson

Marie L. Peterson, Deputy  
Clerk of the Board of Supervisors

04537