City of Piedmont
COUNCIL AGENDA REPORT

DATE: November 7, 2022

TO: Mayor and Council

FROM: Sara Lillevand, City Administrator

SUBJECT: Introduction and First Reading of Ordinance 767 N.S. Adoption of the 2022 California Code of Regulations; Title 24; and Amendments to City Code Division 8.02

RECOMMENDATION:

Conduct a first reading of Ordinance 767 N.S. amending division 8.02 of the Piedmont City Code to adopt the 2022 California Code of Regulations, Title 24, including the California Administrative, Building, Residential, Mechanical, Plumbing, Electrical, Energy, Fire, Green Building Standards, Reference Standards, Historical Building and Existing Building Codes, with local amendments, making required findings related to the climatic, geological and topographical conditions warranting more stringent local requirements.

EXECUTIVE SUMMARY:

Every three years building codes provided by the International Code Council (ICC) and the California Building Standards Commission (CBSC) are updated. Local jurisdictions, including the City of Piedmont, are required to adopt the state building standards, but can also adopt more restrictive amendments warranted by local climatic, geological or topographical conditions. Staff is recommending adoption of the 2022 California Building Standards Code and other related California codes with amendments specific to Piedmont. In recognition that the Council may want to concentrate its attention on proposed revisions to current regulations that are more substantive in nature, those revisions are described in the Summary of Revisions section of this report.

On October 17, 2022, the City Council conducted a second reading of Ordinance 766 N.S. adopting reach codes and that ordinance has been submitted to the California Energy Commission for review. This Ordinance 767 N.S. considers the reach code amendments as existing.

BACKGROUND:

The building codes are written to set minimum standards for design and construction of new buildings, additions and alterations. The codes protect the health, safety and welfare of the building occupants, provide barrier-free accessibility of its users, and set performance standards

for building energy efficiency. The ICC publishes the model code, which the CBSC reviews and revises with the California amendments. Local jurisdictions are required to adopt the State's building standards and can add more restrictive amendments based upon findings that such amendments are warranted by local climatic, geological or topographical conditions. Thus, the Piedmont Building Code is the California Building Code with the City of Piedmont amendments. This code adoption cycle repeats itself every three years.

The Piedmont Municipal Code regulations related to building safety and fire safety adopt codes included in Title 24 of the 2022 California Code of Regulations and amend certain sections of the codes to establish a higher level of building standards. The Piedmont amendments were created to bring a greater level of safety to residents and reduce potential life and property loss. Changes and updates to building safety and fire safety regulations provided in Chapter 8 are shown in Exhibit C to the Ordinance. California Health and Safety Code Section 17958.7 requires that when a city council adopts more stringent building standards than those adopted by the State, the council must make findings for each such amendment based on local climatic, topographical, or geological conditions. The required findings relating to specific conditions in the City of Piedmont are attached as Exhibit A to the proposed Ordinance. Additionally, the cross-referencing of each proposed revision to a specific finding is accomplished in Exhibit B to the Ordinance. It should be noted that a majority of the proposed Piedmont amendments are essentially the same as in previous code updates and represent a re-adoption of them for this code cycle. The proposed Piedmont amendments will have no effect on the way the City currently operates, nor the way applicants comply with City Code Chapter 8, Building, Construction and Fire Prevention.

SUMMARY OF REVISIONS:

California Code Changes
There are several routine updates to the 2022 California Residential Code which applies to one- and two-family dwellings, and the 2022 California Building Code which applies to all other types of buildings. Of note are: a) the inclusion of a new section regulating the use of intermodal shipping containers that are repurposed for use as buildings or structures, b) clarifications to the requirements for safety glazing near wet surfaces, and c) revisions regarding emergency escape and rescue openings and window fall protection.

Changes to Local Amendments to the California Code
Generally, the Piedmont Amendments to the California Residential Building Code and the California Building Standards Code remain substantially the same as previous code cycles. However, there are some notable exceptions as provided below. The following are some of the highlighted changes for division 8.02 with a brief explanation provided for each of the proposed revisions.

- Amendments to *Section R105.2 Work Exempt from Permits* of the California Residential Building Code and *Section 105.2 Work Exempt from Permits* of the California Building Code are revised to address fences in all locations on a property. See Piedmont City Code sections 8.02.020.B.1 and 8.02.030.B.1.

- Amendments to *Section R105.5 Expiration* of the California Residential Building Code and *Section 105.5 Expiration* of the California Building Code are removed so that permit expiration regulations are in conformance with updated California Residential Building Code and California Building Standards Code provisions related to permit expiration. See the deletions immediately after Piedmont City Code sections 8.02.020.B and 8.02.030.B.

- Amendments to *Section R304.3 Height Effect on Room Area* and *Section R305.1 Minimum Height* are deleted from Piedmont's local amendments to conform with the slightly more lenient ceiling height requirements of the California Residential Building Code because the amendment's stricter requirements make construction more expensive and may hinder conversion of existing spaces to new dwelling units in a cost-effective manner. See the deletions immediately after Piedmont City Code section 8.02.020.I.

- Amendments to *Section R308.4.5 Glazing and Wet Surfaces* are removed as unnecessary because the updated California Residential Building Code provides the clarification these amendments were intended to address. See the deletion immediately after Piedmont City Code section 8.02.020.J.

- *Section R310.7 Alterations or Repairs of Existing Basements* of the California Residential Building Code is amended to allow for a more affordable option allowing existing openings that meet this section's requirements. See Piedmont City Code section 8.02.020.L.

- The definition of *Wildland-Urban Interface (WUI)* in *Section R337.2* of the California Residential Building Code and *Section 702A Definitions* of the California Building Code are updated to be consistent with the California Fire Code. See Piedmont City Code sections 8.02.020.Q. and 8.02.030.F.

- Amendments to *Section R401.3 Drainage* of the California Residential Building Code and *Section 1805.4.3 Drainage Discharge* of the California Building Code are revised to provide consistency with the Alameda County C.3 Stormwater Program. See Piedmont City Code sections 8.02.020.R and 8.02.030.T.

- Amendments to *Section R405.1 Concrete or Masonry Foundations* of the California Residential Building Code is updated to specify the location of perforated pipe and to include an exception for areas of well-drained soils. See Piedmont City Code section 8.02.020.V.

- Amendments to *Section 711.4 Protection of Underside of Floors* remain unchanged but are relocated in the list of Piedmont's local amendments to be consistent with the numbering of code sections of the California Building Code. See Piedmont City Code section 8.02.030.E.

- Piedmont's local amendment regulating mechanically-generated noise sources was relocated within the California Building Code from *Section 1206.6 Mechanically*

Generated Noise Sources to *Section 2803 Mechanically Generated Noise Sources.* See Piedmont City Code section 8.02.030.X.

- Amendments to *Section 104.5 Permit Fees* of the California Mechanical Code are revised to match the sequencing and text of amendments to the California Plumbing Code and California Electrical Code. See Piedmont City Code section 8.02.040.B.

- *Section 706.15 (A) ESS Disconnecting Means* of the California Electrical Code is amended to require that electric power shutoff devices must be located near the main electrical panel when the building includes an Energy Storage System (ESS). See City Code section 8.02.070.E.

CEQA:

The ordinance and the code revisions included within it are exempt from environmental review pursuant to Title 14 California Code of Regulations, section 15061(b)(3).

REVIEW BY CITY ATTORNEY:

The proposed modifications to the City Code, the ordinance and the CEQA determinations have been reviewed and approved by the City Attorney.

CONCLUSION, COUNCIL ACTION AND NEXT STEPS:

The recommended code revisions bring the City's regulations for building safety into compliance with State codes with amendments that are specific to ensuring building safety in Piedmont. Should the Council approve a first reading of the recommended ordinance on November 7, 2022, a second reading could occur as soon as November 21, 2022, and the Code amendments would go into effect on January 1, 2023.

By: Kevin Jackson, Director of Planning & Building
Paki Muthig, Chief Building Official
Dave Brannigan, Fire Chief

ATTACHMENTS:

	Pages	
1	5-6	Ordinance No. 767 N.S., Adopting the 2022 California Code of Regulations, Title 24, and Amending division 8.02 of the Piedmont City Code
	7-10	Exhibit A – Findings
	11-14	Exhibit B – Finding Identification Document
	15-43	Exhibit C – City Code division 8.02 – Adoption of California Building Standards Code and Amendments

Separate and available on the City website:

- Piedmont City Code Chapter 8, Building, Construction, and Fire Prevention, available at: https://piedmont.ca.gov/government/charter___city_code

ORDINANCE NO. 767 N.S.

AN ORDINANCE ADOPTING THE 2022 CALIFORNIA CODE OF REGULATIONS, TITLE 24, AND AMENDING DIVISION 8.02 OF THE PIEDMONT CITY CODE

The City Council of the City of Piedmont hereby ordains as follows:

SECTION 1. BACKGROUND

It is the intent of the City Council of the City of Piedmont in adopting this Ordinance to adopt the 2022 California Building Standards Code, Title 24 of the California Code of and update Division 8.02 of the City Code to comply with the 2022 California Building Standards Code. This action adopts the latest versions of the California Administrative Code, the California Residential Code, the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, the California Energy Code, the California Historical Building Code, the California Existing Building Code, the California Green Building Standards Code, the California Referenced Standards Code, and the California Fire Code.

SECTION 2. FINDINGS

Pursuant to Section 17958.7 of the California Health and Safety Code, the City Council may adopt local amendments which are more restrictive than those adopted by the Building Standards Commission in Title 24 of the California Code of Regulations, upon making express findings that such amendments are reasonably necessary due to local climatic, geological and topographical conditions.

The City Council finds that, in order to best protect the health, safety and welfare of the residents of Piedmont, it is necessary to adopt the building standards contained in Title 24 of the California Code of Regulations with more restrictive local amendments as may be warranted by local climatic, geological and topographical conditions.

The City Council of the City of Piedmont hereby adopts the findings regarding local climatic, geological, and topographical conditions set forth in Exhibit A to this Ordinance to support the local amendments adopted below through the amendment and restatement of Division 8.02 of the City Code, and furthermore adopts Exhibit B, attached, to identify each provision of Chapter 8 to the necessary findings that support it.

SECTION 3. AMENDMENT OF DIVISION 8.02

Division 8.02 of the City Code is hereby amended and restated in its entirety, to read as set forth in the attached Exhibit C. The City Clerk is directed to codify this section reflecting the legislative intent of the City Council.

SECTION 4. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part of it is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, the illegality, invalidity, unconstitutionality, or inapplicability will not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts of the Ordinance or their applicability to other persons or circumstances.

SECTION 5. POSTING, FILING, AND EFFECTIVE DATE

This Ordinance shall be posted at City Hall after its second reading by the City Council for at least 30 days and shall become effective on January 1, 2023. The City Clerk shall cause a copy of this Ordinance to be filed with the California Building Standards Commission in the manner required by law.

SECTION 6. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds and determines that enactment of this ordinance is exempt from environmental review pursuant to Title 14 California Code of Regulations, section 15061(b)(3).

[END OF ORDINANCE]

EXHIBIT A

City of Piedmont
2022 Building Code Adoption

REQUIRED FINDINGS

Finding A.: Local ordinances and regulations necessary to carryout procedures by a city, county, or city and county relating to civil, administrative, or criminal procedures and remedies available for carrying out and enforcing building standards, and that do not establish building standards may be enacted without meeting the requirements of the state laws governing Title 24 building standards amendments. The City has made minor modifications to the administrative standards and procedures of the construction codes. The modified administrative standards and procedures are similar to those found in the administrative chapters of the various 2022 California Building Standards Code and do not establish or amend substantive building standards, thereby precluding the need for a finding.

Finding B: The City finds that making amendments and additions to the 2022 California Residential Code (CRC) and the 2022 California Building Code (CBC) that make more restrictive provisions for fire safety is reasonably necessary based on climatic, topographical and geological conditions described below.

Climatic
The average annual precipitation rate in Piedmont is 23 inches per year. Ninety-seven percent of precipitation occurs in the months of October through April, creating a dry season of five months per year. Additionally, periodic drought conditions extend the dry season and exacerbate fire hazard. Average relative humidity ranges between 60% to 80% but can drop to 20%. Normal wind pattern originates from the marine area to the west producing light, westerly winds of 9 mph. Occasionally, reverse wind flows from the inland valleys produce higher than normal easterly winds and carry with them warm air mass which result in severe fire hazard conditions. Average high temperatures in the dry season range from 66 degrees F to 72 degrees F; however, seasonal spikes can push temperatures in the upper 90's degrees F. The confluence of low precipitation, high temperatures, low relative humidity and high winds can create conditions of high fire hazard.

Topographical
Piedmont is a hillside community and most of the structures are single family dwellings built on sloping terrain. In most areas, the dwelling units are located in close proximity to one another and in many cases are less than 8 feet apart. Fires can easily spread from house to house and are more readily spread upslope in the direction of prevailing winds. Some areas of Piedmont are also located in a Wildland-Urban Interface zone.

Geological
Piedmont is located in a seismically active region and is within 2 km of the Hayward Fault. A major earthquake could restrict response time and overwhelm the capacity of firefighting personnel to control earthquake related fires.

Summary
The 1991 Oakland/Berkeley Hills fire had a devastating impact on those communities in the fire zone which experienced significant loss of life and property. The fire zone of this event crossed into the Piedmont city limits but did not damage any structures. Piedmont has the same climatic, geological and topographical conditions as those areas affected by the nearby 1991 fire. Therefore, it is reasonably necessary to amend and/or add this provision to the 2022 CRC or 2022 CBC.

Finding C: Exceptions 1, 2 and 3 of CRC section 303.1 preclude the requirement in habitable rooms for natural ventilation and natural light respectively, which could result in construction of habitable rooms without any direct exterior means of escape or rescue. The local conditions outlined in Finding B increase the potential severity of fire hazard. Without direct exterior means for emergency escape or rescue, building occupant safety would be diminished in a fire event.

Finding D: Due to the hillside topography of Piedmont, the historical development pattern took the form of narrow, deep lots, as opposed to the typical suburban form of wide, shallow lots. As a result, most of the dwellings are in close physical proximity to one another. Limiting exterior sources of mechanically generated sound contributes to the health and overall wellbeing of the community.

Finding E: Local conditions outlined in Finding B increase the potential severity of fire hazard. When altering or repairing existing basements, improvements to occupant and fire fighter safety are warranted. Hence, requiring an emergency escape and rescue opening provides greater safety for both. Under floor areas or crawl spaces are not required to have openings to the exterior for emergency escape and rescue and must be clearly separated from basement spaces that do.

Finding F: Due to Piedmont's hillside topography and its underlying geology consisting shallow sedimentary deposits and bedrock, stricter control of drainage water is reasonable to maintain building foundation performance, minimize water intrusion into enclosed below grade spaces and prevent exacerbation of subsurface water related issues to neighboring properties. The amendments to the Code encourage drainage water to be discharged to the City storm water system.

Finding G: Due to Piedmont's topography, structures constructed on sloping sites are common. Soil investigations contribute to proper foundation design and can minimize adverse effects to adjacent properties.

Finding H: Due to the hillside nature of Piedmont's topography, the construction of structure and landscape retaining walls are common. Stricter design controls are necessary to ensure the stability of the constructed retaining walls and the retained earth they support.

Finding I: Properly grounded electrical panels dissipate electrical surges safely and contribute to fire safety, an important consideration as outlined in Finding B.

Finding J: Capturing more construction debris waste and encouraging the timely removal of such waste from the project site is an important factor in reducing potential fuel for a fire at a project site and is an important consideration as outlined in Finding B.

Finding K: Due to Piedmont's topography, noted in Finding B, bathrooms in the homes can be small, resulting in spaces where glazed areas can be closely adjacent to tubs and showers, in addition to opposite the fixtures, creating hazardous conditions for medical and fire personnel responding to the area of the home where most accidents occur.

Finding L: Encouraging EV's to be charged and stored in garages helps to keep parked cars off narrow streets, allowing for better access for emergency vehicles, an important consideration as outlined in Finding B.

Finding M:

- The San Francisco Bay area region is densely populated and located in an area of high seismic activities. The City is bounded by the Hayward and San Andreas faults capable of producing major earthquakes.

- Concern for fire-life safety associated with gas appliances and associated piping located in the ground and in the buildings increase the risk of explosion or fire if there is a structural failure due to a seismic event considering the increasing density of buildings in the region.

- Severe seismic events could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited resources of the Fire Department resulting to meet the fire and life safety needs of the community.

- Solar infrastructure on buildings reduces the need for pipelines and electrical transmission lines.

- The local geographic, topographic, and climatic conditions pose an increase hazard in acceleration, spread, magnitude and severity of potential fires in the City, and may cause a delayed response from emergency responders, allowing further growth of the fire.

- Over the next century, increasing levels of atmospheric greenhouse gas concentrates are expected to result in global temperature increases, and based on scientific literature and studies are likely to cause a variety of local changes, including extreme weather conditions, sea level rise, more frequent heat waves and extended period of drought. Local geographic, topographic and climatic conditions include risk of the following:
  - Fires. Piedmont is a hillside community and most of the structures are single-family dwellings built on sloping terrain. The 1991 Oakland/Berkeley Hills fire had a devastating impact on those communities in the fire zone which experienced significant loss of life and property. The fire zone of this event crossed into the Piedmont city limits but did not damage any structures. Piedmont has the same climatic and topographical conditions as those areas affected by the nearby 1991 fire. In most areas of Piedmont, the dwelling units are located in close proximity to one another and in many cases are less than 8 feet apart. Fires can easily spread from house-to-house and are more readily spread

upslope in the direction of prevailing winds. As referenced by CalFire's Fire and Resource Assessment Program (FRAP), Wildland Urban Interface Map, all of Piedmont is within or immediately adjacent to an Interface or Influence Zone. All areas of Piedmont are located in a Wildland-Urban Interface (WUI) zone, which allows for heightened construction and regulatory standards to mitigate the spread of wildfires. In addition, wildfires located outside the area in 2018 and 2019 created a blanket of toxic smoke over the City, causing the worst air quality on record by the Bay Area Air Quality Management District for two consecutive weeks.

- Landslides. Extreme storms as a result of climate change increases the chance of rainfall-induced landslide; fire and drought may kill vegetation in the City's WUI zone increasing runoff and potential for landslide.
- Heat: Increased heat as a result of climate change can have a local impact on the health, safety and welfare of the City's population, especially those without resources to purchase air conditioning, the elderly, disabled, or those with children.

- Failure to address and substantially reduce greenhouse gas emissions creates an increased risk to the health, safety and welfare of the City residents, the City Council considers and adopts as findings the analysis contained in the staff report.

- Amendments to the California Codes have been adopted in the past by the City Council based on specific findings of local geographic, topographic and climatic conditions; and the City Council hereby reaffirms such findings and confirms that the facts on which such findings were based continue to exist.

- The provisions of this Ordinance establish more restrictive standards than the California Building Standards Code which will better serve to prevent or minimize structural damage and other impacts resulting from such local conditions.

EXHIBIT B

City of Piedmont
Identification of Specific Findings Related to the
Proposed Amendments and Additions
2022 California Building Standards Code

SECTION 8.02.020 2022 CALIFORNIA RESIDENTIAL CODE – AMENDMENTS

A.	Section R105.1 – Permits Required	See Finding A.
B.	Section R105.2 – Work Exempt from Permits	See Finding A.
C.	Section R106.6 – Construction Documents	See Finding M
D.	Section R109.1 – Types of Inspections	See Finding A.
E.	Section R112.1 - General	See Finding A.
F.	Section R202 – Definitions	See Finding A & M.
G.	Section R302.15 – Deck Fire Protection	See Finding B.
H.	Section R302.16 – Fire Protection for Overhanging Features	See Finding B.
I.	Section R303.1 – Habitable Rooms	See Finding B & C.
J.	Section R305.1.2 – Under Floor Area	See Finding B & E.
K.	Section R309.8 – Electric Vehicle (EV) Charging Infrastructure	See Finding L.
L.	Section R310.7 – Alterations or Repairs of Existing Basements	See Findings B & E.
M.	Section R313.1 – Townhouse Automatic Sprinkler Systems	See Finding B.
N.	Section R313.2 – One and Two Family Dwellings Automatic Fire Systems	See Finding B.
O.	Section R319.1 – Site Address	See Finding A.
P.	Section R337.1.5 – Vegetation Management Compliance	See Finding B.
Q.	Section R337.2 – Definitions	See Finding B
R.	Section R401.3 – Drainage	See Finding F.
S.	Section R401.4.3 – Foundation and Soils Investigations – Where Required	See Finding G.
T.	Section R403.1.6. - Foundation Anchorage	See Finding A.
U.	Section R404.1.1 – Design Required	See Finding H.

V.	Section R405.1 - Concrete or Masonry Foundations	See Finding F.
W.	Section R507.2 – Materials.	See Finding B.
X.	Section R703.6 – Wood Shakes and Shingles	See Finding B.
Y.	Section R902.1 – Roof Covering Materials	See Finding B.
Z.	Section R902.1.1 – Roof Coverings within Very-High Fire Hazard Severity Zones	See Finding B.
AA.	Section R902.1.2 – Roof Coverings in all other Areas	See Finding B.
BB.	Section R905.7 – Wood Shingles	See Finding B.
CC.	Section R905.8 – Wood Shakes	See Finding B.
DD.	Section R1003.9.2 – Spark Arrestors	See Finding B.
EE.	Appendix AK. Section AK105 – Mechanically Generated Noise Sources	See Finding D.

SECTION 8.02.030 2022 CALIFORNIA BUILDING CODE - AMENDMENTS

A.	Section 105.1 – Permits Required	See Finding A.
B.	Section 105.2 – Work Exempt from Permits	See Finding A.
C.	Section 110.1 – Inspections, General	See Finding A.
D.	Section 701A.5 – Vegetation Management Compliance	See Finding B.
E.	Section 711.4 – Protection of Underside of Floors	See Finding B.
F.	Section 702A – Definitions	See Finding B.
G.	Section 903.2 – Automatic Sprinkler Systems Where required	See Finding B.
H.	Section 1405.2 – Wood Shingle Siding and Other Wood Siding	See Finding B.
I.	Section 1505.1 – General	See Finding B.
J.	Section 1505.1.1 – Roof Coverings within Very High Fire Hazard Severity Zones.	See Finding B.
K.	Section 1505.1.2 – Roof Coverings within all other areas	See Finding B.
L.	Section 1505.3 – Class B Roof Assemblies	See Finding B.
M.	Section1505.4 – Class C Roof Assemblies	See Finding B.
N.	Section 1505.5 – Non-classified Roofing	See Finding B.

O.	Section 1505.6 – Fire-retardant Treated Wood Shingles and Shakes	See Finding B.
P.	Section 1507.8 – Wood Shingles	See Finding B.
Q.	Section 1507.9 – Wood Shakes	See Finding B.
R.	Section 1512.1 – General	See Finding B.
S.	Section 1803.2 –Investigations Required	See Finding G.
T.	Section 1805.4.3 – Drainage Discharge	See Finding F.
U.	Section 1807.2 – Retaining Walls	See Finding H.
V.	Section 2113.9.2 – Spark Arrestors	See Finding B.
W.	Section 2308.3.1 – Foundation Plates or Sills	See Finding A.
X.	Section 2803 – Mechanically Generated Noise Sources	See Finding D.

SECTION 8.02.040 2022 CALIFORNIA MECHANICAL CODE - AMENDMENTS

A.	Section 104.3.2 – Plan Review Fees	See Finding A.
B.	Section 104.5.4 – Permit Fees	See Finding A.
C.	Section 105.2.6 – Reinspections	See Finding A.
D.	Section 107.1 – General	See Finding A.

SECTION 8.02.050 2022 CALIFORNIA PLUMBING CODE - AMENDMENTS

A.	Section 104.3.2– Plan Review Fees	See Finding A.
B.	Section 104.5 – Fees	See Finding A.
C.	Section 107.1 – General	See Finding A.
D.	Section 601.9 – Ground Driven Electrode Required	See Finding B & I.
E.	Section 1101.2 – Where Required	See Finding F.
F.	Section 1101.6.1 – Discharge	See Finding F.
G.	Section 1101.6.3 – Splash Blocks	See Finding F.
H.	Section 1101.6.5 – Open Area	See Finding F.
I.	Section 1501.3– Permit	See Finding A.
J.	Section 1503.1.1– Clothes Washer System	See Finding A.

SECTION 8.02.060 2022 CALIFORNIA ELECTRICAL CODE - AMENDMENTS

A.	Section 89.108.4.2 – Fees	See Finding A.
B.	Subsection 210.52(F) – Laundry Areas	See Finding M.
C.	Section 210.52 – Dwelling Unit Receptacle Outlets	See Finding M.
D.	Section 220.83 – Existing Dwelling Unit	See Finding M.
E.	Section 706.15 (A) – ESS Disconnecting Means	See Finding B.

SECTION 8.02.070 2022 CALIFORNIA ENERGY CODE – AMENDMENTS

A.	Section 100.0 – Scope	See Finding M.
B.	Subsection 100.1(b) – All Occupancies – General Provisions	See Finding M.
C.	Section 150.1 – Performance and Prescriptive Compliance Approaches for Single-Family Residential Buildings	See Finding M.
D.	Section 150.0 – Mandatory Features and Devices	See Finding M.
E.	Section 150.0(e) – Installation of fireplaces, decorative gas appliances and gas logs	See Finding M.
F.	Section 150.0(h) – Space-conditioning equipment	See Finding M.
G.	Section 150.0(n) – Water heating system	See Finding M.
H.	Section 150.0(u) – Electric cooktop ready	See Finding M.
I.	Section 150.0(v) – Electric clothes dryer ready	See Finding M.
J.	Section 150.2(a) – Additions	See Finding M.
K.	Section 150.2(a) – Additions	See Finding M.
L.	Section 150.2(b) – Alterations	See Finding M.

SECTION 8.02.080 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE - AMENDMENTS

A.	Section 301.1.1 – Additions and Alterations	See Finding B, J & M.

SECTION 8.02.090 2022 CALIFORNIA FIRE CODE - AMENDMENTS

A.	Section 5601.1.3 – Fireworks	See Finding B.
B.	Section 5608.1 – General	See Finding B.

EXHIBIT C to Ordinance No. 767 N.S.

"DIVISION 8.02 ADOPTION OF CALIFORNIA BUILDING STANDARDS CODE AND AMENDMENTS

Sections:

8.02.010 California Building Standards Code – Adopted
8.02.020 2022 California Residential Code – Amendments
8.02.030 2022 California Building Code ~~of Regulations~~ - Amendments
8.02.040 2022 California Mechanical Code – Amendments
8.02.050 2022 California Plumbing Code – Amendments
8.02.060 2022 California Electrical Code – Amendments
8.02.070 2022 California Energy Code – Amendments
8.02.080 2022 California Green Building Standards Code - Amendments
8.02.090 2022 California Fire Code – Amendments
8.02.100 Penalties Adopted

8.02.010 California Building Standards Code - Adopted[~~1~~]

The following 2022 California Building Standards Code, California Code of Regulations, Title 24, is hereby adopted by reference, as more specifically identified below. A copy of these codes will be kept on file at the Planning & Building Department.

A. 2022 California Residential Code, Part 2.5 of Title 24 of the California Code of Regulations, including Appendices AK and AX~~, but not including AL~~.

B. 2022 California Building Code ~~of Regulations~~, Part~~s 1 and~~ 2 of Title 24 of the California Code of Regulations~~, including the California Building Code,~~ Volumes 1 and 2 and Appendices D, F, G, H, I, and J.

C. 2022 California Mechanical Code, Part 4 of Title 24 of the California Code of Regulations, including its appendices.

D. 2022 California Plumbing Code, Part 5 of Title 24 of the California Code of Regulations, and its appendices.

E. 2022 California Electrical Code, Part 3 of Title 24 of the California Code of Regulations, and its annexes.

F. 2022 California Energy Code, Part 6 of Title 24 of the California Code of Regulations including all of its appendices.

~~1 For state law as to adoption by reference, see Gov. C. § 50022.2 to 50022.10.~~

G. 2022 California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations, including all of its appendices.

H. 2022 California Referenced Standards Code, Part 12 of Title 24 of the California Code of Regulations, including all of its appendices.

I. 2022 California Administrative Code, Part 1 of Title 24 of the California Code of Regulations, and its appendices.

J. 2022 California Historical Building Code, Part 8 of Title 24 of the California Code of Regulations, including all of its appendices.

K. 2022 California Existing Building Code, Part 10 of Title 24 of the California Code of Regulations, including all of its appendices.

L. 2022 California Fire Code, Part 9 of Title 24 of the California Code of Regulations, as adopted and/or amended by the office of the California State Fire Marshal, including Appendices ~~A~~B through O.

8.02.020 2022 California Residential Code – Amendments

This section amends the 2022 California Residential Code as adopted in Section 8.02~~1~~.010, as set forth below.

A. Section R105.1 – Permits Required. Section R105.1 is amended to add the following provisions: "A building permit is also required for the following:

1. an on-grade improvement capable of use for parking vehicles and located in the street yard setback.

2. on-grade stairs with four or more risers that are part of the primary entrance/exit to and from the structure.

3. construction, repair or replacement of a public sidewalk, curb or gutter.

4. alterations and property improvements which have received or require design review approval from the City of Piedmont."

B. Section R105.2 – Work Exempt from Permit. The text of Section R105.2 is deleted and replaced in its entirety with the following:

"R105.2 Work Exempt from Permit. A permit is not required for the following. An exemption from the permit requirements does not authorize any work in violation of this code or any other city laws.

Also, unless otherwise exempted, if separate plumbing, electrical and mechanical construction is required as part of the construction of the exempted items, a separate building permit for the plumbing, electrical and mechanical construction is required for the following exempted items.

1. Building

   a. One-story detached accessory structures used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet.~~, it is not located within the street yard setback, and is less than 7 feet in height measured from the lowest adjacent grade to the highest roof projection. No more than one accessory structure on a parcel is eligible for this exemption.~~

   b. A fence 6 feet high or less~~ which is not located in the street yard setback and is not within 2 feet, measured horizontally, of a retaining structure that compensates for a change in grade~~.

   c. A retaining wall which is not over 30 inches in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge.

   d. A movable case, counter or partition not over 5 feet 9 inches high.

   e. A platform, walk or driveway not more than 12 inches above grade and not over a basement or story below.

   f. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

   g. Swings and other playground equipment.

   h. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support. ~~(Ord. 752 N.S., 08/2020)~~

2. Electrical

   a. Listed cord-and-plug connected temporary decorative lighting.

   b. Reinstallation of attachment plug receptacles but not the outlets for them.

   c. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.

d. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

e. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles

3. Gas

a. Portable heating, cooking or clothes drying appliances.

b. Replacement of any minor part that does not alter approval of equipment or make the equipment unsafe.

c. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

4. Mechanical

a. Portable heating appliances.

b. Portable ventilation appliances.

c. Portable cooling units.

d. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.

e. Replacement of any minor part that does not alter approval of equipment or make the equipment unsafe.

f. Portable evaporative coolers.

g. Self-contained refrigeration system containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.

h. Portable-fuel-cell appliance that are not connected to a fixed piping system and are not interconnected to a power grid.

5. Plumbing

a. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed~~. However, if a~~ trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same ~~it~~ with new material, such work shall be~~it is~~ considered as new ~~work~~

construction and a permit shall be ~~the owner must~~ obtained and inspection made as provided ~~a permit under~~ in this code.

b. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, and the removal and reinstallation of toilets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures."

~~C. Section R105.5 – Expiration. Section R105.5 is deleted and replaced in its entirety to read as follows:~~

~~"R105.5 Expiration. Every permit shall become invalid if the work authorized by the permit is not begun with 12 months after issuance, or if the work is abandoned, which shall occur if after commencement of work more than 180 days pass between inspections. The Building Official may grant, in writing, one or more extension of time, for a periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated."~~

~~D~~C. Section R106 – Construction Documents. Section R106 is amended to add the following subsection R106.6:

R106.6 Renovation Energy Efficiency Upgrades and Electrification
An alteration of or addition to a single family building, with a stated project value of $30,000[2] or more, is required to submit documentation that one item from the following list of energy efficient measures is included in the scope of work, in addition to any requirements imposed under California Energy Code section 150.2. An alteration of or addition to a single family building with a stated project value of $115,000[3] or more shall require the inclusion of two items from the energy efficient measures below in the scope of work.

Energy Efficient Measures and Electrification:

A. Install R-49 attic insulation, and apply air sealing practices in all accessible areas of the building. Seal ducts to meet the requirements of Section 150.2(b)1.E of the 2022 California Energy Code.
B. Install R-13 wall insulation on exterior walls to meet the requirements of Section 150.0(c) of the 2022 California Energy Code.
C. Install R-19 insulation at raised floor assemblies meeting standards of 2022 California Energy Code Section 150.0(d).
D. Install R-3 insulation on all accessible hot water piping. Install R-6 insulation to the exterior of existing residential tank storage water heaters.

[2] The amount of $30,000 shall be automatically adjusted for inflation annually on January 1 of each year beginning in 2024 based upon the California Construction Cost Index published by the California Department of General Services from data produced by the Engineering News Record.
[3] The amount of $115,000 shall be automatically adjusted for inflation annually on January 1 of each year beginning in 2024 based upon the California Construction Cost Index published by the California Department of General Services from data produced by the Engineering News Record.

E. Replace all screw in incandescent and CFL lamps with screw in LED lamps in all light fixtures per 2022 California Energy Code Section 150.0(k).
F. Replace Fuel Gas furnace with an electric heat pump system meeting the Requirements of the 2022 California Energy Code Section 150.2(b)C or with another high efficiency electric space heating system if approved by the Building Official.
G. Replace Fuel gas water heater with a heat pump water heater meeting the requirements of 2022 California Energy Code Section 150.2(b)H.iii.(b) or 150.2(b)H.iii.(c), or with other high efficiency electric water heating system per approval of the Building Official.
H. Implement one or more recommendations specified in a Home Energy Score or Home Energy Audit report that has been completed within five years and that is submitted with the application for a building permit, with the approval of such recommendation by the Building Official.

Exceptions:

1. A Home Energy Score Report for the single family building, completed within 5 years, demonstrating that the building already has a minimum Home Energy Score of 7, is submitted to the Building Official.

2. In accordance with Section R104.10 Modifications, the Building Official shall not require the installation of R 106.6 Renovation Energy Efficiency Upgrades, Measures F and/or G if one or more of the following conditions apply:

a. The unique features of the construction of the single family building structure, including, but not limited to existing heating and/or cooling system(s) that are not configured for conversion to forced air systems preclude installation of those measures.
b. The installation of the measures is not commensurate with the project's scope and budget, as determined by the Building Official, because the cost of those measures would exceed 20% of the total project cost or require substantial construction in areas of the residential structure that would otherwise not be part of the project.
c. Requiring the installation of measures is otherwise prohibited by other applicable law."

~~E~~D. Section R109.1 – Types of Inspections. Section R109.1 is amended to add a new paragraph to the end of Section R109.1 to read as follows: "The Building Official may require a survey of the lot to verify that the structure is located in accordance with the approved plans. In the case of a new residence or a detached structure, the Building Official will require a survey by a licensed land surveyor before approving the foundation. The foundation survey must include the related setbacks, the elevation of the existing grades, and the elevations of the foundation. At the completion of the framing

and roof sheathing, the survey must include the elevations of all floors and the maximum roof height, to verify that the structure is built according to the approved drawings."

E~~F~~. Section R112.1 – General. Section R112.1 – General is replaced in its entirety to read as follows:

"R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there is a board of appeals. In accordance with the Health and Safety Code sections 17920.5 and 17920.6, the board of appeals shall be the City of Piedmont Planning Commission. The board will adopt rules of procedure for conducting its business, and will render decisions and findings in writing to the appellant with a duplicate copy to the building official."

F~~G~~. Section R202 – Definitions. Section R202 – Definitions is amended to replace the definition of crawlspace with the following, and add the following definition of Crawl Space and Home Energy Score:

" CRAWL SPACE. An underfloor space with a maximum height of 5 feet that is not a basement.

HOME ENERGY SCORE. Home Energy Score means the score provided by a Home Energy Score Certified Assessor following an assessment of a property, using the Home Energy Score Scoring Methodology developed by the U.S. Department of Energy."

G~~H~~. Section R302.15 – Deck Fire Protection. Section R302.15 is added to the ~~2019~~ 2022 California Residential Code to read in its entirety:

"R302.15 Deck Fire Protection**.** Except for a deck that is more than 10 feet from a structure regulated by this code, the exposed underside of a deck must be protected by the installation of materials approved for one-hour fire-resistant construction on the horizontal exterior underside.

Exceptions:

1. Where the deck is less than one foot above grade.

2. Where the underdeck area is equipped with an automatic fire suppression system which complies with Section R313.

3. Where exterior walls enclose the underside of the deck completely to grade.

4. A balcony or deck which is constructed as follows:
   Horizontal framing members are of size 4 inches x 8 inches (nominal) and larger
   Posts are of size 6 inches x 6 inches (nominal) and larger
   Decking: Conforming to requirements in Section 709A, Decking

5. A deck constructed over permanent noncombustible material which extends at least 3 feet beyond the edge of the deck and prevents the growth of plant material.

The alteration or repair of an existing deck or balcony must meet the above requirements, except that if the number of linear feet of horizontal framing members to be repaired and replaced is less than 25% of the total linear feet of all framing members, materials like those used on the original construction may be used."

H~~I~~. Section R302.16 –Fire Protection for Overhanging Features. Section R302.16 is added to the California Residential Code to read in its entirety:

"R302.16 Fire Protection for Overhanging Features. Bay windows, cantilever projections, and over overhanging features of structures that are 12 inches to 15 feet above grade shall conform to the requirements of Section R337.7.~~8~~9, Underfloor protection."

I~~J~~. Section R303.1 – Habitable Rooms. Section R303.1 is amended to delete exceptions 1, 2 and 3~~2~~, which allow artificial light and mechanical ventilation.

~~K. Section R304.3 – Height Effect on Room Area. Section R304.3 is amended to read as follows: "Portions of a room with a sloping ceiling measuring less than 5 feet, or a furred ceiling measuring less than 7 feet, 6 inches from the finished floor to the finished ceiling are not considered as contributing to the minimum required habitable area for that room."~~

~~L. Section R305.1 - Minimum Height. Section R305.1 is amended replaced to read in its entirety as follows: "Habitable space, hallways and portions of basements containing these spaces, must have a ceiling height of at least 7 feet 6 inches. Bathrooms, toilet rooms, and laundry rooms are permitted to have a ceiling height of at least 7 feet.~~

~~Exceptions:~~

~~1. For a room with a sloped ceiling, the required floor area of the room must have a ceiling height at least 5 feet. At least 50 percent of the required floor area must have a ceiling height of at least 7 feet 6 inches.~~

~~2. The ceiling height above bathroom and toilet room fixtures must be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead must have a ceiling height of at least 6 feet 8 inches above an area not less than 30 inches by 30 inches at the showerhead.~~

~~3. A beam, girder, duct or other obstruction in a basement containing habitable space is permitted to project to within 6 feet 8 inches of the finished floor.~~

~~4. Existing non-habitable space contained within the existing building envelope that is converted to habitable space must have a ceiling height of at least 7 feet."~~

J~~M~~. Section R305.1.2 – Under Floor Area. Section R305.1.2 is added to the 2022~~19~~ California Residential Code to read as follows:

"R305.1.2 Under Floor Area. Portions of basements with ceiling heights of less than 6 feet 8 inches are considered under floor areas and must be separated from the portions of the basement with ceiling heights of 6 feet 8 inches or greater by construction conforming to Chapter 6 of the~~,~~ 2022~~19,~~ California Residential Code. Such under floor areas must be unfinished.

Exception: An existing under floor area may be finished for storage and other non-habitation purposes with the approval of the Building Official."

~~N. Section R308.4.5 – Glazing and wet surfaces. Section R308.4.5 is amended to read as follows: "Glazing in walls, enclosures or fences adjacent to hot tubs, spas whirlpools, saunas, steam rooms, bathtubs, showers and indoor or outdoor swimming pools where the bottom exposed edge of the glazing is less than 60 inches (1524 mm) measured vertically above any standing or walking surface shall be considered to be a hazardous location. This shall apply to single glazing and each pane in multiple glazing.~~

~~Exception: Glazing that is more than 60 inches (1524 mm), measured horizontally from the water's edge of a bathtub, hot tub, spa, whirlpool or swimming pool or from the edge of a shower, sauna or steam room."~~

K~~O~~. Section R309.8 – Electric vehicle (EV) charging infrastructure. Section R309.8 is amended read as follows: "Newly constructed one- and two-family dwellings, town-houses and one- and two-family dwellings with an existing or proposed garage for which a building permit application has been submitted with a project value of $50,000 or greater and that includes an electric service panel upgrade shall comply with EV infrastructure requirements in accordance with the California Green Building Standards Code, Chapter 4, Division 4.1."

~~P~~L. Section R310.~~6~~ 7 – Alterations or Repairs of Existing Basements. Section R310.7~~6~~ is amended to read as follows:

"R310.7~~6~~ Alterations or Repairs of Existing Basements. An emergency escape and rescue opening is required where existing basements undergo alterations or repairs to create a habitable space.~~"~~
Exception: An operable window complying with Section 310.7.1 shall be acceptable as an emergency escape and rescue opening."

~~Q~~M. Section R313.1 – Townhouse Automatic Sprinkler Systems. Section R313.1 is amended to add the following to the listed exception: "However, if at any time a building is destroyed to the extent that more than 50% of the physical building requires

reconstruction, an automatic fire sprinkler system shall be required. The amount of physical building destruction shall be determined by the Building Official."

~~R~~N. Section R313.2 – One and Two Family Dwellings Automatic Fire Systems. Section R313.2 is amended to add the following to the end of ~~the listed~~ exception 1: "However, if at any time a building is destroyed to the extent of more than 50% of the physical building requires reconstruction, an automatic fire sprinkler system shall be required. The amount of physical building destruction is determined by the Building Official."

O~~S~~. Section R319.1 – Site Address. Section R319 is amended to read as follows: "Address identification. Buildings and accessory dwelling units created within existing buildings must be provided with approved address identification. The address identification must be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters must contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers may not be spelled out. Each character must be not less than 4 inches (102 mm) in height with a stroke width of not less than 0.5 inch (12.7 mm). Where required by the fire code official, address identification must be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification must be maintained."

~~T~~P. Section R337.1.5 – Vegetation management compliance. Section R337.1.5 is amended to read in entirety as follows: "Prior to ~~building permit final~~ approval of a final inspection for a building permit, any property in a Fire Hazard Severity Zone shall be in compliance with all applicable vegetation management requirements prescribed in California Fire Code Section 4906, including California Public Resources Code 4291 or California Government Code Section 51182, and all other properties not in a Fire Hazard Severity Zone shall be in compliance with all applicable vegetation management requirements adopted by ordinance of the City of Piedmont. Acceptable methods of compliance inspection and documentation shall be determined by the enforcing agency and shall be permitted to include any of the following:
1. Local, state, or federal fire authority or designee authorized to enforce vegetation management requirements.
2. Enforcing agency.
3. Third party inspection and certification authorized to enforce vegetation management requirements."

~~U~~Q. Section R337.2 – Definitions. The definition of "Wildland-Urban Interface ~~Fire Area~~(WUI)" in Section R337.2 is amended to read as follows:

"WILDLAND-URBAN INTERFACE ~~FIRE AREA~~(WUI). A geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175

through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. The entire City of Piedmont is designated by ordinance -755 N.S. includes Includes any geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and any Very High Fire Hazard Severity Area designated in accordance with Government Code Section 51175 through 51189. Additionally, each and every area of the City of Piedmont shall be considered a wildland-urban interface area because each area of the City has been determined by the City to be subject to a significant risk due to wildfire. A map depicting the Wildland-Urban Interface Area, and all Fire Hazard Severity Zones including the Very High Fire Severity Zone, shall be kept on file with the Fire Marshall of the City of Piedmont."

VR. Section R401.3 – Drainage: Section R401.3 is amended to append the following to the end of the section: "Provisions shall be made for the control and drainage of surface and subsurface water around buildings. Whenever plans for an improvement to real property indicate the possibility of change in either surface or subsurface drainage, or both, the owner applicant shall submit a plan for drainage control which is in compliance with the current version of the C.3 Stormwater ProgramTechnical Guidance as adopted by the Alameda county for the Alameda Countywide Clean Water Program and- provides for no increase or other adverse change in drainage on an adjacent property. The storm water discharge must be managed with one or more of the following methods:

1. Underground, rigid pipe via gravity flow down to the face of curb of a street bordering the property. Any piping occurring under the city sidewalk or other city improvements must be cast iron pipe.

2. Direct all concentrated storm water to a catch basin and sump pump to deliver water to the face of curb of a street bordering the property.

3. Gravity flow through neighboring property to the face of curb on a lower street subject to the approval of the Director of Public Works, and a written agreement and recorded easement mutually agreed to by the affected neighbors.

4. Any other method determined by the Building Official to be reasonable and appropriate under the circumstances, including methods for on-site retention of stormwater included in the *C.3 Stormwater Technical Guidance Manual* provided by the Alameda County Flood Control and Water Conservation District. The Building Official will require plans by a civil engineer, if necessary based on the characteristics of the site.Methods determined by the Building Official to be reasonable and appropriate under the circumstances and in compliance with the C.3 Stormwater Program guidelinesTechnical Guidance may be approved. The Building Official will require plans by a registered civil engineer, if necessary, based on the characteristics of the site."

WS. Section R401.4.3 – Foundation and Soils Investigations – Where Required. Section R401.4.3 is added to the 2022~~19~~ California Residential Code to read in its entirety:

"R401.4.3 Foundation and Soils Investigations – Where Required. A geotechnical evaluation shall be required:

1. "For any building on a site having a slope of 20% or greater, a soils report must be prepared by a geotechnical engineer licensed by the State of California.

2. At discretion of the Building Official based on the characteristics of the site and the nature of the construction proposed."

~~X~~T. Section R403.1.6 - Foundation Anchorage. Section R403.1.6 is amended to delete the last two sentences in the third paragraph and add the following sentence ~~at the end of the second paragraph~~in its place: "All anchor bolts, seismic ties, and other mechanical or structural connectors to be embedded in new concrete must be installed and in place at the time of the foundation form inspection."

~~Y~~U. Section R404.1.1 – Design Required. Section ~~R403.1.6~~404.1.1 is amended to read in entirety as follows:

"R404.1.1 Design Required. Concrete or masonry foundation walls must be designed in accordance with accepted engineering practice if either of the following conditions exists:

1. The wall is subject to hydrostatic pressure from groundwater.

2. The wall is supporting more than 30 inches of unbalanced backfill that does not have permanent lateral support at the top or bottom."

~~Z~~V. Section R405.1 - Concrete or Masonry Foundations. Section R405.1 is amended to read in entirety as follows:

"R405.1 Concrete or Masonry Foundations. Drains ~~must~~ shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Perforated pipe or other approved systems or materials ~~must~~ shall be installed at or below the ~~area to be protected~~top of the footing or below the bottom of the slab and ~~must~~ shall discharge by gravity or mechanical means into an approved drainage system. Except where otherwise recommended by the drain manufacturer, ~~P~~perforated pipe ~~must~~ shall be surrounded with an approved filter membrane or the filter membrane ~~must~~ shall cover the washed gravel or crushed rock covering the drain pipe. Perforated pipe ~~must~~ shall be placed on a minimum of 2 inches of washed gravel or crushed rock at least one sieve size larger than the perforations and covered with not less than 6 inches of the same material.

Exception: A drainage system is not required where the foundation is installed on well-drained ground or sand-gravel mixture soils according to the United Soil Classification System, Group I soils, as detailed in Table R405.1."

~~AA~~W. Section R507.2 - Materials. Section R507.2 is amended to add the following at the end of the section: "Materials used for the construction of decks shall comply with this section and Section R302.15."

~~BB~~X. Section R703.6 - Wood Shakes and Shingles. Section R703.6 is amended to add the following at the end of the first paragraph of R703.6:

"1. If more than 25% of the wall area of a face of the building is replaced, the shingles and shakes shall meet the requirements of Section R337.3 Exterior Walls.

2. Exterior wall finishes of existing structures where less than 25% of the wall area is being replaced or openings are infilled, but not additions to existing structures, may be replaced to match the existing wall finish. If wood shakes or shingles are installed they shall meet the requirements of Section R337.3.5.2.2 Fire-retardant/treated wood shingles and shakes.

3. Framing to receive wood siding or wood shingles and shakes siding must be covered with tight-fitting minimum 1/2" wood underlayment or 1/2"exterior grade gypsum sheathing."

~~CC~~Y. Section R902.1 – Roof Covering Materials: Section R902.1 is replaced to read in its entirety as follows:

"R902.1 Roof Covering Materials. Roofs must be covered with materials as set forth in Sections R904 and R905, in all areas, including very-high fire hazard severity zones and within state responsibility areas. A minimum Class A roofing must be installed. Class A roofing required by this section shall be tested in accordance with UL 790 or ASTM E108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.

2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

3. Class A roof assemblies include minimum 16 oz/ft² copper sheets installed over combustible decks.

4. Class A roof assemblies include slate installed over underlayment over combustible decks."

~~DD~~Z. Section R902.1.1 Roof coverings within ~~very-high~~ fire hazard severity zones. Section R902.1.1 is deleted in its entirety.

~~EE~~AA. Section R902.1.2 Roof coverings ~~within state responsibility~~in all other areas. Section R902.1.2 is deleted in its entirety.

~~FF. Section R902.1.3 Roof coverings in all other areas. Section R902.1.23 is deleted in its entirety.~~

~~GG~~BB. Section R905.7 – Wood Shingles. Section R905.7 is amended to read in entirety as follows:

"R905.7 Wood Shingles. The installation of wood shingles is prohibited.

Exception: The installation of wood shingles shall be permitted if necessary for repair or replacement of existing wood shingles on existing dwellings and accessory structures on or eligible for inclusion on the National Register of Historic Places."

~~HH~~CC. Section R905.8 – Wood Shakes. Section R905.8 is amended to read as follows:

"R905.8 Wood Shakes. The installation of wood shakes is prohibited.

Exception: The installation of wood shakes shall be permitted if necessary for repair or replacement of existing wood shakes on existing dwellings and accessory structures on or eligible for inclusion on the National Register of Historic Places."

DD~~II~~. Section R1003.9.2 – Spark Arresters. Section R1003.9.2 is amended to add the following after the first sentence ~~2~~: "This is required when a building permit is issued for an improvement of a value in excess of $1,000.00. The spark arrester must be installed before scheduling of a final inspection ~~approval~~."

EE~~JJ~~. Appendix AK. Section AK10~~3.2~~5 – Mechanically Generated Noise Sources is added to Appendix K to read as follows:

"Section AK 10~~3.2~~5 Mechanically Generated Noise Sources. Machines and other devices located on the exterior of structures which generate sounds perceptible outside the perimeters of the lot on which they are located must be installed with sound transmission control measures to adequately minimize or eliminate the transmission of the sound to a level not to exceed 50 decibels, A-weighted, at the nearest property line to the source. This section is directed to and includes, but is not limited to, pool and spa filter systems, air conditioning units, generators, and exterior mounted blowers for exhaust systems." ~~(Ord. 750 N.S., 02/2021)~~

8.02.030 2022 California Building Code – Amendments

The following provisions amend the listed sections of the 2022 California Building Code as adopted in Section 8.02.010.

A. Section 105.1 – Permits Required. Section 105.1 is amended to add the following provisions at the end of the section: "A building permit is also required for the following:

1. An on-grade improvement capable of use for parking a vehicle and located in the street yard setback.

2. On-grade stairs with four or more risers that are part of the primary entrance/exit to and from the structure.

3. Construction, repair or replacement of a public sidewalk, curb or gutter.

4. ~~A building permit is required for building a~~Alterations and property improvements which have received or require design review approval from the City of Piedmont."

B. Section 105.2 – Work Exempt from Permits. Section 105.2 is amended as to modify the exceptions in the Building section to read as follows:

"Building:
1. One-story detached accessory structures used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet~~, it is not located within the street yard setback, and is less than 7 feet in height measured from the lowest adjacent grade to the highest roof projection. No more than one accessory structure on a parcel is eligible for this exemption~~.

2. A fence 6 feet high or less ~~which is not located in the street yard setback and is not within 2 feet, measured horizontally, of a retaining structure that compensates for a change in grade~~.

3. Oil derricks.

4. Retaining walls which are not over 30 inches in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

5. A platform, walk or driveway not more than 12 inches above grade and not over any basement or story below and not part of an accessible route.

6. Painting, papering, interior floor covering and similar finish work.

7. Temporary motion picture, television and theater stage set or scenery.

8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

9. Swings and other playground equipment accessory to detached one- and two-family dwellings.

10. Widow awnings in Group R-3 and U occupancies, supported by an exterior wall and that do not project more than 54 inches from the exterior wall and do not require additional support.

11. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height." ~~(Ord. 752 N.S., 08/2020)~~

~~C. Section 105.5 – Expiration.~~
~~Section 105.5 is amended to be replaced in its entirety to read as follows:~~

~~"105.5 Expiration. Every permit shall become invalid if the work authorized on the site by the permit is not begun with 12 months after issuance, or if the work is abandoned, which shall occur if after commencement of work more than 180 days pass between inspections. The Building Official may grant, in writing, one or more extension of time, for a periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated."~~

~~D~~C. Section 110.1 – Inspections, General: Section 110.1 is amended to add a new paragraph at the end of Section 110.1 to read as follows: "The Building Official may require a survey of the lot to verify that the structure is located in accordance with the approved plans. In the case of a new residence or a detached structure, the Building Official will require a survey by a licensed land surveyor before approving the foundation inspection. The foundation survey must include the related setbacks, the elevation of the existing grades, and the elevations of the foundation. At the completion of the framing and roof sheathing, the survey must include the elevations of all floors and the maximum roof height, to verify that the structure is built according to the approved drawings."

~~E~~D. Section 701A.5 – Vegetation management compliance. Section 701A.5 is amended to read as follows: "Prior to ~~building permit final~~ approval of a final inspection, any property in a Fire Hazard Severity Zone shall be in compliance with all applicable vegetation management requirements prescribed in California Fire Code Section 4906, including California Public Resources Code 4291 or California Government Code Section 51182, and all other properties not in a Fire Hazard Severity Zone shall be in compliance with all applicable vegetation management requirements adopted by ordinance of the City of Piedmont. Acceptable methods of compliance inspection and documentation shall be determined by the enforcing agency and shall be permitted to include any of the following:
1. Local, state, or federal fire authority or designee authorized to enforce vegetation management requirements.

2. Enforcing agency.
3. Third party inspection and certification authorized to enforce vegetation management requirements."

E. Section 711.4– Protection of Underside of Floors. Section 711.4 is added to the 2022 California Building Code to read in its entirety as follows:

"711.4 Protection of Underside of Floors. The exposed underside of a floor for habitable space, uninhabitable space which supports or is attached to habitable space, or a deck which is located less than 10 feet from a structure regulated by this code, must be protected by the installation of materials approved for one-hour fire-resistant construction on the horizontal exterior side. Gypsum sheathing may be covered by combustible finish materials.

Exceptions:

1. Where exterior walls enclose the under floor area completely to grade.

2. Where the underfloor area is equipped with an automatic fire suppression system which conforms with the California Fire Code, as amended under division 8.02 of the Piedmont City Code.

3. A balcony or deck which is less than one foot above grade.

4. A balcony or deck which is constructed meeting the following requirements:
   Horizontal framing members are of size 4 inches x 8 inches (nominal) and larger;
   Posts are of size 6 inches x 6 inches (nominal) and larger; and
   Decking conforming to requirements in Section 709A Decking

5. A deck constructed over permanent noncombustible paving that prevents the growth of plant material and which extends at least 3 feet beyond the edge of the deck.

The alteration or repair of an existing deck or balcony must meet the above requirements, except that if the number of linear feet of horizontal framing members to be repaired and replaced is less than 25% of the total linear feet of all framing members, materials like those used on the original construction may be used."

F. Section 702A – Definitions. The definition of "Wildland-Urban Interface Fire ~~Area~~(WUI)" in Section 702A is amended to read as follows:

"WILDLAND-URBAN INTERFACE ~~FIRE AREA~~(WUI). ~~includes Includes any~~A geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. The entire City of Piedmont is designated by ordinance

755 N.S. a wildland-urban interface area because each area of the City has been determined by the City to be subject to a significant risk due to wildfire. A map depicting the Wildland-Urban Interface Area, and all Fire Hazard Severity Zones including the Very High Fire Severity Zone, shall be kept on file with the Fire Marshal of the City of Piedmont.~~and any Very High Fire Hazard Severity Area designated in accordance with Government Code Section 51175 through 51189. Additionally, each and every area of the City of Piedmont shall be considered a wildland-urban interface area because each area of the City has been determined by the City to be subject to a significant risk due to wildfire. A map depicting the Wildland-Urban Interface Area, and all Fire Hazard Severity Zones including the Very High Fire Severity Zone, shall be kept on file with the Fire Marshall of the City of Piedmont.~~"

~~G. Section 711.4 Protection of Underside of Floors. Section 711.4 is added to the 2019 2022 California Building Code to read in its entirety as follows:~~

~~"711.4 Protection of Underside of Floors. The exposed underside of a floor for habitable space, uninhabitable space which supports or is attached to habitable space, or a deck which is located less than 10 feet from a structure regulated by this code, must be protected by the installation of materials approved for one-hour fire-resistant construction on the horizontal exterior side. Gypsum sheathing may be covered by combustible finish materials.~~

~~Exceptions:~~

~~1. Where exterior walls enclose the under floor area completely to grade.~~

~~2. Where the underfloor area is equipped with an automatic fire suppression system which conforms with the California Fire Code, as amended under division 8.02 of the Piedmont City Code.~~

~~3. A balcony or deck which is less than one foot above grade.~~

~~4. A balcony or deck which is constructed as follows:~~
~~Horizontal framing members are of size 4 inches x 8 inches (nominal) and larger~~
~~Posts are of size 6 inches x 6 inches (nominal) and larger~~
~~Decking conforming to requirements in Section 709A Decking~~

~~5. A deck constructed over permanent noncombustible paving that prevents the growth of plant material and which extends at least 3 feet beyond the edge of the deck.~~

~~The alteration or repair of an existing deck, or balcony must meet the above requirements, except that if the number of linear feet of horizontal framing members to be repaired and replaced is less than 25% of the total linear feet of all framing members, materials like those used on the original construction may be used."~~

~~H~~G. Section 903.2 – Automatic Sprinkler Systems Where required. Section 903.2 is amended to append the following to the section after the first sentence: "Any previously non-conforming structure is reconstructed after more than 50% of the physical building is demolished or destroyed shall be constructed with an automatic sprinkler system as described in Sections 903.2.1 through 903.2.~~19~~21. The amount of physical building destruction or demolition is determined by the Building Official."

~~I. Section 1206.6 – Mechanically Generated Noise Sources. Section 1207.6 is added to the 2019 California Building Code to read as follows:~~

~~"Section 1207.6 Mechanically Generated Noise Sources. Machines and other devices located on the exterior of structures which generate sounds perceptible outside the perimeters of the lot on which the machine or other device is located must be installed with such sound transmission control measures to adequately minimize or eliminate the transmission of the sound to a level not to exceed 50 decibels, A-weighted, beyond property perimeters. This section is directed to and includes, but is not limited to, pool and spa filter systems, air conditioning units, generators, and exterior mounted blowers for exhaust systems."~~

~~J~~H. Section 1405.2 – Wood Shingle Siding and Other Wood Siding. Section 1405~~6~~.~~5~~ 2 is added to ~~of~~ the 2022~~19~~ California Building Code ~~is replaced~~ to read as follows:

"Section 1405~~6~~.~~5~~ 2 Wood Shingle Siding and Other Wood Siding. Exterior wall coverings constructed of wood shingle siding and other wood siding must comply with the following limitations:

1. The wood shingle siding must conform to the requirements of Section 707A Exterior Covering.

2. Exterior wall finishes of existing structures where less than 25% of the wall area is being replaced or openings are infilled, but not additions to existing structures, may be replaced to match the existing wall finish. If wood shakes or shingles are installed they must meet the requirements of Section 704A.4.3 Alternative methods for determining ignition-resistant material.

3. Framing to receive wood shingle siding or other wood siding must be covered with tight-fitting minimum 1/2" wood underlayment or 1/2" exterior grade gypsum sheathing."

~~K~~I. Section 1505.1 – General. Section 1505.1 is amended to read in its entirety as follows:

"1505.1 General. Class A roof assemblies and roof coverings shall be installed. Class A roof assemblies and roof coverings shall be tested in accordance with ASTM E 108 or UL 790.

Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610."

~~L~~J. Section 1505.1.1 Roof coverings within ~~very-high~~ fire hazard severity zones. Section 1505.1.1 is deleted.

K~~M~~. Section 1505.1.2 Roof coverings within ~~state responsibility~~all other areas. Section 1505.1.2 is deleted.

~~N. Section 1505.1.3 Roof coverings in all other areas. Section 1505.1.3 is deleted.~~

~~O. Section 1505.1.4 Roofing requirements in a Wildland-Urban Interface Fire Area. Section 1505.1.4 is deleted.~~

~~P~~L. Section 1505.3 Class B roof assemblies. Section 1505.3 is deleted.

~~Q~~M. Section 1505.4 Class C roof assemblies. Section 1505.4 is deleted.

~~R~~N. Section 1505.5 Non-classified roofing. Section 1505.5 is deleted.

~~S~~O. Section 1505.6 Fire-retardant-treated wood shingles and shakes. Section 1505.6 is deleted.

~~T~~P. Section 1507.8 Wood Shingles. Section 1507.8 is amended to read in its entirety as follows:

"1507.8 Wood shingles. The installation of wood shingles is prohibited.

Exception: The installation of wood shingles shall be permitted if necessary for repair or replacement of existing wood shingles on existing dwellings and accessory structures on or eligible for inclusion on the National Register of Historic Places."

Q~~U~~. Section 1507.9 – Wood Shakes. Section 1507.9 is amended to read in its entirety as follows:

"1507.9 Wood Shakes. The installation of wood shakes is prohibited.

Exception: The installation of wood shakes shall be permitted if necessary for repair or replacement of existing wood shakes on existing dwellings and accessory structures on or eligible for inclusion on the National Register of Historic Places."

~~V~~R. Section 1512~~1~~.1 – General. Section 1512~~1~~.1 is amended to read in its entirety as follows:

"1512~~1~~.1 General. Materials and methods of application used for recovering or replacing an existing roof covering must comply with the requirements of Section 1505.1 as amended by the Piedmont City Code section 8.02.030.

Exceptions:

1. Reroofing is not required to meet the minimum design slope requirements of one-quarter unit vertical in 12 units horizontal (2 percent slope) in Section 1507 for a roof that provides positive roof drainage.

2. Reroofing of an existing structure, regardless of existing roofing materials, must conform to the requirements of a Class-A roof for the materials used in the installation. Class-A roofing materials may be installed over previous roof material layers if the final assembly meets requirements of California Building Code Chapter 15 as amended by the Piedmont City Code.

3. Patches and repairs exceeding 100 square feet must meet the requirements for reroofing. Patches and repairs of 100 square feet or less may match existing materials, including sheathing and roofing materials, provided that wood shingles and shakes are fire treated to a Class-B rating.

4. Reroofing of an existing structure shall not be required to meet the requirement for secondary (emergency overflow) drains or scuppers in Section 1502~~3~~.2~~4~~ for roofs that provide for positive roof drainage. For the purposes of this exception, existing secondary drainage or scupper systems required in accordance with this code shall not be removed unless they are replaced by secondary drains or scuppers designed and installed in accordance with Section 1503~~3~~2~~.4~~."

~~W~~S. Section 1803.2 ~~– Geotechnical~~ Investigations Required. Section 1803.2 is amended to add the following after the first sentence: "A geotechnical investigation is required:

1. For a building on a site having a slope of 20% or greater, or

2. At discretion of the Building Official based on the characteristics of the site and the nature of the construction proposed."

~~X~~T. Section 1805.4.3 – Drainage Discharge. Section 1805.4.3 is amended to read in its entirety as follows:

"1805.4.3 Drainage Discharge. Provisions shall be made for the control and drainage of surface and subsurface water around buildings. Whenever plans for an improvement to real property indicate the possibility of change in either surface or subsurface drainage, or both, the applicant ~~must~~ shall submit a plan for drainage control which is in compliance with the current version of the C.3 Stormwater ~~Program~~Technical Guidance for the ~~as adopted by the~~ Alameda Countywide Clean Water Program and provides for no increase or other adverse change in drainage on an adjacent property. Methods

determined by the Building Official to be reasonable and appropriate under the circumstances and in compliance with the C.3 Stormwater ~~Program guidelines~~Technical Guidance may be approved. The Building Official will require plans by a registered civil engineer, if necessary, based on the characteristics of the site.~~which provides for no increase or other adverse change in drainage on an adjacent property. The storm water discharge must be managed with one or more of the following methods:~~

~~1. Underground, rigid pipe via gravity flow down to the face of curb of a street bordering the property. Any piping occurring under the city sidewalk or other city improvements must be cast iron pipe.~~

~~2. Direct all concentrated storm water to a catch basin and sump pump to deliver water to the face of curb of a street bordering the property.~~

~~3. Gravity flow through neighboring property to the face of curb on a lower street subject to the approval of the Director of Public Works, and a written agreement and recorded easement mutually agreed to by the affected neighbors.~~

~~4. Any other method determined by the Building Official to be reasonable and appropriate under the circumstances, including methods for on-site retention of stormwater included in the *C.3 Stormwater Technical Guidance Manual* provided by the Alameda County Flood Control and Water Conservation District. The Building Official will require plans by a civil engineer, if necessary based on the characteristics of the site.~~"

~~Y~~U. Section 1807.2 – Retaining Walls. Section 1807.2 is amended to add the following sentence to the end of the first paragraph: "A retaining wall, any portion of which exceeds 30 inches in height measured from the top of the footing to the top of the retaining wall, must be designed by a registered civil or structural engineer or architect."

~~Z~~V. Section 2113~~A~~.9.2 – Spark Arrestors. Section 2113~~A~~.9.2 is amended to add the following after the first sentence: "A spark arrester is required when a building permit is issued for an improvement. The spark arrester must be installed or in good working order before the scheduling of the final inspection ~~approval~~."

~~AA~~W. Section 2308.3.1 – Foundation Plates or Sills. Section 2308.3.1 is amended to add the following sentence at the end of the paragraph: "All anchor bolts, seismic ties, and any other mechanical or structural connectors to be embedded in new concrete must be installed and be in place at the time of the foundation form inspection."

X. Section 2803 – Mechanically Generated Noise Sources. Section 2803 is added to the 2022 California Building Code to read as follows:

"Section 2803 Mechanically Generated Noise Sources. Machines and other devices located on the exterior of structures which generate sounds perceptible outside the perimeters of the lot on which the machine or other device is located must be installed with such sound transmission control measures to adequately minimize or eliminate the

transmission of the sound to a level not to exceed 50 decibels, A-weighted, beyond property perimeters. This section is directed to and includes, but is not limited to, pool and spa filter systems, air conditioning units, generators, and exterior mounted blowers for exhaust systems."

8.02.040 2022 California Mechanical Code - Amendments

This section amends the 2022 California Mechanical Code as adopted in Section 8.02~~1~~.010, as set forth below.

A. ~~Section 104.5.4 – Permit Fees. Section 104.5 is amended to replace "in the fee schedule, Table 104.5" in the first section with the following: "by the Fee Schedule set by City Council resolution" and the following sentence to the end of the paragraph: "The determination of value or valuation under this Code is made by the Building Official, and the value to be used in computing the mechanical permit and mechanical plan review fees is the total value of all construction for which the permit is issued."~~

~~B.~~ Section 104.3.2 – Plan Review Fees. Section 104.3.2 is amended to delete the fourth paragraph in its entirety and to replace the third paragraph with the following: "The plan review fees specified in this subsection are included in the permit fees specified in section 104.5."

B. Section 104.5 – Permit Fees. Section 104.5 is amended to replace "in the fee schedule, Table 104.5" in the first section with the following: "by the Fee Schedule set by City Council resolution" and the following sentence to the end of the paragraph: "The determination of value or valuation under this Code is made by the Building Official, and the value to be used in computing the mechanical permit and mechanical plan review fees is the total value of all construction for which the permit is issued."

C. Section 105.2.6 Reinspections. Section 105.2.6 is amended to delete the fourth paragraph.

D. Section 107.1 General. Section 107.1 is amended append the following: "In accordance with the Health and Safety Code sections 17920.5 and 17920.6, the Board of Appeals shall be the City of Piedmont Planning Commission."

8.02.050 2022 California Plumbing Code - Amendments

This section amends the 2022 California Plumbing Code as adopted in Section 8.01.010, as set forth below.

A. Section 104.3.2 – Plan Review Fees. Section 104.3.2 is amended to delete the fourth paragraph in its entirety and to replace the third paragraph to read: "The plan

review fees specified in this subsection are included in the permit fees specified in Section 104.5."

B. Section 104.5 – Fees. Section 104.5 is amended to replace "in the fee schedule, Table 104.5" in the first section with the following: "by the Fee Schedule set by City Council resolution" and the following sentence to the end of the paragraph: "The determination of value or valuation under this Code shall be made by the Building Official, and the value to be used in computing the plumbing permit and the plumbing plan review fees are the total value of construction work for which the permit is issued."

C. Section 107.1 – General. Section 107.1 is amended append the following: "In accordance with the Health and Safety Code sections 17920.5 and 17920.6, the Board of Appeals shall be the City of Piedmont Planning Commission."

D. Section 601.9 – Ground Driven Electrode Required. Section 601.9 is added to the 2022~~19~~ California Plumbing Code to read as follows:

"601.9 Ground Driven Electrode Required. When new water service piping is installed, and a ground driven electrode is nonexistent, one must be driven and the proper electrical connections made as described in the current electrical code."

E. Section 1101.2 – Where Required. Section 1101.2 is amended to read in its entirety as follows: "Roofs, paved areas, yards, courts, courtyards, vent shafts, light wells, or similar areas having rain water must be drained into a separate storm sewer system or to some other place of disposal satisfactory to the Authority Having Jurisdiction."

F. Section 1101.6.1 – Discharge. Section 1101.6.1 is amended to read in its entirety as follows:

"1101.6.1 Discharge. Subsoil drains must be piped to a storm drain, to an approved water course, or to the front street curb or gutter. Where a continuously flowing spring or ground water is encountered, subsoil drains must be piped to a storm drain or an approved water course."

G. Section 1101.6.3 — Splash Blocks. Section 1101.6.3 is deleted.

H. Section 1101.6.5 — Open Area. Section 1101.6.5 is deleted.

I. Section 1501.3 – Permit. Section 1501.3 is amended to delete the listed exception.

J. Section 1503.1.1 – Clothes Washer System. Section 1503.1.1 is amended to revise the first paragraph to read: "A clothes washer system must comply with the following:"

8.02.060 2022 California Electrical Code - Amendments

This section amends the 2022 California Electrical Code as adopted in Section 8.02~~1~~.010, as set forth below.

A. ~~Section~~ Article 89.108.4.2 – Fees. ~~Section~~ Article 89.108.4.2 is amended to add the following ~~to the end of the~~ new paragraph: "A fee for each electrical permit must be paid to the city in accordance with the Fee Schedule set by City Council resolution. The determination of value or valuation under any of this code shall be made by the Building Official. The value used in computing the electrical permit and electrical plan review fee is the total value of all construction work for which the permit is issued."

B. ~~Subsection~~ Article 210.52(F) Laundry Areas. ~~Section~~ Article 210.52(F) is replaced in its entirety as follows:

> "**(F) Laundry Areas**. In dwelling units, at least one receptacle outlet shall be installed in areas designated for the installation of laundry equipment. At least one 120/240v, 30 ampere circuit shall be installed within 6 feet of appliance location in accordance with Section 210.50(C).
>
> *Exception No. 1: A receptacle for laundry equipment shall not be required in a dwelling unit of a multifamily building where laundry facilities are provided on the premises for use by all building occupants.*
>
> *Exception No. 2: A receptacle for laundry equipment shall not be required in other than one-family dwellings where laundry facilities are not to be installed or permitted."*

C. ~~Section~~ Article 210.52 Dwelling Unit Receptacle Outlets. ~~Section~~ Article 210.52 is amended to add the subsection:

"(J) Kitchen Cooking Appliances. At least one 240v 50 ampere circuit shall be installed within 6 ft. of the appliance location, in accordance with Section 210.50(C)."

D. ~~Section~~ Article 220.83 Existing Dwelling Unit. ~~Section~~ Article 220.83 is replaced in its entirety as follows:

> "**220.83 Existing Dwelling Unit.** This section shall be permitted to be used to determine if the existing service or feeder is of sufficient capacity to serve additional loads. Where the dwelling unit is served by a 120/240-volt or 208Y/120-volt, 3-wire service, calculate the total load in accordance with Section 220.83(B).
>
> (A) **Where Additional Air Conditioning Equipment or Electric Space-Heating Equipment Is Not to Be Installed.** *This section is deleted in its entirety*.

(B) **Where Additional Air Conditioning Equipment or Electric Space Heating Equipment Is to Be Installed.** The following percentages shall be used for existing and additional new loads. The larger connected load of air-conditioning or space-heating, but not both, shall be used.

Load	Percent of Load
Air-conditioning equipment	100
Central electric space heating	100
Less than four separately controlled space-heating units	100
First 8 kVA of all other loads	100
Remainder of all other loads	40

Other loads shall include the following:

(1) General lighting and general-use receptacles at 33 volt-amperes/m² or 3 volt-amperes/ft² as determined by 220.12

(2) 1500 volt-amperes for each 2-wire, 20-ampere small-appliance branch circuit and each laundry branch circuit covered in 210.11(C)(1) and (C)(2)

(3) The nameplate rating of the following:

a. All appliances that are fastened in place, permanently connected, or located to be on a specific circuit

b. Wall-mounted ovens, counter-mounted cooking units

c. Water heaters

(4) One 30 ampere circuit for clothes dryers per Section 210.52(F)

(5) One 50 ampere circuit for induction range per Section 210.52 (J)

(6) One 40 ampere circuit for electric vehicle charging station per Article 625."

E~~C~~. ~~Section~~ Article 706.15 (A) ESS Disconnecting Means. Article 706.15(A) is amended to replace the last paragraph with the following:

"When ESS ~~systems~~ are not installed next to the main electrical panel, a disconnecting means or its remote control shall be installed outside the building in line of sight of and near the Main Electrical Service Panel and main disconnecting means."

8.02.070 2022 California Energy Code – Amendments

Section 8.02.070 of the Piedmont City Code is hereby repealed and replaced to read in its entirety as follows:

"This section amends the 2022 California Energy Code as adopted in Section 8.02.010, as set forth below.

A. Section 100.0 – Scope. Section 100.0(e)(2)(D) is amended to add a new subsection section (iii) as follows:

"(iii) New construction single family buildings shall be an All-Electric Building or All Electric Design as defined in Section 100.1(b)."

B. Section 100.1(b) – All Occupancies – General Provisions. Section 100.1(b) is amended to include the following definition:

> **ALL-ELECTRIC BUILDING** or **ALL-ELECTRIC DESIGN** is a building or building design that uses a permanent supply of electricity as the only source of energy for space conditioning (including heating and cooling), water heating (including pools and spas), cooking appliances, and clothes drying appliances, and has no natural gas or propane plumbing installed at the building.

C. Section 150.1 – Performance and Prescriptive Compliance Approaches for Single-Family Residential Buildings. Section 150.1 is amended to add a new subsection (4) as follows:

> 4. New construction single family buildings shall be an All-Electric Building or All Electric Design as defined in Section 100.1(b).

D. Section 150.0 – Mandatory Features and Devices. Section 150.0 is amended to replace the introductory sentence and note in their entirety as follows:

> Single family buildings shall comply with the applicable requirements of Sections 150(a) through 150(v).
>
> NOTE: The requirements of Sections 150.0 (a) through (v) apply to newly constructed buildings. Sections 150.2(a) and 150.2(b) specify which requirements of Sections 150.0(a) through 150.0(v) also apply to additions or alterations.

E. Section 150.0(e) – Installation of fireplaces, decorative gas appliances and gas logs. Section 150.0(e) is amended to add the following sentence to the beginning of the section:

> In any single family building required to be an All-Electric Building or All Electric Design under this code, interior and exterior fireplaces shall be electric, not fueled by Fuel Gas.

F. Section 150.0(h) – Space-conditioning equipment. Section 150.0(h) is amended to add the following sentence to the beginning of the section:

> In any single family building required to be an All-Electric Building or All Electric Design under this code, construction space-conditioning equipment shall be electric, not fueled by Fuel Gas.

G. Section 150.0(n) – Water heating system. Section 150.0(n) is amended to add the following sentence to the beginning of the subsection:

> In any single family building required to be an All-Electric Building or All Electric Design under this code, heating systems and equipment shall be electric, not fueled by Fuel Gas.

H. Section 150.0(u) – Electric cooktop ready. Section 150.0 is amended to add the following sentence to the beginning of the section (u):

In any single family building required to be an All-Electric Building or All Electric Design under this code, cooking appliances shall be electric, not fueled by Fuel Gas.

I. Section 150.0(v) – Electric clothes dryer ready. Section 150.0(v) is amended to add the following sentence to the beginning of the section (v):

In any single family building required to be an All-Electric Building or All Electric Design under this code, clothes dryers shall be electric, not fueled by Fuel Gas.

J. Subsection 150.2(a) – Additions. Section 150.2(a) is amended to add the following language after the first sentence:

Requirements for installation of All-Electric Design water heating systems, space conditioning equipment, fireplaces and decorative gas appliances, and clothes drying appliances, and cooking appliances as specified for new construction in Sections 150.0(e), 150.0(h), 150.0(n), 150.0(u), and 150.0(v) do not apply to additions.

K. Section 150.2(a) – Additions. Section 150.2(a) is amended to replace Exception 6 in its entirety as follows:

Exception 6 to Section 150.2(a): Photovoltaic systems, as specified in Section 150.1(c)14 including the exceptions listed therein, are not required for additions, except that additions of an entirely new upper level or that increase the building's total roof area by thirty percent (30%) or more shall meet the photovoltaic requirements of Section 150.1(c)14.

L. Section 150.2(b) – Alterations. Section 150.2(b) is amended to add the following language after the first sentence:

Requirements for installation of All-Electric Design water heating systems, space conditioning equipment, fireplaces and decorative gas appliances, and clothes drying appliances, and cooking appliances as specified for new construction in Sections 150.0(e), 150.0(h), 150.0(n), 150.0(u), and 150.0(v) do not apply to alterations."

8.02.080 2022 California Green Building Standards Code - Amendments

This section amends the 2022 California Green Building Standards Code as adopted in Section 8.02~~1~~.010, as set forth below.

A. Section 301.1.1 – Additions and Alterations: Section 301.1.1 is amended to add the following after the first sentence: "The mandatory provisions of Section 4.408 shall apply to a project with a building permit valuation of $50,000 or more. The valuation shall be determined by the Building Official."

8.02.090 2022 California Fire Code – Amendments

This section amends the 2022 California Fire Code as adopted in Section 8.02~~1~~.010, as set forth below.

A. Section 5601.1.3 – Fireworks. Section 5601.1.3 is amended to read in its entirety:

"5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials is prohibited within the City of Piedmont.

Exception: This prohibition shall not apply to Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices."

B. Section 5608.1– General. Section 5608.1 is amended to read in its entirety:

"5608.1 General. Outdoor fireworks displays and use of pyrotechnics is prohibited within the City of Piedmont.

Exception: This prohibition shall not apply to Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices."

8.02.100 Penalties Adopted.

A. In addition to any other penalties that may be provided at law, any person, firm, corporation, or other entity violating any of the provisions of this division is guilty of a misdemeanor and shall be punished by subject to a fine not to exceed one thousand dollars or by imprisonment not to exceed six months, or both, unless deemed an infraction by the citing officer or prosecuting authority in the exercise of enforcement discretion. Penalties for offenses deemed an infraction may be established by resolution of the City Council, and if not established by resolution, shall be the maximum amounts authorized under Government Code section 36900 subdivision (c). In the discretion of the citing officer or prosecuting authority, a penalty other than as set forth above may be apply applied to an offender for where a more specific penalty provision authorizes the imposition of such other penalty.

B. Violations of this division shall also be subject to administrative fine and enforcement by administrative citation in accordance with Chapter 1, Article II of this Code.

C. Every such violation shall be deemed a separate offense for each day or portion thereof during which such violation continues.