

Town of Yountville

Ordinance Number 22-516

AN ORDINANCE OF THE TOWN COUNCIL OF YOUNTVILLE REPEALING AND REPLACING SECTION 15.04.010 OF CHAPTER 15.04, SECTION 15.12.010 OF CHAPTER 15.12, SECTION 15.18.010 OF CHAPTER 15.18, SECTION 15.20.010 OF CHAPTER 15.20, SECTION 15.24.010 OF CHAPTER 15.24, SECTION 15.28.010 OF CHAPTER 15.28, SECTION 15.36.010 OF CHAPTER 15.36, SECTION 15.38.010 OF CHAPTER 15.38, SECTION 15.40.010 OF CHAPTER 15.40, SECTION 15.46.010 OF CHAPTER 15.46 AND CHAPTERS 15.08, 15.10, AND 15.32 OF TITLE 15 OF THE YOUNTVILLE MUNICIPAL CODE TO ADOPT THE CURRENT EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE WITH LOCAL AMENDMENTS THERETO

Recitals

- A. In accordance with the requirements of the California Building Standards Law found in Division 13, Part 2.5 of the Health and Safety Code (commencing with Section 18901), the California Building Standards Commission has approved and adopted the 2022 California Building Code.
- B. Pursuant to sections 17922, 17958, 17958.5, and 17958.7 of the California Health & Safety Code, the Town may adopt provisions of the California Codes, with certain amendments to the provisions of the codes which are reasonably necessary to protect the health, wealth, and safety of citizens of Yountville because of local climate, geographical, and topographical conditions.
- C. The Town of Yountville desires to maintain the local amendments in the 2022 Building Standards Code to provide for more restrictive building standards. The Town Council finds these amendments are necessary due to local climatic, geological, or topographical conditions found to exist in the Town of Yountville.
- D. The Town of Yountville, further, desires to maintain the local amendments in the 2022 California Building Code and 2022 California Residential Code to implement more restrictive requirements for defensible space, the use of wood shingles and shakes in roof assemblies, and automatic sprinkler systems. The Town Council finds these amendments are necessary due to local climatic, geological, or topographical conditions, namely increased and substantial local fire risk, as evidenced by several recent fires including the 2017 Atlas Fire, and small lot sizes within the Town, which place structures close to each other, increasing risk of the spread of fire between structures.
- E. The Town of Yountville, further, desires to maintain the amendments in the 2022 that reduce the size of air-supported temporary membrane structures and tents which require an operational permit, due to the prevalence of requests for operation of air-supported temporary membrane structures and tents between 200 and 400 square feet.

Now, therefore, the Town Council of the Town of Yountville does ordain as follows:

SECTION 1. CODE AMENDMENT: Section 15.04.010 of Chapter 15.04 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

15.04.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, the California Building Standards Administrative Code, 2022 Edition, including tables and appendices, as set forth in Part 1 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 2. CODE AMENDMENT: Chapter 15.08 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

15.08.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, the California Building Code, 2022 Edition, including tables and appendices, as set forth in Part 2 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville, subject, however, to the amendments, additions, and deletions set forth in this Chapter.

15.08.020 Assignment of enforcement responsibility.

The Building Director and assignee shall enforce the provisions of this code and render interpretations per Section 104.

15.08.030 Section 1505.6—Fire-retardant-treated wood shingles and shakes.

Section 1505.6 is amended to read as follows:

Wood shingles and shakes are not permitted for use in roof assemblies for any buildings or structures.

15.08.040 Section 1507.8—Wood shingles.

Sections 1507.8 through 1507.8.9 are hereby deleted in their entirety.

15.08.050 Section 1507.9—Wood shakes.

Sections 1507.9 through 1507.9.10 are hereby deleted in their entirety.

SECTION 3. CODE AMENDMENT: Chapter 15.10 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

15.10.010 Document adopted by reference.

For the purpose of establishing proper regulations for residential building construction, the California Residential Code, 2022 Edition, including tables and appendices, as set forth in Part 2.5 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville, subject, however, to the amendments, additions, and deletions set forth in

this Chapter.

15.10.020 Section 902.2–Wood shingles and shakes.

Section 902.2 is amended to read as follows:

Wood shingles and shakes are not permitted for use in roof assemblies for any buildings or structures.

15.10.030 Section 905.7–Wood shingles.

Sections 905.7 through 905.7.7 are hereby deleted in their entirety.

15.10.040 Section 905.8–Wood shakes.

Sections 905.8 through 905.8.9 are hereby deleted in their entirety.

SECTION 4. CODE AMENDMENT: Section 15.12.010 of Chapter 15.12 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.12.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction and for the installation of electrical systems, the following documents are adopted and made part of this code by reference, subject to the modifications set forth in this chapter, to be referred to collectively as the “Electrical Code”: the California Electrical Code, 2022 Edition, including tables and appendices, as set forth in Part 3 of Title 24 of the California Code of Regulations is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 5. CODE AMENDMENT: Section 15.18.010 of Chapter 15.18 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.18.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction and for the installation of mechanical systems, the California Mechanical Code, 2022 Edition, including tables and appendices, as set forth in Part 4 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 6. CODE AMENDMENT: Section 15.20.010 of Chapter 15.20 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.20.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction and the installation of plumbing systems, the California Plumbing Code, 2022 Edition, including tables and appendices, as set forth in Part 5 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 7. CODE AMENDMENT: Section 15.24.010 of Chapter 15.24 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.24.010 Document adopted by reference.

For the purpose of establishing proper regulations for energy efficient building construction, the California Energy Code, 2022 Edition, including tables and appendices, as set forth in Part 6 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 8. CODE AMENDMENT: Section 15.28.010 of Chapter 15.28 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.28.010 Document adopted by reference.

For the purpose of establishing proper regulations for the repair, alterations and additions necessary for the preservation, rehabilitation, relocation, related construction, change of use or continued use of a qualified historic building, the California Historical Building Code, 2022 Edition, including tables and appendices, as set forth in Part 8 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 9. CODE AMENDMENT: Chapter 15.32 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

15.32.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, the California Fire Code, 2022 Edition, with the following additions, including Appendix Chapter 4, Appendix B and Appendix C, including tables and appendices, as set forth in Part 9 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville, subject, however, to the amendments, additions, and deletions set forth in this Chapter.

15.32.020 Section 903.2 added—Automatic fire sprinkler system.

Section 903.2 is amended to read as follows:

903.2 Where Required. In addition to the requirements of Sections 903.2.1 through 903.2.12, an approved automatic fire sprinkler system shall be installed and maintained throughout the building in all occupancies as follows:

1. Throughout all new detached buildings except Group U private garages and carports, pool houses, workshops, barns and similar structures, built in conjunction with existing non-sprinklered single-family residences and provided the new structure is less than 400 square feet in area and is not intended for use as a dwelling unit and complies with the separation distances and exterior fire protection ratings of the Building Code. Sprinklers are not required for any accessory dwelling unit when sprinklers are not required for the primary residence.
2. Throughout the entire building when an addition or expansion to the existing building exceeds 50% of the existing floor area.
3. Throughout the entire building when repair of significant structural damage to the existing building requires rebuilding of 50% or more of the building structure.
4. Throughout the entire building when significant structural remodel or renovation of

the existing building exceeds 50% of the buildings floor area.

5. Throughout the entire building when significant remodel or renovation of the existing building exposes 50% or more of the building's interior and/or exterior framing.

Throughout the entire building when alterations or repairs to an existing building involving demolition of more than 50% of the existing floor area or removal of 50% or more of the existing ceiling material.

15.32.030 Section 105.6.24—Temporary membrane structures, tents and canopies added.

Section 105.6.24—Temporary Membrane Structures, Tents and Canopies is amended to read as follows:

105.6.24 Temporary Membrane Structures, Tents and Canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet or a canopy in excess of 400 square feet, see Chapter 31.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
 - 2.1 Individual tents having a maximum size of 700 square feet (65 m²)
 - 2.2 The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65m²) total.
 - 2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

SECTION 10. CODE AMENDMENT: Section 15.36.010 of Chapter 15.36 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.36.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, the California Existing Building Code, 2022 Edition, including tables and appendices, as set forth in Part 10 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 11. CODE AMENDMENT: Section 15.38.010 of Chapter 15.38 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.38.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, the California Green Building Standards Code, 2022 Edition, including tables and appendices, as set forth in Part 11 of Title 24 of the California Code of Regulations is hereby adopted by reference in its entirety by the

Town of Yountville.

SECTION 12. CODE AMENDMENT: Section 15.40.010 of Chapter 15.40 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.40.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, the California Referenced Standards Code, 2022 Edition, including tables and appendices, as set forth in Part 12 of Title 24 of the California Code of Regulations, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 13. CODE AMENDMENT: Section 15.46.010 of Chapter 15.46 of Title 15 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

Section 15.46.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction and maintenance, the International Property Maintenance Code, 2021 Edition, including tables and appendices, is hereby adopted by reference in its entirety by the Town of Yountville.

SECTION 14. Findings. The Town of Yountville desires to continue local amendments in the 2022 Building Standards Code triennial update to provide for more restrictive building standards, specifically regarding the use of wood shingles and shakes in roof assemblies, automatic sprinkler systems, and the size of air-supported temporary membrane structures and tents. The Town Council finds these amendments are necessary due to local climatic, geological, or topographical conditions, namely increased and substantial local fire risk, and the prevalence of requests for operation of air-supported temporary membrane structures and tents between 200 and 400 square feet.

SECTION 15. CEQA: The Town Council has considered all of the evidence in the record, including the staff reports, the testimony received during the meeting on the matter held by the Town Council, and hereby determines that this Ordinance is exempt from review under the California Environmental Quality Act (CEQA). Pursuant to section 15061(b)(3) of the CEQA Guidelines, CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Ordinance will not result in a significant foreseeable environmental impact.

SECTION 16. Severability: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 17. Filing with Commission. The Town Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission and the Department of Housing and Community Development.

SECTION 18. Effective Date: This Ordinance shall take effect on January 1, 2023.

SECTION 19. Certification: The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Within 15 days from the date of passage of this ordinance, the Town Clerk shall post a copy of the ordinance in accordance with California Government Code in at least three public places in the Town.

INTRODUCED by the Town Council at a regular meeting held on the 1st day of November 2022.

PASSED AND ADOPTED by the Town Council at a regular meeting held on the day of November, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John F. Dunbar, Mayor

ATTEST:

Eddy Gomez
Town Clerk

Gary Bell
Town Attorney

Ordinance Number 22-516

I, EDDY GOMEZ, TOWN CLERK of the Town of Yountville, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the Town Council on the 1st day of November 2022. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the Town Council on the XX day of XXXX 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eddy Gomez, Town Clerk