

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF IONE REPEALING AND REINSTATING CHAPTER 15.17 OF THE IONE MUNICIPAL CODE AND ADOPTING BY REFERENCE THE CALIFORNIA PLUMBING CODE

THE CITY COUNCIL OF THE CITY OF IONE DOES ORDAIN AS FOLLOWS:

SECTION I: Chapter 15.17 of Title 15 of the Ione Municipal Code entitled 2016 California Plumbing Code is hereby repealed in its entirety.

SECTION II: Chapter 15.17 of Title 15 of the Ione Municipal Code is hereby added to read as follows:

Chapter 15.17

CALIFORNIA PLUMBING CODE

Sections:

- | | |
|-----------|--|
| 15.17.010 | California Plumbing Code – Adopted by reference. |
| 15.17.020 | Fees. |
| 15.17.025 | Investigation Fee. |
| 15.17.030 | Enforcement. |
| 15.17.040 | Penalties. |

15.17.010 California Plumbing Code – Adopted by reference. The 2019 edition of the California Plumbing Code, Title 24, part 5, including tables and Appendices A, B, D, H, and I, as amended, based on the 2018 Uniform Plumbing Code, as adopted and amended by the California Building Standards Commission and codified in Title 24, Part 5 of the California Code of Regulations, and all future amendments thereto, are hereby adopted in the City of Ione. A copy of this code is available for use and examination by the public at the Office of the Clerk of the City of Ione.

15.17.020 Fees. Sections 1.8.4.2, 104.5 and 104.3.2 are deleted in their entirety and replaced to read as follows: Subject to other provisions of law, the governing body of any city may prescribe fees to defray the cost of enforcement of rules and regulations promulgated by the Department of Housing and Community Development. The amount of the fees, as set forth by the City Council from time to time, shall not exceed the amount reasonably necessary to administer or process permits, certificates, forms, or other documents, or to defray the cost of enforcement.

15.17.025 Investigation Fee. Section 104.5.2 is amended to read as follows: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an additional investigation fee as set forth by the City Council from time to time. An investigation fee shall be in addition to required permit and plan review fees. An investigation fee shall be collected

whether or not a permit is subsequently issued. Payment of investigation fees shall not exempt any person from compliance with all other provisions of this code, or any other City, State, or Federal codes, statutes, and ordinances, or from any penalty prescribed by law.

15.17.030 Enforcement. The California Plumbing Code shall be enforced by the Building Department of the City of Ione.

15.17.040 Penalties. Violation of this chapter is a misdemeanor, punishable by a fine of not more than \$1,000.00, or by imprisonment for not more than six months, or by both. The imposition of one penalty for any violation shall not excuse the violation or permit to continue. All violations shall be corrected or remedied within a reasonable time and, if not otherwise specified, each ten days that the violation is maintained shall constitute a separate offense. The application of a penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION III: Findings: The City Council of the City of Ione finds that, in order to best protect the health, safety and welfare of the citizens of the City of Ione, the building standards within the community must comply with State law, except where local climatic, geological and topographical conditions warrant more restrictive regulations.

Pursuant to Section 17958 of the California Health and Safety Code, the governing body of the City of Ione, in its ordinance adopting the California Building Standards Code and uniform industry codes, may establish amendments which are more restrictive than those adopted by the State of California commonly referred to as Title 24 of the California Code of Regulations, based on local climatic, geological and topographical conditions.

Based on the materials presented by, and the recommendations of the Ione Building Official, the City Council makes the factual finding set forth below and finds that the amendments the California Building Standards Code adopted in this Ordinance are reasonably necessary because of the local climatic, geological or topographical conditions set forth below.

The local conditions that mandate amendments to the California Building Standards Code are based on the following local climatic, geological and topographical conditions:

- A. CLIMATE: The City, on average, experiences an approximate annual rainfall of 21 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are often accompanied by light to moderate gusty winds, which coupled with highly flammable vegetation and neighborhoods located in wildland-urban interface areas create hazardous fire conditions. With increased development spreading into the brush covered foothill area, wind driven fires could have severe consequences, as has been demonstrated on several occasions throughout the state.

- B. **GEOLOGY:** The City is susceptible to seismic hazards resulting from movement along known faults in the area. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat producing appliances and the unavailability of water for fire control due to broken water mains. In the event of a major earthquake, areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.
- C. **TOPOGRAPHY:** The City borders include hilly terrain on the north and east portions of the City. The water supply within the City is directly affected by the topographical layout. The water distribution system consists of pressure zones which carry water by gravity from various reservoirs. Average fire hydrant water flow within the City can vary from less than 1,000 gallons per minute to flows in excess of 2,000 gallons per minute. This wide variation can cause problems to development and fire suppression efforts.
- D. **SUMMARY:** The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Ione Fire Department. Fires in areas determined to be moderate, high or very high fire severity zones, as outlined by the State of California (CalFire) fire severity zone map, place additional fire suppression demands on the responding fire agency. A fire following an earthquake has the potential of causing greater loss of life and property damage than the earthquake itself. The City Fire Department's resources would have to be prioritized to mitigate the greatest threat, and may be unavailable for vegetation

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;
2. The extent of isolation due to bridge collapse;
3. The extent of roadway damage and/or amount of debris blocking roadways;
4. Climatic conditions (hot, dry weather with high winds);
5. The amount of traffic on roadways, which could intensify the risk to life during normal business hours; and
6. The availability of timely mutual aid or military assistance. or structure fires.

- E. **CONCLUSION:** Local climatic, geologic and topographical conditions impact fire prevention efforts and the frequency, spread, intensity, and size of fire involving buildings in Ione. Further, these conditions increase the potential for significant damage to all structures from earthquake and subsequent fire. Therefore, it is found to be reasonably necessary to amend the California Building Standards Code to mitigate the effects of these conditions. As a result of the findings, as set forth in this section, which identify various climatic, geographical and topographical elements, those additional requirements as specified in the amendments to the adopting ordinance supplementing and amending the Code herein, are considered necessary and reasonable modifications and do not lessen, diminish or change the standards set forth within the uniform codes except as authorized by law.

SECTION IV: The City Clerk is directed to publish this ordinance in a newspaper of general circulation published and circulated in the City of Ione within fifteen (15) days after adoption of this ordinance. This ordinance shall become effective 30 days after adoption,

_____.

SECTION V: The City Clerk is directed to file a copy of this ordinance with the California Building Standards Commission of the State of California.

The foregoing ordinance was duly introduced on November 19, 2019 and adopted by the City Council at their regular meeting held on _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Thomas Reed, Mayor

ATTEST:

Janice Traverso, City Clerk