

ORDINANCE NO. 2019-18

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING CHAPTER 6 OF THE ESCONDIDO
MUNICIPAL CODE, TO ADOPT THE 2019
CALIFORNIA BUILDING, RESIDENTIAL,
PLUMBING, ELECTRICAL, MECHANICAL, AND
GREEN BUILDING STANDARDS CODES AND
LOCAL AMENDMENTS

WHEREAS, the State of California Building Standards Commission is charged with the development of uniform codes and regulations for application to the construction of buildings within the state; and

WHEREAS, California Health and Safety Code Section 17960 requires the city to enforce within its jurisdiction all the provisions published in the State Buildings Standards Code and the provisions of other rules and regulations promulgated pursuant to the provisions of the California Health and Safety Code pertaining to the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, or arrangement of apartments, hotels or dwellings; and

WHEREAS, every three years the California Building Standards Commission updates and adopts uniform codes for application throughout the state; and

WHEREAS, California Health and Safety Code Section 17958.7 allows local amendments to the California Building Standards Codes, when such codes are amended and adopted at the local level, and when local findings are made for unique climatic, geological or topographical conditions.

NOW, THEREFORE, the City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That Escondido Municipal Code Chapter 6, Article 1, Section 6-1.2, (a) through (i) is repealed and replaced as follows

Sec. 6-1.2. Codes Adopted. The following technical codes, as published by the International Code Council, are adopted by the City of Escondido:

- (a) The 2019 California Building Code, California Code of Regulations, Title 24, Part 2, including Chapter 29, and Appendix Chapters C and I.
- (b) The 2019 California Residential Code, California Code of Regulations, Title 24, Part 2.5, including Appendix Chapter H.
- (c) The 2019 California Electrical Code, California Code of Regulations, Title 24, Part 3.
- (d) The 2019 California Mechanical Code, California Code of Regulations, Title 24, Part 4.
- (e) The 2019 California Plumbing Code, California Code of Regulations, Title 24, Part 5, including Appendix Chapters A, D, and H.
- (f) The 2019 California Energy Code, California Code of Regulations Title 24, Part 6.
- (f) The 2019 California Historical Building Code, California Code of Regulations Title 24, Part 8.
- (g) The 2019 California Existing Building Code, California Code of Regulations, Title 24, Part 10.
- (h) The 2019 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11.
- (i) The 2019 California Referenced Standards Code, California Code of Regulations Title 24, Part 12.

SECTION 2. That Escondido Municipal Code Chapter 6, Article 1, Section 6-13.3 is repealed and replaced as follows:

Sec. 6-13.3. Building Permit Exemptions. In addition to the list provided in the California Building Code section 105.2, a permit shall not be required for the following:

Sec. 6-13.3.1. Decks, porches, sidewalks and driveways not more than thirty (30) inches (762 mm) above adjacent grade, measured vertically to the floor or grade below at any point within thirty-six (36) inches (914 mm) horizontally to the edge of the open side, and not over any basement or story below and are not part of an accessible route.

Sec. 6-13.3.2. Except for buildings on the historic register or in the Old Escondido Neighborhood, the installation of replacement windows in existing window openings associated with a residential dwelling unit with no modifications to the existing rough opening or to the exterior weather proofing. This does not exempt the installation from retaining code compliance for bedroom egress.

Sec. 6-13.3.3. Ground supported, non-internally illuminated signs, not over six (6) feet in height. This does not exempt these signs from planning division permits or from compliance with the Zoning Code.

Sec. 6-13.3.4. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

Sec. 6-13.3.5. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

Sec. 6-13.3.6. Repair or replacement of current-carrying parts of any switch, contactor or control device.

Sec. 6-13.3.7 Reinstallation of attachment plug receptacles, but not the outlets.

Sec. 6-13.3.8. Repair or replacement of any overcurrent device of the required capacity.

Sec. 6-13.3.9. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

Sec. 6-13.3.10. Communication circuits per Chapter 8 of the Electrical Code.

SECTION 3. That Escondido Municipal Code Chapter 6, Article 2, Section 6-39, is amended by replacing all references to the 2015 edition to the Standard Specifications for Public Works Construction (the "Green Book") with the 2018 edition.

SECTION 4. That the adoption of the technical codes or amendments to the Escondido Municipal Code do not affect the following matters:

- a. Actions or proceedings that begin before the effective date of this ordinance;
- b. Prosecution for ordinance violations committed before the effective date of this ordinance;
- c. Licenses and penalties due and unpaid at the effective date of this ordinance and collection of these licenses and penalties;
- d. Bonds and cash deposits required to be posted, filed, deposited pursuant to any ordinance; and
- e. Matters of record referring to or connected with an ordinance the substance of that is included in the Municipal Code. These provisions shall be construed to apply to the corresponding provisions of the Municipal Code.

SECTION 6. General Penalty. Violations of the technical codes adopted in this ordinance are subject to all penalty provisions found in Escondido Municipal Code Chapter 1.

SECTION 7. Not less than one copy of the technical codes adopted in this ordinance shall be maintained by the Building Official and shall be made available to the public upon request.

SECTION 8. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 20th day of November, 2019 by the following vote to wit:

AYES : Councilmembers: DIAZ, MARTINEZ, MASSON, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:

Paul McNamara

PAUL MCNAMARA, Mayor of the City of Escondido, California

ATTEST:

DocuSigned by:

Zack Beck

ZACK BECK, City Clerk of the City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2019-18 passed at a regular meeting of the City Council of the City of Escondido held on the 20th day of November, 2019, after having been read at the regular meeting of said City Council held on the 6th day of November, 2019.

DocuSigned by:

Zack Beck

ZACK BECK, City Clerk of the City of Escondido, California

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