ORDINANCE NO. 2015-293

AN ORDINANCE OF THE TOWN OF WINDSOR ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, AND 12 AS PUBLISHED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION, THE CALIFORNIA ADMINISTRATIVE CODE PART 1, CALIFORNIA BUILDING CODE PART 2, VOLUMES 1 & 2, CALIFORNIA RESIDENTIAL CODE PART 2.5, CALIFORNIA ELECTRICAL CODE PART 3, CALIFORNIA MECHANICAL CODE PART 4, CALIFORNIA PLUMBING CODE PART 5, CALIFORNIA ENERGY CODE PART 6, CALIFORNIA HISTORICAL BUILDING CODE PART 8, CALIFORNIA FIRE CODE PART 9, CALIFORNIA EXISTING BUILDING CODE PART 10, CALIFORNIA GREEN BUILDING STANDARDS CODE PART 11, CALIFORNIA REFERENCED STANDARDS CODE PART 12, AND THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE PART 13, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES TOGETHER WITH LOCAL AMENDMENTS AND ADDITIONS TO THE VARIOUS CODES THEREOF; REPEALING ORDINANCE NO 2010-269, OF THE TOWN OF WINDSOR AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1

That a certain document, one (1) copy of which is on file with the office of the Department of Building Safety, of the Town of Windsor, being marked and designated as the 2013 edition of the California Code of Regulations, Title 24, including all appendices, as published by the California Building Standards Commission, be and is hereby adopted as Title VII Building and Housing Code of the Town of Windsor, in the State of California for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said Building and Housing Code on file in the office of the Building Official are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Chapter 1 of this ordinance.

SECTION 2

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council of the Town of Windsor hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the

fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3

That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any clause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 4

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2014. The Town Clerk of the Town of Windsor shall cause this Ordinance to be published or to be posted in at least three (3) public places in the Town of Windsor in accordance with Section 36933 of the Government Code of the State of California. Provided however, all building permits and related permits issued on or after January 1, 2014, shall be subject to the terms and conditions of this ordinance. Council authorizes the posting of the full text of the ordinance or publication of a summary of the ordinance pursuant to Government Code Section 36933 (c).

SECTION 5

That Ordinance No. 2010-269 of the Town of Windsor entitled Title VII, Building and Housing and all other ordinances or parts of ordinances in conflict herewith are hereby repealed and Title VII, Building and Housing Code is hereby added to the Town of Windsor Municipal Code.

SECTION 6

FINDING OF FACT & LOCAL CONDITIONS

The Town Council finds that the standards for buildings within the Town should comply with the California Code of Regulations, Title 24, 2013 edition, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12 as published by the California Building Standards Commission, and the 2012 International Property Maintenance code, including tables and appendices as amended and adopted by the State of California and as further amended by this Ordinance. Based on the materials presented by the Building Official of the Town of Windsor, the Town Council finds that it is necessary to make procedural and administrative modifications and changes to the model codes as amended and adopted by the State of California and specifically adopted and amended in this Ordinance. Such standards are needed for efficient, economical and expeditious enforcement of the Building and Safety Code of the Town. The Town Council further finds and determines, based on the materials and reports presented, that the substantive amendments to the model codes, which are identified by and adopted in this Ordinance, are hereby determined to be reasonable and necessary because of local conditions and do not lessen, diminish or change the standards set forth within the model codes except as authorized by law. If any non-administrative or non-procedural model code provision or applicable State of California amendment is in conflict with this ordinance, it is the intent of this ordinance to amend or delete such provision when findings of local conditions are stated as required by §17958.5 and §17958.7 of the Health and Safety Code.

Said local conditions are:

A. **Climate.** The Town on an average experiences an approximate annual rainfall of 40 inches. This rainfall can normally be expected between October and May. During the winter months, one can anticipate periods of heavy rain, which causes local flooding, erosion and contributes to slope instability. Winter storms are many times accompanied by high winds, which have uprooted trees and damaged power lines. The Town has also experienced periods of heavy fog, which has delayed response of firefighting apparatus, and prevented early discovery of structure fires.

During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are many times accompanied by a wildland-urban interface, creating a hazardous fire condition. 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. **Geological.** The Town is susceptible to seismic hazards resulting from movement along any one of several known faults in the area. The most serious direct earthquake hazard is damage or collapse of buildings or other structures due to ground movement. In addition to damage caused by earthquakes, there is a possibility of earthquake-induced landslides. Fire is often the major form of damage resulting from earthquakes. Most earthquake induced fires start because of damage to gas line, power lines, or heat producing appliances. In the event of a major earthquake or landslide, many areas of the Town may not be assessable to emergency equipment and if bridges or roads are damaged, the Town may be isolated from outside assistance.

C. **Topographical.** The Town borders include hilly terrain on the north and northeast portions of the Town. The water system is affected by the topographical layout. The water distribution system consists of different pressure zones, which carry water by gravity from various storage points. Water pressure can vary throughout the Town causing problems to development as well as to fire suppression forces. The Town is divided by Highway 101 and a railroad right-of-way. This creates barriers which obstruct traffic patterns and delay the response of fire equipment.

Summary
Because of conditions above, the Department of Building Safety has determined that it is necessary to mitigate potential damage caused by earthquakes, erosion, lot to lot drainage and slope instability to protect the life and safety of the citizens and to ensure the structural stability of new development.

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.

While it is clearly understood that the adoption of such regulations may not prevent the incidence of fire, earthquake, erosion, and slope instability, the implementation of these amendments to the Code may reduce the severity and potential of loss of life and property.

SECTION 7

Pursuant to Section 50022.2 of the California Government Code, the following codes are adopted by reference, including the amendments listed in this section which are made pursuant to the findings of fact set forth in the adopting ordinance.

Part 1	2013 California Administrative Code	Part 6	2013 California Energy Code
Part 2	2013 California Building Code	Part 8	2013 California Historical Building Code
Part 2.5	2013 California Residential Code	Part 9	2013 California Fire Code
Part 3	2013 California Electrical Code	Part 10	2013 California Existing Building Code
Part 4	2013 California Mechanical Code	Part 11	2013 California Green Building Standards Code
Part 5	2013 California Plumbing Code	Part 12	2013 California Reference Standards Code
			2012 International Property Maintenance Code

BUILDING CODE		LOCAL FINDINGS
A101.1	is amended	A,B,C
105.2	is amended	A,B,C
A105.5	is amended	A,B,C
A114.4	is amended	A,B,C
A115.3	is amended	A,B,C
A116.6	is added	A,B,C
202	is amended	A,B,C
903.2.20	is added	A,B,C
903.2.21	is added	A,B,C
J103.1	is amended	A,B,C
RESIDENTIAL CODE		
R105.2	is amended	A,B,C
R105.5	is amended	A,B,C
R313.1	is amended	A,B,C
R313.2	is amended	A,B,C
CALGREEN CODE		
A4.601.4.1	is amended	A,B,C
A4.203.1	is deleted	A,B,C
A5.601.2.1	is amended	A,B,C
A5.203.1	is deleted	A,B,C
FIRE CODE		
A101.1	is amended	A,B,C
A102.1	is amended	A,B,C
A103.3.1	is added	A,B,C
A105.3.3.1	is added	A,B,C
A105.5.1	is added	A,B,C
A105.6.47	is amended	A,B,C
A111.4	is amended	A,B,C
202	is amended	A,B,C
503.2.6.1	is added	A,B,C
503.2.6.2	is added	A,B,C
505.1.1	is added	A,B,C
901.7.7	is added	A,B,C
901.7.7.1	is added	A,B,C
901.7.7.2	is added	A,B,C
902	is amended	A,B,C
903.2	is amended	A,B,C
903.2.1	is deleted	A,B,C
903.2.1.2	is deleted	A,B,C
903.2.1.3	is deleted	A,B,C
903.2.1.4	is deleted	A,B,C

FIRE CODE		LOCAL FINDINGS
4904.3	is added	A,B,C
4904.4	is added	A,B,C
4904.5	is added	A,B,C
4906.6	is added	A,B,C
6107.5	is added	A,B,C
B102.1	is amended	A,B,C
B103.3	is amended	A,B,C
B105.1	is amended	A,B,C
C102.1	is amended	A,B,C
D101.1	is amended	A,B,C
D102.1	is amended	A,B,C
D103.1	is amended	A,B,C
D103.2	is amended	A,B,C
D103.3	is amended	A,B,C
D103.4	is amended	A,B,C
D103.4.1	is added	A,B,C
D102.4	is added	A,B,C
D104.2	is deleted	A,B,C
D106.2	is deleted	A,B,C
PROPERTY MAINTENANCE		
A101.1	is amended	A,B,C
A102.3	is amended	A,B,C
A103.1	is amended	A,B,C
A107.1	is amended	A,B,C
A112.4	is amended	A,B,C
201.3	is amended	A,B,C
302.4	is amended	A,B,C
304.14	is amended	A,B,C
401.3	is amended	A,B,C
P502.5	is amended	A,B,C
505.1	is amended	A,B,C
602.2	is amended	A,B,C
602.3	is deleted	A,B,C
602.4	is deleted	A,B,C
604.3.1.1	is amended	A,B,C
604.3.2.1	is amended	A,B,C
702.1	is amended	A,B,C
702.2	is amended	A,B,C
702.3	is amended	A,B,C
704.1	is amended	A,B,C

903.2.1.5	is deleted	**A,B,C**			
903.2.2	is deleted	**A,B,C**			
903.2.3	is deleted	**A,B,C**			
903.2.4	is deleted	**A,B,C**			
903.2.4.1	is deleted	**A,B,C**			
903.2.5	is deleted	**A,B,C**			
903.2.5.1	is deleted	**A,B,C**			
903.2.5.2	is deleted	**A,B,C**			
903.2.5.3	is deleted	**A,B,C**			
903.2.5.4	is deleted	**A,B,C**			
903.2.6	is deleted	**A,B,C**			
903.2.6.1	is deleted	**A,B,C**			
903.2.6.2	is deleted	**A,B,C**			
903.2.7	is deleted	**A,B,C**			
903.2.7.1	is deleted	**A,B,C**			
903.2.8	is deleted	**A,B,C**			
903.2.8.1	is deleted	**A,B,C**			
903.2.9	is deleted	**A,B,C**			
903.2.9.1	is deleted	**A,B,C**			
903.2.9.2	is deleted	**A,B,C**			
903.2.10	is deleted	**A,B,C**			
903.2.10.1	is deleted	**A,B,C**			
903.2.11	is deleted	**A,B,C**			
903.2.11.1	is deleted	**A,B,C**			
903.2.11.1.1	is deleted	**A,B,C**			
903.2.11.1.2	is deleted	**A,B,C**			
903.2.11.1.3	is deleted	**A,B,C**			
903.2.11.2	is deleted	**A,B,C**			
903.2.11.3	is deleted	**A,B,C**			
903.2.20	is added	**A,B,C**			
903.2.21	is added	**A,B,C**			
903.4.2	is amended	**A,B,C**			
3404.7	is added	**A,B,C**			
3404.8	is added	**A,B,C**			
3404.9	is added	**A,B,C**			

CHAPTER 1
GENERAL

Article 1
PURPOSE; ADMINISTRATION

7-1-100 – PURPOSE
This chapter is enacted as a result of requirements of State law and the determination that within the Town, certain regulations for construction, maintenance, use and occupancy are required to provide the minimum standards to safeguard the life, limb and property and protect the public health, safety and general welfare and to provide regulations and control of those factors in a physical environment which exercise or may exercise a deleterious effect on his/her physical development, health and survival. The Town Council has determined that the adoption of this chapter will assure local control of the mandatory building and inspection requirements of the State of California.

7-1-105 - DEPARTMENT OF BUILDING SAFETY
There is hereby established within the Community Development Department the "Department of Building Safety" which shall be under the direction, control and supervision of the building official. The Town Council shall budget and appropriate such funds for the department as it may deem necessary for the operation of the department.

7-1-110 – DESIGNATION OF THE BUILDING OFFICIAL
The Building Official is hereby appointed and charged with the enforcement of and given the authority to administer all provisions of such codes and Town regulations and requirements adopted under the authority provided in Government Code Sections 38601(b) and 38660. He/she shall manage and be responsible for all code compliance work required for the proper enforcement of regulations imposed by this chapter. He/she shall perform related duties as directed by the Town Council. The Building Official shall appoint such deputies and assistants as may be authorized by the Town Council.

The Building Official or his/her duly authorized representative shall act as the Secretary of the Board of Building Appeals and, notwithstanding any provisions in any Code adopted hereby to the contrary, he/she shall not be a member thereof. Upon presentation of proper credentials and pursuant to the law, the Building Official or his/her duly authorized representative may enter buildings, structures, or premises in the Town to perform any duty imposed upon him/her by these regulations.

7-1-115 – APPEALS
Appeal may be made by any applicant or owner of property contiguous to the property to be regulated. For purposes of determining contiguity, property lines shall be projected to the center of public streets or highways. The appeal may be made from any decision of the Building Official; provided, however, that such appeal may not be made more than thirty (30) days after the decision from which appeal is being made has been rendered. All applicants and appellants shall be given reasonable opportunity to be heard and present evidence. Decisions of the Board of Appeals shall be in writing and shall be delivered to the appellant either in person or by

mailing to the address stated on the appeal or application. Decisions of the Board of Building Appeals are final. Should no decision be rendered within twenty (20) days after the filing of the appeal, the appeal is denied unless time is extended by action of the Board of Building Appeals. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code or the administrative provisions of the technical codes nor shall the board be empowered to waive requirements of either this code or the technical codes.

7-1-120 - BUILDING PERMIT REQUIRED

No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure in the Town, or cause the same to be done, without first obtaining a separate building permit for each such building or structure as required by this chapter. Permits shall be issued and fees shall be collected by the Department of Building Safety.

7-1-125 - PERMITS

Permits shall not be issued by the Department of Building Safety for work which includes any of the following, unless and until the Sonoma County Department of Environmental Health Officer has given his/her written approval:

a. The construction, alteration or modification of any on-site disposal system; any water supply system which under State law or County ordinance is required to have a permit from the Health Officer, any establishment selling or preparing any food or food products; any public or semipublic swimming pool.

b. The construction, alteration or modification of any structure which will result in the structure being connected to an on-site disposal system or water system requiring a permit from the Health Officer.

c. The alteration or modification of any existing structure which is connected to an on-site disposal system or water system requiring a permit from the health officer where the alteration or modification may impose additional burdens upon the existing system, such as, but not limited to, the addition of rooms or the modification of floor plans for potential additional occupancy. This section shall not apply to repairs, such as replacement of roofing or siding. Where the permit is for modification or alteration of an existing structure, no permit will be issued where, in the determination of the Health Officer, such modification is likely to result in exceeding the capacity of the system.

d. The construction, alteration or modification of any structure which may result in the property being improved in excess of its capacity to absorb sewage effluent. This section is intended to cover any change in the property which might adversely affect sewage disposal such as, but not limited to, the construction of a barn or swimming pool which might infringe on the leach field.

Whenever approval of the Public Health Officer is required, it shall be based upon the requirements imposed by this chapter and any other State or local law or regulation which may be applicable, including basin plans and other standards promulgated by the North Coast Regional Water Quality Control Board and the San Francisco Bay Regional Water Quality Control Board.

7-1-130 - Clearing and Grading Permits

Clearing and grading permits must be cleared as to zoning considerations by the Planning Department, and drainage and flood control clearance may be required from the Water Department. Building permits for projects regulated by the Fire Code and Fire Safety Standards may be subject to review and approval by appropriate fire service agencies. Where road encroachment is necessary, a permit for same shall be first secured from the Department of Public Works. A water and/or sewer clearance is first required in areas serviced by special districts and cities before building permits can be issued. A building permit authorizing grading and excavation shall not be issued until a disposal location for excavated material has been designated.

7-1-135 - Emergency Work

Notwithstanding any other provision of this chapter or the Codes adopted hereby, emergency maintenance work or repair of buildings and structures requiring a permit hereunder may be commenced before obtaining a permit without violating this chapter provided the Department of Building Safety or the Public Health Officer, in the appropriate case, is notified prior to noon of the next following business day and the permit required is obtained within twenty-four (24) hours thereafter, and provided further that no work shall be covered before it has been duly inspected and approved. Compliance with the State Subdivision Map Act, the subdivision regulations, and the zoning regulations, including compliance with conditional permits issued thereunder, and compliance with all laws, is a condition precedent to the issuance of any permit required by this chapter for work to be done on any particular parcel of real property in the Town of Windsor.

7-1-140 - Disposal of Excavated Material

Within flood-prone urban areas as defined in Section 9-1-200, a building permit authorizing grading and excavation shall not be issued until a disposal location for excavated material has been designated. Acquisition of a building permit does not relieve the permittee of the responsibility for acquiring any other State and local permits required for the activity.

7-1-145 - Relocated Buildings

A relocated building shall comply with the provisions of this chapter for new buildings to the extent that is reasonable and practical as determined by the Building Official.

7-1-150 - Inspection by Public Health Officer

The Public Health Officer or his/her duly authorized representative shall inspect all premises subject to operating regulations pursuant to this chapter at such time or times as he/she deems necessary, and if he/she determines that a violation of the regulations imposed by this chapter has occurred or is occurring, which is endangering or may endanger the public health, he/she may serve a notice of violation upon the permittee under an operating permit in such manner as provided herein or in codes adopted hereby. A copy of the notice shall be delivered to the Department of Building Safety concurrently with service upon the permittee. Should such action be initiated by the Public Health Officer, no final disposition shall be made in the matter by the Department of Building Safety or the Board of Building Appeals unless such disposition is approved in writing by the Public Health Officer. The Public Health Officer or his/her duly appointed representative may enter, during reasonable times, and in accordance with law, upon

buildings, structures or premises in the Town to perform any duty imposed upon him/her by this chapter.

Whenever a property owner requests a certificate from the Health Officer, certifying that the premises comply with all existing laws and regulations enforced by the Health Officer in respect to sewage disposal systems and water supply, a fee shall be charged as set by resolution of the Council. No charge shall be made for a check of premises at the request of the owner thereof where no certificate is required.

7-1-155 – REFUNDS
The Building Official may authorize the refunding of not more than eighty (80%) percent of a permit fee when no work has been done under a permit issued in accordance with this Code.

7-1-160 - VALUATION AND FEES
Notwithstanding the fees set forth in the codes adopted by this chapter, the Town Council shall by resolution set all fees to be collected. All building valuation shall be determined by the Building Official based upon the Building valuation data published periodically by the International Code Council.

Where the value of the proposed work is not listed in the International Code Council publication, the valuation will be based upon the equivalent contract valuation or the cost of the inspection services, whichever is greater.

7-1-165 - CONFLICTING REGULATIONS
The regulations and provisions contained in this chapter shall prevail over any inconsistent provision contained in primary or secondary codes adopted hereby; provided, that in the case of inconsistent regulations, regulation shall prevail which is more stringent than the regulations established by the State of California.

7-1-170 – PENALTIES
a. The Building Official and the Official's authorized agents and/or employees are authorized to issue citations for violation of any regulatory provision of this chapter.

b. Any person, firm or corporation or agency, or employee of any person, firm or corporation or agency who violates or knowingly permits violation of any regulatory provision of this chapter shall be guilty of a public offense subject to administrative enforcement as defined in Section 1-1-250. Each person, firm or corporation or agency or employee thereof shall be guilty of a separate offense for each day, or any portion thereof, during which any violation of this chapter is committed, continued, or permitted and shall be punished accordingly.

c. Every violation of any regulatory provision of this chapter is declared to be a public nuisance and the Building Official shall take such action as he/she may deem necessary to abate the same.

7-1-175 – DEFINITIONS
Whenever any of the following names or terms are used herein or in any of the Codes adopted by reference by this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section as follows:

Building Official, Chief Building Official, Code Enforcement Administrator, Fire Code Official, Administrative Authority, and similar references to a chief administrative position shall mean the Building Official of the Town of Windsor, and is the designated authority authorized and directed to enforce the provisions of this code. The Building Official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code.

BUILDING DIVISION shall mean the Department of Building Safety of the Town of Windsor.

CITY shall mean the Town of Windsor.

CITY CLERK shall mean Town Clerk and Ex Officio Clerk of the Town Council.

CITY COUNCIL or **MAYOR** shall mean the Town Council or Mayor of the Town of Windsor.

BOARD OF APPEALS shall mean the Board of Building Appeals.

7-1-180 - EXAMINATION OF CODES
One (1) copy of the Codes adopted by reference in this chapter has heretofore been filed with the Building Official and shall be maintained for use and examination by the Department of Building Safety.

7-1-185 – FEES
Any applicant for any permit, approval or other action pursuant to this Chapter shall pay to the Town such fees as established and/or revised from time to time by the Town Council. Miscellaneous services for which fees have not been established by the Town Council may be set by the Building Official.

7-1-190 - CONSTRUCTION HOURS
Construction, alteration or repair activities which are authorized by a valid Town permit may be conducted between the hours of 7:00 A.M. and 7:00 P.M. Monday through Friday and between the hours of 8:00 A.M. and 7:00 P.M. on Saturday. No construction, alteration or repair activities shall be permitted on Sunday unless expressly authorized by the Building Official; but in no event shall such construction activity be permitted on Sunday before 9:00 A.M. or after 5:00 P.M.

CHAPTER 2

CALIFORNIA CODE OF REGULATIONS

Article 1

ADOPTION OF THE 2013 CALIFORNIA CODE OF REGULATIONS - TITLE 24

7-2-100 - CODES ADOPTED BY REFERENCE; MODIFICATIONS

Pursuant to Section 50022.2 of the Government Code the following codes are adopted in this Article, as defined and modified herein.

7-2-105 - ADOPTION BY REFERENCE

There is hereby adopted by reference by the Town of Windsor those certain model codes as adopted and amended by the State of California and defined in the Health and Safety Code and contained in Title 24, 2013 CALIFORNIA CODE OF REGULATIONS parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12 as published by the International Code Council including tables and appendices, the 2013 edition of the CALIFORNIA ADMISTRATIVE CODE, Part 1 as published by the International Code Council, the 2013 CALIFORNIA BUILDING CODE, Part 2, Volumes 1 & 2, based on the 2012 International Building Code, as published by the International Code Council, the CALIFORNIA RESIDENTIAL CODE Part 2.5, based on the 2012 International Residential Code, as published by the International Code Council, the 2013 CALIFORNIA ELECTRICAL CODE, Part 3, based on the 2011 National Electrical Code, as published by the National Fire Protection Association, the 2013 edition of the CALIFORNIA PLUMBING AND MECHANICAL CODE, Part 4 & 5, based on the 2012 Uniform Plumbing and Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, the 2013 Edition of the CALIFORNIA ENERGY CODE, Part 6, as published by the International Code Council, the 2013 edition of the CALIFORNIA HISTORICAL BUILDING CODE, Part 8, as published by the International Code Council, the 2013 edition of the CALIFORNIA FIRE CODE, Part 9, based on the 2012 International Fire Code, the 2013 edition of the CALIFORNIA EXISTING BUILDING CODE, Part 10, as published by the International Code Council, the 2013 edition of the CALIFORNIA GREEN BUILDING STANDARDS CODE, Part 11, as published by the International Code Council, the 2013 edition of the CALIFORNIA REFERENCED STANDARDS CODE, Part 12, as published by the International Code Council, the 2012 edition of the INTERNATIONAL PROPERTY MAINTENANCE CODE, as published by the International Code Council, as applicable to various occupancies as depicted in the matrix adoption tables therein or the promulgating instruments thereof, which codes are known as Title VII Building and Housing.

Article 2

2013 CALIFORNIA ADMINISTRATIVE CODE –TITLE 24, PART 1

7-2-200 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA ADMINISTRATIVE CODE," and may be cited as such. For purposes of citation, the CALIFORNIA ADMINISTRATIVE CODE, Part 1, 2013 Edition, published by the International Code Council, including tables and appendices as amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-1-200" before each section.

Article 3

2013 CALIFORNIA BUILDING CODE –TITLE 24, PART 2

7-2-300 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA BUILDING CODE," and may be cited as such. For purposes of citation, the CALIFORNIA BUILDING CODE, Part 2, volume 1 & 2, 2013 Edition, published by the International Code Council, including tables and appendices as amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-300" before each section.

7-2-305 - CHAPTER 2, SECTION [A] 101.1 – TITLE
[A] 101.1 of the California Building Code is amended to read as follows:

These regulations shall be known as the California Building Code of the Town of Windsor, hereinafter referred to as "this code".

7-2-310 - CHAPTER 2, SECTION [A] 105.2 – WORK EXEMPT FROM PERMIT
105.2 of the California Building Code is amended to read as follows:

Item #1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the structure is less than 12' feet in height and the floor area does not exceed 120 square feet, and the structure contains no electrical, plumbing, or mechanical and there are no interior wall finishes such as gypsum wall board, plaster, or paneling placed on any interior surface.

Item #2. Fences not over 6' feet in height.

Item #3. Deleted.

Item #4. Retaining walls that are not over 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

7-2-315 - CHAPTER 2, SECTION [A] 105.5 – EXPIRATION
[A] 105.5 of the California Building Code is amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time of work is commenced. Unless otherwise authorized, every permit issued by the Building Official under the provisions of this Code shall expire and become null and void two years from the date of issuance. The Building Official may issue a permit for a lesser time period when necessary to abate dangerous or sub-standard conditions. This lesser time period may be appealed by the owner. Any permittee holding an unexpired permit may apply for one extension of a current (2 year) permit for one additional year. The fee for extension shall be the estimated cost for the building code enforcement necessary to complete inspection of the permit.

Before any work can be recommenced on an expired permit, a new permit shall be obtained. The codes in effect at the time a new permit is issued shall be the codes which apply to that permit through the point of completion or expiration, whichever occurs first.

7-2-320 - CHAPTER 2, SECTION [A] 114.4 – VIOLATION PENALTIES
[A] 114.4 of the California Building Code is amended to read as follows:

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed (3) three times the permit fee required by this code. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

7-2-325 - CHAPTER 2, SECTION [A] 115.3 UNLAWFUL CONTINUANCE
[A] 115.3 of the California Building Code is amended to read the following:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform by the Building Official to remove a violation or unsafe condition, shall be liable to a fine of not less than $100.00 dollars or more than $500.00 dollars per day for each ongoing violation per Windsor Municipal Code 1-1-250, exclusive of any amounts imposed for recovery of administrative costs.

7-2-330 - CHAPTER 2, SECTION [A] 116.6 – GENERAL
[A] 116 of the California Building Code is amended by adding [A] 116.6 to read as follows:

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter or as specified in the California Building Code, California Residential Code or the International Property Maintenance Code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged,* copyright 1986, shall be construed as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

BUILDING CODE is the California Building Code promulgated by the International Code Council, as adopted by this jurisdiction.

DANGEROUS STRUCTURE is any structure or premises deemed to be dangerous under the provisions of the 2012 International Property Maintenance Code.

7-2-335 - CHAPTER 2, SECTION 202 – DEFINITIONS
Section 202 of the California Building Code is amended by the adding the following definition:
ABANDONED. Work shall be considered abandoned if an inspection has not been recorded and approved within one hundred eighty (180) days from the last approved progress inspection.

7-2-340 - CHAPTER 2, SECTION 903.2.20 ADDITIONS, REMODEL, ALTERATIONS, REPAIRS
Section 903 of the California Building Code is amended by deleting Sections 903.2.1 to 903.2.11 and adding 903.2.20 to read as follows:

An automatic sprinkler system shall be provided to an existing building where any of the following conditions are created:

1. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
2. An automatic fire sprinkler system shall be provided in an existing one or two family dwelling when additions increase the area by 50% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwelling units shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components). For the purpose of applying this section, the following criteria shall be considered in the 50% threshold evaluation:
    a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,

b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
c. Removal of interior tenant improvements reducing the building to a "shell" condition shall require the future build-out to comply with fire sprinkler requirements. Or,
d. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

Exceptions:
Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.

The replacement and upgrading of residential roof coverings or exterior finishes.

5. Any combination thereof to the structure where the improvements equals or exceeds fifty percent (50%) of the structure.

7-2-345 - CHAPTER 2, SECTION 903.2.21 CHANGES OF OCCUPANCY
Section 903 of the California Building Code is amended by adding 903.2.22 to read as follows:

When any change of occupancy occurs where the proposed new occupancy classification is more hazardous, as determined by the Building Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

7-2-350 – APPENDIX J, SECTION J103.2 EXCEPTIONS
Section J103.2 of the California Building Code is amended to read as follows:

Item #1. Grading of less than 50 cubic yards in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.

Item #6. Is Deleted

Article 4

CALIFORNIA RESIDENTIAL CODE –TITLE 24, PART 2.5

7-2-400 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA RESIDENTIAL CODE," and may be cited as such. For purposes of citation, the CALIFORNIA RESIDENTIAL CODE, Part 2.5, 2013 Edition, as published by the International Code Council, including tables and appendices thereto;

amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-400" before each section.

7-2-405 - CHAPTER 2, SECTION R105.2 – WORK EXEMPT FROM PERMIT
R105.2 of the California Residential Code is amended to read as follows:

Item #1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the structure is less than 12' feet in height and the floor area does not exceed 120 square feet, and the structure contains no electrical, plumbing, or mechanical and there are no interior wall finishes such as gypsum wall board, plaster, or paneling placed on any interior surface.
Item #2. Fences not over 6' feet in height.
Item #3. Retaining walls that are not over 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

7-2-410 - CHAPTER 2, SECTION R105.5 – EXPIRATION
R105.5 of the California Residential Code is amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time of work is commenced. Unless otherwise authorized, every permit issued by the Building Official under the provisions of this Code shall expire and become null and void two years from the date of issuance. The Building Official may issue a permit for a lesser time period when necessary to abate dangerous or sub-standard conditions. This lesser time period may be appealed by the owner. Any permittee holding an unexpired permit may apply for one extension of a current (2 year) permit for one additional year. The fee for extension shall be the estimated cost for the building code enforcement necessary to complete inspection of the permit.

7-2-415 - CHAPTER 2, SECTION R313.1 – TOWNHOUSE AUTOMATIC FIRE SPRINKLER SYSTEMS
R313.1 of the California Residential Code is amended to read as follows:

An automatic residential fire sprinkler system shall be installed in townhouses.
Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses unless as required by CFC section 903.2.20.

7-2-415 - CHAPTER 2, SECTION R313.2 – ONE AND TWO FAMILY DWELLINGS AUTOMATIC FIRE SYSTEMS
R313.2 of the California Residential Code is amended to read as follows:

An automatic residential fire sprinkler system shall be installed in one and two family dwellings.
Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing buildings unless as required by CFC section 903.2.20.

Article 5

CALIFORNIA ELECTRICAL CODE –TITLE 24, PART 3

7-2-500 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA ELECTRICAL CODE," and may be cited as such. For purposes of citation, the CALIFORNIA ELECTRICAL CODE, Part 3, 2013 Edition, published by the National Electrical Code, based on the 2011 edition, including tables and appendices as amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-500" before each section.

Article 6

CALIFORNIA MECHANICAL CODE–TITLE 24, PART 4

7-2-600 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA MECHANICAL CODE," and may be cited as such. For purposes of citation, the CALIFORNIA MECHANICAL CODE, Part 4, 2013 Edition, as published by the International Association of Plumbing and Mechanical Officials, including tables and appendices thereto; as amended by the State of California and adopted by reference and amended by the Town of Windsor, is renumbered by adding "7-2-600" before each section.

Article 7

CALIFORNIA PLUMBING CODE–TITLE 24, PART 5

7-2-700 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA PLUMBING CODE," and may be cited as such. For purposes of citation, the CALIFORNIA PLUMBING CODE, Part 5, 2013 Edition, as published by the International Association of Plumbing and Mechanical Officials, including tables and appendices thereto and including the IAPMO Installation Standards; amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-700" before each section.

Article 8

CALIFORNIA ENERGY CODE–TITLE 24, PART 6

7-2-800 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA ENERGY CODE," and may be cited as such. For purposes of citation, the CALIFORNIA ENERGY CODE, Part 6, 2013 Edition, as published by the International Code Council, including tables and appendices thereto; amended by the State

of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-800" before each section.

Article 9

CALIFORNIA HISTORICAL BUILDING CODE –TITLE 24, PART 8

7-2-900 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA HISTORICAL BUILDING CODE," and may be cited as such. For purposes of citation, the CALIFORNIA HISTORICAL BUILDING CODE, Part 8, 2013 Edition, as published by the International Code Council, including tables and appendices thereto; amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-900" before each section.

Article 10

CALIFORNIA FIRE CODE–TITLE 24, PART 9

7-2-1000 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA FIRE CODE" and may be cited as the "CALIFORNIA FIRE CODE". For purposes of citation, the CALIFORNIA FIRE CODE, Part 9, 2013 Edition, published by the National Fire Protection Association; as amended by the State of California and adopted by reference including Appendices Chapters 4, B, C, D, H, and amended by the Town of Windsor, is renumbered by adding "7-2-1000" before each section.

7-2-1002 - CHAPTER 2, SECTION [A] 101.1 – TITLE
[A] 101.1 of the California Fire Code is amended to read as follows:

These regulations shall be known as the Fire Code of the Town of Windsor, hereinafter referred to as "this code".

7-2-1004 - CHAPTER 2, SECTION [A] 102.1 CONSTRUCTION AND DESIGN PROVISIONS
[A] 102.1 of the California Fire Code is amended to read as follows:

The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when identified in specific sections of this code.
4. Existing structures, facilities and conditions, which, in the opinion of the fire and/or building code official, constitute a distinct hazard to life and property.
5. Existing structures to which additions, alterations or repairs are made that involve: the addition, removal or replacement of fire resistive construction related to property lines;

additions, alterations or repairs to fire protection systems; additions or alterations made that impact emergency vehicle access; or additions or alterations made that impact the egress system.

7-2-1006 - CHAPTER 2, SECTION [A] 103.3.1 AUTHORITY TO ISSUE CITATIONS
Section 103 of the California Fire Code is amended by adding the following:

[A] 103.3.1 Authority to issue citations. The Fire Chief, the fire code official and his or her deputies who have the discretionary duty to enforce a statute or ordinance may, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, arrest a person without a warrant whenever the Chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the Chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code."

7-2-1008 - CHAPTER 2, SECTION [A] 105.3.3.1 OCCUPANCY PERMITS
Section 105 of the California Fire Code is amended by adding the following:

[A] 105.3.3.1 Occupancy permits. The chief may notify the building official not to authorize temporary or final occupancy of any building for which a permit is required by this code until the building has been inspected and found to be in compliance with this code. The building official shall not authorize temporary or final occupancy of any new commercial building for which a permit is required by this code until the contractor provides a fire flow availability certification to the chief. The fire flow availability certification shall include static pressure, residual pressure, and gallons per minute, as witnessed by or acceptable to the chief.

7-2-1010 - CHAPTER 2, SECTION [A] 105.5.1 REVOCATION PROCEDURE
Section 105 of the California Fire Code is amended by adding the following:

[A] 105.5.1 Revocation procedure. Revocation of any permit issued under this code shall only occur after written notice of the violation has been given by the chief to the permittee at his or her last place of residence as shown on the permit or certificate, which notice shall order the permittee to either correct the violation within ten (10) days or appear before the local fire chief, unless the local fire protection district issues a written notice electing to have the county fire chief hear the matter, at a date and time certain to show cause why the permit or certificate should not be modified, revoked or suspended. At the hearing before the chief, the permittee shall have an opportunity to appear and be heard on the question of whether the permit issued to him should be revoked or suspended. Upon conclusion of the hearing or as soon thereafter as practicable, the chief shall issue a decision in writing to the permittee determining whether to modify, revoke or suspend the permit. Any interested person may appeal the chief's decision to the board of appeals. All appeals shall be filed in writing with the chief within ten (10) calendar days of the date of the decision being appealed.

7-2-1012 - CHAPTER 2, [A] 105.6.47 ADDITIONAL PERMITS
105.6.47 of the California Fire Code is amended to read the following:

In addition to the operational permits required by Section 105.6, the following permits shall be obtained from the division of fire prevention prior to engaging in the following activities, operations, practices or functions:

1. **Bonfires or rubbish fires.** An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.
2. **Change of occupancy.** An operational permit is required for any change in the occupancy, business or tenancy of any building, facility, or structure.
3. **Day Care.** An operational permit is required to operate a day care occupancy with an occupant load over eight (8) persons.
4. **Emergency Responder Radio Coverage System.** An operational permit is required for buildings and/or facilities with emergency responder radio coverage systems and related equipment.
5. **Fire protection systems.** An operational permit is required for buildings and/or facilities with fire protection systems and related equipment such as fire pumps, fire hydrant systems, fire suppression systems, fire alarm systems, smoke management systems, and similar systems governed by this code.
6. **High-rise building.** An operational permit is required to operate a high rise building as defined in the Building Code.
7. **Institutional or residential occupancy (6 or less persons).** An operational permit is required to operate an institutional or residential occupancy for 6 or less persons, except day care and residential care facilities for the elderly.
8. **Institutional or residential occupancy (more than 6 persons).** An operational permit is required to operate an institutional or residential occupancy for more than 6 persons. Exception: A permit is not required for large family day care providing care for less than 9 children.
9. **Medical Gas Systems.** An operational permit is required for buildings and/or facilities with medical gas systems and related equipment, and similar systems governed by this code.
10. **Oil or natural gas well.** An operational permit is required to own, operate or maintain an oil or natural gas well.
11. **Organized Camps.** An operational permit is required to operate an organized camp (Group-C Occupancy).
12. **Public Christmas Tree Lot or Pumpkin Patch.** An operational permit is required to operate a Christmas tree lot or pumpkin patch, haunted house, or similar facility that is open to the public.
13. **Special Event Permit** An operational permit is required for any organized procession or assemblage of 50 or more people, which could significantly impact vehicular traffic or create a safety problem. Examples include but are not limited to: music festivals, outdoor markets, circus, walkathons, runs, marathons, trail rides, bicycle races, celebrations, parades and other similar activities.

14. **Winery Caves – Public Accessible.** An operational permit is required to operate a Type-2 or Type-3 winery cave that is accessible to the public.

7-2-1014 - CHAPTER 2, SECTION [A] 111.4 FAILURE TO COMPLY
[A] 111.4 of the California Fire Code is amended to read the following:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform by the Building or Fire Code Official to remove a violation or unsafe condition, shall be liable to a fine of not less than $100.00 dollars or more than $500.00 dollars per day for each ongoing violation per Windsor Municipal Code 1-1-250, exclusive of any amounts imposed for recovery of administrative costs.

7-2-1016 - CHAPTER 2, SECTION 202 – DEFINITIONS
Section 202 of the California Fire Code is amended by adding the following:
202 General Definitions:

BUILDING OFFICIAL. Is the officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

CENTRAL ALARM STATION. Is a publicly or privately operated alarm-receiving center that is constantly attended by appropriately trained staff.

CHIEF OR CHIEF OF THE FIRE DEPARTMENT. Is the local fire chief or his or her authorized representative within the fire district of jurisdiction.

FIRE DEPARTMENT. Is the fire protection district having jurisdiction.

FIRE PROTECTION DISTRICT. Is the fire protection district of jurisdiction.

JURISDICTION. Is the Town of Windsor in the County of Sonoma in the State of California.

JURISDICTIONAL AREA. Is the Town of Windsor.

NEW BUILDING. Is any building for which a building permit is issued for the construction thereof after the effective date of this code.

SHALL IS MANDATORY & MAY IS PERMISSIVE. The use of the word "shall" in this code is not intended to, nor shall it be deemed to create a mandatory duty imposed by enactment within the meaning of Government Code section 815.6.

7-2-1018 - CHAPTER 2, SECTION 503.2.6.1 EVALUATION & 503.2.6.2 BRIDGE MAINTENANCE
Section 503 of the California Fire Code is amended by adding 503.2.6.1 and 503.2.6.2 to read as follows:

503.2.6.1 Evaluation. All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for the purposes of safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. Theses evaluations shall be performed at the direction of the fire code official.

503.2.6.2 Bridge maintenance. All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: ``The Manual for Bridge Evaluation," First Edition, 2008, published by the American Association of State Highway and Transportation Officials; or other approved standard.

7-2-1020 - CHAPTER 2, SECTION 505.1.1–PREMISES IDENTIFICATION
Section 505 of the California Fire Code is amended by adding 505.1.1to read as follows:

505.1.1 Numbers for other than one and two- family dwellings. Numbers for other than one and two- family dwellings shall be a minimum of 12 inches high with a minimum stroke width of 1 inch. Suite numbers for other than one and two-family dwellings shall be a minimum of six 6" inches high and 0.5 inches stroke.

Exception: These requirements may be modified with the approval of the fire code official.

7-2-1022 - CHAPTER 2, SECTION 901 – GENERAL
Section 901 of the California Fire Code is amended by adding of 901.7.7 to 901.7.7.2 to read as follows:

901.7.7 Notice of nuisance alarm. The officer in charge of fire units responding to a fire alarm signal shall determine whether a true emergency exists. If the officer determines that an emergency does not exist, the chief of the local fire agency may issue a written notice of nuisance alarm to the owner or person in charge or control of the facility where the alarm signal originated.

901.7.7.1 Unreliable fire alarm systems. The chief of the local fire agency or the County Fire Chief may determine that a fire alarm system is unreliable upon receipt of more than four (4) nuisance alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the chief of the local fire agency or the County Fire Chief may order the following:

For any nuisance alarm where the system is not restored, the chief may require the system owner to provide standby personnel as defined by Section 2501.18 or take such other measures, as the chief deems appropriate. Persons or activities required by the chief shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the chief that the alarm system has been restored to a reliable condition. The chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.

1. Upon the fifth (5th) and sixth (6th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $150.00, plus the cost of fire engine response, for each occurrence.

2. Upon the seventh (7th) and eighth (8th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $300.00, plus the cost of fire engine response.

3. Upon the ninth (9th) and following nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $500.00, plus the cost of fire engine response, for each occurrence.

901.7.7.2 Hearing on notice. Any person receiving a notice of nuisance alarm who contends that the chief erroneously determined that the fire alarm system was not functioning as designed, may file a written request with the chief for a hearing on the determination within ten (10) days after receipt of the notice of nuisance alarm. The chief shall give the requesting party a hearing on the determination within thirty (30) days of receipt of the request. The request shall set forth: (1) that the system functioned as designed, or (2) that the nuisance alarm resulted from an act of God, flooding, or other violent natural condition without fault and beyond the control of the requesting party. Within ten (10) days following the hearing, the chief shall give written notice of his or her decision to the requesting party.

7-2-1024 - CHAPTER 2, SECTION 902–DEFINITIONS
Section 902 of the California Fire Code is amended by adding the following definitions:

EMERGENCY is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

FALSE ALARM is an alarm signal activated by a properly functioning fire alarm system, necessitating response by the fire department when an emergency does not exist.

7-2-1026 – 903.2 is amended to read as follows:
Approved automatic fire sprinklers in new buildings and structures shall be provided.

7-2-1028 - CHAPTER 2, SECTION 903.2.20 ADDITIONS, REMODEL, ALTERATIONS, REPAIRS
Section 903 of the California Fire Code is amended by deleting Sections 903.2.1 to 903.2.11.3 and adding 903.2.20 to read as follows:

An automatic sprinkler system shall be provided to an existing building where any of the following conditions are created:

1. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
2. An automatic fire sprinkler system shall be provided in an existing one or two family dwelling when additions increase the area by 50% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwelling units shall meet the requirements for a newly constructed building.

4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components). For the purpose of applying this section, the following criteria shall be considered in the 50% threshold evaluation:
    a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
    b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
    c. Removal of interior tenant improvements reducing the building to a "shell" condition shall require the future build-out to comply with fire sprinkler requirements. Or,
    d. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

    Exceptions:
    Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.

    The replacement and upgrading of residential roof coverings or exterior finishes.

5. Any combination thereof to the structure where the improvements equals or exceeds fifty percent (50%) of the structure.

7-2-1030 - CHAPTER 2, SECTION 903.2.21 CHANGES OF OCCUPANCY
Section 903 of the California Fire Code is amended by adding 903.2.21 to read as follows:

When any change of occupancy occurs where the proposed new occupancy classification is more hazardous, as determined by the Fire Code Official and/or Building Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

7-2-1032 - CHAPTER 2, SECTION 903.4.2 ALARMS
903.2.18 of the California Fire Code is amended to read:

At least one exterior approved audible device activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system shall be connected to every automatic fire alarm system in an approved location, and approved audible devices shall be connected to every automatic sprinkler system for the purpose of occupant notification. Actuation of the automatic sprinkler system shall actuate the building fire alarm system in all normally occupied areas for the purpose of occupant notification.

7-2-1034 - CHAPTER 2, SECTION 3404.7 TANKS STORAGE PROHIBITED
Section 3404 of the California Fire Code is amended by adding 3404.7 to 3404.9 to read as follows:

No existing aboveground tanks for the storage of Class I and Class II liquids outside of buildings (except LPG-Propane) shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the fire code official.

3404.8 Tank storage - other locations.
New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to new within one (1) year after written notice from the fire code official.

3404.9 Existing Tank storage.
Existing Tank storage shall meet the requirements of new tank installations with in one year of notice from the fire code official.

7-2-1036 - CHAPTER 2, SECTION 4904.3 GENERAL
Section 4904 of the California Fire Code is amended by adding 4904.3 to 4904.6 to read as follows:

A fire protection plan shall be required for any new residential or commercial building within a wildland-urban interface fire area. The plan shall be prepared by a qualified professional and shall be approved by the fire code official. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire resistive vegetation, and a maintenance program for all vegetation. The property owner shall record a covenant, in a form satisfactory to county counsel, which ensures that the approved plan will be implemented and maintained. When required by the code official, the property owner shall record a covenant, in a form satisfactory to fire code official, which ensures that the approved plan will be implemented and maintained.

4904.4 Content.
The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

4904.5 Cost.
The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4906.6 Plan retention.
A copy of the fire protection plan shall be retained by the property owner.

7-2-1038 - CHAPTER 2, SECTION 6107.5 SEISMIC ANCHORING
Section 6107 of the California Fire Code is amended by adding 6107.5 to read as follows:

An approved seismic anchoring system shall be installed on all permanently installed propane/LPG gas containers.

7-2-1065 - CHAPTER 2, APPENDIX B, SECTION B102.1 – DEFINITIONS
B102.1 of the California Fire Code is amended to read as follows:

FIRE-FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure in the water main in the vicinity of the flowing hydrant, that is available for fire fighting.

7-2-1040 - CHAPTER 2, APPENDIX B, 103.3 AREAS WITHOUT WATER SUPPLY SYSTEMS
B103.3 of the California Fire Code is amended to read as follows:

For information regarding water supplies for firefighting purposes in rural and suburban areas in which adequate water supply systems do not exist, the fire code official is authorized to utilize the latest edition of NFPA 1142.

7-2-1042 - CHAPTER 2, APPENDIX B, SECTION B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.1 of the California Fire Code is amended to read as follows:

The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m2) shall be1,000 gallons per minute for 30 min. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m2) shall not be less than that specified in Table B 105.1.
Exception:
A reduction in required fire flow of 50 percent as approved, is allowed when the building is provided with an approved automatic fire sprinkler system.

7-2-1044 - CHAPTER 2, APPENDIX C, SECTION C102.1 FIRE HYDRANT LOCATIONS
C102.1 of the California Fire Code is amended to read as follows:

Where fire hydrants are required, fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets, and a fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), or as approved by the Fire Code Official.

7-2-1046 - CHAPTER 2, APPENDIX D, SECTION D101.1 SCOPE
D101.1 of the California Fire Code is amended to read as follows:

Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code.

Exception:
One and two-family residential dwellings; detached U Occupancy buildings less than 1000 square feet in area accessory to a one or two-family dwelling; and agricultural exempt buildings

less than 8,000 square feet in area within County unincorporated areas may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

7-2-1048 - CHAPTER 2, APPENDIX D, SECTION D102.1 ACCESS AND LOADING
D102.1 of the California Fire Code is amended to read as follows:

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34050 kg) or as approved by the Fire Code Official.

7-2-1050 - CHAPTER 2, APPENDIX D, SECTION D103.1 ACCESS ROAD WIDTH WITH A HYDRANT
D103.1 of the California Fire Code is amended to read as follows:

The hydrant shall be no closer than 4 feet nor farther than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway.

7-2-1052 - CHAPTER 2, APPENDIX D, SECTION D103.3 TURNING RADIUS
D103.3 of the California Fire Code is amended to read as follows:

The minimum turning radius shall be determined by the fire code official or as approved by local standards.

7-2-1054 - CHAPTER 2, APPENDIX D, SECTION D103.4 DEAD ENDS
D103.4 of the California Fire Code is amended to read as follows:

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by local standards.

7-2-1056 - CHAPTER 2, APPENDIX D, SECTION D103.4.1 DEAD END ROADS
D103 of the California Fire Code is amended by adding D103.4.1 to read as follows:

The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the cumulative lengths according to Table D 103.4, regardless of the number of parcels served.

TABLE D102.4 IS ADDED TO READ:

Table D103.4

Parcel Size	Max Allowable Length
Parcels zoned for less than one acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1320 feet
Parcels zoned for 5 acres to 19.99 acres	2640 feet
Parcels zoned for 20 acres or larger	5280 feet

SECTION D104.2 EXCEPTION IS DELETED

SECTION D106.2 IS DELETED

7-2-1058 - ADMINISTRATION AND ENFORCEMENT OF THE CALIFORNIA FIRE CODE
The Fire Chiefs of the fire protection districts having jurisdiction within the Town shall be responsible for the administration and enforcement of the California Fire Code and amendments thereto within their respective jurisdictions; provided that if said Fire Chief is unable or refuses to do so, the Building Official may, but is not obligated to, administer and enforce the California Fire Code and amendments thereto within the Town of Windsor.

Article 11

CALIFORNIA GREEN BUILDING CODE –TITLE 24, PART 11

Section 7-2-1100 CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA GREEN BUILDING STANDARDS CODE," and may be cited as such. It is intended that it shall also be known as the CALGreen Code. For purposes of citation, the CALIFORNIA GREEN BUILDING STANDARDS CODE, Part 11, 2013 Edition, as published by the International Code Council, including tables and appendices thereto; amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-1100" before each section.

7-2-1100, Chapter 2, Appendix A4, Section A4.601.4.1– MANDATORY MEASURES FOR TIER 1
A4.601.4.1 of the California Green Building Standards Code is amended to read as follows:

The project shall meet or exceed all of the mandatory measures in Chapter 4, Division A4.1, A4.3, A4.4 and A4.5, and Chapter 7 as applicable. The Tier 1 measures contained in this appendix are adopted as mandatory provisions.

SECTION A4.203.1 IS DELETED

7-2-1110, Chapter 2, Appendix A5, Section A5.601.2.1– PREREQUISITES
A5.601.2.1 of the California Green Building Standards Code is amended to read as follows:

To achieve CALGreen tier status, a project must meet all the mandatory measures in Chapter 5 and, in addition, meet the provisions of A5.1, A5.3, A5.4 and A5.5. The Tier 1 measures contained in this appendix are adopted as mandatory provisions.

SECTION A5.203.1 IS DELETED

Article 12

CALIFORNIA REFERENCED STANDARDS CODE –TITLE 24, PART 12

7-2-1200 - CITATION OF SECTIONS
This article shall be known as the "CALIFORNIA REFERENCED STANDARDS CODE," and may be cited as such. For purposes of citation, the CALIFORNIA REFERENCED STANDARDS CODE, Part 12, 2013 Edition, as published by the International Code Council, including tables and appendices thereto; amended by the State of California and adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-1200" before each section.

Article 13

INTERNATIONAL PROPERTY MAINTENACE CODE

7-2-1300 - CITATION OF SECTIONS
This article shall be known as the "INTERNATIONAL PROPERTY MAINTENACE CODE," and may be cited as such. For purposes of citation, the INTERNATIONAL PROPERTY MAINTENACE CODE 2012 Edition, as published by the International Code Council, including tables and appendices thereto; adopted by reference and amended by the Town of Windsor, are renumbered by adding "7-2-1300" before each section.

7-2-1305 - CHAPTER 1, SECTION [A] 101.1 – TITLE
[A] 101.1 of the International Property Maintenance Code is amended to read as follows:

These regulations shall be known as the International Property Maintenance Code of the Town of Windsor, hereinafter referred to as "this code".

7-2-1310 - CHAPTER 1, SECTION [A] 102.3 – APPLICATION OF OTHER CODES
[A] 102.3 of the International Property Maintenance Code is amended to read as follows:

Repairs, additions or alterations to a structure, or change of occupancy, shall be done in accordance with the procedures and provisions of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Historical Code, California Fire Code, California Existing Building Code, and California Green Building Standards Code.

7-2-1315 - CHAPTER 1, SECTION [A] 103.1 – GENERAL
[A] 103.1 of the International Property Maintenance Code is amended to read as follows:

The Department of Building and Safety is hereby created and the building official shall manage and be responsible for the proper enforcement of regulations imposed by this chapter and shall be known as the code official.

7-2-1320 - CHAPTER 1, SECTION [A] 107.1 – NOTICE TO PERSON RESPONSIBLE
[A] 107.1 of the International Property Maintenance Code is amended to read as follows:

Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3, or in the manner provided by Windsor Municipal Code section 1-1-250 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

7-2-1325 - CHAPTER 1, SECTION [A] 112.4 – FAILURE TO COMPLY
[A] 112.4 of the International Property Maintenance Code is amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a citation of not less than $100.00 dollars or more than $500.00 dollars.

7-2-1330 - CHAPTER 2, SECTION 201.3 – TERMS DEFINED IN OTHER CODES
201.3 of the International Property Maintenance Code is amended to read as follows:

Where terms are not defined in this code and are defined in the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Historical Code, California Fire Code, California Existing Building Code, and California Green Building Standards Code, such terms shall have the meaning ascribed to them as stated in those codes.

7-2-1335 - CHAPTER 3, SECTION 302.4 – WEEDS
302.4 of the International Property Maintenance Code is amended to read as follows:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

7-2-1340 - CHAPTER 3, SECTION 304.14 – INSECT SCREENS
304.14 of the International Property Maintenance Code is amended to read as follows:

Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any other areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch, and every screen door used for insect control shall have a self-closing device in good working condition.

7-2-1345 - CHAPTER 4, SECTION 401.3 – ALTERNATIVE DEVICES
401.3 of the International Property Maintenance Code is amended to read as follows:

In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the California Building Code or California Residential Code shall be permitted.

7-2-1350 - CHAPTER 5, SECTION [P] 502.5 – PUBLIC TOILET FACILITIES
[P] 502.5 of the International Property Maintenance Code is amended to read as follows:

Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the California Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

7-2-1355 - CHAPTER 5, SECTION 505.1 – GENERAL
505.1 of the International Property Maintenance Code is amended to read as follows:

Every sink, lavatory, bathtub, or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the California Plumbing Code.

7-2-1360 - CHAPTER 6, SECTION 602.2 – RESIDENTIAL OCCUPANCIES
602.2 of the International Property Maintenance Code is amended to read as follows:

Every dwelling unit shall be provided with heating facilities capable of maintaining a minimum room temperature of 68° F at a point 3 feet above the floor. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

602.3 – HEAT SUPPLY, EXCEPTIONS #1 AND #2 ARE DELETED

602.4 – OCCUPIABLE WORK SPACE, EXCEPTIONS #1 AND #2 ARE DELETED

7-2-1365 - CHAPTER 6, SECTION 604.3.1.1 – ELECTRICAL EQUIPMENT
604.3.1.1 of the International Property Maintenance Code is amended to read as follows:

Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devises, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the California Electrical Code.

7-2-1370 - CHAPTER 6, SECTION 604.3.2.1 – ELECTRICAL EQUIPMENT
604.3.2.1 of the International Property Maintenance Code is amended to read as follows:

Electrical switches, receptacles and fixtures, including furnace, water heating, security system

and power distribution circuits that have been exposed to fire, shall be replaced in accordance with the provisions of the California Electrical Code.

7-2-1375 - CHAPTER 6, SECTION [F] 702.1 – GENERAL
[F] 702.1 of the International Property Maintenance Code is amended to read as follows:

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the California Building Code, California Fire Code, and the California Residential Code, whichever is more restrictive.

7-2-1380 - CHAPTER 6, SECTION [F] 702.2 – AISLES
[F] 702.2 of the International Property Maintenance Code is amended to read as follows:

The required width of aisles in accordance with the California Building Code, California Fire Code, and the California Residential Code, whichever is more restrictive, shall be unobstructed.

7-2-1385 - CHAPTER 6, SECTION [F] 702.3 – LOCKED DOORS
[F] 702.3 of the International Property Maintenance Code is amended to read as follows:

All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the California Building Code, California Fire Code, and the California Residential Code, whichever is more restrictive.

7-2-1390 - CHAPTER 7, SECTION [F] 704.1 – GENERAL
[F] 704.1 of the International Property Maintenance Code is amended to read as follows:

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the California Fire Code.

CHAPTER 3
WOODBURNING APPLIANCES

Article 1

WOODBURNING APPLIANCES

7-3-100 – PURPOSE

The purpose of this Article is to reduce wood smoke pollution and enhance health and quality of life of citizens, as well as to contribute to improvements in regional air quality by reducing air pollutant emissions from woodburning appliances.

7-3-110 – DEFINITIONS

"EPA." Means the United States Environmental Protection Agency.

"FIREPLACE." Means any permanently installed masonry or factory-built woodburning appliance, including a pellet-fueled appliance, designed to be used with an air-to-fuel ratio greater than or equal to 35 to 1.

"GARBAGE." Means solid, semi-solid and liquid wastes generated from residential, commercial and industrial sources, including trash, refuse, rubbish, industrial wastes, asphalt products, manure, vegetable or animal solids and semisolid wastes, and other discarded solid and semisolid wastes.

"**GAS FIREPLACE**." Means any vented appliance whose primary function lies in the esthetic effect of the flames.

"**KITCHEN**." Means any room used or intended or designed to be used for cooking and preparing of food. Rooms that contain appliances or equipment such as microwaves, gas or electric ovens, gas or electric cooking surfaces, toaster ovens and similar appliances shall be considered a room or area intended or designed as a kitchen.

"**MASONRY FIREPLACE**." Means a hearth and fire chamber of solid masonry units such as bricks, stones, or masonry units or reinforced concrete provided with an approved chimney constructed on a foundation.

"**NEW CONSTRUCTION**." Means construction of new structures, including commercial structures, as well as any addition(s) to existing structures where the addition(s) effect current fireplace installations.

"**PAINT**." Means all exterior and interior house and trim paints, enamels, varnishes, lacquers, stains, primers, sealers, undercoating, roof coatings, wood preservatives, shellacs and other paints or paint-like products.

"PAINT SOLVENT." Means all original solvents sold or used to thin paints or to clean up painting equipment.

"**PELLET-FUELED APPLIANCE.**" Means any heat generating appliance that burns wood pellets to generate heat.

"**SOLID FUEL.**" Means wood or any other non-gaseous or non-liquid fuel.

"**TREATED WOOD.**" Means wood of any species that has been chemically impregnated, painted or similarly modified to improve resistance to insects or weathering.

"**WASTE PETROLEUM PRODUCTS.**" Means any petroleum product other than gaseous fuel that has been refined from crude oil and has been used, and as a result of use, has been contaminated with physical or chemical impurities.

"**WOODBURNING APPLIANCE.**" Means fireplace, wood heater, or pellet-fueled appliance or any similar device burning any solid fuel used for aesthetic or space-heating purposes.

7-3-115 - FIREPLACE WOOD-BURNING APPLIANCE

No new fireplace or new woodburning appliance shall be installed, constructed, or utilized except in accordance with this Article 13.

7-3-120 - UNAUTHORIZED APPLIANCES PROHIBITED

(a) It is unlawful to install or construct in any new construction a woodburning appliance that is not one of the following:

1. a masonry fireplace; or
2. a gas fireplace; or
3. a woodburning appliance designed primarily for food preparation; or
4. any EPA certified wood heater which shall mean any wood heater that meets the standards in Title 40, Part 60, Subpart AAA, Code of Federal Regulations in effect at the time of installation and is certified and labeled pursuant to those regulations; or
5. any fireplace certified by EPA should EPA develop fireplace certification standards, or meeting equivalent standards to those listed in #4 above.

(b) This section shall apply to the repairs requiring a building permit, reconstruction or replacement of any lawful, existing woodburning appliance.

(c) This section shall not apply to a gas fireplace. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a woodburning appliance and shall be subject to the requirements of this chapter.

7-3-125 - LIMITATIONS ON FUEL

(a) It is unlawful to burn the following in any fireplace or woodburning appliance:

1. coal;
2. garbage;
3. glossy or colored paper;
4. paint;
5. paint solvent;
6. particle board;
7. plastic or items made from plastic;

8. rubber or items made from rubber;
9. salt water driftwood;
10. treated wood; and
11. waste petroleum products.

7-3-130 - COMPLIANCE AND ENFORCEMENT

Any person who plans to install a woodburning appliance must submit documentation to the Town Building Inspection Division demonstrating that the appliance is an EPA certified wood heater, or a fireplace certified by EPA.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished as provided by law.

CHAPTER 4
KEY REQUIREMENTS

Article 1

NEW BUILDING KEY REQUIREMENTS

7-4-100 - LEGISLATIVE PURPOSE

The purpose of this ordinance is to enhance the safety and security of owners and occupants of new residential and commercial buildings developed and built within the Town of Windsor.

7-4-110 - OBLIGATION OF DEVELOPER

The developer of all new residential and commercial buildings which are constructed under the same development plan shall assure that, upon occupancy of each individual residential or commercial unit, that each such unit has locks which use combinations which are interchange free from locks used or to be used in all other units which are developed as part of the same development plan; and that any "master key" or "builder key" will not work on such locks. As used herein "master key" and "builder key" mean any key used by the developer, its contractors, subcontractors, and agents during construction that allows access to all units.

Prior to sale, lease, or rental of any new residential or commercial building, the developer thereof shall certify under penalty of perjury, on a form provided by the Town Manager, that he has complied with the provisions of this ordinance with respect to the individual unit being sold, leased or rented.

7-4-115 - ENFORCEMENT AND VIOLATION

The Town Manager, or his or her designee, shall enforce the provisions of this ordinance. Violation of the provisions of this ordinance shall be an infraction.

PUBLICATION OR POSTING

The Town Clerk of the Town of Windsor shall cause this Ordinance to be published, or to be posted in at least three (3) public places in the Town of Windsor, in accordance with Section 36933 of the Government Code of the State of California.

PASSED, APPROVED, AND ADOPTED this 15th day of July 2015, by the following vote:

AYES:	**COUNCILMEMBERS FOPPOLI, FUDGE, SALMON, VICE MAYOR MILLAN, AND MAYOR OKREPKIE**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

BRUCE OKREPKIE, MAYOR

ATTEST:

MARIA DE LA O, TOWN CLERK