

ORDINANCE NO. 2577

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO, AMENDING TITLE 16R OF THE CHICO MUNICIPAL CODE RELATING TO THE ADOPTION BY REFERENCE OF THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2022 EDITIONS OF THE CALIFORNIA BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, RESIDENTIAL, ENERGY, GREEN BUILDING, AND FIRE CODES AND STANDARDS; AS WELL AS THE ADOPTION BY REFERENCE OF THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; AND AMENDING, ADDING OR REPEALING PROVISIONS IN TITLE 16R OF THE CHICO MUNICIPAL CODE FOR THE ADMINISTRATION AND ENFORCEMENT BY THE CITY'S BUILDING DIVISION AND FIRE DEPARTMENT

WHEREAS, California Health and Safety Code section 17958 requires local adoption of the latest California Code of Regulations, Title 24, known as the California Building Standards Code, which have been adopted at the state level and are required to become effective six months after the state adoption;

WHEREAS, the State of California adopted these codes on July 1, 2022 and the codes will be enforced effective January 1, 2023;

WHEREAS, the California Building Standards Code have been revised since the 2019 model codes currently adopted in the Chico Municipal Code, and the new state codes utilize the most up to date code documents that have been developed through a national code development process, which include the 2022 Editions of the California Building, Electrical, Mechanical, Plumbing, Residential, Energy, Green Building and Fire Codes and Standards, as well as other related codes; and

WHEREAS, enactment of this Ordinance to adopt and incorporate the 2022 Edition of the California Building Standards Code, as designated herein, into the Chico Municipal Code, will keep the City of Chico's building and fire standards, and related regulations, current and consistent with those of the State of California, and concurrently, provide minimum standards to safeguard life or limb, health, property and public welfare within the City of Chico.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Chico as

1 **follows:**

2 **SECTION I.** Findings of fact and need for changes or modifications to the 2022 State
3 Building Standards Code because of local conditions.

4 A. Changes or Modifications. Pursuant to Section 17958.5, 17958.7 and 18941.5 of the
5 State of California Health and Safety Code, the City of Chico adopts and amends the 2022 edition
6 of the California Building Code, the 2022 edition of the California Residential Code, the 2022 edition
7 of the California Plumbing and Mechanical Codes, the 2022 edition of the California Electrical Code
8 and the 2022 edition of the California Green Building Code and the 2022 State Building Standards
9 Code as they pertain to the regulation of buildings and structures.
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11 B. Findings. Pursuant to Sections 17958.5, 17958.7 and 18941.5 of the State of
12 California Health and Safety Code, the City of Chico has determined and finds the attached changes
13 or modifications are needed and are reasonably necessary because of local climatic, geological, and
14 topographic conditions.
15

16 C. Local Conditions. Local conditions have an adverse effect on the potential for life
17 and property loss, making necessary changes or modifications to the 2022 California State Building
18 Standards Code in order to establish and maintain an environment which will provide the community
19 a desirable level of protection.
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21 Below lists the adverse local climatic, geological, and topographic conditions necessitating
22 adoption of the most recent revised code:

23 A. Climatic:

24 1. Precipitation: The normal rainfall for the City of Chico is approximately 26.23 inches
25 annually. Winter storms are responsible for the heaviest intensity of precipitation, with 92 percent
26 of the rain falling between November and April, and 8 percent of the rain falling between May and
27 October.
28

1 2. Relative humidity: The average annual humidity for the Chico area is approximately
2 37 percent. The average relative humidity for the hot summer days is approximately 20 percent with
3 lows dropping below 15 percent and occasionally even lower due to the dry, hot and windy days.

4 3. Temperature: Summer sunshine in the Chico area averages over 22 days a year with
5 temperature of 100 degrees or higher. The northern California valley experiences approximately 200
6 days of clear skies, with May through September temperatures ranging between 90- and 105-degrees
7 Fahrenheit.

8 4. Winds: Winds play a major role in Chico climatological makeup. During the summer
9 periods, May through September, the area receives dry North Winds causing the humidity levels to
10 drop to 10 to 15 percent, which adds to the potential of a conflagration hazard due to new housing
11 developments with higher densities, light wood frame construction proposed Wildland Urban
12 Interface areas. The wind generally ranges between 15 to 20 miles per hour (mph) or higher during
13 North wind event days. Gusts will bring the wind range up to 30 to 40 mph, particularly hazardous
14 in the summer months when fuels are dry.

15 5. Extensive Dry and/or Dead Vegetation: Due in part to winter and spring rains, there
16 is generally, an extensive growth of vegetation in the spring which dries out each summer creating
17 hazardous fuel conditions equating to an explosive fire potential in the Wildland Urban Interface
18 areas during the summer months.

19 6. Dense Fog: During the winter months the City of Chico area can experience dense
20 low-lying fog that can linger for days, and greatly impairs driving vision. This condition adds to
21 potential response time delays for first arrive fire personnel on scene to an emergency or fire
22 situation.

23 B. Geological:

24 1. The City of Chico is subject to ground tremors from seismic events as the City is
25 located in a Design Category D, which relates to a high risk of earthquakes.

26 2. Water is predominantly pumped from wells which is also used for fire suppression
27 and will be adversely affected by a large-scale earthquake.

1 3. Some portions of the City have alluvial soil, expansive in nature sand, silt and clay
2 with a high moisture content due to a high-water table. High-water table and drainage patterns result
3 in the requirement for a nitrate action plan.

4 C. Topographical:

5 1. The City of Chico is divided in several locations by creeks and diversion channels
6 that run east to west requiring bridges to cross. State Highway 99 and the railroad tracks divide the
7 City into multiple sections from the east to west. Traffic must be diverted around these physical
8 barriers limiting access to certain areas and creating traffic congestion. Both of these factors can
9 cause significant delays in emergency response. In some instances, one or more of these barriers are
10 located between City fire stations that increase response times resulting in greater risk for a fire or
11 emergency to expand beyond first alarm capabilities.
12

13 D. Summary. The above local climatic, geologic, and topographic conditions impact the
14 building environment and necessitate amendments to the California Building Standards Code.
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16 The aforementioned local climatic, geological and topographical conditions affect the
17 acceleration, intensity, and size of fire in our community. Times of little or no rainfall, low humidity
18 and high temperatures over extended periods of time create extremely hazardous conditions,
19 particularly as it relates to our commercial occupancies and urban interface areas. The winds
20 experienced in our area can have a tremendous impact on our wildland and structures fires where
21 buildings are in close proximity to one another. Winds can carry embers to other structures or
22 wildland areas, thus spreading fire that can cause a conflagration. In fires within structures, strong
23 winds can force fires back into the building that create a “blow torch” effect. These conditions
24 prevent using natural ventilation and cross ventilation efforts to control a fire. The havoc that can be
25 caused by an earthquake and intense traffic congestion caused by physical barriers greatly increase
26 the risk of a small event turning into a significant hazard. The risk can be greatly reduced with the
27 implementation of improved construction measures to manage the effect of fires and other hazardous
28 hazards. Accordingly, the changes and modifications to the California Building Standards Code,

1 2022 Edition, and other codes adopted herein are reasonably necessary to establish and maintain an
 2 environment which will provide for a desirable level of fire and life safety protection. California
 3 Health and Safety Code Section 17958.7 requires that the modification or changes be expressly
 4 marked and identified.

5 Therefore, the City Council finds that the following table sets forth the building standards in
 6 the California Building Standards Code, 2022 Edition, which have been modified pursuant to
 7 Ordinance No.____ and the associated local climatic, geological and/or topographical conditions
 8 described above in Section 2 supporting modification.

10 California Building Code	Specific Finding - Climatic, Topographical
11 Added or Amended	and/or Geological Conditions (See Section 1)
12 Appendix H (Signs)	Climatic, Topographical, and Geological
13 Appendix J (Grading)	Climatic, Topographical, and Geological
14 Appendix P (Emergency Housing)	Climatic, Topographical, and Geological
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16 California Residential Code	Specific Finding - Climatic, Topographical
17 Added or Amended	and/or Geological Conditions (See Section 1)
18 Appendix AH (Patio Covers)	Climatic, Topographical, and Geological
19 Appendix AZ (Emergency Housing)	Climatic, Topographical, and Geological
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21 California Fire Code Section	Specific Finding - Climatic, Topographical
22 Added or Amended	and/or Geological Conditions (See Section 1)
23 105.6.15 LP Gas	Climatic, Topographical, and Geological
24 111 Means of Appeals	Administrative
25 112.3.3 Notice of Violation	Administrative
26 112.4 Violation Penalties	Administrative
27 113.4 Failure to Comply	Administrative
28 310 Smoking	Climatic, Topographical, and Geological
311 Vacant Premises	Climatic, Topographical, and Geological

1	503 Fire Apparatus Access Roads	Climatic, Topographical, and Geological
2	505.1.2 Rear Addressing	Climatic, Topographical, and Geological
3	5601 Explosives and Fireworks	Climatic, Topographical and Geological
4	5704.2.9.6 Above Ground Tanks Outside	Climatic, Topographical, and Geological
5	6104.3 Container Location for LP Gas	Climatic, Topographical, and Geological
6	Appendix B Fire Flow Requirements for	
7	Buildings	Climatic, Topographical, and Geological
8	Appendix C Fire Hydrant Location and	Climatic, Topographical, and Geological
9	Distribution	

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11 **SECTION 2.** Chapter 16R.02 (“Building Standards”) of Title 16R (“Building Standards”) of the Chico Municipal Code is hereby amended to read as follows:

12
13 **Chapter 16R.02**

14 **BUILDING STANDARDS**

15
16 **Section:**

17 **16R.02.010 Adoption of standards.**

18 **16R.02.010 Adoption of standards.**

19 A. Basic Building Standards. The following regulations, hereby adopted by reference
20 and incorporated herein, shall constitute the basic building standards of the City and shall apply to
21 and govern the construction, alteration, moving, demolition, repair, use, and occupancy of any
22 building or structure in the City in accordance with the provisions of Section 16.06.020 of this code.

23 1. All regulations adopted in the 2022 California Building Code (“CBC”), as
24 promulgated in Part 2, Volumes 1 and 2, Appendix H (Signs), Appendix J (Grading) and Appendix
25 P (Emergency Housing) of Title 24 of the California Code of Regulations, including all regulations
26 adopted in the CBC amending or repealing a volume, chapter, section or appendix of the
27 International Building Code (“IBC”), which regulations shall take precedence over the amended or
28 repealed volume, chapter, section or appendix of the IBC; and

1 2. All regulations adopted in this chapter, including any regulations adopted in this
2 chapter which amend or repeal a volume, chapter, section or appendix of either the IBC or CBC,
3 shall take precedence over the amended or repealed volume, chapter, section or appendix of the IBC
4 or CBC.

5 B. Existing Building Code. The following regulations, hereby adopted by reference and
6 incorporated herein, shall constitute the minimum standards to promote public safety and welfare,
7 including those regulations adopted to reduce the risk of death or injury that may result from the
8 effects of earthquakes on existing unreinforced masonry bearing walls.

9 1. All regulations set forth in the following volumes, chapters, sections, parts or
10 appendices of the 2022 CBC Part 10 of Title 24 based on the 2021 International Existing Building
11 Code:

- 12 a. Appendix A Chapters A1, A2, A3, and A4; and
- 13 b. Appendix A Chapter A5 Referenced Standards.

14 C. Historic Building Code. The following regulations, hereby adopted by reference and
15 incorporated herein, shall constitute the standards for the preservation, restoration, rehabilitation,
16 relocation or reconstruction of buildings or properties designated as qualified historical buildings or
17 properties.

18 1. All regulations set forth in the following volumes, chapters, sections, parts or
19 appendices of the 2022 CBC Part 8 of Title 24:

- 20 a. Chapter 8-1, excluding Section 8-104, entitled “Review and Appeals”;
- 21 b. Chapter 8-2 through 8-10; and
- 22 c. Appendix A.

23 D. California Code of Regulations, Title 24, Part 2, California Building Code, Appendix
24 P, Emergency Housing is hereby adopted in full, subject to the modifications thereto which are set
25 forth below:

26 P103.2.1 New additions, alterations, and change of occupancy. New additions, alterations,
27 and change of occupancy to existing buildings shall comply with the requirements of the California
28 Building Standards Code effective at the time of addition, alteration, or change of occupancy. The

1 requirements shall apply only to and/or within the specific area of the addition, alteration, or change
2 of occupancy.

3 Exceptions:

4 1. Existing buildings and structures used for emergency housing and emergency
5 housing facilities may not be required to comply with the California Energy Code, as determined by
6 the enforcing agency.

7 2. Change in occupancy shall not mandate conformance with new construction
8 requirements set forth in the California Building Standards Code, provided such change in
9 occupancy meets the minimum requirements set forth in this appendix.

10 P103.3 Occupant load. Except as otherwise stated in this appendix, the maximum occupant
11 load allowed in buildings and structures used as emergency housing shall be determined by the
12 enforcing agency, but the interior floor area shall not be less than 64 square feet (6.5 m²) for two
13 occupants. Where more than two persons occupy the building/structure, the required floor area shall
14 be increased at the rate of 50 square feet (4.65 m²) for each occupant in excess of two. The interior
15 floor area shall not exceed 400 square feet (37 m²), excluding lofts.

16 Exceptions:

17 1. Tents.

18 2. Recreational vehicles and park trailers designed for human habitation that meet the
19 requirements in the Health and Safety Code, Sections 18009.3 and 18010, as applicable.

20 **Section P111**

21 **ALTERNATIVES AND MODIFICATIONS**

22 AO111.1 Alternatives and modifications. Alternative compliance and/or modifications that
23 are reasonably equivalent to the requirements in this appendix may be granted by the Local
24 Administrative Authority in individual cases when dealing with buildings or structures used for
25 emergency housing.

26 **SECTION 3.** Chapter 16R.04 (“Electrical Standards”) of Title 16R (“Building Standards”),
27 of the Chico Municipal Code is hereby amended to read as follows:
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Chapter 16R.04
ELECTRICAL STANDARDS

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Section:

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16R.04.010 Adoption of standards.

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16R.04.010 Adoption of standards.

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The following regulations, hereby adopted by reference and incorporated herein, shall constitute the electrical standards of the city and shall apply to and govern the construction, alteration, moving, demolition, repair, and use of all electrical equipment within or on any building, structure, or premises in the city in accordance with the provisions of Section 16.06.030 of this code:

A. All regulations adopted in the 2022 California Electrical Code (“CEC”), as promulgated in Part 3, Title 24 of the California Code of Regulations, including all regulations adopted in the CEC amending or repealing a section, chapter or article of the National Electrical Code (“NEC”), which regulations shall take precedence over the amended or repealed section, chapter or article of the NEC; and

B. All regulations adopted in this chapter, including any regulations adopted in this chapter amending or repealing a chapter, article or section of either the NEC or CEC shall take precedence over the amended or repealed chapter, article or section of the NEC or CEC.

SECTION 4. Chapter 16R.06 (“Mechanical Standards”) of Title 16R (“Building Standards”), of the Chico Municipal Code is hereby amended to read as follows:

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Chapter 16R.06
MECHANICAL STANDARDS

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Section:

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16R.06.010 Adoption of standards.

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16R.06.010 Adoption of standards.

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The following regulations, hereby adopted by reference and incorporated herein, shall constitute the mechanical standards of the city and shall apply to and govern the construction, installation, alteration, repair, relocation, replacement, addition to, use and maintenance of any

1 mechanical equipment within or on any building, structure, or premises in the city in accordance
2 with the provisions of Section 16.06.030 of this code:

3 A. All regulations adopted in the 2022 California Mechanical Code (“CMC”), as
4 promulgated in Part 4, Title 24 of the California Code of Regulations including all regulations
5 adopted in the CMC amending or repealing a chapter, or appendix of the Uniform Municipal Code
6 (“UMC”), which regulations shall take precedence over the amended or repealed chapter or appendix
7 of the UMC; and

8 B. All regulations adopted in this chapter, including any regulations adopted in this
9 chapter amending or repealing a chapter, section, part, or appendix of either the UMC or the CMC,
10 which regulations shall take precedence over the amended or repealed chapter, section, part, or
11 appendix of the UMC or CMC.

12 C. As an amendment to the California Mechanical Code, Sections 104.3.2 and 104.5 and
13 Table 104.5 regarding fees are deleted from this code.

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15 **SECTION 5.** Chapter 16R.08 (“Plumbing Standards”) of Title 16R (“Building Standards”),
16 of the Chico Municipal Code is hereby amended to read as follows:

17 **Chapter 16R.08**

18 **PLUMBING STANDARDS**

19 **Section:**

20 **16R.08.010 Adoption of standards.**

21 **16R.08.020 Private sewage disposal systems.**

22 **16R.08.030 Private sewage disposal systems - Single family residential lots greater than one**
23 **acre.**

24
25 **16R.08.010 Adoption of standards.**

26 The following regulations, hereby adopted by reference and incorporated herein, shall
27 constitute the plumbing standards of the City and shall apply to and govern the construction,
28 alteration, moving, demolition, repair, and use of all plumbing equipment within or on any building,
structure, or premises in the City in accordance with the provisions of Section 16.06.030 of this code:

1 A. All regulations adopted in the 2022 California Plumbing Code (“CPC”), as
2 promulgated in Part 5, Title 24 of the California Code of Regulations including the regulations
3 adopted in the CPC amending or repealing a section, chapter, or appendix of the Uniform Plumbing
4 Code (“UPC”), which regulations shall take precedence over the amended or repealed chapter or
5 appendix of the UPC; and

6 B. All regulations adopted in this chapter, including any regulations adopted in this
7 chapter amending or repealing any section, chapter or appendix of either the UPC or the CPC, which
8 regulations shall take precedence over the amended or repealed section, chapter, or appendix of the
9 UPC or CPC.

10 C. As an amendment to the California Plumbing Code, Sections 104.3.2 and 104.5 and
11 Table 104.5 regarding fees are deleted from this code.

12 **16R.08.020 Private sewage disposal systems.**

13 A. Notwithstanding any provision of the UPC to the contrary, no building or exterior
14 drainage facility on a lot or premises with a net size, exclusive of any access easements, of less than
15 one acre and developed with or proposed for development with a single residence shall be connected
16 to a private sewage disposal system unless:

17 1. The building or exterior drainage facility is located more than 250 feet from a public
18 sewer main;

19 2. The building or exterior drainage facility will be served by a private sewage disposal
20 system that complies with the “Standards for the installation of septic tanks” set forth in the “Nitrate
21 Action Plan, Greater Chico Urban Area” as adopted by Resolution No. 141 84-85 of the City Council
22 and as approved by the Regional Water Quality Control Board, Central Valley Region, by Resolution
23 No. 85-095 adopted April 26, 1985, including any amendments hereafter made thereto;

24 3. A sewer lateral is installed on the lot or premises in a manner that will permit prompt
25 connection of the building or exterior drainage facility on such lot or premises to the public sewer
26 system upon the extension of a public sewer main into a thoroughfare or right-of-way abutting such
27 lot or premises;

1 4. The owner of the lot or premises on which the private sewage disposal system is to
2 be installed has obtained a private sewage disposal permit from the Butte County health officer and
3 paid a private sewage disposal permit fee in an amount established by resolution of the City Council;

4 5. The owner of a lot or premises on which the private sewage disposal system is to be
5 installed has paid the water pollution control plant capacity fee and trunkline capacity fee required
6 to be paid by the owner of premises connecting to the sewer system under Chapter 15.36 of this
7 code; and

8 6. The owner of a lot or premises on which the private sewage disposal system is to be
9 installed has paid the sewer main installation fee required to be paid by the owner of premises
10 connecting to the public sewer under Chapter 15.36 of this code, which fee shall be paid whether or
11 not a sewer main exists in a right-of-way or thoroughfare abutting such lot or premises.

12 B. The owner of a lot or premises on which a private sewage disposal system has been
13 installed as hereinbefore provided by this section shall be entitled to utilize said system until a public
14 sewer is available in a right-of-way or thoroughfare abutting such lot or premises and the council
15 has determined by a majority vote that the public health and necessity requires connection to the
16 sewer line and has established an assessment district service area or other financing method for
17 connecting the building or drainage piping on such lot or premises to the sewer line. Provided,
18 however, that upon connecting the building or drainage piping on such lot or premises to the public
19 sewer, the owner of the lot or premises shall not be required to pay any further water pollution control
20 plant capacity fees, trunkline capacity fees, or sewer main installation fees, if said fees have been
21 paid previously.

22 C. Prior to connection to a private sewage disposal system, the owner of the lot or
23 premises on which a private sewage disposal system is to be installed shall execute and record a
24 covenant, binding on the owner, heirs and successors in interest, setting forth the requirement for
25 connection to the sanitary sewer system established in subsection 16R.08.020.B.

26 **16R.08.030 Private sewage disposal systems - Single family residential lots greater than one**
27 **acre.**

28 A. Notwithstanding any provision of the UPC to the contrary, no building or exterior
drainage facility on a lot or premises with a net size, exclusive of any access easements, of one acre

1 or more and developed with or proposed for development with a single residence shall be connected
2 to a private sewage disposal system unless:

3 1. The building or exterior drainage facility is located more than 250 feet from a public
4 sewer main;

5 2. The owner of the lot or premises on which the private sewage disposal system is to
6 be installed has obtained a private sewage disposal permit from the Butte County health officer and
7 paid a private sewage disposal permit fee in an amount established by resolution of the City Council.

8 B. The owner of a lot or premises on which a private sewage disposal system has been
9 installed as hereinbefore provided by this section shall be entitled to utilize said system until a public
10 sewer is available in a right-of-way or thoroughfare abutting such lot or premises and the Council
11 has determined by a majority vote that the public health and necessity requires connection to the
12 sewer line and has established an assessment district service area or other financing method for
13 connecting the building or drainage piping on such lot or premises to the sewer line. Provided,
14 however, that upon connecting the building or drainage piping on such lot or premises to the public
15 sewer, the owner of the lot or premises shall be required to pay all water pollution control plant
16 capacity fees, trunkline capacity fees, or sewer main installation fees, in effect at the time of
17 connection.

18 C. Prior to connection to a private sewage disposal system, the owner of the lot or
19 premises on which a private sewage disposal system is to be installed shall execute and record a
20 covenant, binding on the owner, heirs and successors in interest, setting forth the obligations
21 established in subsection 16R.08.030.B and the requirement for connection of all premises at such
22 time as subdivision, development of additional residential units or reduction of lot size to less than
23 one acre is proposed.

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25 **SECTION 6.** Chapter 16R.10 (“Sign Standards”) of Title 16R (“Building Standards”), of
26 the Chico Municipal Code is hereby amended to read as follows:

27 **Chapter 16R.10**

28 **SIGN STANDARDS**

1 **Section:**

2 **16R.10.010 Adoption of standards.**

3 **16R.10.010 Adoption of standards.**

4 All regulations set forth in the 2022 California Building Code, Appendix H, as promulgated
5 in Part 2, Volume 2, Title 24 of the California Code of Regulations, hereby adopted by reference
6 and incorporated herein, shall constitute the sign standards of the city and shall apply to and govern
7 the construction, alteration, moving, demolition, repair, maintenance, and use of any sign or sign
8 structure in the City in accordance with the provisions of Section 16.06.040 and Chapter 19.74 of
9 Title 19 of this code.

10
11 **SECTION 7.** Chapter 16R.12 (“Residential Standards”) of Title 16R (“Building
12 Standards”), of the Chico Municipal Code is hereby amended to read as follows:

13
14 **Chapter 16R.12**

15 **RESIDENTIAL STANDARDS**

16 **Section:**

17 **16R.12.010 Adoption of standards.**

18 **16R.12.010 Adoption of standards.**

19 A. Basic Residential Standards. The following regulations, hereby adopted by reference
20 and incorporated herein, shall constitute the residential standards of the City and shall apply to and
21 govern the construction, alteration, movement, enlargement, replacement, repair, equipment, use and
22 occupancy, location, removal and demolition of detached one- and two-family dwellings and
23 townhouses, as designated and defined in the 2022 California Residential Code.

24 B. All regulations adopted in the 2022 California Residential Code (“CRC”), as
25 promulgated in Part 2.5 of Title 24 of the California Code of Regulations including Appendix AH,
26 and Appendix AZ(Emergency Housing), and all regulations adopted in the CRC amending or
27 repealing a volume, chapter, section or appendix of the 2021 International Residential Code (“IRC”),
28 which regulations shall take precedence over the amended or repealed volume, chapter, section or
appendix of the IRC.

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SECTION 8. Chapter 16R.14 (“Energy Standards”) of Title 16R (“Building Standards”), of the Chico Municipal Code is hereby amended to read as follows:

**Chapter 16R.14
ENERGY STANDARDS**

Section:

16R.14.010 Adoption of standards.

All regulations adopted in the 2022 California Energy Code, as promulgated in Part 6, Title 24 of the California Code of Regulations, hereby adopted by reference and incorporated herein, shall constitute the energy standards of the City and shall apply to and govern the construction, alteration, moving, demolition, repair, and use of all applicable electrical, plumbing, and mechanical systems within or on any building, structure, or premises in the City in accordance with the provisions of Section 16.06.030 of this code.

SECTION 9. Chapter 16R.16 (“Green Building Standards”) of Title 16R (“Building Standards”), of the Chico Municipal Code is hereby amended to read as follows:

**Chapter 16R.16
GREEN BUILDING STANDARDS**

Section:

16R.16.010 Adoption of standards.

16R.16.010 Adoption of standards.

All regulations adopted in the 2022 California Green Building Code, as promulgated in Part 11, Title 24 of the California Code of Regulations, hereby adopted by reference and incorporated herein, shall constitute the green building standards of the City and shall apply to and govern the construction, alteration, moving, demolition, repair, and use of all structures within or on any

1 building, structure, or premises in the city in accordance with the provisions of Sections 16.06.020
2 and 16.06.030 of this code.

3
4 **SECTION 10.** Chapter 16R.18 (“Property Maintenance Standards”) of Title 16R (“Building
5 Standards”), of the Chico Municipal Code is hereby amended to read as follows:

6
7 **Chapter 16R.18**
8 **PROPERTY MAINTENANCE STANDARDS**
9

10 **Section:**

11 **16R.18.010 Adoption of standards.**

12 **16R.18.020 IPMC Section 102.3 – application of codes amended.**

13
14 **16R.18.010 Adoption of standards.**

15 All regulations adopted in the 2021 International Property Maintenance Code (“IPMC”), as
16 promulgated and published by the International Code Council, hereby adopted by reference and
17 incorporated herein, shall regulate the minimum property maintenance requirements for existing
18 buildings and premises in the city in accordance with the provisions of Chapters 16.16 and 16.62 of
19 this code.

20
21 **16R.18.020 IPMC Section 102.3 – application of codes amended.**

22 Section 102.3. Application of Codes, is amended to read as follows:

23 Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in
24 accordance with the procedures and provisions of the most currently adopted editions of the CBC,
25 CPC, CMC, CEC, CFC, California Energy Code, California Green Building Code, and all referenced
26 standards therein, as well as the provisions of the Chico Municipal Code as they apply. If any
27 conflicts arise between the aforementioned codes, the most restrictive provision shall apply.
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1 **SECTION 11.** Chapter 16R.22 (“Grading Standards”) of Title 16R (“Building Standards”),
2 of the Chico Municipal Code is hereby amended to read as follows:

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4 **Chapter 16R.22**
5 **GRADING STANDARDS**

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7 **16R.22.010 Adoption of standards.**

8 **16R.22.020 Sediment control.**

9 **16R.22.030 Grading practices and setbacks.**

10 **16R.22.040 Control of runoff.**

11 **16R.22.050 Revegetation and slope surface stabilization.**

12 **16R.22.060 Protection of watercourses.**

13 **16R.22.070 Disposal of cleared material and fill.**

14 **16R.22.080 Excavated materials.**

15 **16R.22.090 Completion of work.**

16 **16R.22.010 Adoption of standards.**

17 The following regulations shall constitute the grading standards of the City and shall apply
18 to and govern the forms of any grading work in the city in accordance with the provisions of Section
19 16.26.020 of this code:

20 A. All regulations set forth in Section 1803, Section 1803A, and Appendix J of the
21 International Building Code, 2021 Edition, as published by the International Code Council (“IBC”);

22 B. All regulations adopted in the 2022 California Building Code (“CBC”), as
23 promulgated in Part 2, Title 24 of the California Code of Regulations, including all regulations
24 adopted in the CBC amending or repealing a volume, chapter, section or appendix of the IBC, which
25 regulations shall take precedence over the amended or repealed volume, chapter, section or appendix
26 of the IBC; and

27 C. All regulations adopted in this chapter, including any regulations adopted in this
28 chapter amending volumes, chapters, sections or appendices of the IBC shall take precedence over
the amended volumes, chapters, sections or appendices of the IBC.

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16R.22.020 Sediment control.

A. Sediment caused by the grading project shall be retained on the site to the greatest extent feasible. The maximum permanent rate of sediment loss after completion of the project should not exceed the natural erosion rate which occurred prior to the grading project. If, in the opinion of the building official, excessive erosion occurs from the project, erosion and sediment control measures shall be immediately implemented to reduce erosion to allowable levels.

B. If required by the building official, sediment basins, sediment traps, or similar sediment control measures, temporary or permanent, shall be installed prior to clearing and grading operations. Upon completion of construction and stabilization of soils, all temporary erosion control facilities shall be removed from the site upon written approval of the building official.

16R.22.030 Grading practices and setbacks.

A. Grading operations shall be conducted so as to mitigate damaging effects of sediment production and dust on the project site and other properties.

B. The setbacks specified by IBC, CBC Appendix J, are minimum requirements and may be increased by the building official or by the recommendation of a civil engineer, soils engineer, or engineering geologist, if necessary, for safety and stability, or to prevent damage to other properties from deposition or erosion, or to provide access for slope maintenance and drainage. Retaining walls and/or deep foundations may be used to reduce the required setbacks when approved by the building official.

16R.22.040 Control of runoff.

In order to prevent polluting discharges from occurring, approved erosion and sediment control devices shall be required for all grading and filling. Control devices and measures which may be required include, but are not limited to, the following:

- A. Energy absorbing devices to reduce the velocity of runoff water;
- B. Sedimentation controls, such as sediment debris basins and sediment traps. Trapped sediment shall be removed to a site approved by the building official;

- 1 C. Disposal of water runoff from developed areas over large undisturbed areas;
2 D. Multiple discharge points to reduce the volume of runoff over localized areas.
3

4 **16R.22.050 Revegetation and slope surface stabilization.**

5 A. Mulching, seeding, the planting of shrubs and trees, or other suitable stabilization
6 measures shall be used to protect exposed slopes as necessary to control erosion, sedimentation and
7 slope stability. Preference shall be given to use native or locally adapted grasses, shrubs and woody
8 vegetation.

9 B. Earth or paved interceptors and diversions shall be installed at the top of cut or fill
10 slopes where there is a potential for erosive surface runoff.

11 C. Revegetation shall be maintained by the owner until permanent establishment is
12 achieved.
13

14 **16R.22.060 Protection of watercourses.**

15 A. Fills shall not block or change natural watercourses or constructed channels unless
16 approved by the building official.

17 B. Fills placed in a 100-year floodplain of watercourses or waterbodies shall have
18 suitable protection against erosion during flooding.

19 C. Excavated materials shall not be deposited or stored in or alongside the streams, lakes
20 or watercourses where the materials may be washed away by high water or storm runoff.
21

22 **16R.22.070 Disposal of cleared material and fill.**

23 Vegetation, dirt and rocks removed during clearing operations shall be disposed of by one or
24 more of the following methods:

25 A. Chipping all or some of the cleared vegetation for use as mulch or compost on the
26 site or other approved location;

27 B. Disposing of the balance of the material in a location approved by the building
28 official.

1 **16R.22.080 Excavated materials.**

2 Excavated materials removed during grading operations shall be handled in accordance with
3 the following methods:

4 A. Stockpiling sufficient topsoil on the site if necessary, for use on areas to be
5 revegetated.

6 B. Locating stockpiled soil so that it will not become a source for off-site sediment
7 damage.

8 C. Promptly backfilling and compacting stockpiled soil into trenches and pits to reduce
9 the risk of erosion.

10 D. Applying mulch or other protective coverings on stockpiled material which will be
11 exposed through the winter season.

12 E. Excavated material not to be used at the site shall be disposed of in a manner and at
13 a location approved by the building official.

14
15 **16R.22.090 Completion of work.**

16 When required by the building official, the engineer of record shall verify that final grading
17 complies with approved plans prior to final inspection by the City.

18
19 **SECTION 12.** Chapter 16R.42 (“Fire Regulations Standards”) of Title 16R (“Building
20 Standards”), of the Chico Municipal Code is hereby amended to read as follows:

21 **Chapter 16R.42**

22 **FIRE REGULATION STANDARDS**

23
24 **Section:**

25 **16R.42.010 Adoption of fire regulation standards.**

26 **16R.42.020 Permits.**

27 **16R.42.025 Recordkeeping**

28 **16R.42.030 Restrictions on the storage of explosive materials - CFC Section 5601.1 amended.**

1 **16R.42.040 Restrictions on the location of aboveground tanks outside of buildings - CFC**
2 **Section 5704.2.9.6 amended.**

3 **16R.42.050 Restrictions on the container location for storage of liquefied petroleum gases -**
4 **CFC Section 6104.3 amended.**

5 **16R.42.060 Prohibitions on fires and flames - General provisions.**

6 **16R.42.070 Prohibition on fires and flames - Fire and flames exempt from prohibitions.**

7 **16R.42.080 Prohibitions on fires and flames - Fire and flames exempt from prohibitions when**
8 **in compliance with air emission standards.**

9 **16R.42.090 Prohibitions on fires and flames - Fire and flames exempt from prohibitions when**
10 **authorized by a permit.**

11 **16R.42.100 Restrictions on fireworks - CFC Section 5601 amended.**

12 **16R.42.110 Prohibition of combustible furniture visible from the public right-of-way.**

13 **16R.42.120 Fire and Life Safety Inspections.**

14
15 **16R.42.010 Adoption of fire regulation standards.**

16 The following rules, regulations, and standards, hereby adopted by reference and
17 incorporated herein, shall constitute the “Fire Regulation Standards” of the City and shall govern the
18 transportation, storage, or use of any substance or material, the installation, possession, or operation
19 of any equipment or device, the improvement, alteration, occupation or maintenance of any
20 premises, or the creation of any condition or commission of any act which is subject to such
21 standards. Said standards shall include the regulation of non-building standards activities in all
22 structures, facilities, premises, and occupancies, including those not regulated by the State Fire
23 Marshal, within the City’s jurisdiction, when deemed applicable by the Fire Chief, or his or her
24 designee, for the prevention of fire and/or for the protection of life and property against fire:

25 A. Except as hereinafter amended, modified, or deleted, all regulations adopted in the
26 2022_California Fire Code (“CFC”), as promulgated in Part 9, Title 24 of the California Code of
27 Regulations as published by the Building Standards Commission, including all regulations adopted
28 in the CFC amending or repealing a section, chapter, or part of the 2021 International Fire Code

1 (“IFC”) as published by the International Code Council, which regulations shall take precedence
2 over the amended or repealed section, chapter, or part of the IFC;

3 B. Except as hereinafter amended, modified, or deleted, Chapters 1 – 80 of the CFC for
4 sections that were not adopted as part of the 2022 California Fire Code, as promulgated in Part 9,
5 Title 24 of the California Code of Regulations as published by the Building Standards Commission,
6 are hereby adopted by reference and incorporated into the city’s Fire Regulation Standards as if set
7 forth fully herein for the sole purpose of the enforcement of non-building standards activities in all
8 occupancies within the City’s jurisdiction;

9 C. The following CFC provisions shall hereby be amended, modified or deleted as
10 follows, and said modifications are hereby adopted and incorporated into the city’s Fire Regulations
11 Standards:

12 1. CFC Section 102.6 Historic buildings is hereby not adopted.

13 2. CFC Section 105.6.27 LP-gas is hereby amended to read as follows:

14 105.6.27 LP-gas. An operational permit is required for:

15 1. Storage and use of LP-gas.

16 Exception: A permit is not required for individual containers with less than a 125-
17 gallon water capacity or less or multiple container systems having an aggregate quantity not
18 exceeding 125 gallons, serving occupancies in Group R-3.

19 2. Operation of cargo tankers that transport LP-gas.

20 3. CFC Section 111 Board of appeals is hereby amended to read as follows:

21 Appeals of the decisions or determinations relative to the application of the Fire Regulation
22 Standards shall be resolved pursuant to Chapter 16.42 of Title 16 of the Chico Municipal Code.

23 4. CFC Section 112.3.3 Prosecution of violations is hereby not adopted, as enforcement
24 and prosecution of violations shall be in accordance with Chapter 16.52 of Title 16 the Chico
25 Municipal Code.

26 5. CFC Section 112.4 Violation penalties is hereby not adopted, as violation and penalty
27 provisions shall be in accordance with Chapter 16.52 of Title 16 the Chico Municipal Code.

28 6. CFC Section 113.4 Failure to comply is hereby amended to read as follows:

1 Any person who shall continue any work after having been served with a stop work order,
2 except such work as that person is directed to perform to remove a violation or unsafe condition,
3 shall be liable and subject to all penalties in accordance with Chapter 16.52 of Title 16 the Chico
4 Municipal Code.

5
6 7. CFC 505.1.2 Rear Addressing.

7 505.1.2 Rear Addressing. When required by the chief, approved numbers or
8 addresses shall be placed on all new and existing buildings in such a position as to be plainly visible
9 and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys
provide an acceptable vehicular access. Number stroke and size shall comply with 505.1.

10 8. CFC Appendices are hereby adopted by reference and incorporated into the City's
11 Fire Regulation Standards as if set forth fully herein as follows:

- 12 a. Appendix B Fire-Flow requirements for buildings.
13 b. Appendix C Fire hydrant locations and distribution-

14 Table C102.1, is superseded as follows:

15 **TABLE NO. C102.1**

16 **REQUIRED NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

17

FIRE FLOW REQUIREMENT (gpm) ^c	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS <small>a, b, d & e</small> (Ft.)	MAXIMUM DISTANCE FROM HYDRANT TO ANY POINT ON STREET OR ROADWAY FRONTAGE (Ft.)
1750 or less	1	300	150
2000-2250	2	300	150
2500-3250	3	300	150
3500-4250	4	300	150
4500-5250	5	300	150
5500-5750	6	300	150
6000-6250	6	250	150
6500-7250	7	250	150
7500 or more	8 or more ^b	200	120

28

1 For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/m

2 a. Reduce by 100 feet for dead-end streets or roadways.
3 b. Hydrants shall be required on both sides of the street whenever one or more of
4 the following conditions exist:

- 5 i. Street has a median center divider that makes access to hydrants difficult,
6 causes a time delay or creates an undue hazard;
- 7 ii. There are four or more lanes of traffic;
- 8 iii. Width of the street is in excess of 88 feet; or
- 9 iv. The existing street will be widened or will have a raised median center
10 divider installed in the future pursuant to the General Plan Roadway Improvement
11 Plans for the City of Chico.

12 c. One hydrant for each 1,000 gpm or fraction thereof.

13 d. Where new water mains are extended along streets where hydrants are not needed
14 for protection of structures or similar fire problems, fire hydrants should be provided every 1,000
15 feet of street to provide for transportation hazards. In addition, there shall be at least one hydrant at
16 each intersection.

17 e. Average spacing between hydrants may be extended to 500 feet on streets serving
18 one- and two-family dwellings.

19 f. A 50-percent spacing increase shall be permitted where the building is equipped
20 throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1,
21 Section 903.3.1.2 or Section 903.3.1.3 of the California Fire Code or Section 313 of the California
22 Residential Code.

23 g. The fire code official is authorized to modify the location, number and distribution
24 of fire hydrants, based on site-specific constraints hazards.

25 **16R.42.020 Permits.**

26 A permit shall be required for those activities and operations as set forth in CFC Section 105.

27 **16R.42.025 System records.**

28 All contractors who service, test, install and/or maintain fire protection systems within the
city are required to enroll and utilize the approved single-point repository service to file records of
all system inspections, tests and maintenance required by referenced standards. This repository
service shall be maintained and provided to the fire code official through an approved third-party
inspection reporting system. Fees, as applicable, will be paid directly from the contractor to the
approved single-point repository service vendor. These systems include but are not limited to
automatic fire sprinkler systems, fire alarm systems, commercial kitchen hood suppression systems,
commercial hood cleaning, active smoke control systems, private fire hydrant systems, fire pumps,
spray booths special suppression systems, foam systems, and standpipes.

1 **16R.42.030 Restrictions on the storage of explosives materials - CFC Section 5601.1 amended.**

2 For purposes of CFC Chapter 56, entitled “Explosives and Fire Works,” Section 5601.1
3 pertaining to restrictions on storage of explosives, the storage of explosives shall be prohibited in all
4 zoning districts of the City except for:

- 5 A. C-2 General Commercial zoning districts;
- 6 B. ML Light Manufacturing/Industrial zoning districts; and
- 7 C. MG General Manufacturing/Industrial zoning districts.

8
9 **16R.42.040 Restrictions on the location of aboveground tanks outside of buildings - CFC**
10 **Section 5704.2.9.6 amended.**

11 For purpose of CFC Section 5704.2.9.6 pertaining to restrictions on location of aboveground
12 tanks outside of buildings, the storage of Class I and Class II liquids in aboveground tanks outside
13 of a building shall be prohibited in all zoning districts of the City except for:

- 14 A. C-2 General Commercial zoning districts;
- 15 B. CC Community Commercial zoning districts;
- 16 C. CS Service Commercial zoning districts;
- 17 D. C-1 Restricted Commercial zoning districts;
- 18 E. ML Light Manufacturing/Industrial zoning districts;
- 19 F. MG General Manufacturing/Industrial zoning districts; and
- 20 G. MP Manufacturing/Industrial Park zoning districts.

21
22 **16R.42.050 Restrictions on the container location for storage of liquefied petroleum gases -**
23 **CFC Section 6104.3 amended.**

24 For purposes of CFC Section 6104.3 pertaining to restrictions on the container location for
25 storage of liquefied petroleum gases, the storage of liquefied petroleum gases at a single location in
26 excess of 2,000 gallons water capacity shall be prohibited in all zoning districts of the City except
27 for:

- 28 A. C-2 General Commercial zoning districts;
- B. CC Community Commercial zoning districts;

- 1 C. CS Service Commercial zoning districts;
- 2 D. C-1 Restricted Commercial zoning districts;
- 3 E. ML Light Manufacturing/Industrial zoning districts;
- 4 F. MG General Manufacturing/Industrial zoning districts; and
- 5 G. MP Manufacturing/Industrial Park zoning districts.

6

7 **16R.42.060 Prohibitions on fires and flames - General provisions.**

8 Notwithstanding any provisions of the CFC to the contrary, no person shall ignite a fire
9 within the City, either within or outside a building, whether by open fire or within a fireplace,
10 incinerator, or other burning device, or in any other manner except as hereinafter authorized by
11 Section 16R.42.070 through and including Section 16R.42.090 of this chapter.

12

13 **16R.42.070 Prohibition on fires and flames - Fires and flames exempt from prohibitions.**

14 The following fires or the following devices and equipment which utilize a fire or flame shall
15 be permitted within the City provided such fires or flames are ignited or maintained or such device
16 and equipment is installed, possessed or used in accordance with any applicable requirements of the
17 CFC:

- 18 A. Matches and lighters;
- 19 B. Fireplaces, indoor and outdoor;
- 20 C. Cooking devices, including barbecues, indoor and outdoor;
- 21 D. Furnaces and other heating devices which utilize natural gas, liquid petroleum or
22 wood, and are used for residential purposes;
- 23 E. Sewer gas at the site of the City's sewer plant;
- 24 F. Tar pots and similar devices used for roofing and other construction and repair uses
25 wherein the tar is customarily used as a sealant, provided, however, that such devices and equipment
26 shall be used only at the site of the construction or repair work and at a permanent location; and
- 27 G. Candles, torches and similar devices used on or within residential premises for
28 decorative purposes only.

1 **16R.42.080 Prohibitions on fires and flames - Fire and flames exempt from prohibitions when**
2 **in compliance with air emission standards.**

3 A. The following fires and flames or devices and equipment utilizing a fire or flame shall
4 be permitted within the City when the fire or flame is ignited and maintained or where the device or
5 equipment is installed, possessed, or used in accordance with all applicable requirements of the CFC.

6 1. Incinerating devices used at crematoriums or other similar places for the disposal of
7 human or animal body tissue;

8 2. Incinerating devices used exclusively for the disposal of bandages, dressings, and
9 similar materials when operated in conjunction with medical treatment by doctors, hospital
10 personnel, convalescent home personnel, rest home personnel, and similar persons wherein the
11 disposal by incineration is in the interests of public health;

12 3. Furnaces and other heating devices using a fuel other than natural gas or liquid
13 petroleum; and

14 4. Forges and other heating devices required by commercial or other manufacturing uses
15 and not used for the disposal or reduction of garbage, rubbish or other waste materials.

16
17 **16R.42.090 Prohibitions on fires and flames - Fires and flames exempt from prohibitions when**
18 **authorized by a permit.**

19 The following fires and flames or devices and equipment utilizing a fire or flame shall be
20 permitted in the City when such fire or flame is ignited and maintained or such device or equipment
21 is installed, possessed or used in accordance with the requirements of the CFC and when authorized
22 by a permit issued by the fire marshal as set forth in CFC Section 105:

23 A. Fire used for the prevention of a fire hazard which cannot be abated by other means;

24 B. Fire used for the instruction of employees in the methods of firefighting;

25 C. Fire used for the improvement of watershed, range, pasture, levees, reservoirs, or
26 ditches used in agriculture, ranching, flood control, or drainage activities;

27 D. Fires used for the growing of crops or raising of animals;

28 E. Fires used by organizations for ceremonial purposes;

1 F. Fires used for the removal of explosives, hazardous materials, or other substances or
2 matter which cannot be safely removed, disposed of, or neutralized by other means;

3 G. Fires used for the abatement of serious insect infestations;

4 H. Fires used for the purpose of removing noxious vegetation or weeds from City-owned
5 property which is surrounded by land used for agricultural purposes;

6 I. Candles, torches and similar devices used on or within nonresidential premises; or

7 J. Fires and flames used for other purposes which the fire chief, with the approval of
8 the city manager, determines are necessary and in the interest of preserving the public health, safety
9 and life.

10
11 **16R.42.100 Restrictions on Fireworks - CCR Title 19, Chapter 6, entitled "Fireworks," and**
12 **CFC Section 5601 amended.**

13 California Code of Regulations ("CCR") Title 19, Chapter 6, entitled "Fireworks," and CFC
14 Section 5601 shall be amended to prohibit the manufacturing, possession, storage, sale, use and
15 handling of any fireworks, including those fireworks designated as "Safe and Sane" by the State of
16 California, within the city limits. Use and handling of fireworks for public display may be permitted
17 pursuant to section 16.48.020 of this code and such use and handling shall be in accordance with
18 CCR and CFC fireworks regulations.

19
20 **16R.42.110 Prohibition of combustible furniture visible from the public right-of-way.**

21 Storage, stockpiling, or maintaining of any combustible furniture on private property must
22 be screened from any public right-of-way. Combustible furniture includes, but is not limited to
23 stuffed couches and chairs, mattresses, futons, and any furniture not specifically designed and
24 intended for outdoor use. Objects and activities will be considered "screened" when they are either
25 (1) not visible from a public right-of-way, or (2) behind a solid six-foot-high fence, wall, or hedge
26 where such fence, wall, or hedge is otherwise permitted by zoning and building codes.

27
28 **16R.42.120 Fire and Life Safety Inspections.**

1 Inspections by the Fire Department shall periodically be made of commercial buildings and
2 structures as follows:

3 a The time and frequency of inspections shall be determined by the Fire Chief. No
4 buildings shall be inspected for a fee more than annually except for re-inspections to assure that code
5 corrections have been made or hazards have been corrected.

6 b. A fee for inspections shall be established in the adopted Master Fee Schedule to offset
7 costs of the regulatory inspection program and shall be collected upon inspection from each property
8 subject to this ordinance. Revenues shall be used for the inspection and enforcement program.

9 c. All properties shall be subject to inspection fees.

10 d. Nothing in this section is intended to prevent inspections of property under nuisance
11 abatement or other laws.

12
13 **SECTION 13.** Any inconsistencies between building standards set forth in the 2022
14 Editions of the California Building, Electrical, Mechanical, and Fire Codes as adopted by this
15 Ordinance, and the respective Parts of Title 24 of the California Code of Regulations, are changes,
16 modifications, amendments, additions or deletions as authorized by California Health and Safety
17 Code Sections 17958.5 and 17958.7, were reasonably necessary to make because of local climatic,
18 geological, topographic conditions.

19 **SECTION 14.** To the extent the provisions of this Ordinance are substantially the same as
20 previous provisions of the Chico Municipal Code, these provisions shall be construed as
21 continuations of those provisions and not as new enactments. Nothing in this Ordinance, nor the
22 adoption of this Ordinance, shall excuse any violation of Title 16R or Title 16 of the Chico Municipal
23 Code, occurring prior to the effective date hereof.

24 **SECTION 15.** The City Council finds and determines that the enactment of this Ordinance
25 is not a project under the California Environmental Quality Act (CEQA) (Cal Pub. Resource Code
26 §§ 21000 et seq.) in that the activities described in the Ordinance are a continuing administrative
27 activity of the City involving general policy and procedure making and organizational or
28 administrative activities of governments that will not result in direct or indirect physical changes in

1 the environment. (State CEQA Guidelines, Cal. Code of Regs., Title 14, § 15378.) Therefore, no
2 environmental assessment is required or necessary.

3 **SECTION 16.** The City Clerk shall attest to the passage and adoption of this Ordinance, and
4 shall cause same to be posted as required by law, and this Ordinance shall take effect thirty (30)
5 calendar days after its adoption, but the provisions shall not be operative until January 1, 2023.

6 **SECTION 17.** If any part, provision, or portion of this Ordinance, or its application to any
7 individual, entity, or circumstance, for any reason, is held to be invalid or unconstitutional by the
8 decision of any court of competent jurisdiction, such decision shall not affect the remaining portions
9 of this Ordinance and shall continue in full force and effect. To this end, any part, provision, or
10 portion of this Ordinance is severable. The City Council declares that this Ordinance, and each
11 section, subsection, sentence, clause and phrase thereof, would have been adopted by the City
12 Council regardless of the fact that any other section, subsection, sentence, clause or phrase might be
13 declared to be invalid or unconstitutional.

14
15 **THE FOREGOING ORDINANCE** was adopted by the Council of the City of Chico at its meeting
16 held on November 15, 2022 by the following vote:

17 AYES: Bennett, Brown, Morgan, O'Brien, Tandon, Reynolds, Coolidge

18 NOES: None

19 ABSENT: None

20 ABSTAINED: None

21 DISQUALIFIED: None

22
23
24 APPROVED AS TO FORM:

ATTEST:

25 
26 _____
27 Vincent C. Ewing
28 City Attorney*


Deborah R. Presson
City Clerk

*Pursuant to The Charter of the City of Chico, Section 906 (E)