

**ITEM 4 ATTACHMENT 1
ORDINANCE NO. 2022-400**

AN ORDINANCE OF THE CITY OF CALABASAS, CALIFORNIA ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, CALIFORNIA CODE OF REGULATIONS - TITLE 24, THE 2022 CALIFORNIA BUILDING STANDARDS CODE PARTS 1 THROUGH 12 AND ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS THERETO IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTION 17951 (e).

WHEREAS, the City Council of the City of Calabasas does hereby find that there is a need to enforce the most current editions of the California Building Standards Code, with local amendments thereof, as recited herein for regulating and controlling the design, erection, construction, enlargement, installation, alteration, repair, relocation, removal, use and occupancy, demolition, conversion, height and area, location and maintenance, and quality of materials of all buildings and structures and plumbing, mechanical, electrical and fire suppression systems and certain equipment within the City;

WHEREAS, The City of Calabasas is located in an area subject to climatic conditions with long periods of low humidity and hot weather, combined with unpredictable seasonal Santa Ana high wind conditions resulting in increased exposure to fire risk;

WHEREAS, the City of Calabasas is in the Santa Monica Mountains with features such as steep canyons and hillsides that accelerate and intensify fire movement and adoption of the latest Consolidated Fire Protection District Code of the County of Los Angeles is essential to protect the City from hazards of epic proportions such as those revealed in the aftermath of the Woolsey Canyon Fire of 2018, a fire of which destroyed over 1600 structures and caused damages of over five billion dollars;

WHEREAS, the California Department of Forestry and Fire Protection ("CAL Fire") has determined that the City of Calabasas is in a Very High Fire Area Severity Zone, which is further reflected via CAL Fire Map ID FHSZLO6_1_MAP;

WHEREAS, other than adoption of the Consolidated Fire Protection District Code of the County of Los Angeles, adoption of local regulations necessary to carry out the application of the CBSC that do not establish building standards may be enacted without meeting the requirements of California Health & Safety Code sections 18941.5, 17958, 17598.5 and 17958.7;

WHEREAS, other than adoption of the Consolidated Fire Protection District Code of the County of Los Angeles, no part of this Ordinance imposes a more restrictive California Code Standard based upon local climatic, geographical or topographical findings, and the proposed amendments are solely intended to create administrative processes to comply with California Building Standards Codes and Subsection (a) of Section 65850.5 of the California Government Code;

WHEREAS, the City Council does hereby further find that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of these local amendments to the California Building Standards Code, and amendments to the Calabasas Municipal Code are exempt from the provisions of the California Environmental Quality Act because such actions are administrative in nature; and

WHEREAS, the City Council does hereby further find that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of these local amendments to the California Building Standards Code, and amendments to the Calabasas Municipal Code are exempt from the provisions of the California Environmental Quality Act because such actions are largely administrative in nature, are designed to improve and not degrade environmental quality, and the impacts of these local amendments to the building standards code will not adversely affect the environment in any manner that could be significant.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 15.04 of the Calabasas Municipal Code is hereby amended with changes via strikeouts and underlines to read as follows:

Article I. California Building Code

15.04.010 ~~2019~~ 2022 California Building Code adopted.

A. The ~~2019~~ 2022 California Building Code, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city provide for the issuance of permits and collection of fees therefor, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with the appendices specifically referenced above, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are

hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

15.04.030 ~~2019~~ 2022 California Building Code Administrative Provisions Adopted.

A. The Administrative Provisions of the ~~2019~~ 2022 California Building Code contained in Division II of Chapter I of Part 2 of Title 24 California Code of Regulations are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10. The administrative amendments of this section shall pertain to all the California Building Standards Codes Volume 1 through 12.

B. All of the regulations, provisions, conditions, and terms of said division, together with the appendices specifically identified here within, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter.

C. Appeals Boards

Administrative Provisions Section 113, of Chapter I Division II of the ~~2016~~ 2019 California Building Code, is amended to read as follows:

113 Appeals Boards

113.1 General

In order to hear and decide appeals of orders, decisions, or determinations of the building official regarding materials or methods of construction pertaining to: the Building Code, Residential Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Historical Building Code, Fire Code, Existing Building Code, Green Building Standards Code, or the International Property Maintenance Code, where necessary the City Council shall appoint upon nomination of the City Manager a Board of Appeals under this code with appropriate technical qualifications. Such nominees shall not include city employees.

113.2 Limitations on Authority.

(a) An application for appeal shall be based on a claim that a decision of the building official to prohibit the use of materials or methods of construction reflects one of the following errors: (i) the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, (ii) the provisions of this code do not fully apply according to their terms, or (iii) the materials or methods of

constructions proposed are equally well or better suited to accomplish the purposes of this code than those otherwise required by this code.

(b) The Board of Appeals shall have no authority to: (i) waive the requirements of this code, (ii) to consider, decide or rule on the existence or nonexistence of any activity, condition, or use involving real property and/or any structure and other improvements on real property that the building official or another authorized agent of the city has determined to violate Title 15 or any other provision of the Calabasas Municipal Code, or (iii) consider, decide or rule whether persons are or are not responsible for violations of the Calabasas Municipal Code or public nuisances or what actions are required by responsible persons to correct or abate violations of the Calabasas Code or public nuisances.

113.3 Procedures.

A person seeking an appeal under this Section 113 shall file an appeal on a form furnished by the building official and pay an appeal fee in an amount established from time to time by resolution of the City Council. That fee shall be sufficient to cover the cost of the building official's obtaining a written interpretation of relevant provisions of this Title 15 by the International Code Council or any successor thereto. The Board of Appeals may, after hearing, adopt that written interpretation as the decision of the Board. If the Board of Appeals does not adopt that written interpretation, it shall state its reasoning in writing. The Board may establish, by a regulation published in the manner required of ordinances of the City Council, procedures for the conduct of appeals under this Section 113. Judicial review of a decision of the Board of Appeal under this Section 113 may be had pursuant to Code of Civil Procedure Section 1094.5. Judicial review of any decision of the building official not subject to appeal under this Section 105 may be had pursuant to Code of Civil Procedure Section 1085.

15.04.040 Stalled and or unlawful construction. The administrative amendments of this section shall pertain to all the California Building Standards Codes Volume 1 through 12.

A. Successful inspection definition: An inspection performed by the building official or designee resulting in a final approval, an approval, a partial approval, a correction notice or other progressive inspection validating completion of project or a portion thereof. Miscellaneous inspections, construction site maintenance conditions, unpermitted work, and other non-construction inspections are not successful inspections

B. Expiration of permit for unlawful construction: Notwithstanding any provision of the California Building Standards Codes or any other provision of the Calabasas Municipal Code, if a building permit was issued in order to bring an unpermitted structure or other unlawful, substandard, or hazardous condition into compliance

with any applicable law, or ordinance, the applicant shall obtain a successful inspection or final approval within ninety (90) calendar days after the date on which the permit was issued or such permit shall expire by limitation and become null and void. The building official may extend the validity of the permit for a period not exceeding ninety (90) calendar days beyond the initial ninety (90) day limit upon written request by the applicant filed with the building official prior to the expiration date of the original permit.

C. Unlawful acts: It shall be unlawful for any person to erect, construct, enlarge, alter, extend, install, repair, move, improve, remove, connect, convert, demolish, equip, use or occupy, or perform any other work, on any building or structure or portion thereof, or with regard to any building service equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of the California Building Standards Codes or any other provision of the Calabasas Municipal Code. It shall also be unlawful for any person to fail to comply with a requirement of the California Building Standards Codes or any other provision of the Calabasas Municipal Code, or to disregard a stop work order, or to maintain any building, structure or building service equipment, or portion thereof, in violation of the California Building Standards Codes or any other provision of the Calabasas Municipal Code. No person shall maintain grading (whether in the form of an excavation, fill or a combination thereof) without a permit. This prohibition supersedes any other provisions in Title chapter 15.10 that pertain to grading.

D. Occupancy use violations:

(a) It shall be unlawful for any person to own, use, occupy, or allow, permit, or suffer any use of a building, structure, or premises, or portion thereof, in violation of the California Building Standards Codes or any other provision of the Calabasas Municipal Code.

(b) No person shall own, use, occupy or maintain any "unpermitted structure". For the purposes of this code, "unpermitted structure" shall be defined as any structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped, at any point in time, without the required permit(s) having first been obtained from the building official, or any work for which a permit has expired.

15.04.050 Safety assessment placards.

A. Intent. This section established standard placards to be used to indicate the condition of a structure for continued occupancy. The section further authorizes the building official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

- B. Application of Provisions. The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the city of Calabasas. The city council may extend the provisions as necessary.
- C. Definitions. "Safety assessment" means a visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued occupancy.
- D. Placards. The following are verbal descriptions of the official placards to be used to designate the condition for continued occupancy of buildings or structures.
 1. "INSPECTED—Lawful Occupancy Permitted" is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.
 2. "RESTRICTED USE" is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.
 3. "UNSAFE—Do Not Enter or Occupy" is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the building official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.
 - (b) The ordinance number, the name of the jurisdiction, its address, and phone number shall be permanently affixed to each placard.
 - (c) Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the building official. It is unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

Article II. California Residential Code

15.04.100 ~~2019~~ 2022 California Residential Code adopted.

A. The ~~2019~~ 2022 California Residential Code inclusive of Appendix ~~J~~ AJ, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures of detached one-and-two-

family dwelling, townhouse not more than three stories above grade plane in height, provide for the issuance of permits and collection of fees therefore, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

15.04.140 ~~2019~~ 2022 California Residential Code Administrative Provisions Adopted.

A. Chapter I Division II Administrative Provisions of the ~~2019~~ 2022 California Residential Code are hereby adopted by reference.

~~B. The 2019 California Residential Code Chapter I Division II Board of Appeals Section R112 is amended to read as follows:~~

~~R112 Board of Appeals~~

~~Appeals pertaining to the Residential Building Code, shall be governed by Calabasas Municipal Code Section 15.04.030.~~

Article III. California Mechanical Code

15.04.180 ~~2019~~ 2022 California Mechanical Code adopted.

A. The ~~2019~~ 2022 California Mechanical Code inclusive of Appendices A, B, C, F, and G, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, venting, cooling, refrigeration systems, or other miscellaneous heat-producing appliances in the city, provides for the issuance of permits and collection of fees therefore and provides for penalties for the violation thereof, with certain changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

15.04.200 ~~2019~~ 2022 California Mechanical Code Administrative Provisions Adopted.

A. Division II of Chapter I Administrative Provisions of the ~~2019~~ 2022 California Mechanical Code are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10.

~~B. The 2016 California Mechanical Code Division II of Chapter I Section 108.0 Board of Appeals is amended to read as follows:~~

~~108.0 Board of Appeals~~

~~Appeals pertaining to the Mechanical Code, shall be governed by Calabasas Municipal Code Section 15.04.030.~~

Article IV California Plumbing Code

15.04.240 ~~2019~~ 2022 California Plumbing Code adopted.

(A) The ~~2019~~ 2022 California Plumbing Code ~~inclusive of Appendices A, B, D, G, H, I, K, and M,~~ which provides minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of plumbing and drainage, materials, venting, wastes, traps, interceptors, water systems, sewers, gas piping, water heaters and other related products, and workmanship in the city, provide for the issuance of permits and collection of fees therefor, and provide for penalties for the violations thereof, with certain changes and amendments thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

15.04.280 ~~2019~~ 2022 California Plumbing Code Administrative Provisions Adopted.

A. Division II of Chapter I Administrative Provisions of the ~~2019~~ 2022 California Plumbing Code are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10.

B. All of the regulations, provisions, conditions, and terms of said division, together with their appendices, one copy of which will be on file and accessible to

the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter.

~~C. The 2019 California Plumbing Code Division II of Chapter I Section 107 Board of Appeals is amended to read as follows:~~

~~107 Board of Appeals~~

~~Appeals pertaining to the Plumbing Code, shall be governed Calabasas Municipal Code Section 15.04.030.~~

Article V. California Electrical Code.

15.04.300 ~~2019~~ 2022 California Electrical Code adopted.

A. The ~~2019~~ 2022 California Electrical Code, together with the appendices, which provides minimum requirements and standards for the protection of the public health, safety, and welfare by regulating the installation or alteration of electrical wiring, equipment, materials, and workmanship in the city, provides for the issuance of permits and collection of fees therefor and provides penalties for the violations thereof, with all changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

15.04.350 ~~2019~~ 2022 California Electrical Code - General Code Administrative Provisions Adopted.

A. California Article 89 General Code Provisions of the ~~2019~~ 2022 California Electrical Code are hereby adopted by reference pursuant to Government Code sections 50022.2 through 50022.10.

B. All of the regulations, provisions, conditions, and terms of said division, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter.

~~C. The 2019 California Electrical Code California Article 89 General Code Provisions Section 89.108.8 Appeals Board is amended to read as follows:~~

~~**89.108.8 Appeals Board**~~

~~Appeals pertaining to the Electrical Building Code, shall be governed by Calabasas Municipal Code Section 15.04.030.~~

Article VI. California Energy Code.

15.04.400 ~~2019~~ 2022 California Energy Code adopted.

A. ~~2019~~ 2022 California Energy Code, together with the appendices, which regulate the building envelope, space-conditioning systems, water-heating systems, outdoor lighting systems and signs located either indoors or outdoors within the city, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Article VII. California Historical Building Code.

15.04.450 ~~2016~~ 2019 California Historical Building Code adopted.

A. The ~~2019~~ 2022 California Historical Building Code, which provides regulations, minimum requirements and standards for the preservation, restoration, rehabilitation, relocation of buildings or properties designated as historical building or properties, with all changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted, and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Article VIII. California Fire Code.

15.04.500 ~~2019~~ 2022 California Fire Code as amended by the ~~2019~~ 2022 Consolidated Fire Protection District Code of the County of Los Angeles (is adopted by reference).

A. The ~~2019~~ 2022 California Fire Code as amended by the ~~2019~~ 2022 Consolidated Fire Protection District Code of the County of Los Angeles (adopted by reference), which regulates the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city provide for the issuance of permits and collection of fees therefor, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Article IX. California Green Building Standards Code

15.04.550 ~~2019-2022~~ California Green Building Standards Code adopted.

A. The ~~2019~~ 2022 California Green Building Standards Code, together with its appendices, which regulate the planning, design, construction, operation, replacement, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenance connected or attached to such building structures throughout the State of California, are hereby adopted by reference, and ordinances of the city which conflict with that Code are hereby repealed to the extent of the conflict.

B. All of the regulations, provisions, conditions, and terms of the ~~2019~~ 2022 California Green Building Standards Code, together with its appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter.

Article X. Permitting of Small Residential Rooftop Solar Energy Systems and Electrical Vehicle Charging Stations

15.04.600 Expedited, streamlined permitting process for small residential rooftop solar energy systems and electrical vehicle charging stations

Part A Expedited, streamlined permitting process for small residential rooftop solar energy systems.

1. A "small residential rooftop solar energy system" means all of the following:
 - 1.1. A photovoltaic solar energy system that is (i) no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal and (ii) with all photovoltaic panels mounted on the rooftop of a single or duplex family residential structure.
 - 1.2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (3) of subdivision (c) of Section 714 of the Civil Code.
 - 1.3. A solar panel or module array that does not exceed the maximum legal building height as defined by the Calabasas Land and Development Use Code.
2. The following definitions apply to this Section:
 - 2.1. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by a city, county, or city and county on another similarly situated application in a prior successful application for a permit. The city shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code.
 - 2.2. "Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or re-designated from time to time.
 - 2.3. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or

conditions as they existed on the date the application was deemed complete.

3. The City shall not condition approval for any solar energy system permit on the approval of a solar energy system by an association, as that term is defined in Section 4080 of the Civil Code.
4. Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.
5. Section 65850.5 of the California Government Code provides that in developing an expedited permitting process, the city shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The building official is hereby authorized and directed to develop and adopt such checklist.
6. The intent of this article, is to substantially conform the City's expedited, streamlined permitting process for small residential rooftop solar energy systems with the recommendations for expedited permitting, including the eligibility checklists and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.
7. The small residential rooftop solar energy system eligibility checklist developed and promulgated by the building official shall be published on the city's internet website. The applicant may submit the permit application and associated documentation to the City's building division by personal, mailed, or electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature. Should the City not have the capability to accept electronic signatures, no signature shall be required.
8. "Electronic submittal" means the utilization of one or more of the following:
 - 8.1. E-mail,
 - 8.2. The internet,
 - 8.3. Facsimile.

9. Prior to submitting an application, the applicant shall:
 - 9.1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and
 - 9.2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.
10. An application that satisfies the information requirements in the eligibility checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
11. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the eligibility checklist, the building official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.
12. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and includes a consolidated inspection by building and safety staff, as agreed to by the County of Los Angeles Fire Department. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized, however the subsequent inspection need not conform to the requirements of this subdivision.

Part B Expedited permitting process for electrical vehicle charging stations.

1. The following definitions shall apply to this section:

- 1.1. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by a city, county, or city and county on another similarly situated application in a prior successful application for a permit.
 - 1.2. "Electronic submittal" means the utilization of one or more of the following:
 - 1.2.1. Email.
 - 1.2.2. The Internet.
 - 1.2.3. Facsimile.
 - 1.3. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
 - 1.4. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
2. Purpose. The purpose of the section is to adopt an expedited, streamlined electrical vehicle charging station permitting process that complies with the Electrical Vehicle Charging Stations Open Access Law and AB 1236 to achieve timely and cost-effective installations of electric vehicle charging stations. The section encourages the use of electrical vehicle charging stations by removing unreasonable barriers, minimizing costs to property owners and the City, and expanding the ability of property owners to install electrical vehicle charging stations. The section allows the City to achieve these goals while protecting the public health and safety.
 3. Applicability.
 - 3.1. This ordinance applies to the issuance of building permits for electric vehicle charging stations in the City. All requirements of building permit applications in Title 24 for electric vehicle charging stations that are not addressed in this section shall remain in effect.
 - 3.2. Electric vehicle charging stations legally established or permitted prior to the effective date of the ordinance are not subject to the requirements of this ordinance unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electronic vehicle

charging station in such a way as to require new permitting. Routine operation and maintenance shall not require a permit.

4. Electric Vehicle Charging Station Requirements.

- 4.1. All electric vehicle charging stations shall meet applicable health and safety standards and requirements imposed by the state and the City.
- 4.2. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

5. Duties of Engineering/Project Management Division.

- 5.1. All documents required for the submission of an expedited electric vehicle charging station building permit application shall be made available on the City Web site.
- 5.2. Electronic submittal of the required building permit application and documents by email, the internet, or facsimile shall be made available to all electric vehicle charging station permit applicants.
- 5.3. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature. However, the final permit must be signed at the counter until the City develops an electronic permit issuance registration.
- 5.4. The Engineering/Project Management Division shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review.
- 5.5. The electric vehicle charging stations permit process and checklist shall substantially conform to recommendations for expedited permitting, including the checklist contained in the most current version of the Plug-In Electric Vehicle Infrastructure Permitting Checklist of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" adopted by the Governor's Office of Planning and Research.

6. Permit Review and Inspection Requirements.

- 6.1. The City shall adopt an administrative, nondiscretionary review process to expedite approval of electrical vehicle charging stations. The Engineering/Project Management Division should issue a building permit or

other nondiscretionary permit as expeditiously as possibly upon receipt of a complete application that meets the requirements of the approved checklist and standard plan.

- 6.2. Review of the application shall be limited to the Building Official's review of whether the application meets local, state, and federal health and safety requirements.
- 6.3. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.
- 6.4. The Building Official may require an applicant to apply for a Use Permit if the Official finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the Planning Commission pursuant to Chapter 17.74.
- 6.5. If a Use Permit is required, the Planning Commission may deny such application if it makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact.
- 6.6. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.
- 6.7. The City shall not condition approval for any electric vehicle charging station permit on the approval of an electric vehicle charging station by an association, as that term is defined in Section 4080 of the Civil Code.

Article XI California Existing Buildings Code.

15.04.700 ~~2019~~ 2022 California Existing Building Code adopted.

A. The ~~2016~~ 2019 California Existing Code, which regulate the repair, alteration, change of occupancy, addition to and relocation of existing buildings provide for the issuance of permits and collection of fees therefore, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

B. All of the regulations, provisions, conditions, and terms of said codes, together with appendices A1 – A4, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

15.04.740 ~~2019~~ 2022 California Existing Building Code Administrative Provisions Adopted.

A. Chapter I Division II Administrative Provisions of the ~~2019~~ 2022 California Existing Building Code are hereby adopted by reference.

B. The ~~2019~~ 2022 California Existing Building Code Chapter I Division II Board of Appeals Section 112 is amended to read as follows:

112 Board of Appeals

Appeals pertaining to the Existing Building Code, shall be governed by Calabasas Municipal Code Section 15.04.030.

15.04.760 The 2015 International Property Maintenance Code adopted.

A. The 2015 International Property Maintenance Code is hereby adopted by reference.

B. The ~~2019~~ 2022 California Existing Building Code Chapter I Section 111 is amended to read as follows:

111 Board of Appeals

Appeals pertaining to the International Property Maintenance Code, shall be governed by Calabasas Municipal Code Section 15.04.030.

Article XII Fees

15.04.800 Notwithstanding the provisions of this Chapter, the amount of every fee set forth in the code shall be the fee set forth in the most current resolution of the city council establishing fees.

Article XI. Violations Abatement and Penalties.

15.04.840 Violation—Nuisance—Civil remedies available.

A. A violation of any of the provisions of this chapter or the codes adopted shall constitute a nuisance and may be abated by the city through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisance.

B. Penalty.

Every person violating any provision of this chapter, including but not limited to any provision of the Building Code, Residential Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Historical Building Code, Fire Code, or the Green Building Standards Code, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof, he or she shall be punishable by a fine not-to-exceed one thousand dollars (\$1,000.00) or imprisonment not-to-exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

C. When seeking remedies under this section 15.04.990.1, the city may seek either or both remedies hereunder.

SECTION 2. Findings. The City Council hereby adopts the findings set forth in **Exhibit 1** as if fully set forth herein. Pursuant to sections 17922, 17958, 17958.5, 17958.7, and 18941.5 of the California Health & Safety Code, the City Council finds that each amendment to the Building Standards Code was an administrative change for which no findings need be legally made and/or was made due to local climatic conditions.

SECTION 3. References in Documents and Continuing Legal Effect. References to prior versions of any portion of the Building Standards Code, or of the Calabasas Municipal Code that are amended or renumbered in this Municipal Code, that are cited on notices issued by the City or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the new counterpart part of the Building Standards Code or amended Municipal Code sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

SECTION 4. Continuity. To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Calabasas Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

SECTION 5. No Effect on Enforceability. The repeal of any sections of the Municipal Code, shall not affect or impair any act done, or right vested or approved, or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable provision of the 2022 Code as amended, shall be discharged or affected by such repeal or alteration but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceed in all respects as if the applicable provisions of the 2022 Code, as amended, had not been repealed or altered.

SECTION 6. CEQA. This Ordinance is exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b) (3) as a project that has no potential for causing a significant effect on the environment.

SECTION 7. Certification. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

SECTION 8. Building Standards Commission. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

SECTION 9. Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been adopted irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 10. Publication. The City Clerk shall cause this Ordinance to be published in accordance with California Government Code Section 36933, shall certify to the adoption of this Ordinance, and shall cause this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City Council.

PASSED, APPROVED AND ADOPTED this 9th day of November 2022.

Mary Sue Maurer, Mayor

ATTEST:

APPROVED AS TO FORM:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

Matthew T. Summers
Colantuono, Highsmith & Whatley, PC
City Attorney