

ORDINANCE 1056B

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINCOLN, REPEALING AND RE-ENACTING CHAPTERS 15.04 OF THE CITY OF LINCOLN MUNICIPAL CODE, REGARDING BUILDING REGULATIONS AND THE ADOPTION BY REFERENCE OF VARIOUS 2022 CALIFORNIA CONSTRUCTION CODES WITH THE ADDITION OF CHAPTER 15.04.030 THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE

WHEREAS, model building codes and the California codes on which they are based are updated every three years; and

WHEREAS, the City of Lincoln adopts the California buildings codes into the Lincoln Municipal Code, as allowed by state law, to provide for ease of code administration and enforcement; and

WHEREAS, the California Administrative Code is found in Chapter 15.04 of the Lincoln Municipal Code; and

WHEREAS, the California Building Code is found in Chapter 15.04 of the Lincoln Municipal Code; and

WHEREAS, the California Residential Code is found in Chapter 15.04 of the Lincoln Municipal Code; and

WHEREAS, the California Green Building Standards Code is found in Chapter 15.04 Lincoln Municipal Code; and

WHEREAS, the California Plumbing Code is found in Chapter 15.04 of the Lincoln Municipal Code; and

WHEREAS, the California Electrical Code is found in Chapter 15.04 of the Lincoln Municipal Code; and

WHEREAS, the California Mechanical Code is found in Chapter 15.04 of the Lincoln Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lincoln hereby amends Lincoln Municipal Code Title 15 Building and Construction as follows:

Section 1: Repealed

Chapters 15.04 of the City of Lincoln Municipal Code are hereby repealed in entirety and re-enacted herein.

Section 2: Purpose and Authority

The purpose of this Ordinance is to adopt by reference the 2022 editions of the California Building Standards Code, Title 24- Part 1; Part 2; Part 2.5; Part 3; Part 4; Part 5; Part 6; Part 8; Part 9; Part 10, Part 11 and Part 12, of the California Code of Regulations, the 1997 Uniform Housing Code, the 1997 Uniform Code for the Abatement of Dangerous Buildings, subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The purpose of this Ordinance is also to provide minimum requirements and standards for the protection of the public

safety, health, property and welfare of the City of Lincoln. This Ordinance is adopted under the authority of Government Code Subsection 50022.2 and Health and Safety Code Section 18941.5.

Section 3: Title

This Chapter shall be known as the City of Lincoln Construction Code and may be cited as such.

Section 4: Application

This Code shall be the exclusive source of regulations for all new construction and any alterations, repairs, relocations, or reconstruction of any building, or any portion thereof, including any electrical, mechanical, gas, plumbing, or fire protection equipment installed on any property or used on or within any building with the City of Lincoln.

Section 5: Conflicts with other laws, rules, etc.

In the event of any conflict between this Code and any law, rule or regulation of the Federal or State Government occurs, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code. The Authority having jurisdiction shall determine the establishment of the higher standard of safety and interpretation of such standard.

Section 6: Adopt Lincoln Municipal Code Chapter Related to the California Existing Building Code to be adopted and read as follows

Chapter 15.04

ADOPTION OF INTERNATIONAL, UNIFORM & CALIFORNIA CODES

15.04.030 Uniform Housing Code

The Uniform Housing Code, 1997 Edition, International Property Maintenance Code 2021 Edition, International Swimming Pool and Spa Code 2021 Edition, published by the international code council is hereby adopted by reference. One copy of the Uniform Housing Code 1997 Edition, International Property Maintenance Code 2021 Edition, International Swimming Pool and Spa Code 2021 Edition, is accessible to the public at the Building Division. In the event of any conflict between this code and any law, rule or regulation of state housing law as published in the California code of regulations (Title 25); state housing law shall govern.

15.04.040 Uniform Code for the Abatement of Dangerous Buildings. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, is hereby adopted by reference. One copy of The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, is on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.050 California Residential Code (CRC), Part 2.5. International Residential Code with California Amendments, 2022 Edition as published by the International Code Council, establishing minimum standards to safeguard life, health, property and public welfare for residential construction including Appendix Chapter H (Patio Covers), with the changes and additions as set forth herein is hereby adopted as referenced. One copy of the California Residential Code is on file in the office of the Development Services Department/ Building Division for use and examination by the public.

15.04.060 California Green Building Code (CGBC), Part 11. The California Green Building Code 2022 Edition, published by the International Code Council California Building standards Commission, is hereby adopted by reference. One copy of the California Green Building Code is

on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.070 California Mechanical Code (CMC), Part 4. The Uniform Mechanical Code with California Amendments, 2022 Edition, published by the International Association of Plumbing and Mechanical Officials and the International Code Council, is hereby adopted by reference. One copy of the Uniform Mechanical Code with California Amendments is on file in the office of the Development Services Department/ Building Division for use and examination by the public.

15.04.080 California Plumbing Code (CPC), Part 5. The Uniform Plumbing Code with California Amendments, 2022 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference. One copy of the Uniform Plumbing Code with California Amendments is on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.090 California Electrical Code (CEC), Part 3. The National Electrical Code with California Amendments, 2022 Edition, published by the National Fire Protection Association, is hereby adopted by reference. There is one copy of the National Electric Code on file in the office of the Development Services Department/ Building Division for use and examination by the public.

15.04.100 California Energy Code (CEC), Part 6. The California Energy Code 2022 Editions of the Residential and Non-residential regulations, as published by the International Code Council and California Energy Commission, providing provisions to safeguard the public health, safety and welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of energy and energy systems. The California Energy Code 2022 Edition is hereby adopted by reference. There is one copy of the California Energy Code 2022 Edition on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.110 California Existing Building Code, Part 10. California Existing Building Code 2022 Edition, published by the International Code Council, providing provisions for the minimum requirements and standards for the protection of public health, safety and welfare. The California Existing Building Code 2022 Edition is hereby adopted by reference. There is one copy of the California Existing Building Code 2022 Edition on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.120 California Referenced Standards Code, Part 12. California Referenced Standards Code, 2022 Edition, published by the International Code Council providing provisions for the minimum requirements and standards for the protection of the public health, safety and welfare. The California Referenced Standards Code 2022 edition is hereby adopted by reference. There is one copy of the California Referenced Standards Code 2022 Edition on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.130 California Administrative Code (CAC), Part 1 California Administrative Code, 2022 Edition, published by the International Code Council establishing administrative regulations and procedures concerning the construction and reconstruction, alteration and additions to buildings. The California Administrative Code 2022 Edition is hereby adopted by reference. There is one copy of the California Administrative Code on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.140 California Historical Code (CHC) Part 8. California Historical Code, 2022 Edition, Published by the International Code Council. The California Historical Code 2022 Edition is hereby adopted by reference. There is one copy of the California Historical Code on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.150 The National Fire Protection Association 13 and 13 D Standards for the Installation of Sprinkler Systems. The National Fire Protection Associations current 13 and 13D Standards for the Installation of Sprinkler Systems, 2022 Edition is hereby adopted by reference. There is one copy of the National Fire Protection Association 13 and 13 D Standards for the Installation of Sprinkler Systems, 2022 Edition, on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.160 California Fire Code (CFC), Part 9 The California Fire Code 2022 edition as published by the International Code Council including Appendix Chapter 4, Appendix Chapter A, B, BB, C, CC, D, E, F, G, H, I, and J with the changes and additions as set forth herein is hereby adopted by reference. There is one copy of the International Fire Code/California Fire Code on file in the office of the Community Development Department/Building Division for use and examination by the public.

15.04.170 California Fire Code. The International Fire Code with California amendments is amended to read as follows:

California Fire Code, Section 903 is amended to read as follows:

An automatic fire-extinguishing system shall be installed in the occupancies and locations as set forth in this section. In the event of any conflict between this Code and any law, rule or regulation of the State of California or any other jurisdiction, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

California Fire Code, Section 903.2: Where required an automatic sprinkler system shall be installed:

1. In all new construction including residential structures.
2. In all other buildings or structures, when:

(a) There is a change of occupancy classification as defined in the International Building or Fire Code with California Amendments; or

(b) There are alterations or repairs within any 12-month period which exceed twenty-five percent (25%) of the assessed value of the existing building or structure.

(c) An automatic sprinkler system shall be installed in all factory-built homes including but not limited to; mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Exceptions:

Group (B) occupancies

Exception: B occupancies with a gross floor area of 750 square feet or less with an occupant load of ten (10) or less (includes employees).

Group (M) occupancies

Exception: For temporary (M) occupancies only by approval of the fire code official.

Group (S) occupancies

Exception: Buildings with a gross floor area of 1,000 square feet or less and the type of materials stored must be submitted to and approved by the fire code official.

Group (U) occupancies

Exception: Buildings with a gross floor area of 1,000 square feet or less and maintains a safe fire separation from adjacent occupancies as approved by the code official.

California Fire Code, Section 903.3.1.3: NFPA 13D Sprinkler Systems is amended to read as follows:

Automatic fire sprinkler systems required to be installed in one-and two-family dwellings and townhouses pursuant to the California Fire Code shall be permitted to be designed and installed throughout in accordance with NFPA 13D or the California Residential Code, Section R313.3. Each fire sprinkler riser is required to have installed a water flow switch and a 120-volt horn strobe at the exterior. The exterior flow alarm horn strobe shall be located on the exterior of the building at or near the front or side corner facing the fronting street. The horn strobe shall be loud enough to notify the occupants that water is flowing. The fire riser shall be installed pursuant to the City of Lincoln, Public Facilities Improvement Standards and as specified herein. In the event of any conflict between this Code and any law, rule or regulation of the State of California or any other jurisdiction, that requirement which establishes the higher standard of safety shall govern as determined by the fire code official or building official.

15.04.180 California Building Code (CBC). The California Building Code with California Amendments, 2022 Edition published by the International Code Council and the California Building Standards Commission establishing minimum standards to safeguard life, health, property and public welfare by regulating the design, construction, quality of materials, use, occupancy, location and maintenance of all buildings and structures within this jurisdiction including Administrative Chapters, Divisions I & II; the Appendix Chapter I, Patio Covers; and Appendix Chapter J, Grading with the changes and additions as set forth herein is hereby adopted by reference with the following revisions:

California Building Code, Chapter 1, Scope and Administration,

Section 105.2 "Work Exempt from Permit", "Building", item 1 is amended to read as follows:

1. One-story detached utility occupancy accessory buildings used as tool and storage sheds, playhouses or similar uses as determined by the authority having jurisdiction, provided the square footage does not exceed 120 square feet, with no utilities [water, sewer or electrical] attached or established in the structure and the structure is a single story structure less than 16 feet in height built entirely above grade and is not located in a maintenance easement, on a public utilities easement, or in front and side street setbacks as required by the Zoning Code of the City of Lincoln. The structure shall not exceed the height requirements set forth in the City of Lincoln Zoning Code. The eave overhangs shall not extend more than 24 inches (610 mm) beyond the exterior wall of the structure. The location on the property for the purposes of fire protection shall be in compliance with the currently adopted Residential Building Code and/or the California Building Code. All construction shall be in compliance with acceptable standards for construction as outlined in the currently adopted uniform and international Codes with California Amendments. All construction shall be in compliance with currently adopted zoning and municipal code regulations related to accessory structures such as sheds including; but not limited to setbacks and building height requirements.

Section 105.2 "Work Exempt from Permit", "Building", items 3 [oil derricks], and 5 [water tanks] are hereby deleted.

Section 105.2 "Work Exempt from Permit", "Building", Item 9 is amended to read as follows:

Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610mm) deep, do not exceed 5,000 gallons (18925L) and are installed entirely above grade are exempt from a building permit provided they have fencing installed in accordance with the City of Lincoln pool fencing regulations adopted by the City of Lincoln, Municipal Code, Chapter 15.20.

Section 105.2 "Work Exempt from Permit", "Building", item 10 is hereby deleted. [Shade cloth structures]

Section 105.5 "Expiration" is amended to read as follows:

Every permit issued by the Building Official under the provisions of this code shall expire and become null and void after one year from the date of issuance of said permit.

Any permit holder holding an unexpired permit for which work has commenced may apply for an extension provided no changes have been made to the original plans. The fee will not be charged for a one-time 6-month extension provided the permit is not expired and additional extension for another 6 months can be applied for and a fee of (see current master fee schedule) is paid for the extension. No permit shall be extended without first being approved by the Building Official or his or her designee. Once a permit has expired a new permit can be applied for and fees shall be charged based on the valuation for the work that is left to perform under the original permit issued.

If a permit expires without commencement of work, a new permit shall be obtained before work can commence. This shall constitute a new application, complete plans, and full payment of all permit fees.

For the purpose of this section, commencement of work shall be defined as; the inspection and successful completion of the entire foundation system for the permitted structure, including the placing of the concrete. If the permit is for something other than a structure, the Building Official will determine if the amount of work completed shows a good faith effort was made to complete work authorized by the permit.

15.04.190 California Building Code, Chapter 9 Fire Protection Systems. The following sections of the California Building Code Chapter 9 are amended to read as follows:

California Building Code, Section 903 amended--Automatic fire-extinguishing systems. Section 903 of the California Building Code is amended to read as follows:

Section 903 is amended as follows:

An automatic fire-extinguishing system shall be installed in the occupancies and locations as set forth in this section. In the event of any conflict between this Code and any law, rule or regulation of the State of California or any other jurisdiction, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

Section 903.2: An automatic sprinkler system shall be installed:

1. In all new construction including residential structures.
2. In all other buildings or structures, when:

(a) There is a change of occupancy classification as defined in the International Building Code with California Amendments; or

(b) There are alterations, additions or repairs within any 12-month period which exceed twenty-five percent (25%) of the current assessed value of the existing building or structure. The assessed value is determined by the Placer County Assessor.

(c) An automatic sprinkler system shall be installed in all factory-built homes including but not limited to; mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Exceptions:

Group (B) occupancies

Exception: B occupancies with a gross floor area of 750 square feet or less with an occupant load of ten (10) or less (includes employees).

Group (M) occupancies

Exception: For temporary (M) occupancies only by approval of the fire code official.

Group (S) occupancies

Exception: Buildings with a gross floor area of 1,000 square feet or less and the type of materials stored must be submitted to and approved by the fire code official.

Group (U) occupancies

Exception: Buildings with a gross floor area of 1,000 square feet or less and maintains a safe fire separation from adjacent occupancies as approved by the code official.

Section 903.3.1.3: NFPA 13 D Sprinkler Systems is amended to read as follows:

Automatic fire sprinkler systems required to be installed in one-and two-family dwellings and townhouses pursuant to the California Building Code shall be permitted to be designed and installed throughout in accordance with NFPA 13D or the California Residential Code, Section R313.3. Each fire sprinkler riser required to be installed shall have installed a water flow switch and a 120-volt horn strobe installed at the exterior. The exterior flow horn strobe shall be located on the exterior of the building at or near the front or side corner facing the fronting street. The horn strobe shall be loud enough to notify the occupants that water is flowing. The fire riser shall be installed pursuant to the City of Lincoln, Public Facilities Standards and as specified herein. In the event of any conflict between this Code and any law, rule or regulation of the State of California or any other jurisdiction, that requirement which establishes the higher standard of safety shall govern as determined by the fire code official or building official.

15.04.200 California Building Code, Appendix J amended--Excavation and Grading. All references to the "Building Official" within this appendix are hereby amended to read "City Engineer". All grading operations within the City of Lincoln shall be performed in accordance with the provisions of the Building Code, the City of Lincoln Grading Ordinance and any other regulations of the City pertaining to grading operations. The following sections of Appendix J of the California Building Code are hereby amended to read as follows:

Section J101.2 "Flood Hazard Areas" is amended to read as follows: The provisions of this chapter shall not apply to grading, excavation and earthwork construction, including fills and embankments, in floodways within flood hazard areas where design flood elevations are specified. All grading in flood hazard areas shall be performed in accordance with the City of Lincoln Flood Ordinance, Federal Emergency Management Agency (FEMA) guidelines and any other regulations of the City pertaining to grading operations.

"Other Hazards." Whenever the City Engineer determines that any existing excavation or embankment or fill on private property or alterations to drainage affecting adjoining property has

become a hazard to life and limb, or endangers property, or adversely affects the safety, use, stability or capacity of a public way, drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the City Engineer, shall within the period specified therein repair or eliminate the hazard and be in conformance with the requirements of the California Building Code and any other grading regulations of the City of Lincoln. The City Engineer or his designee shall have the authority to issue a "Stop work Notice" for violations of the grading provisions of this Code.

"Grading Designation." If the City Engineer determines that special conditions or unusual hazards exist, grading shall conform to the requirements for engineered grading.

Section J103.1 "Permits Required" Except as specified and amended in Section J103.2 of this chapter, no person shall perform any grading over ten (10) cubic yards without first having obtained a grading permit from the City Engineer, Department of Public services. A separate permit shall be obtained for each site, and may cover both excavations and fills. Any site disturbance/grading over one (1) acre in size or a development project requires an additional storm water permit from the State Water Resources Department (National Pollutants Discharge Elimination System, NPDES). In the event of any conflict between this Code and any law, rule or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

Section J103.2 "Exemptions" Section J103.2 Exemptions is amended as follows: Items 2, 5 and 6 are hereby deleted.

"Fees." Fees shall be assessed in accordance with the currently established "Master Fee Schedule" of the City of Lincoln and this section.

"Plan Review Deposit." When a plan or other data are required to be submitted, a plan review deposit shall be paid at the time of submitting plans and specifications for review. Said plan review deposit shall be 1% of the contractor's cost for the grading project or five hundred dollars, whichever is greater. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code.

"Grading Permit Deposit (Inspections)." A deposit for each grading permit shall be paid to the City Engineer. Said permit deposit shall be 4% of the contractor's cost for the grading project or one-thousand dollars, whichever is greater. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

"Preparation of Ground." The preparation of ground shall be determined at the time of plan review by the City Engineer.

Section J1061 "Maximum Slope" Except as specified elsewhere in this section, cut and fill slopes shall be set back from site boundaries in accordance with this section and the Public Services Design Criteria and Procedures Manuel and Public Facilities Improvement Standards. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary; a building setback letter may be required. All setbacks to be approved by the City Engineer.

Section J110.1 Erosion Control, "General" shall be amended to add the following language: Erosion control shall be in accordance with the "Erosion and Sediment Control Guidelines of the High Sierra Resource Conservation District" and the City of Lincoln Erosion Control grading requirements. Storm Water Protection Plans shall be enforced in accordance with the Public Facilities Improvement Standards and Design Criteria and Procedures Manuel and all other Federal and State requirements. One copy of the California Building Code is on file in the office

of the Community Development Department/Building Division for use and examination by the public.

15.04.210 California Residential Code (CRC). The following sections of the California Residential Code are amended to read as follows:

Section 1.1.5 "Referenced Standards" is amended to include reference to the Uniform Plumbing Code with California Amendments, Uniform Mechanical Code with California Amendments and the National Electrical Code NFPA 70 with California Amendments as recognized Standards for residential construction of one and two-family dwellings.

Section R105.2. "Work Exempt from Permit", "Building", item 1 is amended to read as follows:

1. One-story detached residential accessory buildings used as tool and storage sheds, playhouses or similar uses as determined by the authority having jurisdiction, provided the square footage does not exceed 120 square feet with no utilities [water, sewer or electrical] attached or established in the structure and the structure is a single story structure less than 16 feet in height built entirely above grade and is not located in a maintenance easement, on a public utilities easement, or in front and side street setbacks as required by the Zoning Code of the City of Lincoln. The structure shall not exceed the height requirements set forth in the City of Lincoln Zoning Code. The eave overhangs shall not extend more than 24 inches (610 mm) beyond the exterior wall of the structure. The location on the property for the purposes of fire protection shall be in compliance with the currently adopted Residential Building Code and/or the California Building Code. All construction shall be in compliance with acceptable standards for construction as outlined in the currently adopted uniform and international Codes with California Amendments. All construction shall be in compliance with currently adopted zoning and municipal code regulations related to accessory structures such as sheds including; but not limited to setbacks and building height requirements.

Section R105.2 "Work Exempt from Permit", "Building", item 4 is hereby deleted.

Section R105.2 "Work Exempt from Permit", "Building", Item 5 is amended to read as follows:

Sidewalks and driveways provided they are not part of the public way and considered an accessible path of travel required by this Code.

Section R105.2 "Work Exempt from Permit", "Building", Item 7 is amended to read as follows:

Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610mm) deep, do not exceed 5,000 gallons (18925L) and are installed entirely above grade are exempt from building permit provided they have fencing installed in accordance with the City of Lincoln pool fencing regulations adopted by the City of Lincoln, Municipal Code, Chapter 15.20.

Section R105.5 "Expiration", is amended to read as follows:

Every permit issued by the Building Official under the provisions of this code shall expire and become null and void after one year from the date of issuance of said permit.

Any permit holder holding an unexpired permit for which work has commenced may apply for an extension provided no changes have been made to the original plans. The fee will not be charged for a one-time extension provided the permit is not expired subsequent extensions shall be charged based on the valuation for the work that is left to perform under the original permit issued. No permit shall be extended without first being approved by the Building Official or his or her designee.

If a permit expires without commencement of work, a new permit shall be obtained before work can commence. This shall constitute a new application, complete plans, and full payment of all permit fees.

For the purpose of this section, commencement of work shall be defined as; the inspection and successful completion of the entire foundation system for the permitted structure, including the placing of the concrete. If the permit is for something other than a structure, the Building Official will determine if the amount of work completed shows a good faith effort was made to complete work authorized by the permit.

Section R313.1.1 is revised to read as follows:

Automatic fire sprinkler systems required to be installed in townhouses pursuant to the California Residential Code shall be permitted to be designed and installed throughout in accordance with NFPA 13D or the California Residential Code, Section R313.3. Each fire sprinkler riser required to be installed shall have installed a water flow switch and a 120-volt horn strobe at the exterior. The exterior flow alarm horn strobe shall be located on the exterior of the building at or near the front or side corner facing the fronting street. The horn strobe shall be loud enough to notify the occupants that water is flowing. The fire riser shall be installed pursuant to the City of Lincoln Public Facilities Improvement Standards and as specified herein. In the event of any conflict between this Code and any law, rule or regulation of the State of California or any other jurisdiction, that requirement which establishes the higher standard of safety shall govern as determined by the fire code official or building official.

Section R313.2.1 is revised to read as follows:

Automatic fire sprinkler systems required to be installed in one-and two-family dwellings pursuant to the California Residential Code shall be permitted to be designed and installed throughout in accordance with NFPA 13D or the California Residential Code, Section R313.3. Each fire sprinkler riser required to be installed shall have installed a water flow switch and a 120-volt horn strobe at the exterior. The exterior flow alarm horn strobe shall be located on the exterior of the building at or near the front or side corner facing the fronting street. The horn strobe shall be loud enough to notify the occupants that water is flowing. The fire riser shall be installed pursuant to the City of Lincoln Public Works Standards and as specified herein. In the event of any conflict between this Code and any law, rule or regulation of the State of California or any other jurisdiction, that requirement which establishes the higher standard of safety shall govern as determined by the fire code official or building official.

15.04.220 Fees. On buildings, structures, electrical, gas, mechanical, plumbing and fire systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the established fee schedule as adopted by the currently established "Master Fee Schedule" of the City of Lincoln. The fee schedule is based upon the current cost of construction valuation established by either taking the actual contract price or shall be determined by the use of the current edition of "Valuation Data," and the currently adopted edition of the Building Code whichever is higher as published by the International Code Council.

15.04.230 Plan Review Fees. A plan review deposit shall be paid at the time of submitting the submittal documents for plan review based on the valuation of the project. Plan review fees shall be established in accordance with the currently established "Master Fee Schedule" of the City of Lincoln and as set forth in the California Building Code. Said plan review fees are separate fees from the permit fees and are in addition to the permit fees.

15.04.240 Violation--Misdemeanor. Notwithstanding any other provision of any code adopted in this chapter, any person who violates any provision of any code adopted by this chapter by

reference, shall be guilty of a misdemeanor and punishable as the same is now or may hereafter be punishable under the laws of the state.

Section 7: California Environmental Quality Act (CEQA)

California Environmental Quality Act (CEQA) Guidelines section 15060(c)(2) states that a project is not subject to CEQA review where the activity will not result in a direct or reasonably foreseeable indirect physical change to the environment. CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.”

The approval of the code amendments set forth in the proposed ordinance does not approve any physical development project, and it would not result in a direct or indirect physical change in the environment. The proposed changes to Title 15 are necessary to maintain consistency with state law and ensure a safe built environment. Many of the standards are already being implemented by the City when reviewing construction projects and would not change how these projects are reviewed and approved. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these LMC amendments are exempt from review under CEQA.

Section 8: No Mandatory Duty of Care

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 9: Severability

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 10: Effective Date and Publication

This ordinance shall become effective thirty (30) days after its adoption and within fifteen (15) days of the passage of this ordinance, a summary shall be posted in the News Messenger, a newspaper of general circulation within the City. A certified copy of the full text of the Ordinance is posted in the office of the City Clerk and can be viewed on the City of Lincoln’s website at: www.lincolnca.gov

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lincoln held December 13, 2022 by the following vote:

AYES: COUNCILMEMBERS: Andreatta, Karleskint, Brown, Lauritsen, Joiner

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:



Paul Joiner, Mayor

ATTEST:

Gwen Scanlon, City Clerk