

## CHAPTER FIVE: PLANNING, ZONING, USE, AND DEVELOPMENT OF LAND AND IMPROVEMENTS

### Subchapter 5.04: Building and Construction Regulations

#### *Division 1: General*

##### **5.04.010 Application**

(a) The provisions of this subchapter shall hereafter apply to the construction, alteration, moving, repair and use or maintenance of any building or structure, site, and the equipment therein, within the Town of Colma, and shall be known as the "Colma Building Codes".

(b) The Colma Building Codes shall be the primary source of regulations for the construction, addition to, alteration, 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, and for the maintenance of existing buildings. It shall be unlawful for any person to perform any of the above in conflict with the provisions of this subchapter and the codes referred to herein.

[*History:* formerly § 5.401; ORD. 214, 7/13/77; ORD. 274, 9/17/81; ORD. 407, 12/13/89; ORD. 422, 3/13/91; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD 738, 1/14/15; ORD 799, 1/8/20]

##### **5.04.020 Conflicts with Other Laws, Rules, etc.**

In the event of any conflict between the Colma Building Codes and any law, rule or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern.

[*History:* formerly § 5.402; ORD. 214, 7/13/77; ORD. 274, 9/17/81; ORD. 407, 12/13/89; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD 799, 1/8/20]

##### **5.04.030 Titles**

The term, "Colma Building Codes," means the collection of laws and regulations described in this subchapter, while the term, "Colma Building Code," refers to the particular code adopted by section 5.04.050 of this subchapter.

[*History:* formerly § 5.403; ORD. 214, 7/13/77; ORD. 274, 9/17/81; ORD. 407, 12/13/89; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD 799, 1/8/20]

##### **5.04.040 [Reserved]**

#### *Division 2: Colma Building Codes*

##### **5.04.050 Colma Building Code Adopted**

The 2019 Edition of the California Building Code, contained in Part 2 of Title 24 of the California Code of Regulations, which incorporates and amends the 2018 Edition of the International

Building Code published by the International Code Council, together with Chapter 1, and with the changes, additions, and deletions set forth in the following section, is hereby adopted by reference as the Colma Building Code.

[History: formerly § 5.405; ORD. 214, 7/13/77; ORD. 274, 9/17/81; ORD. 407, 12/13/89; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD 799, 1/8/20]

#### **5.04.060 Administration of Colma Building Codes**

The following provisions of the California Building Code are hereby amended as follows:

(a) *Section 1.11.2.1 Amended.*

Item 1 of Section 1.11.2.1 of Chapter 1, Division I is amended to read: The Town of Colma specifically delegates the enforcement of building standards adopted by the State Fire Marshal, and published in the Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal, as they relate to Group R-3 Occupancies (one and two family dwellings) to the Building Official of Town of Colma.

(b) *Section 101.1 Amended.*

Section 101.1 of Chapter 1, Division II is amended to state as follows: "These regulations shall be known as the Colma Building Code, hereinafter referred as 'this code'."

(c) *Section 103 Amended.*

The term "Department of Building Safety" in Section 103 of Chapter 1 Division II of the California Building Code, as well as all other codes adopted in this subchapter where the term appears, refers to the Building Department of the Town of Colma.

(d) *Section 103.2 Amended.*

Section 103.2 is amended to state as follows: "The Building Official shall be appointed by the City Manager."

(e) *Section 105.5 Amended.*

Section 105.5, "Expiration," is amended to state as follows:

105.5 Expiration.

(a) Every Permit issued by the Building Official, or his or her designee, under the provisions of this Code shall expire by limitation and become null and void if:

(1) the building or work authorized by such permit is not commenced within twelve (12) months from the date of such permit;

(2) the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days

(b) For permits where work has not commenced, a renewed permit may be obtained provided that: (1) no changes have been made or will be required in the original plans and specifications for such work; (2) the expiration has not exceeded two (2) years from the original issuance date; (3) the project would not be impacted by a change in the current adopted codes, and; (4) the applicant pays a reactivation fee equal to one half the amount of the original permit fee.

(c) For permits where work had commenced and was subsequently suspended or abandoned, a renewed permit may be obtained provided that: (1) No changes have been made or will be required in the original plans and specifications for such work; (2) the expiration has not exceeded two (2) years from the original issuance date; and (3) a fee equal to one half the amount required for a new permit is paid, except that where construction has progressed and has been approved to the point whereby only a final inspection is required, a fee equal to one quarter the amount required for a new permit shall be paid.

(f) *Section 109.2 Amended.*

Section 109.2, "Schedule of Permit Fees," is amended to state as follows:

For any work on buildings or structures which requires a permit and/or plan review, fees shall be paid in accordance with Resolutions and Ordinances that are established by action of the City Council of the Town of Colma.

(g) *Section 109.4 Amended.*

Section 109.4, "Work Commencing Before Permit Issuance," is amended by adding thereto the following paragraph:

That fee, for commencing work prior to permit issuance, may be equal to up to ten times the permit fee to a maximum amount of \$ 5,000.00 as determined by the Building Official. This fee is in addition to the permit costs and any additional investigative fees.

(h) *Section 110.1 Amended.*

Section 110.1, "General," is amended by adding the following to the end:

When required, Survey Stakes shall be provided prior to first inspection, and maintained so they are clearly visible until after the Certificate of Occupancy has been issued.

(i) *Section 1008.3.3 Amended.*

Section 1008.3.3, "Rooms and Spaces," is amended by adding thereto the following:

All bathrooms, and paths of egress from those bathrooms to an exit discharge.

(j) *Appendix B Adopted.*

Appendix B, "Board of Appeals," is adopted as part of the Colma Building Code.

(k) *Appendix C Adopted.*

Appendix C, "Group U Agricultural Buildings," is adopted as part of the Colma Building Code.

(l) *Appendix H Adopted.*

Appendix H, "Signs," is adopted as part of the Colma Building Code.

(m) *Appendix I Adopted.*

Appendix I, "Patio Covers," is adopted as part of the Colma Building Code.

Appendix I, "Patio Covers," is adopted as part of the Colma Building Code.

[*History:* formerly § 5.406;; ORD. 274, 9/17/81; ORD. 407, 12/13/89; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.070 Colma Residential Code Adopted**

The 2019 Edition of the California Residential Code, contained in Part 2.5 of Title 24 of the California Code of Regulations, which incorporates and amends the 2018 Edition of the International Residential Code published by the International Code Council, together with Chapter 1, with the following changes, additions, and deletions set forth in the following section, is adopted by reference as the Colma Residential Code.

[*History:* formerly § 5.407; ORD. 274, 9/17/81; ORD. 407, 12/13/89; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.080 Administration of Colma Residential Code**

The following provisions of the California Residential Code are hereby amended as follows:

(a) *Section R103 Amended.*

The term "Department of Building Safety" in Section R103 of the California Residential Code, as well as all other codes adopted in this subchapter where the term appears, refers to the Building Department of the Town of Colma.

(b) *Section R103.2 Amended.*

Section R103.2 is amended to state as follows: "The Building Official shall be appointed by the City Manager."

(c) *Section R105.5 Amended.*

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

105.5 Expiration.

(a) Every permit issued by the Building Official, or his or her designee, under the provisions of this Code shall expire by limitation and become null and void if:

(1) the building or work authorized by such permit is not commenced within twelve (12) months from the issuance date of such permit;

(2) the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days.

(b) For permits where work has not commenced, a renewed permit may be obtained provided that: (1) no changes have been made or will be required in the original plans and specifications for such work; (2) the expiration has not exceeded two (2) years from the original issuance date; and (3) the project would not be impacted by a change in the current adopted codes, and; (4) the applicant pays a reactivation fee equal to one half the amount of the original permit fee.

(c) For permits where work had commenced and was subsequently suspended or abandoned, a renewed permit may be obtained provided that: (1) No changes have been made or will be required in the original plans and specifications for such work; (2) the expiration has not exceeded two (2) years from the original issuance date; and (3) a fee equal to one half the amount required for a new permit is paid, except that where construction has progressed and has been approved to the point whereby only a final inspection is required, a fee equal to one quarter the amount required for a new permit shall be paid.

(d) *Section R109.2 Amended.*

Section R109.2, "Schedule of Permit Fees," is amended to state as follows:

For any work on buildings or structures which requires a permit and/or plan review, fees shall be paid in accordance with Resolutions and Ordinances that are established by action of the City Council of the Town of Colma.

(e) *Section R109.4 Amended.*

Section R109.4, "Work Commencing Before Permit Issuance," is amended by adding thereto the following paragraph:

That fee, for commencing work prior to permit issuance, may be equal to up to ten times the permit fee to a maximum amount of \$ 5,000.00 as determined by the Building Official. This fee is in addition to the permit costs and any additional investigative fees.

(f) *Section R313.2 Amended.*

Section R313.2, "One- and Two-Family Dwellings automatic fire sprinkler systems," is amended to replace Item 1 with the following: An automatic residential fire sprinkler system is not required where an addition and/or alteration to an existing residential structure does not exceed 50% of the existing floor area.

(g) *Section R313.3.1 Amended.*

The second sentence in Section R313.3.1 "General" is amended to state: Partial Fire Sprinkler Systems are not allowed, all areas of the structure shall be protected in accordance with this chapter.

(h) *Section R313.3.1.2 Amended.*

Section R313.3.1.2 "Required Sprinkler Locations" Exception #4 is amended to read: Detached garages; carports with no habitable space above; open attached porches, unless they are located at the only egress door from the dwelling; and patio covers open on 3 sides or more.

(i) *Appendix H Adopted.*

Appendix H, "Patio Covers," is adopted as part of the Colma Residential Code.

(j) *Appendix J Adopted.*

Appendix J, "Existing Buildings and Structures," is adopted as part of the Colma Residential Code.

(k) *Appendix V Adopted.*

Appendix V, "Swimming Pools Safety Act," is adopted as part of the Colma Residential Code.

[*History:* formerly § 5.408; ORD. 274, 09/17/81; ORD. 407, 12/13/89; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD 799, 1/8/20]

#### **5.04.090 Colma Electrical Code**

(a) The 2019 Edition of the California Electrical Code, contained in Part 3 of Title 24 of the California Code of Regulations, which incorporates and amends the 2017 Edition of the National Electrical Code published by the National Fire Protection Association, together with Article 89, with the following changes, additions, and deletions, is adopted by reference as the Colma Electrical Code.

[*History:* formerly § 5.409; ORD. 407, 12/13/89; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD 799, 1/8/20]

#### **5.04.100 Colma Mechanical Code**

(a) The 2019 Edition of the California Mechanical Code, contained in Part 4 of Title 24 of the California Code of Regulations, which incorporates and amends the 2018 Edition of the Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials, together with Chapter 1, with the following changes, additions, and deletions set forth,

is adopted by reference as the Colma Mechanical Code.

(b) Appendix F, "Sizing of Venting Systems and Outdoor Combustion and Ventilation Opening Design," is adopted as part of the Colma Mechanical Code.

[*History*: formerly § 5.410; ORD. 452, 5/12/93; ORD. 638, 12/14/05; ORD. 738, 1/14/15; ORD 799, 1/8/20]

#### **5.04.110 Colma Plumbing Code**

(a) The 2019 Edition of the California Plumbing Code, contained in Part 5 of Title 24 of the California Code of Regulations, which incorporates and amends the 2018 Edition of the Uniform Plumbing Code published by the International Association of Plumbing and Plumbing Officials, together with Chapter 1, with the following changes, additions, and deletions, is adopted by reference as the Colma Plumbing Code.

(b) Appendix A, "Recommended Rules for Sizing the Water Supply System," is adopted as part of the Colma Plumbing Code.

(c) Appendix B, "Explanatory Notes on Combination Waste and Vent Systems," is adopted as part of the Colma Plumbing Code.

(d) Appendix C, "Alternate Plumbing Systems," is adopted as part of the Colma Plumbing Code.

(e) Appendix D, "Sizing Storm Water Drainage Systems," is adopted as part of the Colma Plumbing Code.

(f) Appendix I, "Installation Standard for PEX Tubing Systems for Hot- and Cold- Water Distribution," is adopted as part of the Colma Plumbing Code.

(g) Appendix J, "Combination of Indoor and Outdoor Combustion and Ventilation Opening Design," is adopted as part of the Colma Plumbing Code.

(h) Appendix K, "Potable Rainwater Catchment Systems," is adopted as part of the Colma Plumbing Code.

[*History*: ORD. 661, 9/12/07; ORD. 713, 10/10/12; ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.120 Colma Energy Conservation Code**

(a) The 2019 Edition of the California Energy Code, contained in Part 6 of Title 24 of the California Code of Regulations, with the following changes, additions, and deletions, is adopted by reference as the Colma Energy Conservation Code.

(b) Section 100.0(e)(2)(A) "Scope" of the California Energy Code is amended to state as follows:

Sections applicable to particular buildings. TABLE 100.0-A and this subsection list the provisions of Part 6 that are applicable to different types of buildings covered by Section 100.0(a)

2. Newly constructed buildings.

A. All newly constructed buildings. Sections 110.0 through 110.12 apply to all newly constructed buildings within the scope of Section 100.0(a). In addition, newly constructed buildings shall meet the requirements of Subsections B, C, D, or E, as applicable and shall be an All-Electric Building as defined in Section 100.1(b).

Exception: Natural gas appliances may be used if the natural gas appliance locations are also wired for future electric appliance installation. They shall include the following:

1. A dedicated circuit, phased appropriately for each appliance with a minimum 30 amperage requirement (see manufacturer's recommendations) with an electrical receptacle or junction box that is connected to the electric panel with conductors of adequate capacity, extending to within 3 feet of the appliance and accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors.

2. Both ends of the unused conductor or conduit shall be labeled with the words "For Future Electric Appliance" and be electrically isolated.

3. A reserved circuit breaker space shall be installed in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled for each circuit, an example is as follows (i.e. "For Future Electric Range").

4. All electrical components, including conductors, receptacles, junction boxes, or blank covers, related to this section shall be installed in accordance with the California Electrical Code.

(c) Section 100.1(b) "Definitions" of the California Energy Code is amended by adding the following definitions to read as follows:

All-Electric Building or All-Electric Design: A building or building design that has no natural gas or propane plumbing installed within the building, and that uses electricity as the source of energy for its space heating, water heating, cooking appliances, and clothes drying appliances. All Electric Buildings may include solar thermal pool heating.

(d) The first paragraph in Section 110.2 "Mandatory Requirements for Space-Conditioning Equipment" of the California Energy Code is amended to state as follows:

110.2 Certification by Manufacturers. Any space-conditioning equipment listed in this section, meeting the requirements of 100(e)(2)(A), may be installed only if the manufacturer has certified to the Commission that the equipment complies with all the applicable requirements of this section.



(e) The first paragraph of subsection (a) in Section 110.3 "Mandatory Requirements for Service Water-Heating Systems and Equipment" of the California Energy Code is amended to state as follows:

110.3 Certification by Manufacturers. Any service water-heating system or equipment listed in this section, meeting the requirements of 100(e)(2)(A), may be installed only if the manufacturer has certified to the Commission that the system or equipment complies with all the applicable requirements of this subsection for that system or equipment.

(f) The first paragraph of subsection (a) in Section 110.4 "Mandatory Requirements for Pool and Spa Systems and Equipment" of the California Energy Code is amended to state as follows:

110.4 Certification by Manufacturers. Any pool or spa heating system or equipment, meeting the requirements of 100(e)(2)(A), may be installed only if the manufacturer has certified that the system or equipment has all of the following:

(g) The first paragraph in Section 110.5 "Natural Gas Central Furnaces, Cooking Equipment, Pool and Spa Heaters, and Fireplaces: Pilot Lights Prohibited" of the California Energy Code is amended to state as follows:

110.5 Any natural gas system or equipment, meeting the requirements of 100(e)(2)(A), listed below may be installed only if it does not have a continuously burning pilot light:

(h) The title of Section 110.10 "Mandatory Requirements for Solar Ready Buildings" of the California Energy Code is amended to Section 110.10 "Mandatory Requirements for Solar Ready Buildings and Solar Panel System Requirements for New Buildings."

(i) Item 4 of Section 110.10(a) "Covered occupancies" of the California Energy Code is amended to state as follows:

4. Nonresidential buildings with three habitable stories or fewer, other than healthcare facilities, shall comply with the requirements of Sections 110.10(b) through 110.10(d) and 110.10(f).

(j) Section 110.10(f) "Mandatory Solar Installations" is added to the California Energy Code to state as follows:

Section 110.10(f) Mandatory Solar Installations. Solar Photovoltaic Systems shall be installed as follows:

1. New non-residential buildings with less than 10,000 square feet of gross floor area shall provide a minimum of a 3-kilowatt photovoltaic system.

2. New Non-residential buildings greater than or equal to 10,000 square feet of gross floor area shall provide a minimum of a 5-kilowatt photovoltaic system.

Exception: As an alternative to a photovoltaic system, all non-residential buildings may provide a solar hot water system (solar thermal) with a minimum collector area of 40 square feet.

[History: ORD. 661, 9/12/07; ORD. 689, 3/10/10; ORD. 713, 10/10/12; ORD. 738, 1/14/15; ORD 799, 1/8/20; ORD 804, 2/24/21]

#### **5.04.130 Colma Historic Building Code**

The 2019 Edition of the California Historical Building Code, contained in Part 8 of Title 24 of the California Code of Regulations is adopted by reference as the Colma Historical Building Code.

[History: ORD. 661, 9/12/07; ORD. 738, 1/14/15; ORD 799, 1/8/20]

#### **5.04.140 Colma Fire Prevention Code**

(a) The 2019 Edition of the California Fire Code, contained in Part 9 of Title 24 of the California Code of Regulations, which incorporates and amends the 2018 Edition of the International Fire Code published by the International Code Council, together with Chapter 1, with the following changes, additions, and deletions, is adopted by reference as the Colma Fire Prevention Code.

(b) Chapter 1 Division II, Administration, is adopted, in its entirety, for the administration and enforcement of the provisions of the Colma Fire Prevention Code, excepting amendments as provided herein:

- (1) Delete section 103.1, General.
- (2) Replace section 103.2, Appointment, with the following:

##### 103.2 Fire Code Official.

The Fire Chief of the Colma Fire Protection District shall also be known as the Fire Code Official, or the Fire Marshal, and may delegate certain responsibilities to a deputy fire code official or sworn personnel.

The Colma Building Official shall serve as the Fire Code Official and may delegate the responsibilities under this Code to qualified personnel retained by the Town, where relating to State Fire Marshal Building Standards in R-3 Occupancies. The Building Official may enforce other provisions of this code with the approval of the Fire Chief of the Colma Fire Protection District.

- (3) Replace section 105.3.3, Occupancy Prohibited Before Approval, with the following:

SECTION 105.3.3 FIRE DISTRICT APPROVAL REQUIRED. No final inspection by the Colma Building Official, or his or her designee, shall be made for occupancy of new or altered construction, and no certificate of occupancy shall be issued and no occupancy or temporary occupancy shall be granted until the installation of the prescribed fire protection features and access ways have been completed and approved by the Fire Code Official, excluding R-3 Single Family Dwellings in accordance with Health and Safety Code Section 13146.

- (4) Amend section 105.4, Submittals, to read as follows:

SECTION 105.4.1 Submittals. Construction documents shall be in accordance with this section. When required by the Fire Code Official, plans submitted to the Colma Building Department or Building Official for a permit shall also be

reviewed by the Fire Code Official to determine compliance with the Colma Fire Prevention Code. Upon review, a written report shall be returned to the local building official listing deficiencies or compliance with the Code.

- (5) Amend section 110.4, Violation Penalties, to read as follows:

**SECTION 110.4 VIOLATION PENALTIES.** Persons who violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or falsification of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable as set forth in section 1.05.010 of the Colma Municipal Code. Each day that a violation continues shall be deemed a separate offense.

- (6) Adopt Chapter 4, Emergency Planning and Preparedness, in its entirety.

- (7) Amend the sixth (6th) sentence of Section 505.1, Address Identification, to read as follows:

**SECTION 505.1 Address Identification.** Numbers typically shall be a minimum of 4 inches in height with a minimum stroke of 1/2 inch for individual residential structures, and a minimum of 6 inches in height for commercial structures with a minimum stroke of 3/4 inch, or other approved sizes based on distances from roadways. In multi-tenant buildings, with rear doors, addresses shall also be posted upon those tenant space doors at the rear of the building. The numerals on the rear doors shall be 3 inches in height and 1/2 inch in stroke.

- (8) Add new section 507.5.7, Fire Hydrant Standards, to read as follows:

**SECTION 507.5.7 FIRE HYDRANT STANDARDS.** All fire hydrants to be installed, or replaced, shall be new, UL listed, or equivalent, wet-barrel type having a minimum of two 2-1/2 inch and one 4-1/2 inch outlets equipped with National Standard Threads.

- (9) Add new section 507.5.8, Identification of Hydrants, as follows:

**SECTION 507.5.8 IDENTIFICATION OF HYDRANTS.** With respect to fire hydrants located in commercial and residential areas on public streets, and on private access roadways, the curbs/spaces in front of the fire hydrant shall be painted red or otherwise appropriately marked for a distance of fifteen feet (15') in either direction from any hydrant and not less than three feet (3') on any one side. On public streets in residential areas the fifteen feet (15') may be reduced to five (5') feet – when approved by the Fire Code Official. The Colma Fire Protection District shall have the authority to require any fire hydrant location be identified by installing a blue reflector on the street or access road adjacent to the fire hydrant, with the specific location of the fire hydrant to be determined by the Fire Code Official.

- (10) Amend Section 903, Automatic Sprinkler Systems, to delete Sections 903.2 through 903.2.10.1 and replace with the following:

**903.2 WHERE REQUIRED.** Notwithstanding the provisions of this Code or the provisions of any other codes applicable within the Town of Colma, an approved automatic fire extinguishing system shall be installed in the following:

- A. All new non-residential buildings having a total floor area of one thousand five hundred (1,500) square feet or more, or;
- B. All new residential buildings, or;
- C. All new buildings or structures thirty feet (30') or more in height as defined in the California Building Code, or;
- D. Buildings or structures which are three (3) stories or more, irrespective of height, or;
- E. All Group H occupancies, or;
- F. All new habitable basements, regardless of floor area, or;
- G. Existing residential structures which undergo any alteration or addition, or combination thereof, within a five (5) year period, wherein the area of alteration and/or addition, or combination thereof, exceeds fifty percent (50%) of the existing floor area, or;
- H. Existing non-residential structures which undergo any addition or alteration, or combination thereof, within a five (5) year period, wherein the area of alteration and/or addition, or combination thereof, exceeds fifty percent (50%) of the existing floor area, or;
- I. Non-residential buildings which undergo a change of use which results in a more hazardous occupancy classification as determined by the fire code official.

Automatic Sprinkler System Exceptions:

- 1. Mausoleum and columbarium structures as defined in the Cemetery Act, State of California; and
- 2. Where this Code or the California Building Code, California Code Of Regulations Title 24, Part 2 is more restrictive.

(11) Add Section 903.2.11.7, Fire Walls, to state the following:

**Section 903.2.11.7 FIRE WALLS.** The use of fire walls may be used for area increases in accordance with the California Building Code, but shall not be used to negate the requirements for an automatic fire extinguishing system as required by this section.

(12) Add Section 903.3.1.3.1, NFPA 13D Sprinkler System Installation, to state the following:

**903.3.1.3.1 INSTALLATION REQUIREMENTS.** In addition to the requirements of NFPA 13D the following policy shall be followed:

PLAN REVIEW –

1. Applicant shall provide a copy of a recent (within past 6 months) water flow test report. The test report shall be supplied by the water purveyor and printed on the water purveyor's letterhead.
2. A two-head calculation is required for occupancies up to 3600 sq ft. When a single family residence cannot meet California minimum water flow or access requirements, additional water flow and/or sprinkler head calculations may be required.

#### INSTALLATION –

1. Approved back flow assemblies shall be installed in accordance with water department requirements.
2. Water meter size shall be not less than 1 inch, with equal size service unless the Town makes exceptions.
3. When a hanger is being supported by a composite wood truss, pipe hangers shall have backing nuts on all threaded rods.
4. Approved annunciation devices shall be provided at locations designated by the Town, both exterior and interior. Exterior devices shall be an approved audible and visual sprinkler flow alarm. All notification appliances shall receive primary power from the kitchen refrigerator circuit.
5. The inspector's test valve shall be provided at the far remote-side of the system away from the riser and be clearly identified.
6. The location of the riser shall be in accordance with the Town requirements and shall conform with any Colma Planning Department requirements.
7. Attic (pilot) heads, for fire detection, shall be installed in attics with greater than 30 inches of vertical space and have access for storage, or if mechanical equipment is in the attic. Fire sprinkler heads shall be located at the attic access point and spaced every 30 feet on center at the ridgeline.
8. Fire sprinkler system main drains and Inspector's Test drains, shall be clearly identified, and shall either discharge into a Sanitary Sewer or a landscape area large enough to contain the system contents, in accordance with provisions of Municipal Regional Stormwater Permit.

#### INSPECTION REQUIREMENTS -

Inspections by the Town shall consist of not less than:

1. A rough installation inspection and hydrostatic test, prior to concealing any components.
2. The hydrostatic test shall be performed at 200 psi for a period of not less than 2 hours.
3. Underground piping system shall be flushed prior to connecting to the sprinkler riser.

4. Where concealed sprinkler heads are used a pre-final inspection shall be performed prior to the installation of the concealing plates to verify no presence of contaminants on the heads.

5. A final inspection.

(13) Replace Section 903.4.2, Alarms, with the following:

**903.4.2 ALARMS.** An approved audible and visual sprinkler flow alarm shall be provided on the exterior of the building in an approved location. An audible and visual sprinkler flow alarm shall be provided in the interior of the building in a normally occupied location. Multi-tenant buildings shall be provided with an audible and visual sprinkler flow alarm and a manual pull station within each separate tenant space, at an approved location. Multi-story buildings, regardless of tenancy, shall be provided with an audible and visual sprinkler flow alarm at each floor level, in an approved location. All bathrooms shall be provided with visual notification appliances where a fire alarm system is installed, actuation of the automatic sprinkler system shall activate the building fire alarm system.

(14) Replace Section 903.4.3, Floor Control Valves, with the following:

**903.4.3 FLOOR CONTROL VALVES.** Approved supervised indicating control valves and water-flow switches shall be provided at the point of connection to the riser on each floor in multi-level buildings.

EXCEPTION: Within individual dwelling units.

(15) Replace Sections 907.2 and 907.9 with the following:

**907.2 AND 907.9 WHERE REQUIRED IN NEW BUILDINGS AND EXISTING STRUCTURES.** An approved fire alarm system shall be installed including manual fire alarm boxes in each tenant space of a multi-tenant building and on each floor of a multi-story building regardless of tenancy.

(16) Replace Section 907.2.9 Group R-2, R-2.1 and R-2.2 with the following:

**907.2.9 Group R-2, R-2.1 and R-2.2.** Fire alarm systems with manual fire alarm boxes shall be installed at each exit and on each floor. Automatic smoke detection systems and smoke alarms shall be installed in Group R-2, R-2.1 and R-2.2 Occupancies as required in Sections 907.2.8.2, 907.2.9.1 and 907.2.10.2.

(17) Add item 6 to Section 1008.3.3, Rooms and Spaces, with the following:

6. All bathrooms, and paths of egress from those bathrooms to an exit discharge.

(c) The following Appendix Chapters are adopted;

Appendix A	Board of Appeals
Appendix B	Fire-Flow Requirements for Buildings
Appendix BB	Fire-Flow Requirements for Buildings (Schools)
Appendix C	Fire Hydrant Locations and Distribution

Amend Table C102.1, Required Number and Spacing of Fire Hydrants, Footnote C, to state the following:

Where water mains are extended along streets where fire hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided with spacing determined by the Fire Code Official, to provide for transportation hazards.

Appendix CC	Fire Hydrant Locations and Distribution (Schools)
Appendix D	Fire Apparatus Access Roads
Appendix F	Hazard Ranking
Appendix H	HMMP / HMIS (HazMat Inventory)
Appendix I	Fire Protection Systems – Noncompliant Conditions

[History: ORD. 661, 9/12/07; ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.150 Colma Existing Buildings Code**

The 2019 Edition of the California Existing Building Code, contained in Part 10 of Title 24 of the California Code of Regulations, is adopted by reference as the Colma Existing Building Code.

[History: ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.160 Colma Green Building Standards Code**

(a) The 2019 Edition of the California Green Building Standards Code, contained in Part 11 of Title 24 of the California Code of Regulations, with the following changes, additions, and deletions, is adopted by reference as the Colma Green Building Standards Code.

(b) Section 202 “Definitions” of the California Green Building Standards Code is amended by adding the following definitions to read as follows:

Level 1 EV Ready Space: A parking space served by a complete electric circuit with a minimum of 110/120 volt, 20-ampere capacity including electrical panel capacity, overprotection device, a minimum 1” diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled “Electric Vehicle Outlet” with at least a ½” font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE).

Level 2 EV Ready Space: A parking space served by a complete electric circuit with 208/240 volt, 40-ampere capacity including electrical panel capacity, overprotection device, a minimum 1” diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled “Electric Vehicle Outlet” with at least a ½” font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE) with a minimum output of 30 amperes.

Electric Vehicle Charging Station (EVCS): A parking space that includes installation of electric vehicle supply equipment (EVSE) with a minimum capacity of 30 amperes

connected to a circuit serving a Level 2 EV Ready Space. EVCS installation may be used to satisfy a Level 2 EV Ready Space requirement.

(c) Section 4.106.4.1 through Section 4.106.4.1.1 of the California Green Building Standards Code is amended to state as follows:

4.106.4.1 New one- and two-family dwellings and townhouses with attached private garages. For each dwelling unit, install a Level 2 EV Ready Space and Level 1 EV Ready Space.

Exception: For each dwelling unit with only one parking space, install a Level 2 EV Ready Space.

4.106.4.1.1 Identification. The raceway termination location shall be permanently and visibly marked as "Level 2-EV Ready."

(d) Section 4.106.4.2 "New Multifamily Dwellings" of the California Green Building Standards Code is amended to state as follows:

4.106.4.2 New multifamily dwellings. If residential parking is available, 15% of dwelling unit parking spaces shall be Level 2 EV Ready Spaces. Calculations for the required number of spaces shall be rounded up to the nearest whole number.

Exception: For multifamily housing projects with 50% or greater affordable housing units, 10% of dwelling unit parking spaces shall be Level 2 EV Ready Spaces.

Notes:

1. Load balancing systems may be installed to increase the number of EV chargers or the amperage or voltage beyond the minimum required. Load balancing does not allow installing less electrical panel capacity than would be required without load balancing.

2. Installation of Level 2 EV Ready Spaces above the minimum number required level may offset the minimum number Level 1 EV Ready Spaces required on a 1:1 basis.

3. The requirements apply to multifamily buildings with parking spaces including: a) assigned or leased to individual dwelling units, and b) unassigned residential parking.

4. In order to adhere to accessibility requirements in accordance with California Building Code Chapters 11A and/or 11B, it is recommended that all accessible parking spaces for covered newly constructed multifamily dwellings are provided with Level 1 or Level 2 EV Ready Spaces.

(e) The first paragraph in Section 5.106.5.3.1 "Single charging space requirements" of the California Green Building Standards Code is amended to state as follows:

5.106.5.3.1 Single charging space requirements. When only a single charging space is required per Table 5.106.5.3.3, a Level 2 EV Ready Space is required at the time of construction and be installed in accordance with the California Electrical Code. Construction plans and specifications shall include, but are not limited to the following:



(f) The first paragraph in Section 5.106.5.3.2 "Multiple charging space requirements" of the California Green Building Standards Code is amended to state as follows:

When multiple charging spaces are required per Table 5.106.5.3.3, a minimum of one a Level 2 EV Ready Space is required to be installed at the time of construction. Raceway(s) is/are required to be installed for all remaining parking spaces. A Level 2 EV Ready Space and raceway(s) shall be installed in accordance with the California Electrical Code. Construction plans and specifications shall include, but are not limited to the following:

(g) Section 5.106.5.3.4 "Identification" of the California Green Building Standards Code is amended as follows:

The raceway termination location shall be permanently and visibly marked as "EV Ready."

(h) Section 4.408 "Construction Waste Reduction, Disposal and Recycling" of the California Green Building Standards Code is amended by deleting Sections 4.408.1 through 4.408.5 and adding a new Section 4.408.1 to state as follows:

4.408.1 All construction and demolition work within the Town of Colma shall be in compliance with sections 5.04.260 through 5.04.350 of the Colma Municipal Code.

(i) Section 5.408 "Construction Waste Reduction, Disposal and Recycling" of the California Green Building Standards Code is amended by deleting Sections 5.408.1 through 5.408.1.4 and adding a new Section 5.408.1 to state as follows:

5.408.1 All construction and demolition work within the Town of Colma shall be in compliance with sections 5.04.260 through 5.04.350 of the Colma Municipal Code.

[History: ORD. 738, 1/14/15; ORD. 799, 1/8/20; ORD 804 2/24/21]

#### **5.04.170 Colma Referenced Standards Code**

The 2019 Edition of the California Referenced Standards Code, contained in Part 12 of Title 24 of the California Code of Regulations, is adopted by reference as the Colma Referenced Standards Code.

[History: ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.180 Colma Housing Code**

(a) The 1997 Edition of the Uniform Housing Code published by the International Conference of Building Officials, with the following changes, additions, and deletions, is adopted by reference as the Colma Housing Code.

(b) Section 203.1 is hereby deleted.

(c) Section 302, Fees, is amended in its entirety to read as follows:

Whenever work is required to be done under the provisions of this code, a building, plumbing, electrical or mechanical permit may be required by the Building Official prior to commencement of the work. Fees may be assessed pursuant to permit fee resolutions adopted by the City Council from time to time. If abatement proceedings are initiated against a property to gain compliance with the provisions of this code, all costs associated with the abatement shall be paid by the property owner pursuant to the provisions of subchapter 2.01 of the Colma Municipal Code.

(d) Section 1001.2, Inadequate Sanitation, is amended by adding the following:

16. Lack of an approved potable water supply.

[*History*: ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.190 Colma Abatement of Dangerous Buildings Code**

The 2018 Edition of the International Property Maintenance Code as published by the International Code Council is adopted by reference as the Colma Property Maintenance Code.

[*History*: ORD. 738, 1/14/15; ORD 799, 1/8/20]

#### **5.04.200 Interpretation**

The provisions of these Codes are enacted for the public health, safety, and welfare and are to be liberally construed for those purposes thereof.

[*History*: ORD. 738, 1/14/15; ORD. 799, 1/8/20]

#### **5.04.210 Codes Available to the Public**

A complete set of the above referenced codes adopted in this subchapter shall be maintained in the Building Department and shall be made available for review by the public.

[*History*: ORD. 738, 1/14/15; ORD 799, 1/8/20]

### ***Division 3: Hours of Construction***

#### **5.04.220 Standard Hours of Construction**

(a) The City Council finds that regulation of construction noise is necessary to protect the public health and safety, and that construction noise at early or late times of the day is a nuisance to neighboring properties.

(b) As used in this subchapter, "noise generating construction activity" means the use of any noise generating equipment or tool, including but not limited to: excavators, backhoes, post diggers, pile drivers, saws, electric screw drivers, grinders, nail guns, compressors, generators, hammers, jack hammers, power washers, paint guns, scaffolding erection, or similar noise generating equipment. "Noise generating construction activity" also includes construction

material delivery, demolition activities and the servicing of tools and equipment. "Noise generating construction activity" does not include activities such as drywall finishing, painting, tile laying, carpet installation or the use of small hand tools in a fully enclosed structure with windows and doors closed.

(c) Within a radius of 500 feet from any residential unit within the Town boundaries, noise generating construction activity shall only be permitted between the following hours/days:

Monday Through Friday	8:00 AM through 7:00 PM
Saturday	9:00 AM through 5:00 PM
Sunday	12:00 PM through 5:00 PM

Noise generating construction activity is prohibited on all of the following federal holidays: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day.

The Building Official, or his or her designee, may grant an exception for special conditions when requested in writing and approved by the Building Official, or his or her designee, prior to the start of noise generating activity. The above requirements do not apply to emergency repair work, work for public utility and street repair, street sweeping, garbage collection and emergency response warning systems.

(d) For projects more than 500 feet from a residential unit in the Town of Colma, construction hours shall be assigned on a project-by-project basis by the Building Official, or his or her designee, or as established within a project's Conditions of Approval, based on evaluation of potential noise-related impacts on surrounding uses.

[History: Formerly § 5.04.110; Ord 661, 9/12/07; Ord 738, 1/14/15; Ord 755, 2/10/16; Ord. 799, 1/8/20]

#### **5.04.230 ADA Access During Construction**

No person shall conduct any construction or repair work that interferes with or encroaches upon the public right-of-way unless that person establishes and maintains an accessible path of travel during construction for use by persons, including those with disabilities, and posts adequate approved signage directing users to that path.

[History: Ord 713, 10/10/12; Ord 738, 1/14/15; Ord. 799, 1/8/20]

### ***Division 4: Enforcement***

#### **5.04.240 Enforcement Responsibilities**

(a) The Building Official of the Town of Colma, or his or her designee, shall enforce the provisions of this Code, acting for and on behalf of the Town of Colma.

(b) Pursuant to Health and Safety Code Section 13146, the responsibility for the enforcement of Building Standards adopted by the State Fire Marshal and contained within these codes, relating to fire and panic safety and other regulations of the Office of the State Fire Marshal as they apply to Group R, Division 3 One and Two Family Dwellings, shall be delegated to the Building Official of the Town of Colma.

[*History*: ORD. 738, 1/14/15; ORD 799, 1/8/20]

#### **5.04.250 Violation and Penalties**

(a) A willful violation of a lawful order of the Building Official issued pursuant to the Colma Building Codes is a misdemeanor, punishable as set forth in subchapter 1.05.010 of the Colma Municipal Code.

(b) A violation of any other provision of this subchapter is an infraction, punishable as set forth in subchapter 1.05 of the Colma Municipal Code, including paragraph (c)(4) of section 1.05.020.

(c) A violation of this subchapter shall also be deemed to be a public nuisance under section 2.01.060 of the Colma Municipal Code, and may be abated pursuant to the procedures set forth in subchapter 2.01 of the Code. The costs of abatement shall become a lien upon the property involved. Notwithstanding any other provision in subchapter 2.01, the authority granted the Code Enforcement Officer, in subchapter 2.01 may also be exercised by a Colma Building Official, or his or her designee. Specifically, but without limitation, the Colma Enforcement Officer or the Colma Building Official may issue Administrative Citations in accordance with the procedures set forth in subchapter 2.01 of the Colma Municipal Code.

[*History*: ORD. 738, 1/14/15; ORD 799, 1/8/20]

### ***Division 5: Recycling and Diversion of Construction and Demolition Debris***

#### **5.04.260 Finding and Purpose**

The City Council of the Town of Colma hereby finds and determines that the Town is committed to protecting the public health, safety, welfare and environment; that in order to meet these goals it is necessary that the Town promote the reduction of solid waste and reduce the stream of solid waste going to land fills; that under California law as embodied in the California Waste Management Act (California Public Resources Code Sections 40000 et seq.), Colma is required to prepare, adopt and implement source reduction and recycling elements to reach reduction goals, and is required to make substantial reductions in the volume of waste materials going to landfill, under the threat of penalties of \$10,000 per day; that debris from demolition and construction of buildings and tenant upgrades represents a portion of the volume presently coming from Colma, and that much of said debris is particularly suitable for recycling; that Colma's commitment to the reduction of waste and to compliance with state law requires the

establishment of programs for recycling and salvaging construction and demolition materials; the City Council recognizes that requiring demolition and construction debris to be recycled and reused may in some respects add modestly to the cost of demolition and in other respects may make possible some cost recovery and cost reduction; and that it is necessary in order to protect the public health, safety and welfare that the following regulations be adopted.

[History: ORD. 738, 1/14/15]

#### **5.04.270 Definitions**

For purposes of this chapter the following definitions apply:

(a) "Builder" means any person or entity holding, or required to hold, a contractor's license of any type under the laws of the State of California, or who performs (whether as contractor, subcontractor or owner-builder) any construction, demolition, remodeling, or landscaping service relating to buildings or accessory structures in the Town of Colma.

(b) "Construction" means all building, landscaping, remodeling, addition, removal or destruction involving the use or disposal of Designated Recyclable and Reusable Materials as defined in paragraph D below.

(c) "Demolition and Construction Debris" means:

(1) Discarded materials generally considered to be not water soluble and non-hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, gypsum, wallboard, and lumber from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure and/or landscaping, and including rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing, landscaping and development operations for a construction project.

(2) Clean cardboard, paper, plastic, wood, and metal scraps from any construction and/or landscape project.

(3) Non-construction and demolition debris wood scraps.

(4) Deminimis amounts of other non hazardous wastes that are generated at construction or demolition projects provided such amounts are consistent with best management practices of the industry.

(5) Mixing of construction and demolition debris with other types of solid waste will cause it to be classified as other than construction and demolition debris.

(d) "Designated Recyclable and Reusable Materials" means:

(1) Masonry building materials including all products generally used in construction including, but not limited to asphalt, concrete, rock, stone and brick.

- (2) Wood materials including any and all dimensional lumber, fencing or construction wood that is not chemically treated, creosoted, CCA pressure treated, contaminated or painted.
- (3) Vegetative materials including trees, tree parts, shrubs, stumps, logs, brush or any other type of plants that are cleared from a site for construction or other use.
- (4) Metals including all metal scrap such as, but not limited to, pipes, siding, window frames, door frames and fences.
- (5) Roofing Materials including wood shingles as well as asphalt, stone and slate based roofing material.

"Salvageable Materials" including but not limited to wallboard, doors, windows, fixtures, toilets, sinks, bath tubs and appliances.

[History: ORD. 738, 1/14/15]

#### **5.04.280 Salvage and Recovery**

- (a) Prior to demolition, the Builder shall make each structure planned for demolition available for salvage and recovery and shall recover the maximum feasible amount of designated Recyclable and reusable materials. Recovered and salvaged designated Recyclable and reusable materials from the deconstruction phase shall qualify to be counted in meeting the diversion requirements of this chapter.
- (b) Construction Debris and Demolition Debris may not be collected and removed from property in the Town except by a Franchisee, or a licensed construction or demolition contractor using its own employees, equipment and vehicles as an incidental part of a comprehensive service offered by such contractor, rather than as a hauling service, or the person actually generating the Construction or Demolition Debris. All Construction Debris and Demolition Debris shall be disposed of by such person at a licensed transfer station or a materials recovery facility. Notwithstanding anything to the contrary in this Code, the Collector may charge a fee for such services.
- (c) Nothing in this subchapter or subchapter 3.05 shall prohibit the generator of Construction or Demolitions Debris from selling or donating such materials to a buyer or donee, provided that the generator may not pay the buyer or donee for collecting, removing or disposing of Construction or Demolition Debris.

[History: ORD. 738, 1/14/15]

#### **5.04.290 Diversion Requirements**

- (a) The Builder shall divert at least the following specified percentages of the waste tonnage of demolition and construction debris generated from every demolition, remodeling and construction project from going to land fill by using recycling, reuse and diversion programs:

- (1) Demolition: fifty percent (50%) of waste tonnage for projects which include concrete and asphalt waste, or fifteen percent (15%) of waste tonnage for projects which do not include concrete and asphalt waste;
- (2) Re-roofing of homes with shingles or shakes as a separate project: fifty percent (50%) of waste tonnage;
- (3) Construction and Remodeling: fifty percent (50%) of waste tonnage.

(b) Separate calculations and reports will be required for the demolition and for the construction portion of projects involving both demolition and construction.

[History: ORD. 738, 1/14/15]

#### **5.04.300 Information Required Before Issuance of Permit**

(a) Every applicant shall submit a properly completed "Recycling and Waste Reduction Form", on a form as prescribed by the Building Department, to the Building Department as a portion of the building or demolition permit process. The form shall contain an accurate estimate of the tonnage or other specified units of construction and/or demolition debris to be generated from construction and demolition on the site. Approval of the form as complete and accurate shall be a condition precedent to issuance of any building or demolition permit.

(b) The City Building Official shall, within 30 calendar days after the City has received an application for a construction or demolition project, determine, in writing, whether such application is complete and shall promptly transmit such determination to the applicant to the address indicated on the application form. In the event that the application is determined not to be complete, the City Building Official shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

[History: ORD. 738, 1/14/15]

#### **5.04.310 Deposit Required**

As a condition precedent to issuance of any permit for a building or a demolition permit that involves the production of solid waste destined to be delivered to a landfill, the applicant shall post a cash deposit in the amount of fifty dollars (\$50.00) for each estimated ton of construction and/or demolition debris, but not less than one hundred dollars per unit for residential projects or one thousand dollars (\$1,000.00) for commercial, industrial or other projects. The deposit or cash bond shall be returned, without interest, in total or in proportion, upon proof to the satisfaction of the building official, that no less than the required percentages or proven proportion of those percentages of the tons of debris generated by the demolition and /or construction project have been diverted from landfills and have been recycled or reused. If a lesser percentage of tons or cubic yards than required are diverted, a proportionate share of the deposit will be returned. The deposit shall be forfeited entirely or to the extent that there is a failure to comply with the requirements of this chapter.

[History: ORD. 738, 1/14/15]

#### **5.04.320 Exemption from Diversion and Deposit Requirements**

(a) For construction or demolition projects where less than 1,000 lbs of waste has been calculated, and where in light of the facts and circumstances applicable to the project, including without limitation, the size of the project or the type of materials being removed (e.g., contaminated or non-recyclable material), it would be impossible or impractical for the Builder to comply with the diversion requirements set forth in Section 5.05.040 the Builder may seek a waiver of these requirements by filing a complete Town of Colma Waste Reduction Plan Waiver, available at the City Clerk's office, with the Building Official. The Building Official shall review the application and may waive the diversion and deposit requirements where he finds that: (1) the project is expected to generate less than 1,000 lbs of waste; (2) it would be impossible or impractical for the applicant to comply with the diversion requirements, given the nature of the project; and (3) the applicant shall maximize reuse and/or recycling of waste material generated by the project pursuant to the methods specified in its completed Town of Colma Waste Reduction Plan Waiver. The Building Official's determination regarding whether to waive the requirements shall be in writing and shall explain the bases supporting the determination.

(b) All other provisions of this subchapter shall apply to a project that is granted a waiver pursuant to subsection (a).

*[History: ORD. 738, 1/14/15]*

#### **5.04.330 Administrative Fee**

As a condition precedent to issuance of any permit for a building or a demolition permit that involves the production of solid waste destined to be delivered to a landfill, the applicant shall pay to the Town a cash fee sufficient to compensate the Town for all expenses incurred in administering the permit. The amount of this fee shall be determined in accordance with the then current resolution of the City Council determining the same, and shall be specified in the Town's Master Fee Schedule.

*[History: ORD. 738, 1/14/15]*

#### **5.04.340 In-Site Practices**

During the term of the demolition or construction project, the Builder shall recycle or divert the required percentages of materials, and keep records thereof in tonnage or in other measurements approved by the Building Department that can be converted to tonnage. The Building department will evaluate and monitor each project to gauge the percentage of materials recycled, salvaged and disposed from the project. The required diversion of a minimum of the required percentages of the demolition and construction debris will be measured separately with respect to the demolition segment and the construction segment of a project where both demolition and construction are involved. To the maximum extent feasible on-site separation of scrap wood and clean green waste in a designated debris box or boxes shall be arranged, in order to permit chipping and mulching for soil enhancement or land cover purposes. In order to protect chipping and grinding machinery, metal and other materials which cannot be chipped or ground shall not be placed in such boxes. On-site separation shall be undertaken for wallboard to the extent feasible on new construction.



[History: ORD. 738, 1/14/15]

#### **5.04.350 Reporting**

Within sixty (60) days following the completion of the demolition project, and again within sixty (60) days following the completion of the construction project, the Builder shall, as a condition precedent to final inspection and to issuance of any certificate of occupancy, submit documentation to the Building Department to establish compliance with the requirements of Section 5.05.040. The documentation shall consist a final completed "Recycling and Waste Reduction Form" showing actual data of tonnage of materials recycled and diverted, supported by originals or certified photocopies of receipts and weight tags or other records of measurement from recycling companies, deconstruction contractors and/or landfill and disposal companies. Receipts and weight tags will be used to verify whether materials generated from the site have been or are to be recycled, reused, salvaged or otherwise disposed of. If a project involves both demolition and construction, the report and documentation for the demolition project must be submitted and approved by the Building Department before issuance of a building permit for the construction project. In the alternative, the permittee may submit a letter stating that no waste or recyclable materials were generated from project, in which case this statement shall be subject to verification by the Building Department. Any deposit posted pursuant to Section 5.05.060 shall be forfeited if the permittee does not meet the timely reporting requirements of this section.

[History: ORD. 738, 1/14/15]