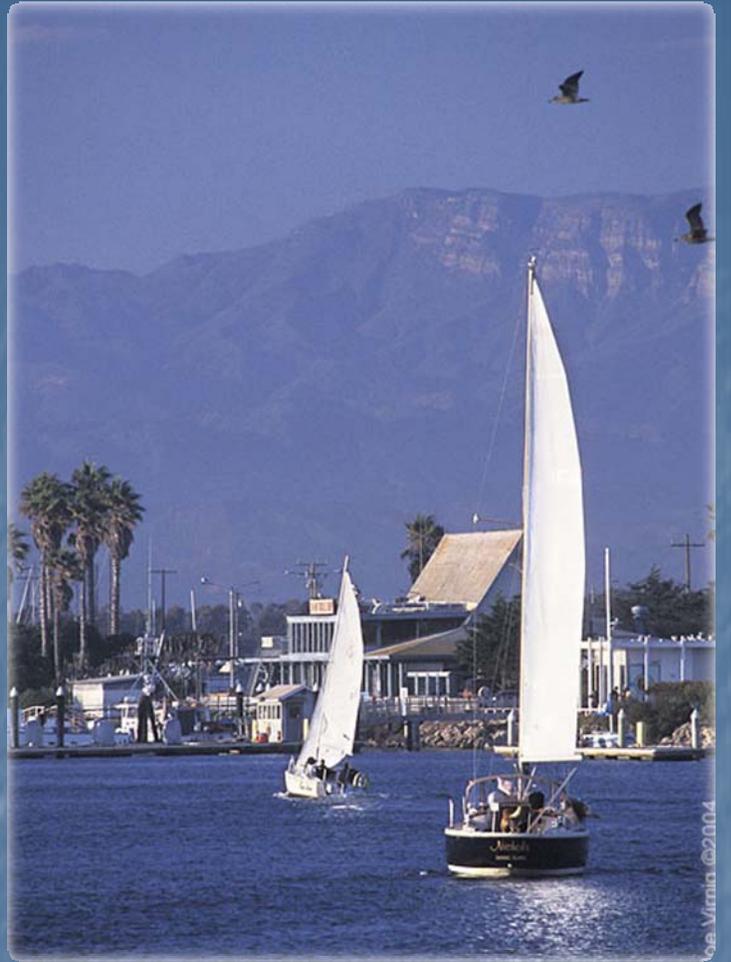


# Ventura County Building Code



2007 Edition

*Resource Management Agency  
Building and Safety Division*



*Ordinance No.  
4369*

# **VENTURA COUNTY**

## **BUILDING CODE**

2007 EDITION

Ventura County Ordinance

Compiled by

THE RESOURCE MANAGEMENT AGENCY  
DIVISION OF BUILDING AND SAFETY

### Ventura

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### East County

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The Ventura County Building Code, as shown herewith, is a compilation of the following ordinances adopted by the Ventura County Board of Supervisors.

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4188	July 15, 1999
4274	December 5, 2002
4369	November 20, 2007

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ORDINANCE NO. 4369

AN ORDINANCE OF THE COUNTY OF VENTURA AMENDING THE VENTURA COUNTY BUILDING CODE AND ADOPTING BY REFERENCE THE CURRENT EDITIONS OF CERTAIN MODEL CODES AS FOLLOWS: CALIFORNIA BUILDING CODE, 2007 EDITION; UNIFORM HOUSING CODE, 1997 EDITION; UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION; CALIFORNIA ELECTRIC CODE, 2007 EDITION; CALIFORNIA PLUMBING CODE, 2007 EDITION; THE CALIFORNIA MECHANICAL CODE, 2007 EDITION; AND APPENDIX A1 OF THE CALIFORNIA EXISTING BUILDING CODE, 2007 EDITION, TOGETHER WITH AMENDMENTS THERETO.

The Board of Supervisors of the County of Ventura ordains as follows:

The Ventura County Building Code (VCBC) is hereby amended to read as follows:

ARTICLE 1 - ADOPTION OF THE CALIFORNIA BUILDING STANDARDS CODES AND OTHER MODEL CODES BY REFERENCE

CHAPTER 1 - ADOPTION INTO THE VENTURA COUNTY BUILDING CODE

Section 101 VENTURA COUNTY BUILDING CODE DEFINED.

101.1 ELEMENTS. The Ventura County Building Code contained herein is comprised of the following elements:

- a) The specified portions of the California Building Standards Codes known as Title 24, Parts 2, 3, 4, 5, 6, 8 and 10; and
- b) The model codes referenced by the California Building Standards Code and the model codes herein adopted by reference being:
  - 1) The International Building Code, 2006 Edition.
  - 2) The National Electrical Code, 2005 Edition.
  - 3) The Uniform Mechanical Code, 2006 Edition.
  - 4) The Uniform Plumbing Code, 2006 Edition.
  - 5) The International Existing Building Code, 2006 Edition.
  - 6) The Uniform Housing Code, 1997 Edition.
  - 7) The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition; and
- c) The Ventura County Amendments contained in this ordinance to the above referenced codes.

Taken together, the codes and amendments described above constitute the Ventura County Building Code.

101.2 AMENDMENTS. Ventura County amendments to the California Building Standards Code and the other adopted model codes are found in Articles 3 through 9 of this Code.

102 ADMINISTRATION. The administrative provisions referenced in Article 2 - General Application Amendments are applicable to all portions of the Ventura County Building Code.

103. **FILING WITH THE CLERK OF THE BOARD.** Not less than one (1) certified copy of this Code and of each of the codes adopted by reference herein are on file in the office of the Clerk of the Board of Supervisors, and all such certified copies of the codes shall be kept at that office for public inspection while this Code is in force.

104. **COPIES OF CODE FOR SALE TO THE PUBLIC.** Copies of the Ventura County Building Code shall be made available in the offices of the Building Official for examination. Purchase of the codes by the public at a price not to exceed the actual cost thereof to the County plus a reasonable handling charge as established by the Building Official shall be available for purchase depending on the stock on hand.

**CHAPTER 2 - ADOPTION OF THE  
CALIFORNIA BUILDING CODE (CBC)**

**SECTION 101 – ADOPTION.** That building code known as the "California Building Code," 2007 Edition, and also known as the California Code of Regulations (C.C.R.), Title 24, Part 2 - a portion of the "California Building Standards Code", which incorporates by reference the 2006 edition of the International Building Code with adopted California amendments, together with Appendices Chapter "1" Administration, "C" Agricultural Buildings; "I" Patio Covers; "J" Grading; promulgated and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795 the purpose and subject matter of which, among other things, is to protect the public health and safety as set out in Section 101.3 of the International Building Code, is hereby adopted and enacted as the primary building code of the County and made a part of this Code by reference with the same force and effect as if fully set forth herein subject to the following amendments.

**SECTION 102 – AMENDMENTS.** Refer to Article 2, Chapter 1, Section 101.23 in this Code for an explanation of the section numbering and cross-referencing system used for the amendments which follow. Ventura County amendments to the California Building Code are found in Article 3 of this Code.

**CHAPTER 3 - ADOPTION OF THE  
CALIFORNIA ELECTRICAL CODE (CEC)**

**SECTION 101 – ADOPTION.** That Electrical Code known as the "California Electrical Code," 2007 Edition, and also known as the California Code of Regulations (C.C.R.), Title 24, Part 3 - a portion of the "California Building Standards Code", which incorporates by reference the 2005 edition of the National Electrical Code with necessary California amendments, promulgated and published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269; the purpose of which, among other things is to provide minimum standards for the design, installation, maintenance, and use of electrical wiring and electrical apparatus in order to safeguard persons and property from electrical hazards, is hereby adopted and enacted as the primary Electrical Code of the County and is made a part of this Code by reference with the same force and effect as if fully set forth herein, with specific modifications as indicated in Article 4:

**SECTION 102 – AMENDMENTS.** Refer to Article 2, Chapter 1, Section 101.23 in this Code for an explanation of the section numbering and cross-referencing system used for the amendments. Ventura County amendments to the California Electrical Code are found in Article 4 of this Code.

**CHAPTER 4 - ADOPTION OF THE  
CALIFORNIA MECHANICAL CODE (CMC)**

**SECTION 101 – ADOPTION.** That mechanical code known as the California Mechanical Code," 2007 Edition and also known as the California Code of Regulations (C.C.R.), Title 24, Part 4 - a portion of the "California Building Standards Code", which incorporates by reference the 2006 edition of the Uniform Mechanical Code with necessary California amendments, and Appendices A, B, C, and D promulgated and published by the International Association of Plumbing and Mechanical Officials, 5001 E Philadelphia St, Ontario CA, 91761, and as amended herein, the purpose and subject matter of which, among other things, is to protect public health and safety as stated in Section 102 of said code, is hereby adopted and enacted as the primary mechanical code of the County and made a part of this Code by reference with the same force and effect as if fully set forth herein, subject to the following amendments.

**SECTION 102 – AMENDMENTS.** Refer to Article 2, Chapter 1, Section 101.23 in this Code for an explanation of the section numbering and cross-referencing system used for the amendments which follow. Ventura County amendments to the California Mechanical Code are found in Article 5 of this Code.

**CHAPTER 5 - ADOPTION OF THE  
CALIFORNIA PLUMBING CODE (CPC)**

**SECTION 101 – ADOPTION.** That plumbing code known as the "California Plumbing Code," 2007 Edition, and also known as the California Code of Regulations (C.C.R.), Title 24, Part 5 - a portion of the "California Building Standards Code", which incorporates by reference the 2006 edition of the Uniform Plumbing Code with necessary California amendments, together with Uniform Plumbing Code Appendices A, B, D, E, , I, K and L promulgated and published by the International Association of Plumbing and Mechanical Officials, 5001 E Philadelphia St, Ontario CA, 91761, the purpose and subject matter of which is to protect public health and safety by establishing minimum regulations for the installation, alteration, or repair or plumbing and drainage systems, is hereby adopted and enacted as the primary plumbing code of the County and made a part of this Code by reference with the same force and effect as if fully set forth herein, subject to the following amendments.

**SECTION 102 – AMENDMENTS.** Refer to Article 2, Chapter 1, Section 101.23 in this Code for an explanation of the section numbering and cross-referencing system used for the amendments. Ventura County amendments to the California Plumbing Code are found in Article 6 of this Code.

**CHAPTER 6 - ADOPTION OF THE  
UNIFORM HOUSING CODE (UHC)**

**SECTION 101 – ADOPTION.** That Housing Code known as the "Uniform Housing Code," 1997 Edition which was promulgated and published by the International Conference of Building Officials, 5360 South Workingman Mill Road, Whittier, California 90601, the purposes and subject matter of which among other things is to protect the public health and safety as set out in Section 102 of said Code, is hereby adopted and enacted as the primary Housing Code of the County and is made a part of this Code by reference with the same force and effect as if fully set forth herewith with specific modifications as indicated below.

**SECTION 102 – AMENDMENTS.** Refer to Article 2, Chapter 1, Section 101.23 in this Code for an explanation of the section numbering and cross-referencing system used for the amendments. Ventura County amendments to the Uniform Housing Code are found in Article 7 of this Code.

**CHAPTER 7 - ADOPTION OF THE UNIFORM CODE FOR THE  
ABATEMENT OF DANGEROUS BUILDINGS (DBC)**

**SECTION 101 – ADOPTION.** That code known as the "Uniform Code for the Abatement of Dangerous Buildings," 1997 Edition, promulgated and published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, the purpose of which, among other things, is to protect the public health and safety as set out in Section 102 of this Code, is hereby adopted and enacted as the Code for Abatement of Dangerous Buildings in the County and is made a part of this Code by reference with the same force and effect as if fully set forth herein with specific modifications as indicated below. This Code will be referred to herein as the Dangerous Buildings Code.

**SECTION 102 – AMENDMENTS.** Refer to Article 2, Chapter 1, Sec. 101.23 in this Code for an explanation of the section numbering and cross-referencing system used for the amendments. Ventura County amendments to the Dangerous Buildings Code are found in Article 8 of this Code.

**CHAPTER 8 - ADOPTION OF APPENDIX CHAPTER A1 OF THE  
CALIFORNIA EXISTING BUILDING CODE (CEBC)**

**SECTION 101 – ADOPTION:** That code known as the “California Existing Building Code”, 2007 Edition, and also known as the California Code of Regulations (C.C.R.), Title 24, Part 10 - a portion of the “California Building Standards Code” which incorporates by reference Appendix Chapter 1 of the 2006 edition of the International Existing Building Code, promulgated and published by the International Code Council , 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, and as amended herein, the purpose and subject matter of which, among other things, is to promote public safety and welfare by reducing the risk of death or injury from the effects of earthquakes on existing unreinforced masonry bearing wall buildings as stated in Section A101 of said code, is hereby adopted as the primary code for addressing existing unreinforced masonry (URM) wall buildings in the County and made a part of this Code by reference with the same force and effect as if fully set forth herein, subject to the following amendments.

**SECTION 102 – AMENDMENTS:** Refer to Article 2, Chapter 1, Section 101.23 in this Code for an explanation of the section numbering and cross-referencing system used for the amendments. Ventura County amendments to Appendix Chapter 1 of the International Existing Building Code are found in Article 9 of this Code.

**ARTICLE 2 - AMENDMENTS OF GENERAL APPLICATION TO ALL OF  
THE ADOPTED STATE AND MODEL CODES**

**CHAPTER 1 - ADMINISTRATION**

**SECTION 101 – GENERAL**

**101.1 TITLE.** This ordinance shall be known as the "Ventura County Building Code," may be cited as such, and will be referred to herein as "this Code." This ordinance shall adopt certain State and model codes by reference, together with amendments thereto, as published herein. These referenced codes and amendments shall have the same force and effect as if fully set forth herein.

**101.3 PURPOSE.** The Board of Supervisors expressly finds that the purpose of this Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, relocation, and maintenance of all buildings and structures within the County and certain equipment specifically regulated herein.

The purpose of this Code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Code.

**101.18 AUTHORITY.** This Code is adopted pursuant to the statutory authority of Health and Safety Code Section 17910 et seq., known as the "State Housing Law." It is further adopted in conformity with the provisions of Sections 50022.1 to 50022.10, inclusive of the Government Code relating to the adoption of codes by reference.

**101.19 APPLICABILITY.** This Code shall apply within all of the unincorporated territory of Ventura County.

**101.20 INTENT.** It is the intent of this Article to provide administrative control over all of the applicable sections of the adopted State and model codes even if these sections are not specifically identified in each of the adopted codes.

**101.21 CONFLICTS.** Wherever conflicts occur between the provisions of this Code and the separate codes adopted by reference hereby, or between different sections within such individual code or codes, the most restrictive provisions or those which set the highest standard of health and safety shall govern.

Where conflicts occur between provisions of this Code and other duly enacted County codes and ordinances, those provisions becoming law last in time shall govern.

Wherever in this Code reference is made to the Appendix, the Appendix shall not apply unless specifically adopted.

**101.22 SEVERABILITY.** If any article, chapter, section, sub-section, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these regulations. The Board of Supervisors hereby declares that it would have passed this ordinance, and each article, chapter, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, chapters, sections, sub-sections, sentences, clauses, and phrases be declared unconstitutional or invalid.

**101.23 SECTION NUMBERING AND CROSS-REFERENCING SYSTEM FOR CODE AMENDMENTS.** To facilitate cross-referencing between the adopted codes as published and the amendments contained herein, amendments are numbered to correspond to the State and model code sections which are affected. Thus, "Article 3, Chapter 18 Section 1802" in this Code is an amendment to, and supersedes Chapter 18, Section 1802 as published in the California Building Code.

Generally, each numbered subsection of the adopted codes, for example, IBC subsection 1802.4, is deemed to be separate and distinct from others for the purpose of amendment. An amendment to one subsection changes only that portion and does not by omission of reference amend or delete any other part of the Section such as IBC Section 1802.6.

**102.4 REFERENCED CODES AND STANDARDS.** Whenever in this Code, except as stated in Article 1, Section 101.1, or in any of the codes adopted by reference hereby, another code or publication of standards or of rules or regulations is referred to, any language to the contrary notwithstanding, such reference shall not incorporate by reference such other codes, standards, or rules or regulations as part of this Code or of any of the codes adopted by reference hereby unless set out in full herein, but they shall be considered and may be used by the Building Official as guides to assist in determining whether or not there has been compliance with the provisions of this Code. The Building Official shall not be bound by the provisions of any such other codes, standards, interpretations, or rules or regulations not expressly adopted by reference in this Code in determining such compliance.

### **SECTION 103 – ORGANIZATION AND ENFORCEMENT**

**103.1 CONTINUANCE OF DIVISION.** There is hereby continued within the County the "Division of Building and Safety" of the Resource Management Agency, which division shall be under the administrative and operational control of the Building Official designated by the appointing authority.

**103.3 DEPUTIES.** In accordance with the prescribed procedures and with the approval of the appointing authority of the County, the Building Official may, from time to time, appoint such number of officers, inspectors, assistants and other employees as shall be necessary to carry out the functions of the Division of Building and Safety and act as duly authorized representatives of the Building Official.

### **SECTION 104 – POWERS AND DUTIES OF THE BUILDING OFFICIAL**

**104.1 ENFORCEMENT OF CODES.** The Building Official is hereby authorized and directed to enforce all the provisions of this Code and of the codes adopted by reference hereby. The decision of the Building Official in enforcing the provisions of this Code or of the codes adopted by reference, or in interpreting the provisions thereof, or in exercising the authority delegated thereby shall be final, subject to appeal as provided in this Code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

The Building Official shall have the power to render interpretations of this Code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

**104.5.1 POWER OF CITATION.** Pursuant to the authority vested in the Board of Supervisors of the County of Ventura by California Penal Code section 836.5, the Building Official and certain of his authorized subordinates as hereinafter provided shall have the power of arrest without warrant whenever they have reasonable cause to believe that the person to be arrested has committed in their presence a misdemeanor, misdemeanor/infracton, or infracton, consisting of a violation of the provisions of this Code or any other ordinance or statute which the Building Official has a duty to enforce.

The persons who are authorized to make arrests as herein provided shall consist of the Building Official and those of his subordinates as he may from time to time designate, whose duties include inspection and enforcement activities for Ventura County.

In any case in which a person is arrested pursuant to this section and the person arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the person on his promise to appear as prescribed by section 853.6 of the California Penal Code. The provisions of that chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this section.

**104.6 RIGHT OF ENTRY.** Whenever it is necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous, hazardous, or insanitary, the Building Official or his authorized representative may enter such building, or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building official by this Code; provided that if such building or premises be occupied, he shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or the persons having charge or control of the building, structure, or premises and request entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

**104.7 RECORDS.** The Building Official shall keep a permanent, accurate account of all fees and other monies collected and received under this Code, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.

**104.8 LIABILITY.** The Building Official or his authorized representatives charged with the enforcement of this Code, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of his duties. Any suit brought against the Building Official or employee because of such act or omission performed by him in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by the legal department of the County until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by the County.

It is the intent of the Board of Supervisors to establish minimum standards for the protection of the public health, safety, and welfare. This Code shall not be construed to establish standards of performance, strength, or durability other than those specified. Neither this Code nor any services rendered in connection with or pursuant to its terms by County officers, inspectors, agents or employees, is intended nor shall be construed as the basis for any express or implied warranties or guarantees to any person relative to or concerning any structure or part, portion, or appurtenance thereto or thereof constructed, erected, altered, enlarged, repaired, moved, replaced, or removed pursuant to this Code or any permits against the County or any of its officers, inspectors, agents, or employees because any structure or portion thereof erected, constructed, altered, enlarged, repaired, moved, replaced, or removed, or any appliances installed, maintained, repaired or replaced hereunder does not meet the standards prescribed herein, or does not meet any other standards prescribed elsewhere as to performance, strength, durability or other characteristics.

This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the County be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates of inspection issued under this Code.

## SECTION 105 – PERMITS

**105.1 PERMITS REQUIRED.** No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure, building service equipment, machine, equipment, or cause the same to be done, without first obtaining the necessary permit for each such building or structure from the Building Official. The terms "erect, construct, enlarge, alter, repair," etc. as used above shall be deemed to include any and all electrical, plumbing, mechanical, grading, or other work regulated by this Code.

**105.1.1 ANNUAL MAINTENANCE PERMITS.** The Building Official may, upon receipt of the required fee, issue an annual maintenance permit to any authorized person, firm, or corporation regularly engaged in the repair, replacement, or facility maintenance of electrical, plumbing, or mechanical systems regulated by this Code. The annual maintenance permit shall cover maintenance work which is performed on the specific premises of a person, firm or corporation and shall entitle the holder to be issued permits for said work on a monthly basis in lieu of obtaining individual permits prior to each installation or alteration of electrical wiring, plumbing, or mechanical equipment.

**105.1.1.1 APPLICABILITY** Annual Maintenance Permits shall only be applicable to commercial and industrial facilities.

**105.1.2 REPORTING.** The holder of an annual maintenance permit shall report all work done under the permit on a form furnished for the purpose not more than fifteen (15) days following the end of each calendar month, or as otherwise approved by the Building Official. Each such report shall be accompanied by required fees.

**105.1.3 STREAMLINED PERMITS FOR CERTAIN AGRICULTURAL BUILDINGS, GREENHOUSES AND SHADE STRUCTURES.** The provisions of this Code with respect to plan review and inspection shall not apply to certain agricultural buildings, greenhouses and shade structures as specified herein, provided that all of the following conditions are met:

1. The building or structure is used exclusively as an agricultural building as defined in the International Building Code (I.B.C.), and is not designed, equipped or intended for human occupancy or any use other than as an agricultural building, and
2. The building or structure is located not closer than 30 feet to an adjoining property line, except a public way, or 60 feet from a building on the same lot. (See Table 602).
3. The building or structure is detached, single story, not over 15 feet in height as defined in the IBC, and is of conventional light wood frame (Type V-B) construction, and
4. The floor area of the building or structure does not exceed the following limits:
  - a. On sites of 10 acres or more in size: 3,000 square feet.
  - b. On sites 2 acres or more but less than 10 acres in size: 1,500 square feet, except for nurseries.
  - c. On sites 2 acres or more but less than 10 acres in size: 3,000 square feet for nurseries licensed by the Agricultural Commissioner.
  - d. On sites less than 2 acres in size: none.
  - e. Shade cloth structures without permanently affixed sides: 12,000 square feet, and
5. The building is determined to be exempt from requirements for preparation of plans by a professional engineer or architect as set forth in the California Professional Engineer's or Architect Act, and
6. A Zoning Clearance as an agricultural building, greenhouse or shade structure for the building or structure is approved by the Planning Division, and
7. Approval from the Environmental Health Division is obtained for properties with septic systems, and
8. Approval from the Flood Plain Manager of the Public Works Agency is obtained as required, and

9. Approval from the Ventura County Fire Department is obtained relative to access, water supply, fire sprinkler, brush clearance and high fire hazard area requirements for any barn or storage structure designed and constructed to house farm implements, hay, grain, poultry or livestock in excess of 1,500 square feet in area; and where a review for other types of agricultural buildings up to 3,000 square feet in area is not required; and
10. Approval from the Development and Inspection Services Division of the Public Works Agency is obtained when a grading permit is required, and
11. A code complying exit is provided from the building or structure, and
12. There is no plumbing, mechanical or electrical work proposed for the building or structure.

**105.1.3.1 FEES FOR STREAMLINED AGRICULTURAL BUILDING PERMITS.**

Except for the required permit issuance fee, no plan review or building permit fee shall be applicable to agricultural buildings, greenhouses and shade structures qualifying for the above procedure under the provisions of that section.

**105.1.3.2 OTHER PERMITS.** Plumbing, mechanical and electrical permits shall be required when applicable.

**105.1.3.3 APPLICABILITY TO OTHER AGENCIES.** Nothing herein shall be construed as providing exemption from the requirements of any agency other than the Division of Building and Safety.

**105.1.4 PERMITS FOR SMALL AGRICULTURAL PRODUCE STANDS.** The provisions of this Code with respect to plan review and inspection shall not apply to agricultural produce stands, as specified herein, provided that all of the following conditions are met:

1. A Zoning Clearance for the produce stand is approved by the Planning Division.
2. Approval for the sale of agricultural products is obtained from the Environmental Health Division.
3. Approval from the Environmental Health Division is obtained for properties with septic systems.
4. The produce stand is used exclusively for the sale of agricultural produce only.
5. The building or structure is located not closer than 30 feet to an adjoining property line, except a public way or 60 feet from a building on the same lot. (See Table 602).
6. The floor area of the building does not exceed 400 square feet and is a single story, entirely of conventional light-wood frame structure of type V-B construction.
7. An area equivalent to at least 65% of the area of the longest side is left open and unobstructed during business hours.
8. A code complying exit is provided from the structure.

**105.1.4.1 FEES FOR SMALL AGRICULTURAL PRODUCE STANDS.** Except for the required permit issuance fee, no plan review or building permit fee shall be applicable to produce stands qualifying for exemption under the provisions of this section.

**105.1.4.2 OTHER PERMITS.** Plumbing, mechanical and electrical permits shall be required when applicable.

**105.1.4.3 APPLICABILITY TO OTHER AGENCIES.** Nothing herein shall be construed as providing exemption from the requirements of any agency other than the Division of Building and Safety.

## **SECTION 105.2 EXEMPTED WORK**

**BUILDING:** A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, patio covers, playhouses, playground or athletic equipment and similar uses provided the floor area does not exceed 120 square feet.
2. Fences not over 6 feet high measured from adjacent grade on the side which yields the greatest height, unless supporting a surcharge or structural element.
3. Oil derricks.
4. Movable cases, counters, and partitions not over 5 feet 9 inches high.
5. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
6. Water tanks supported directly upon grade if the tank capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
7. Platforms, walks and wood decks not more than 30 inches above grade at any point and not over any basement or story below, nor supporting any structure above.
8. Painting, papering, and similar finish work.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Window awnings supported completely by an exterior wall of Group R, Division 3 or Group U, Division 1 Occupancies when projecting not more than 54 inches nor encroaching into required yards.
11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy that are less than 18 inches deep, and the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons (18,927L).
12. [For SFM] State-owned buildings under the jurisdiction of the state fire marshal.
13. Freestanding signs not more than 10 feet in height and not more than 72 square feet in area and wall signs not more than 200 square feet in area.
14. Residential television and radio antennas and dish antennas not more than 3 feet in diameter with an approved zone clearance.
15. Commercial antennas not over 15 feet in height when in compliance with the County Zoning Ordinance.
16. Electrolier standards and flag poles not over 35 feet in height when in compliance with the County Zoning Ordinance.
17. Readily removable plastic covered hoop structures without in-ground footings or foundations that are not more than 8' in height.
18. Agricultural wind generating machines except that an electrical or gas permit is required if they are connected to a commercial utility.
19. Detached one story shade covers for animals when the covers are not over 12 feet in height above grade and not more than 1,000 square feet of roof area.

**ELECTRICAL:** An electrical permit will not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this Code.
2. Repair or replacement of fixed motors, transformers or approved fixed appliances of same type and rating and in the same location.
3. Temporary decorative lighting energized by cord or cable having an attachment plug end to be connected to an approved receptacle.
4. Reinstallation of attachment plug receptacles but not the outlets therefore.
5. Replacement of an overcurrent device of the same capacity and in the same location.
6. Repair or replacement of electrodes or transformers of the same size and capacity for approved signs or gas tube systems.
7. Removal of abandoned electrical wiring.
8. Electrical wiring, devices, appliance or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

9. Low-energy power, control and signal circuits of Class II and III as defined in this Code.

**PLUMBING:** A plumbing permit will not be required for the following:

1. The stopping of leaks in drains, soil, waste or vent piping, provided that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace all or part thereof with new material, the same shall be considered as new work, and a permit shall be obtained and inspections made, as provided in this Code.
2. The clearing of stoppages or the repair of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, or the installation of new water closets on existing drainage connections, providing such repairs or reinstallation do not involve or require the replacement or rearrangement of valves or pipes. If it becomes necessary to remove and replace or rearrange valves, water piping, traps, drainpipe, soil, waste or vent pipes, the same shall be considered as new work, and a permit shall be obtained and inspections made as provided in the code.

**MECHANICAL:** A Mechanical Permit shall not be required for the following:

1. A portable heating appliance, portable ventilating equipment, a portable cooling unit, or a portable evaporative cooler.
2. A closed system of steam, hot or chilled water piping within heating or cooling equipment, regulated by this Code.
3. Replacement of any component part or assembly of an appliance that does not alter its original approval and complies with other applicable requirements of this Code.
4. Refrigerating equipment that is part of the equipment for which a permit has been issued pursuant to the requirements of this Code.
5. A unit refrigerating system.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

**105.2.3.4 WAIVER OF PERMIT.** The Building Official may, by administrative order, waive permit requirements for work which is not inimical to the public health, safety or welfare, or which because of its temporary nature or special purpose, does not fall within the purview or intention of this Code.

**105.3 APPLICATION FOR PERMIT.** To obtain a permit the applicant shall first file an application therefore in writing on a form furnished for that purpose. Every such application shall:

1. Give such information as may be required by the Building Official, County Agencies, or State Law.
2. Be accompanied by such plans, diagrams, computations, schedules, specifications and other data as may be necessary to determine compliance with this Code and other applicable codes, laws, ordinances, rules and regulations.

**105.3.2 EXPIRATION OF PLAN REVIEW.** Applications for which no permit is issued within 360 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. Upon written request by the applicant, a plan review application may be extended by the Building Official for an additional 180 day period, provided:

1. No code changes have occurred within 360 Days of the initial plan review application, and
2. The plan review application has been "APPROVED" as provided in Section 106.3 of this Code and,
3. The request for extension is accompanied by a fee not less than 10% of the plan review fees in effect at the time of plan review application, and
4. There are no changes proposed for the plan review application. Changes proposed after plan approval shall automatically cause expiration and a new plan check application with new full plan review fees shall be required.

Unless specifically authorized by the Building Official and documented as to cause, no application shall be extended more than once.

**105.4.1 EMERGENCY BUILDING PERMITS.** The Building Official is hereby authorized to establish procedures for issuing permits to correct emergency situations. The Building Official may verbally authorize work to proceed for such purposes, with the condition that a standard application will be filed once the emergency has been overcome. The holders of such emergency permits shall proceed at their own risk without assurance that the work so accomplished shall be approved as constructed.

Emergency repairs to plumbing, electrical, and mechanical installations may be initiated prior to obtaining the required permits, provided that such work was urgently necessary and it was impractical to obtain the permits prior to commencement of the work. Permits for all such work shall be obtained as soon as it is practical to do so.

**105.5 EXPIRATION OF PERMIT.** Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days after the date of issuance of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days, or if the work authorized by such permit does not receive final inspection approval within 3 years from the issuance date of the permit. Before such work may be recommenced, a new or renewed permit shall first be obtained to do so. The fee therefore shall be based upon the valuation and extent of work remaining to complete the project, but such fee shall not exceed one-half the permit fee applicable at the time of permit issuance, providing no changes have been made or will be made in the original plan and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration has exceeded one year, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which he may perform work under that permit when he is unable to perform work within the time required by this section for good and satisfactory reasons. The Building Official may, without requiring payment of an additional permit fee, extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. Demolition permits issued for the correction of violations shall expire after 30 days.

For the purpose of this Section "suspended or abandoned" shall be measured as elapsed time between approved REQUIRED INSPECTIONS as delineated in IBC Sections 109.3.1 through 109.3.10.

**105.8 PERMITS TRANSFERABLE.** Permits required by this Code may be transferred from the original permittee to second parties when legal requirements have been satisfied, when approved by the Building Official, and when applicable fees have been paid.

## **SECTION 106 – CONSTRUCTION DOCUMENTS**

**106.1 SUBMITTAL DOCUMENTS.** Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

EXCEPTION: The Building Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code.

Computations, diagrams, schedules, soil reports, geological or geotechnical reports, and other data sufficient to show the correctness and adequacy of the plans shall be submitted when required by the Building Official.

**106.2 SITE PLAN.** The Construction Documents submitted in accordance with Section 106.1 of this Code shall be accompanied by a Site Plan, drawn to scale, showing the size and location of all proposed construction, all existing structures on the site, including the Point of Connection to the Public or Private Sewer System, Public or Private Water Supply and all other serving utilities, distances between proposed and existing structures, from proposed structures to property lines and the established street grades and proposed finished grades. Site Plans shall also include the location of all recorded easements along with the easement descriptions. When applicable, Site Plans shall also indicate flood hazard areas, floodways, and design flood elevations, including finish floor elevations of the lowest habitable floor.

When required by the Building Official, a survey of the lot shall be performed to assure that a structure is located in accordance with the requirements of this Code, and/or is situated with respect to Mean Sea Level such that it complies with regulations governing construction in flood-prone areas.

**106.3 EXAMINATION OF DOCUMENTS.** When documents are required precedent to the issuance of a permit, per section 106.1, and those documents have been confirmed, by review, to comply with the requirements of this Code, the Building Official shall endorse, or cause to be endorsed, in writing or stamp on both sets of plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved provided adequate information and detailed statements have been found complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his/her own risk without assurance that the permit for the entire building or structure will be granted.

## **SECTION 106.6 – PERMIT ISSUANCE**

**106.6.1 PERMIT ISSUANCE: DENIAL.** The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of the County to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this Code and other pertinent laws and ordinances, and that all required fees have been paid, he shall issue a permit therefore to the applicant.

Except where special building designs or other mitigating measures have been approved by the Building Official and cooperating officials of other County agencies, a building permit may be denied where physical features of a building site are such that a denial of the building permit is deemed necessary to safeguard life or limb, health, property, or public welfare. Physical features which justify the denial of a permit shall include but shall not be limited to:

1. Precipitous cliffs or other nearby vertical land masses of unknown stability.
2. Unstable soils or geologic conditions.
3. Terrain which is subject to flooding, inundation, or severe soil erosion.

**106.6.2 PERMIT ISSUANCE: RESTRICTIONS.** The issuance of permits shall be restricted to those applicants or their authorized representatives who are entitled by the regulations and the exemptions in the State Contractor's License Law, Business and Professions Code, and other applicable statutes to perform work regulated by this Code.

1. Owner-Builder permits may be issued to a property owner building or improving his/her principal place of residence or appurtenances thereto, provided that all of the following conditions exist:
  - a. The residence is not intended or offered for sale.
  - b. The homeowner has actually resided in the residence for the 12 month period prior to the completion of the work for which the permits is issued.
2. Owner-Builder permits may be issued to a property owner building or improving structures thereon who contract for such projects with licensed contractors pursuant to Division 3, Chapter 9, of the California Business and Professions Code.
3. Tenant Improvement permits may be issued to tenants when authorized by the building owner for work within the tenant space.

## **SECTION 108 – FEES**

**108.1 GENERAL.** Fees for permits and services rendered pursuant to this Code shall be assessed as set forth in this Code, and in accordance with the latest Ventura County Building Code Fee Schedule as established by the Board of Supervisors.

### **108.2 SCHEDULE OF FEES.**

**108.2.1 PLAN REVIEW FEES.** When a plan or other data are required to be submitted by Section 105.3 , a plan review fee shall be paid at the time of submitting plans and data for plan review. Said plan review fee shall be as shown in the latest Ventura County Building and Safety Fee Schedule as established by the Board of Supervisors.

The plan review fees specified in this section are separate fees from the permit fees, and are in addition to the permit fees.

The amount of the plan review fee for the initial submittal of a "Standard Plan" as defined herein shall be the full plan review fee as specified above. The plan review fee for subsequent submittals of a plan which qualifies as a "Standard Plan" shall be one-half of the initial plan review fee. "Standard Plan" is hereby defined as a prototype plan for a building or structure which is to be utilized at more than one site, and which incorporates the same essential structural features, design, dimensions and calculations as the original approved plan. A "Standard Plan" shall be void three years after its original approval or upon revision of the applicable codes under which it was initially reviewed, or at the discretion of the Building Official.

When plans are incomplete or are changed so as to require additional plan review, an additional plan review fee shall be charged but such fee shall not exceed one-half the initial plan review fee. Corrected plans which are resubmitted to the Division of Building and Safety for approval subsequent to initial plan review shall not be subject to an additional plan review fee. The fee for additional plan review may be waived by the Building Official when the time consumed in the performance of such service totals less than one-half hour.

**108.2.2 PERMIT FEES.** The fee for each building permit, plumbing permit, electrical permit, mechanical permit, or combination permit shall be as set forth in the latest Ventura County Building and Safety Fee Schedule as established by the Board of Supervisors and in effect on the date of permit application.

**108.2.3 OTHER FEES.** Other fees charged for services by the Division of Building and Safety shall be as set forth in the latest Ventura County Building and Safety Fee Schedule as established by the Board of Supervisors.

**108.3 VALUATIONS** The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The valuation to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

#### **108.4 INVESTIGATION FEES: WORK WITHOUT PERMIT**

**108.4.1 FEE.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then, or is subsequently, issued. The investigation fee shall be equal to the amount of the permit fee required by this Code, and shall in no case be less than the minimum fees required by the latest Ventura County Building and Safety Fee Schedule.

The payment of such investigation fee shall not exempt any person from compliance with all applicable provisions of this Code or any of the codes adopted by reference hereby, nor from any penalty prescribed by law.

**108.6 FEE REFUNDS.** The Building Official may authorize the refunding of fees upon written application by the original permittee, within the limitations set forth herein:

- (a) Permit issuance fees shall be nonrefundable except as provided in subsection (c) below.
- (b) Any fee totaling thirty-five dollars (\$35) or less, exclusive of any issuance fee, if any, shall be nonrefundable except as specified in subsection (c) below.
- (c) 100% of any fee erroneously paid or collected shall be refundable, except for that portion paid for State Seismic Fee (SMIP).
- (d) 90% of any plan review fee, less a cancellation fee, shall be refundable when the permit application is withdrawn or canceled prior to commencement of plan review.
- (e) 90% of any permit fee, less a cancellation fee and State of California Seismic Fee (SMIP), shall be refundable when none of the work covered by such permit has commenced.

- (f) 90% of any Board of Appeals hearing fee, less a cancellation fee, shall be refundable when such hearing is canceled prior to the issuance of a Notice of Hearing pertaining to the case.

Failure of the permittee to make written application for a refund within 180 days of cancellation or expiration of a plan review, permit, hearing, or request for service for which a fee has been paid, shall constitute a waiver of entitlement to a refund. No partial refund shall be authorized nor credit be applied against other fees which may be payable to the Division of Building and Safety when a construction project is canceled or abandoned subsequent to partial completion of the building or work authorized by a permitted.

**108.7 CANCELLATION FEE.** Refunds of fees for permits and services associated with construction projects which are canceled or withdrawn prior to commencement of plan review, inspection, or performance of other service by the Division of Building and Safety shall be subject to a cancellation fee as set forth in the Ventura County Building and Safety Fee Schedule.

## **SECTION 109 – INSPECTIONS**

**109.1 GENERAL.** All construction or work for which a permit is required shall be subject to inspection by the Building Official to ensure compliance with the requirements of this Code and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. In addition, certain types of construction shall have periodic or continuous inspection, as specified in Chapter 17 of the IBC

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

**109.1.1 SETBACK AND HEIGHT CERTIFICATION.** When required by the Building Official, a survey may be required to confirm that the building or structure is located in accordance with the approved plans and does not exceed the approved building height as shown on the approved plans and measured from “grade” or “grade plane” as defined in Section 202 of this Code.

**109.5 INSPECTION REQUESTS.** It shall be the responsibility of the owner or person doing work authorized by a permit to notify the Building Official by telephone, orally, or in writing when said work is ready for inspection. Such notification shall be given at least one working day before such inspection is desired.

No portion of any building, structure, wiring, plumbing, ductwork or equipment which is required to be inspected shall be permanently covered or concealed without approval of the Building Official. The Building Official shall have authority to remove, or to require the removal of, any obstruction which prevents the required inspection of any portion of a building, structure, wiring, plumbing, ductwork, electrical, or mechanical equipment, as necessary to verify compliance with this Code and the approved drawings.

**109.6 APPROVALS REQUIRED.** Work shall not be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Official. Such written approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in section 109.3 of the IBC and by other applicable laws and ordinances.

There shall be a final inspection and approval on all buildings when completed and ready for occupancy. An approval for occupancy and the issuance of a clearance by the Building Official for the connection of utilities to any building or structure shall be contingent upon compliance with provisions of this Code and any other applicable laws and ordinances.

When, in the judgment of the Building Official, unusual conditions exist which justify the connection of utilities prior to completion of a building or structure, a temporary clearance may be issued for such connection.

## **SECTION 110 – CERTIFICATE OF OCCUPANCY**

**110.2 CERTIFICATE ISSUED.** After the Building Official inspects the building or structure and finds no violations of the provisions of this Code, including type of occupancy and use of the building, or other laws or regulations enforced by the code enforcement agency, the Building Official shall issue a Certificate of Occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and mailing address of the owner.
4. The name and mailing address of the tenant.
5. A description of that portion of the building, including floor area (in square feet) for which the certificate is issued.
6. A statement that the described portion of the building has been inspected for compliance with this Code for the group and division of occupancy and the use for which the designated occupancy is classified.
7. The name of the Building Official.
8. The date that the Certificate of Occupancy was issued.

The Certificate of Occupancy shall run concurrently with the tenancy of the building. Subsequent tenants shall be required to obtain a Certificate of Occupancy in their name.

**110.3 TEMPORARY OR PARTIAL CERTIFICATE.** Upon application by the owner, and for reasonable cause, if the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the entire building is completed, a Temporary or Partial Certificate of Occupancy may be issued for a portion or portions of the building. Such Temporary or Partial Certificate must include compliance with this Code for all required access and exiting systems, toilet facilities and fire protection equipment and systems.

Upon completion of the entire structure all Temporary or Partial Certificates shall be surrendered to the Building Official in exchange for a final Certificate of Occupancy.

## **SECTION 111 – SERVICE UTILITIES**

**111.3 AUTHORITY TO DISCONNECT UTILITIES.** The Building Official or his authorized representative shall have the authority to disconnect any utility service or energy supplied to a building, structure or building service therein regulated by this Code, or the referenced technical codes, in case of emergency where necessary to eliminate an immediate hazard to life or property.

The Building Official shall, whenever possible, notify the serving utility, the owner and the occupants of the building or structure of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupants of the building or structure, in writing, of such disconnection immediately thereafter.

**111.4 RECONNECTION AFTER ORDER OF DISCONNECTION.** No person shall make connections from any energy, power or fuel supply, nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the

use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

## **SECTION 112 – BOARDS OF APPEALS**

**112.1 GENERAL.** To determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretations of the provisions of this Code, and to hear the appeals provided for, there shall be and are hereby created Boards of Appeals. Each Board shall consist of five members who are not employees of the County and who are qualified by experience and training to pass upon matters pertaining to the type of construction related to each Board's jurisdiction as hereinafter described. The Building Official shall be an ex officio member of each board and shall act as, or appoint as necessary, a Secretary for each Board. Each Board of Appeals shall be appointed by the Board of Supervisors and shall hold office at its pleasure. Each Board shall adopt reasonable rules and regulations for conducting its investigations. All decisions and findings shall be rendered in writing to the appellant with duplicate copy to the Building Official. Copies of all rules and regulations adopted by the Board shall be delivered to the Building Official who shall make them accessible to the public. All decisions of a Board of Appeals shall be final.

### **112.4 – SPECIFIC BOARDS OF APPEAL**

**112.4.1 GENERAL BOARD OF APPEALS.** The jurisdiction of the General Board of Appeals shall be all the appealable matters contained in this Code, except those matters expressly placed within the jurisdiction of one of the following Board of Appeals.

**112.4.2 BOARD OF GRADING APPEALS.** The jurisdiction of the Board of Grading Appeals shall be the appealable matters contained in APPENDIX J of the International Building Code.

**112.4.3 BOARD OF MECHANICAL AND PLUMBING APPEALS.** The jurisdiction of the Board of Mechanical and Plumbing Appeals shall be the appealable matters contained in the Uniform Mechanical Code and the Uniform Plumbing Code.

**112.4.4 BOARD OF ELECTRICAL APPEALS.** The jurisdiction of the Board of Electrical Appeals shall be the appealable matters contained in the National Electrical Code.

**112.4.5 BOARD OF APPEALS OF ACCESSIBILITY MATTERS.** The jurisdiction of the Board of Appeals of Accessibility matters shall be the appealable matters contained in California State Title 24 (CCR), the Federal Americans with Disabilities Act and Federal Housing Authority regulations for disabled access.

**112.5 APPEALS HEARING FEE.** Required fees as set forth in the latest Ventura County Building and Safety Fee Schedule shall accompany each application for a hearing before any of the appeals boards authorized by this Code.

## **SECTION 113 – VIOLATIONS**

**113.1 UNLAWFUL ACTS** . It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure, building service equipment, machine or equipment or cause or permit the same to be done in violation of this Code or to violate any provision of this Code.

**113.5 INFRACTIONS.** It shall be an infraction of law for any person to remove, deface, or alter a posted notice of the Building Official or duly appointed representative when such notice constitutes a stop work order or a warning of substandard or hazardous conditions or prohibits or restricts the occupancy or use of a building, structure, or building service equipment regulated by this Code.

**113.6 MISDEMEANORS.** Any person, firm, or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, misdemeanor/infraction, or infraction, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted. Each and every violation of any provision of this Code is a misdemeanor unless designated by this Code to be an infraction or a misdemeanor/infraction.

**113.7 MISDEMEANORS/INFRACTIONS.** Every violation of this Code designated a misdemeanor/infraction shall be a misdemeanor; provided that, where the District Attorney has determined that such action would be in the best interests of justice, the District Attorney may specify in the accusatory pleading that the violation shall be an infraction and the violation shall then be prosecuted as an infraction.

**113.8 PUNISHMENTS.** Any person convicted of a misdemeanor, the penalty for which is not otherwise prescribed, shall be punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than six (6) months or both such fine and imprisonment. Any person convicted of an infraction, the penalty for which is not otherwise prescribed, shall be punished by (a) a fine not exceeding one hundred dollars (\$100) for the first violation; (b) a fine not exceeding two hundred dollars (\$200) for a second violation of the same ordinance provision within one year; and (c) a fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance provision within one year.

## **SECTION 114 – STOP WORK ORDER**

**114.1 AUTHORITY** Whenever any building work is being done contrary to the provisions of this Code, or in violation of applicable ordinances of other County agencies, the Building Official is authorized to order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

Whenever the Building Official finds that a building or structure for which a permit has been issued may be flooded or is subject to erosion hazard if the work is completed in the manner proposed, or that the completion of such work will cause the flooding of other buildings or structures, the Building Official may order all work stopped and refer the matter to the Flood Plain Manager of the Ventura County Public Works Agency, or other qualified County officer for a determination as to such danger. If the Flood Plain Manager or other qualified County officer reports that substantial danger exists, the Building Official shall order work stopped until plans to alleviate such danger have been reviewed and approved by the Flood Plain Manager or County officer.

Failure to order work stopped or to make such referral or both shall not be construed as a representation that danger of flooding or erosion does not or will not exist if the work is completed in the manner proposed.

## **SECTION 115 – UNSAFE STRUCTURES AND EQUIPMENT**

**115.2 NOTICE OF INTENT TO RECORD NOTICE OF NONCOMPLIANCE AND RECORDATION OF NOTICE OF NONCOMPLIANCE.** Whenever the Building Official determines that work has been done without the required permit, or has not been completed in accordance with the requirements of this Code, the Building Official shall post the property and mail to the owner(s) of that property a Notice of Intent to Record a Notice of Noncompliance. The Notice of Intent shall describe the property, shall set forth the noncomplying conditions, and shall inform the owner(s) that the Building Official shall record a Notice of Noncompliance unless, by a date specified in the Notice of Intent, (1) it is demonstrated to the satisfaction of the Building Official that the noncomplying conditions have been corrected or (2) a timely appeal has been filed with the Board of Appeal.

- A. If by the date specified in the Notice of Intent, (1) it has not been demonstrated to the satisfaction of the Building Official that the noncomplying conditions have been corrected and (2) a timely appeal has not been filed with the Board of Appeal, the Building Official shall record a Notice of Noncompliance.
- B. If a timely appeal is filed with the Board of Appeal and the Board finds that the noncomplying conditions have not been corrected and need to be corrected, the Building Official shall record a Notice of Noncompliance.

Under either A or B above, the Notice of Noncompliance shall be recorded with the office of the County Recorder and the owner(s) of the property shall be notified of such action. The Notice of Noncompliance shall describe the property, shall set forth the noncomplying conditions, and shall state that the property owner(s) have been notified.

If after a Notice of Noncompliance has been recorded, it is demonstrated to the satisfaction of the Building Official that the noncomplying conditions have been corrected or removed, the Building Official shall record with the office of the County Recorder a Release of Notice of Noncompliance.

The Release shall describe the property, crossed-referenced to the Notice of Noncompliance, and state that the noncomplying conditions have been corrected or removed. A fee as set forth in the latest Ventura County Building and Safety Fee Schedule may be charged the property owner(s) for issuing and recording the Release of Notice of Noncompliance.

**115.3 AUTHORITY TO CONDEMN BUILDING SERVICE EQUIPMENT.** Whenever the Building Official ascertains that any building service equipment regulated in the referenced technical codes has become hazardous to life, health or property, or becomes insanitary, he shall order, in writing, that such equipment either be removed or restored to a safe or sanitary condition, whichever is appropriate. The written order itself shall fix a time limit for compliance with such order. No person shall use or maintain defective building service equipment after receiving such notice.

When any building service equipment is maintained in violation of this Code and in a violation of any notice issued pursuant to the provisions of this section, the Building Official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

**ARTICLE 3 - AMENDMENTS TO THE  
CALIFORNIA BUILDING CODE (CBC**

**CHAPTER 2 - DEFINITIONS**

**SECTION. 200 - AMENDMENTS**

See Article 2, Chapter 1 for amendments of general application to this Code. Where there is a conflict between the general amendments and specific ones found herein, the more specific shall apply.

**SECTION. 201 - GENERAL**

**201.3 Terms defined in other codes.** Where terms are not defined in this Code and are defined in the California Fire Code, California Mechanical Code, California Electrical Code or California Plumbing Code, such terms shall have the meanings ascribed to them as in those codes. Whenever in this Code, or in any of the codes herein adopted, the following names or terms are used, they shall have the meanings set out herein.

Where terms are not defined within any of the adopted codes, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

**SECTION 202 Definitions**

**APARTMENT HOUSE** shall mean any building or portion thereof which contains three or more dwelling units and, for the purpose of this Code, includes residential condominiums and townhouses.

**BUILDING OFFICIAL** shall mean the Director of the Building and Safety Division, as appointed by the Director of the Resource Management Agency, charged with the administration and enforcement of this Code, or a duly authorized representative.

**EXCEPTIONS:**

1. For the purpose of enforcing the provisions contained in APPENDIX J, Grading, of the International Building Code, as amended, the term "Building Official" shall mean the Director of Public Works Agency, or a duly authorized representative. The Director of Public Works Agency or his duly authorized representative shall assume the power of citation for enforcement of APPENDIX J - as said Power of Citation is described in ARTICLE II - Chapter 1, Section 104 POWERS AND DUTIES OF THE BUILDING OFFICIAL, section 104.5.1 - POWER OF CITATION, in this Code.
2. For the purpose of enforcing those requirements of Chapter 7 and APPENDIX K of the Uniform Plumbing Code pertaining to the approval, permitting and inspection of Onsite Wastewater Treatment Systems, the term "Building Official" shall mean the Director of the Environmental Health Division or the Director of the Building and Safety Division, or a duly authorized representative. The Environmental Health Official or his duly authorized representative shall assume the power of citation for the enforcement of Chapter 7 and APPENDIX K of the UPC as said Powers of Citation are described in ARTICLE 2 - Chapter 1, Section 104 POWERS AND DUTIES OF THE BUILDING OFFICIAL, Section 104.5.1 - POWER OF CITATION, in this Code.
3. For the purposes of administering provisions of the Uniform Housing Code pertaining to the abatement of health hazards, the term "Building Official" shall mean the Director of the Division of Building Safety and/or the Director of the Environmental Health Division, or a duly authorized representative.

**BUILDING SERVICE EQUIPMENT** Shall mean the plumbing, mechanical, electrical, and elevator equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential for the habitable occupancy of a building or structure for its designated use and occupancy.

**CHIEF ELECTRICAL INSPECTOR, ADMINISTRATIVE AUTHORITY** and all other terms and designations indicating the person authorized and directed to carry out, enforce and exercise governmental rights, privileges and duties shall, unless expressly indicated otherwise, mean the Building Official and any duly authorized deputies, assistants, and inspectors.

**DIRECTOR OF PUBLIC WORKS** shall mean the Director of Public Works except that it shall mean the Building Official for purposes of directing work of repair or demolition having an estimated cost of \$4,000 or less pursuant to Section 1401.3 in the Uniform Housing Code and Section 701.3 in the Uniform Code for the Abatement of Dangerous Buildings.

**ENVIRONMENTAL HEALTH OFFICER** or **ENVIRONMENTAL HEALTH OFFICIAL** shall mean the duly appointed Director of the Environmental Health Division or a duly authorized representative.

REASON:

**FIRE DEPARTMENT** shall mean the Ventura County Fire Protection District or the fire service agency having jurisdiction.

**FLOOD HAZARD AREA** is an area subject to either flooding or erosion from surface water runoff, or from wave action of the Pacific Ocean, as determined by the Flood Plain Manager of the Public Works Agency.

**GRADE** or **GRADE PLANE** (Adjacent Ground Elevation for Structures within FLOOD HAZARD AREAS) is the point of elevation 12 inches above the highest elevation of the paved portion of the roadway adjacent to the subject lot, or the minimum height above mean sea level, whichever is the highest, as determined by the Flood Plain Manager of the Public Works Agency.

The minimum elevation established by the Flood Plain Manager relates to the lowest habitable floor elevation containing habitable space, as defined in this Code; therefore, "GRADE" shall be established as the lowest habitable floor minus 6 inches in determining Reference Datum for measuring the maximum height of a structure.

For locations outside of Flood Hazard Areas as defined in this Code, "GRADE OR GRADE PLANE" means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. See Health and Safety Code Section 19955.3(d)

**HABITABLE SPACE** (room) is space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls storage or utility space, and similar areas, are not considered habitable space.

EXCEPTION: For structures located within Flood Hazard Areas, bathrooms, toilet compartments, closets and laundry areas shall be considered as Habitable Space.

**PERSON, FIRM, or CORPORATION** shall mean any and all entities of whatsoever nature or kind, including but not limited to individuals, owners, tenants, lessees, unions or organizations, cooperatives and trusts, corporations, partnerships whether general or limited, and unincorporated associations and shall include the plural as well as the singular number, the male and female gender, and all governmental entities subject in whole or in part to this Code and the codes adopted by reference herein.

**CHAPTER 7A  
MATERIALS AND CONSTRUCTION METHODS FOR  
EXTERIOR WILDFIRE EXPOSURE**

**SECTION 701A – SCOPE, PURPOSE AND APPLICATION**

**701A.2 PURPOSE.** The purpose of this Section is to provide a minimum standard for the fire protection of buildings and structures hereafter erected in proximity to areas of the County where concentrations of highly flammable brush, grass, or other combustible growth combined with periods of hot, dry winds create a high fire hazard, and where lives and property may thereby be endangered.

**701A.3 APPLICATION.** Buildings or structures hereafter erected, constructed or moved within or into designated High Fire Hazard areas/Fire Severity Zones, including mobile homes, shall be one of the Types of Construction as defined in this Code and shall meet the requirements of this Section. Manual or automatic fire extinguishing systems or similar water spraying devices shall not be substituted for the fire protection set forth herein.

**SECTION 702A - HIGH FIRE HAZARD AREAS/FIRE HAZARD SEVERITY ZONES**

**702A. HIGH FIRE HAZARD AREAS/FIRE HAZARD SEVERITY ZONES** are geographical areas in unincorporated Ventura County designated by the Ventura County Fire Protection District pursuant to California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, Sections 51175 through 51189. See California Fire Code Article 86.

The California Code of Regulations, Title 14, Section 1280, entitles the maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

**704A.1.2 ROOF COVERINGS.** Roof coverings shall be fire retardant Class "A" as specified in Section 1505 of the 2007 CBC. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of No. 72 ASTM cap sheet installed over the combustible decking.

**704A.2 VENTILATION OPENINGS**

**704A.2.1 General.** When required by this code, foundation, roof and attic vents shall resist the intrusion of flame and embers into the floor and attic area of the structure, or shall be protected by corrosion-resistant, noncombustible wire mesh with 1/4-inch (6 mm) openings or its equivalent. Attic or foundation ventilation openings or louvers shall not be located at or within 18", measured vertically, of eaves or rakes, soffits, balconies, decks, or similar exterior overhangs which may be directly exposed to a fire.

**704A.2.3 Eave protection.** Eaves and soffits shall meet the requirements of SFM 12-7A-3 or shall be protected by ignition-resistant materials or noncombustible construction on the exposed underside.

**EXCEPTION:** Combustible structural members in horizontal projections may be unprotected timbers of size 4 x 6 or larger provided roof decking at the eave is not less than 2" nominal thickness.

### 704A.3 EXTERIOR WALLS

**704A.3.1 GENERAL.** Exterior walls shall be approved noncombustible or ignition-resistant material, heavy timber, or log wall construction or shall provide protection from the intrusion of flames and embers in accordance with standard SFM 12-7A-1.

**EXCEPTION:** No exterior wall covering of a building shall provide less fire resistance than that afforded by one of the following:

1. 7/8-inch exterior cement plaster
2. 1-inch nominal thickness solid wood siding
3. 1/2-inch textured plywood siding having a groove depth of 1/8-inch or less
4. 7/16-inch hardwood siding
5. 5/8-inch particleboard, exterior type 2-M
6. 5/8-inch exterior plywood, T1-11, having a groove depth of 1/4-inch or less.

Fire-retardant treated or untreated wood shingle or shake siding shall not be permitted.

**704A.4.1.1 PROJECTIONS AND OTHER BUILDING ELEMENTS EXPOSED TO FIRE.** Architectural projections such as soffits, stairs, porches, balconies and decks, and other elements of the building which have combustible structural elements in the horizontal plane, shall be protected with materials approved for 1-hour fire-resistive construction on the lower, fire-exposed side and shall have 1-hour fire-resistive supporting columns unless the details of construction conform to those for heavy timber as described in Section 602.4 in the 2007 CBC , or ignition-resistant materials as defined in this chapter.

**EXCEPTIONS:**

1. Balconies and decks 30 inches or more above grade may have flooring of not less than 3-inch nominal thickness lumber or material of equivalent fire resistance. Such flooring may be spaced not more than 1/4-inch apart and need not be fire protected on the underside.
2. Balconies and decks less than 30 inches above grade shall be solidly floored without gaps and shall be fire-protected on the underside as required by Section 704A.4.2. In lieu of fire protection, such balconies and decks may be enclosed from floor surface to grade in the manner prescribed for exterior walls in section 704A.3 of this Section.

**704A.5.1 ANCILLARY BUILDINGS AND STRUCTURES.** When required by the enforcing agency, ancillary buildings and structures and detached accessory structures shall comply with the provisions of this chapter.

**EXCEPTIONS:**

1. Patios, carports, arbors and open latticework sunshades may be constructed of any materials allowed by this Code.

**704A.6 WAIVER OF REQUIREMENTS.** The Building Official may waive the requirements of Chapter 7A above, in whole or in part, for specific construction projects within the High Fire Hazard Area/Fire Severity Zone when such waiver is approved by an authorized representative of the Ventura County Fire Protection District, based upon site conditions which justify a reduction in fire resistance.

## CHAPTER 16 – STRUCTURAL DESIGN

### SECTION 1613.7 – ADDITIONAL SEISMIC REQUIREMENTS.

#### **1613.7 DRILLED-IN EXPANSION BOLT ANCHORS OR EPOXY-TYPE ANCHORS.**

Drilled-in expansion bolts, cinch bolts, or epoxy-type anchors may be used when approved by the Building Official. When used, these bolts shall be sized and installed in accordance with an approval from a recognized approval agency or the manufacturer's design criteria and installation specifications. Drilled-in expansion bolts and cinch bolts shall be tested by an independent testing laboratory to a minimum of 1,000 pounds or to twice the allowable design value for the same size bolt, whichever is greater.

Frequency of testing shall be:

One to five bolts per site - two bolts, selected at random shall be tested and certified.

More than five bolts - 25 percent of such bolts with a minimum of two shall be selected at random to be tested and certified.

Failing bolts shall be reinstalled and retested to the same criteria.

Additional bolts may be required to be tested by the Building Official.

## CHAPTER 17 STRUCTURAL TESTS AND SPECIAL INSPECTIONS

**1704.1 GENERAL.** Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner's agent shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 1704. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. These inspections are in addition to the inspections specified in Section 109.

### EXCEPTIONS:

1. Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official.
2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects
3. *[HCD 1] The provisions of Health and Safety Code Division 13, Part 6 and the California Code of Regulations, Title 25, Division 1, Chapter 3, commencing with Section 3000, shall apply to the construction and inspection of factory-built housing as defined in Health and Safety Code Section 19971.*

**1707.3 STRUCTURAL WOOD** Continuous special inspection is required during field gluing operations of elements of the seismic-force-resisting system. Periodic special inspection is required for nailing, bolting, anchoring and other fastening of components within the seismic-force-resisting system, including wood shear walls, wood diaphragms, drag struts, braces, shear panels and hold-downs.

### EXCEPTIONS:

1. Special inspection is not required for wood shear walls, shear panels and diaphragms, including nailing, bolting, anchoring and other fastening to other components of the seismic-force resisting system, where the fastener spacing of the sheathing is more than 4 inches (102 mm) on center (o.c.)
2. Special inspection is not required when the values reflected in Tables 2306.3.1 and 2306.4.1 are reduced to seventy-five percent (75%).

## CHAPTER 18 – SOILS AND FOUNDATIONS

NOTE: Refer to Appendix J in this Code for requirements governing grading, excavations and earthwork construction, including fills and embankments.

### SECTION 1802 FOUNDATION AND SOIL INVESTIGATIONS

**1802.1 GENERAL.** The classification and engineering properties of the soil at each building site shall be determined when required by the Building Official in conformance with Section 1802.2 through 1802.8. Such determination shall be made by a Professional Engineer licensed in the State of California with experience in soil engineering. For projects requiring geologic evaluation, the evaluation shall be prepared by a California licensed Engineering Geologist and shall be based on Guidelines presented in California Department of Conservation Special Publication 117

**1802.2.2 EXPANSIVE SOILS.** When required by the Building Official, the expansive characteristics of soil shall be determined by procedures in accordance with Section 1802.3.2 of this Code and the soils shall be classified according to Table 1804.2. Foundations for structures bearing on expansive soils as determined by ASTM D 4829, shall require special design consideration. In the event the soil expansion index varies with depth, the weighted index shall be determined in accordance with section 1802.3.2 and applied in accordance with Table 1805.4.2 in this Code. The soil expansion index shall be listed in all soils investigation reports.

**1802.4 INVESTIGATION.** Soil classification shall be based on observation and any necessary tests of the materials disclosed by borings, test pits or other subsurface exploration made in appropriate locations. The findings shall be reported in a soil engineering report. Additional studies shall be made as necessary to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction and expansiveness.

#### EXCEPTIONS:

1. The Building Official may waive this evaluation upon receipt of written opinion of a qualified geotechnical engineer or geologist that liquefaction is not probable.
2. A detached, single-story dwelling of Group R, Division 3 Occupancy with or without attached garages and single-story accessory structures thereto.
3. Group U Occupancies.
4. Detached single-story Group U, Agricultural Buildings.

Whenever, in the opinion of the Building Official, the adequacy and stability of a building site cannot be determined by the test borings or excavations required by this Section specific geologic, geotechnical, hydrologic, seismic, or other investigations and reports may be required. Geologic investigations such as those for hillside stability or seismic hazards shall be conducted by an Engineering Geologist licensed in the State of California.

### SECTION 1803 – EXCAVATION, GRADING AND FILL

**1803.1 Excavations near footings or foundations.** Excavations for any purpose shall not remove lateral support from any footing or foundation without first underpinning or protecting the footing or foundation against settlement or lateral translation.

**1803.3 Site grading.** The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 48 horizontal (2-percent slope) for a minimum distance of 5 feet (3048 mm) measured perpendicular to the face of the wall.

**1805.2 DEPTH OF FOOTINGS.** Footings and foundations, unless otherwise specifically provided, shall be constructed of masonry, concrete or treated wood in conformance with Chapter 18 of this Code and in all cases shall extend below the frost line. Footings of concrete and masonry shall be of solid material. Foundations supporting wood shall extend at least 6 inches above the adjacent finish grade. Footings, foundations, and concrete slab floors at or below grade shall be designed and constructed to comply with Section 1805.8.1 and 1805.8.2, but shall not be less than the Minimum Foundation Requirements of Table 1805.4.2 and the footnotes thereto in this Code.

**1805.3.4.1 DRAINAGE AND MOISTURE PROTECTION.** Provisions shall be made for the control and drainage of surface water around buildings. Concentrated drainage such as rainwater from gutters and downspouts, scuppers, and roof valleys shall be diverted away from building foundations by means of concrete splash blocks and/or other approved non-erosive devices. Underfloor access crawl holes, vents, and similar openings below grade shall be provided with curbs extending not less than six (6) inches above adjacent grade to prevent surface water from entering the underfloor area.

**1805.8 DESIGN FOR EXPANSIVE SOILS.** Footings or foundations for buildings and structures founded on expansive soils shall be designed in accordance with Section 1805.8.1 or 1805.8.2, and Table 1805.4.2.

Footing or foundation design need not comply with Section 1805.8.1 or 1805.8.2 where the soil is removed in accordance with Section 1805.8.3, nor where the Building Official approves stabilization of the soil in accordance with Section 1805.8.4.

TABLE 1805.4.2  
MINIMUM FOUNDATION REQUIREMENTS\*

WEIGHTED EXPANSION INDEX (13)	FOUNDATION FOR SLAB & RAISED FLOOR SYSTEM (4) (8)						CONCRETE SLABS (8) (12)		PREMOISTENING OF SOILS UNDER FOOTINGS, PIERS AND SLABS (4) (5)	RESTRICTION ON PIERS UNDER RAISED FLOORS	
	NUMBER OF STORIES	STEM THICKNESS	FOOTING WIDTH	FOOTING THICKNESS	ALL PERIMETER FOOTINGS (5)	INTERIOR FOOTINGS FOR SLAB AND RAISED FLOORS (5)	REINFORCEMENT FOR CONTINUOUS FOUNDATIONS (2) (6)	3-1/2" MINIMUM THICKNESS			
					DEPTH BELOW NATURAL SURFACE OF GROUND AND FINISH GRADE			REINFORCEMENT (3)			TOTAL THICKNESS OF SAND (10)
					(INCHES)						
0 - 20 Very Low (non-expansive)	1	6	12	6	12	12	1-#4 top and bottom	#4 @ 48" o.c. each way, or #3 @ 36" o.c. each way	2"	Moistening of ground recommended prior to placing concrete	Piers allowed for single floor loads only
	2	8	15	6	18	18					
	3	10	18	8	24	24					
21-50 Low	1	6	12	6	15	12	1-#4 top and bottom	#4 @ 48" o.c. each way, or #3 @ 36" o.c. each way	4"	120% of optimum moisture required to a depth of 21" below lowest adjacent grade. Testing required.	Piers allowed for single floor loads only
	2	8	15	6	18	18					
	3	10	18	8	24	24					
51-90 Medium	1	6	12	6	21	12	1-#4 top and bottom	#3 @ 24" o.c. each way	4"	130% of optimum moisture required to a depth of 27" below lowest adjacent grade. Testing required.	Piers not allowed
	2	8	15	6	21	18					
	3	10	18	8	24	24					
91-130 High	1	6	12	6	27	12	<u>2-#4 Top and Bottom</u>	<u>#3 @ 24" o.c. each way</u>	4"	140% of optimum moisture required to a depth of 33" below lowest adjacent grade. Testing required.	Piers not allowed
	2	8	15	6	27	18					
	3	10	18	8	27	24					
Above 130 Very High	Special design by licensed engineer/architect										

\*Refer to next page for footnotes (1) through (14).

## FOOTNOTES TO TABLE 1805.4.2

1. Premoistening is required where specified in Table 1805.4.2 in order to achieve maximum and uniform expansion of the soil prior to construction and thus limit structural distress caused by uneven expansion and shrinkage. Other systems which do not include premoistening may be approved by the Building Official when such alternatives are shown to provide equivalent safeguards against the adverse effects of expansive soil.
2. Reinforcement for continuous foundations shall be placed not less than 3" above the bottom of the footing and not less than 3" below the top of the stem.
3. Reinforcement shall be placed at mid-depth of slab.
4. After premoistening, the specified moisture content of soils shall be maintained until concrete is placed. Required moisture content shall be verified by an approved testing laboratory not more than 24 hours prior to placement of concrete.
5. Crawl spaces under raised floors need not be pre-moistened except under interior footings. Interior footings which are not enclosed by a continuous perimeter foundation system or equivalent concrete or masonry moisture barrier complying with Footnote # 12 of Table 1805.4.2 shall be designed and constructed as specified for perimeter footings in Table 1805.4.2.
6. Foundation stem walls which exceed a height of three times the stem thickness above lowest adjacent grade shall be reinforced in accordance with Chapter 21 and Section 1914 in the IBC, or as required by engineering design, whichever is more restrictive.
7. Bent reinforcing bars between exterior footing and slab shall be omitted when floor is designed as an independent, "floating" slab.
8. Where frost conditions or unusual conditions beyond the scope of this table are found, design shall be in accordance with recommendations of a foundation investigation. Concrete slabs shall have a minimum thickness of 4 inches when the expansion index exceeds 50.
9. The ground under a raised floor system may be excavated to the elevation of the top of the perimeter footing, except where otherwise required by engineering design or to mitigate groundwater conditions.
10. GRADE BEAM, GARAGE OPENING. A grade beam not less than 12" x 12" in cross section, or 12" x depth required by Table 1805.4.2, whichever is deeper, reinforced as specified for continuous foundations in Table 1805.4.2, shall be provided at garage door openings..
11. Where a post-tensioning slab system is used, the width and depth of the perimeter footings shall meet the requirements of this table.
12. An approved vapor barrier shall be installed below concrete slab-on-grade floors of all residential occupancies in such a manner as to form an effective barrier against the migration of moisture into the slab. When sheet plastic material is employed for this purpose it shall be not less than 6 mils (.006 inch) in thickness. The installation of a vapor barrier shall not impair the effectiveness of required anchor bolts or other structural parts of a building. Foundations at the perimeter of concrete floor slabs shall form a continuous moisture barrier of Portland cement concrete or solid grouted masonry to the depths required by Table 1805.4.2.
13. When buildings are located on expansive soil having an expansion index greater than 50, gutters, downspouts, piping, and/or other non-erosive devices shall be provided to collect and conduct rainwater to a street, storm drain, or other approved watercourse or disposal area.
14. Fireplace footings shall be reinforced with a horizontal grid located 3" above the bottom of the footing and consisting of not less than No. 4 Bars at 12" on center each way. Vertical chimney reinforcing bars shall be hooked under the grid. Depth of fireplace chimney footings shall be no less than that required by Table 1805.4.2.

**CHAPTER 23 - WOOD**

**2305.3.11 Sill plate size and anchorage in Seismic Design Category D, E or F.** Anchor bolts for shear walls shall include steel plate washers, a minimum of 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size, or as per Table 2305.3.11, between the sill plate and nut. The hole in the plate washer is permitted to be diagonally slotted with a width of up to 3/16inch (4.76 mm) larger than the bolt diameter and a slot length not to exceed 1-3/4 inches (44 mm), provided a standard cut washer is placed between the plate washer and the nut. Sill plates resisting a design load greater than 490 plf (7154 N/m) using load and resistance factor design or 350 plf (5110 N/m) using allowable stress design shall not be less than a 3-inch (76 mm) nominal member. Where a single 3- inch (76 mm) nominal sill plate is used, 2- 20d box end nails shall be substituted for 2-16d common end nails found in line 8 of Table 2304.9.1.

**Exception:** In shear walls where the design load is greater than 490 plf (7151 N/m) but less than 840 plf (12 264 N/m) using load and resistance factor design or greater than 350 plf (5110 N/m) but less than 600 plf (8760 N/m) using allowable stress design, the sill plate is permitted to be a 2-inch (51 mm) nominal member if the sill plate is anchored by two times the number of bolts required by design and 0.229-inch by 3-inch by 3-inch (5.82 mm by 76 mm by 76 mm) plate washers are used.

**Table 2305.3.11  
Minimum Size for Square Plate Washers**

BOLT SIZE (inches)	PLATE WASHER SIZE (inches by inches by inches)
1/2	3/16 x 2 x 2
5/8	1/4 x 2-1/2 x 2-1/2
3/4	5/16 x 2-3/4 x 2-3/4
7/8	5/16 x 3 x 3
1	3/8 x 3-1/2 x 3-1/2

**2306.3.1 Wood structural panel diaphragms** Wood structural panel diaphragms are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.3.1 or 2306.3.2..

**2306.4.1. Wood structural panel shear walls** The allowable shear capacities for wood structural panel shear walls shall be in accordance with Table 2306.4.1. Wood shear walls shall be constructed of wood structural panels manufactured with exterior glue and not less than 4 feet by 8 feet (1219 mm by 2438 mm), except at boundaries and at changes in framing. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center the maximum allowable shear value for three-ply plywood resisting seismic forces is 200 pounds per foot (2.92 kn/m). Nails shall be placed not less than 1/2 inch (12.7 mm) in from the panel edges and not less than 3/8 inch (9.5mm) from the edge of the connecting members for shear greater than 350 pounds per foot (5.11kN/m). Nails shall be placed not less than 3/8 inch (9.5 mm) from panel edges and not less than 1/4 inch (6.4 mm) from the edge of the connecting members for shears of 350 pounds per foot (5.11kN/m) or less. Any wood structural panel sheathing used for diaphragms and shear walls that are part of the seismic-force-resisting system shall be applied directly to framing members.

**EXCEPTION:**

1. Wood structural panel sheathing in a horizontal diaphragm is permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.

**2308.6 Foundation plates or sills** Foundations and footings shall be as specified in Chapter 18. Foundation plates or sills resting on concrete or masonry foundations shall comply with Section 2304.3.1. Foundation plates or sills shall be bolted or anchored to the foundation with not less than 1/2-inch-diameter (12.7 mm) steel bolts or approved anchors. Bolts shall be embedded at least 7 inches (178 mm) into concrete or masonry, and spaced not more than 6 feet (1829 mm) apart. There shall be a minimum of two bolts or anchor straps per piece with one bolt or anchor strap located not more than 12 inches (305 mm) or less than 4 inches (102 mm) from each end of each piece. A properly sized nut and washer shall be tightened on each bolt to the plate. Washers shall be sized in accordance with Tables 2305.3.11 of this Code.

**2306.4.5 Shear walls sheathed with other materials.** This Section is hereby deleted from the 2007 Ventura County Building Code

**TABLE 2306.4.1  
ALLOWABLE SHEAR (POUNDS PER FOOT) FOR WOOD STRUCTURAL PANEL SHEAR WALLS WITH  
FRAMING OF DOUGLAS FIR-LARCH OR SOUTHERN PINE<sup>a</sup> FOR WIND OR SEISMIC LOADING<sup>b, h, i, j, l, m, n</sup>**

PANEL GRADE	MINIMUM NOMINAL PANEL THICKNESS (inches)	MINIMUM FASTENER PENETRATION IN FRAMING (inches)	ALLOWABLE SHEAR VALUE FOR SEISMIC FORCES PANELS APPLIED DIRECTLY TO FRAMING				ALLOWABLE SHEAR VALUE FOR WIND FORCES PANELS APPLIED DIRECTLY TO FRAMING						
			NAIL (common or galvanized box) or staple size <sup>k</sup>	Fastener spacing at panel Edges (inches)				NAIL (common or galvanized box) or staple size <sup>k</sup>	Fastener spacing at panel edges (inches)				
				6	4	3	2 <sup>e</sup>		6	4	3	2 <sup>e</sup>	
Structural I Sheathing	5/16	1-1/4	6d (2"x0.113" common, 2"x0.099" galvanized box)	150	200	200	200	6d (2"x0.113" common, 2"x0.099" galvanized box)	200	300	390	510	
		1	1-1/2 16 Gage	124	184	200	200	1-1/2 16 Gage	165	245	325	415	
	3/8	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	200	200	200	200	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	230 <sup>d</sup>	360 <sup>d</sup>	460 <sup>d</sup>	610 <sup>d</sup>	
		1	1-1/2 16 Gage	155	200	200	200	1-1/2 16 Gage	155	235	310	400	
	7/16	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	255 <sup>d</sup>	395 <sup>d</sup>	505 <sup>d</sup>	670 <sup>d</sup>	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	255 <sup>d</sup>	395 <sup>d</sup>	505 <sup>d</sup>	670 <sup>d</sup>	
		1	1-1/2 16 Gage	170	260	345	440	1-1/2 16 Gage	170	260	345	440	
	15/32	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	280	430	550	730	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	280	430	550	730	
		1	1-1/2 16 Gage	185	280	375	475	1-1/2 16 Gage	185	280	375	475	
Sheathing plywood siding <sup>g</sup> except Group 5 Species	5/16 or 1/4 <sup>c</sup>	1-1/4	6d (2"x0.113" common, 2"x0.099" galvanized box)	180	200	200	200	6d (2"x0.113" common, 2"x0.099" galvanized box)	180	270	350	450	
		1	1-1/2 16 Gage	145	165	200	200	1-1/2 16 Gage	145	220	295	375	
	3/8	1-1/4	6d (2"x0.113" common, 2"x0.099" galvanized box)	200	200	200	200	6d (2"x0.113" common, 2"x0.099" galvanized box)	200	300	390	510	
		1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	200 <sup>d</sup>	200 <sup>d</sup>	200 <sup>d</sup>	200 <sup>d</sup>	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	200 <sup>d</sup>	320 <sup>d</sup>	410 <sup>d</sup>	530 <sup>d</sup>	
	7/16	1	1-1/2 16 Gage	105	158	200	200	1-1/2 16 Gage	140	210	280	360	
		1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	240 <sup>d</sup>	350 <sup>d</sup>	450 <sup>d</sup>	585 <sup>d</sup>	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	240 <sup>d</sup>	350 <sup>d</sup>	450 <sup>d</sup>	585 <sup>d</sup>	
	15/32	1	1-1/2 16 Gage	155	230	310	395	1-1/2 16 Gage	155	230	310	395	
		1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	260	380	490	640	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	260	380	490	640	
	19/32	1-1/2	10d (3"x0.148" common, 3"x0.128" galvanized box)	310	460	600 <sup>f</sup>	770	10d (3"x0.148" common, 3"x0.128" galvanized box)	310	460	600 <sup>f</sup>	770	
		1	1-1/2 16 Gage	170	255	335	430	1-1/2 16 Gage	170	255	335	430	
		1-1/2	10d (3"x0.148" common, 3"x0.128" galvanized box)	340	510	665 <sup>f</sup>	870	10d (3"x0.148" common, 3"x0.128" galvanized box)	340	510	665 <sup>f</sup>	870	
		1	1-3/4 16 Gage	185	280	375	475	1-3/4 16 Gage	185	280	375	475	
				Nail Size (galvanized casing)					Nail Size (galvanized casing)				
		5/16 <sup>c</sup>	1-1/4	6d (2"x0.099")	140	200	200	200	6d (2"x0.099")	140	210	275	360
		3/8	1-3/8	8d (2½"x0.113")	160	200	200	200	8d (2½"x0.113")	160	240	310	410

Footnotes to Table 2306.4.1

For SI: 1 inch = 25.4 mm, 1 pound per foot = 14.5939 N/m.

- a. For framing of other species: (1) Find specific gravity for species of lumber in AF&PA NDS. (2) For staples find shear value from table above for Structural I panels (regardless of actual grade) and multiply value by 0.82 for species with specific gravity of 0.42 or greater, or 0.65 for all other species. (3) For nails find shear value from table above for nail size for actual grade and multiply value by the following adjustment factor: Specific Gravity Adjustment Factor =  $[1-(0.5-SG)]$ , where SG = Specific Gravity of the framing lumber. This adjustment factor shall not be greater than 1.
- b. Panel edges backed with 2-inch nominal or thicker framing. Install panels either horizontally or vertically. Space fasteners maximum 6 inches on center along intermediate framing members for 3/8-inch and 7/16-inch panels installed on studs spaced 24 inches on center. For other conditions and panel thickness, space fasteners maximum 12 inches on center on intermediate supports.
- c. 3/8-inch panel thickness or siding with a span rating of 16 inches on center is the minimum recommended where applied direct to framing as exterior siding.
- d. Except for wood structural panel sheathing used for shear walls that are part of the seismic-force-resisting system, allowable shear values are permitted to be increased to values shown for 15/32-inch sheathing with same nailing provided (a) studs are spaced a maximum of 16 inches on center, or (b) panels are applied with long dimension across studs.
- e. Framing at adjoining panel edges shall be 3 inches nominal or wider, and nails shall be staggered where nails are spaced 2 inches on center.
- f. Framing at adjoining panel edges shall be 3 inches nominal or wider, and nails shall be staggered where both of the following conditions are met: (1) 10d (3"x0.148") nails having penetration into framing of more than 1-1/2 inches and (2) nails are spaced 3 inches on center.
- g. Values apply to all-veneer plywood. Thickness at point of fastening on panel edges governs shear values.
- h. Where panels applied on both faces of a wall and nail spacing is less than 6 inches o.c. on either side, panel joints shall be offset to fall on different framing members, or framing shall be 3-inch nominal or thicker at adjoining panel edges and nails on each side shall be staggered.
- i. In Seismic Design Category D, E or F, where shear design values exceed 350 pounds per linear foot, all framing members receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member, or two 2-inch nominal members fastened together in accordance with Section 2306.1 to transfer the design shear value between framing members. Wood structural panel joint and sill plate nailing shall be staggered in all cases. See Section 2305.3.11 for sill plate size and anchorage requirements.
- j. Galvanized nails shall be hot dipped or tumbled.
- k. Staples shall have a minimum crown width of 7/16 inch and shall be installed with their crowns parallel to the long dimension of the framing members.
- l. For shear loads of normal or permanent load duration as defined by the AF&PA NDS, the values in the table above shall be multiplied by 0.63 or 0.56, respectively.
- m. [DSA-SS & OSHPD 1, 2 and 4] Refer to Section 2305.2.4.2, which requires any wood structural panel sheathing used for diaphragms and shear walls that are part of the seismic-force-resisting system to be applied directly to framing members.
- n. The maximum allowable shear value for three-ply plywood resisting seismic forces is 200 pounds per foot (2.92 kn/m) and need not be reduced when Special Inspection per Section 1707.3 of this Code is not provided.

**CHAPTER 40**  
**RELOCATED BUILDINGS AND TEMPORARY STRUCTURES**

**40.1. GENERAL REQUIREMENTS** Buildings or structures moved into or within the County shall comply with the provisions of this Code for new buildings or structures except when otherwise permitted by this Code or by State law.

Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the Building Official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by this Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

**40.2. PERMIT(S) REQUIRED** It shall be unlawful for any person, firm, or corporation to move or cause to be moved any building or structure into or within the County without first obtaining a permit to do so from the Building Official.

**EXCEPTIONS:**

1. Buildings moved to the business premises of a house mover for the purpose of temporary storage.
2. Contractor's tool house, construction office, or similar structure which is relocated as construction requires.

**40.2.1 NOTIFICATION OF RELOCATED BUILDING.** Prior to issuance of relocation permit for any structure and as a part of the application therefore, a Notice of Relocated Building, on a form furnished by the Building Official, shall be posted at the site of the building proposed to be relocated and at the proposed new site location. This public notice shall be maintained for a minimum of 15 days from the date of the application for relocation permit. During this period, interested parties may submit written comments to the Building Official regarding said proposed relocation. (refer to Section 40.5 DENIAL OF PERMIT.)

**40.3. APPLICATION AND INVESTIGATION FEE** To obtain a permit to relocate a building or structure the applicant shall first file an application therefore as required by Section 105.3 in this Code. The Building Official may require plans, photographs and other data to substantiate the application. Each application shall be accompanied by the required investigation fee to cover the costs of processing the application, inspecting the building and premises, and handling other matters connected therewith. Such fee shall be non-refundable. If the building to be moved is located outside the County, the applicant shall pay an additional fee as set forth in the latest Ventura County Building and Safety Fee Schedule to cover increased costs of inspection and mileage.

**40.3.1** The Building Official shall make the following findings prior to issuing the permit:

1. That there is evidence of full compliance with the zoning provisions of Ventura County Ordinance Code as demonstrated by a valid Zoning Clearance for the moved building
2. Where not in conflict with Health and Safety Code §17958.8, the building shall comply, or shall be altered to comply, with current building, electrical, heating and air conditioning, and plumbing code requirements.
3. That all necessary and required documentation has been submitted for review, including, but not limited to, plans and specifications for all required or proposed improvements at the new location, a soils investigation report, a current termite inspection report, a water "will serve" letter from a recognized water provider or an approved water well certificate, a sewer "will serve" letter from a recognized sanitation district or an approved septic system certificate, and a surety bond in the amount determined by the Building Official as set forth in Section 40.6 of this Code.

**40.4. INVESTIGATION AND REPORT** The Building Official shall cause an investigation to be made of each building or structure for which an application for a relocation permit has been received. A written report shall be prepared based on such inspection, and a copy of the report shall be given to the applicant. This report shall contain the approval or disapproval by the Building Official for relocating the building. If approved for relocation, the report shall list the requirements and corrections necessary for making the building conform to the codes adopted herein.

In granting an approval for relocation, the Building Official may impose such terms and conditions as he may deem reasonable and proper, including time limits for completion of all work, and requirements for whatever changes, alterations, additions, or repairs are necessary to assure that relocation will not be materially detrimental or injurious to public health, safety, or welfare.

The investigation report shall remain valid for a period of 180 days after the building or structure has been inspected, after which time a new investigation and report may be required by the Building Official.

**40.5. DENIAL OF PERMIT** The Building Official may deny the issuance of a relocation permit for any building or structure which:

1. Is so constructed or is in such condition as to be dangerous.
2. Is infested with pests or is insanitary.
3. Is in such condition in the judgment of the Building Official that it does not admit of practicable and effective repair.
4. Is so dilapidated, defective, or unsightly or is in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or be materially detrimental to the property or improvements in the area to which it would be relocated.
5. Because of age, size, design or architectural treatment, does not substantially conform to the design, plan and construction, of the buildings located in the area to which it is to be relocated so that its relocation would be materially detrimental to the property or improvements in said area.

**40.6. SECURITY REQUIRED** The Building Official shall not issue a permit to relocate a building or structure unless the applicant therefore shall first post with the Building Official a performance bond executed by the owner of the premises where the building or structure is to be located, listing said owner as principal, and an approved surety company authorized to do business in the State as surety; a cash bond naming the County of Ventura as payee; or an assignment of certificates or shares issued by a lending institution doing business in this state and insured by the FDIC. The Building Official may waive the requirement of security when the owner of the property is a governmental agency.

The performance bond required by this Section shall:

1. Be in form joint and several.
2. Name the County of Ventura as obligee.
3. Guarantee that the required work will be completed or, when ordered by the Building Official, the building or structure will be removed or demolished and the site cleared, cleaned, and restored to its original condition.
4. Be in an amount equal to the estimated cost, plus 10 percent, of the work required to be done in order to comply with all of the conditions of the relocation permit or shall be in an amount equal to the cost of demolition and removal, whichever is greater. Such costs for purposes of the bond shall be as estimated by the Building Official.
5. State therein the legal description or address of the property to which the building or structure is to be relocated.

**40.7. CONDITIONS OF SECURITY** Every performance bond, cash bond, or assignment of shares required by this article shall be conditioned as follows:

1. Unless otherwise specified in the investigation report, work required to be done pursuant to the conditions of the relocation building permit shall be initiated within 180 days from the date of issuance of the permit.

2. The time limit specified may be extended for good and sufficient cause after written request of the principal or surety, before said time limit has expired. The Building Official shall notify the principal and surety in writing of such time extension and may extend the time limit without consent of the surety.
3. The term of each bond posted pursuant to this Article shall begin upon the date of the posting thereof and shall end upon the completion to the satisfaction of the Building Official of the performance of all the terms and conditions of the relocation building permit.
4. The Building Official and the surety, or the duly authorized representative of either, shall have access to the premises described in the relocation permit for the purpose of inspecting the progress of the work.
5. Upon default by the principal, the surety shall cause all required work to be performed as set forth in the conditions of the investigation report and relocation permit.
6. In the event of default in the performance of any term or condition of the relocation permit, the surety or any person employed or engaged on its behalf, or the Building Official or any person employed or engaged on his behalf, may go upon the premises to complete the required work or to remove or demolish the building or structure, and to clear, clean, and restore the site.

**40.8. PERMIT ISSUANCE AND FEES** Before a permit is issued for the relocation of a building and its reconstruction, repair, and completion at a new site, all required plan review and permit fees shall be paid. The required permits, together with the investigation report, shall comprise the "relocation permit" for the purposes of this Article.

The value to be used in computing the relocation building permit and plan review fees shall be as set forth in Section 108 of this Code, based upon the estimated cost of all construction necessary to complete the structure.

**40.9. EXPIRATION OF PERMIT** Permits for the relocation, reconstruction, and repair of a building or structure shall be null and void in accordance with the provisions of Section 105.5 of this Code if the building or structure is not relocated to the proposed site and/or the required work commenced within 180 days of the date of issuance of such permits.

#### **SECTION 40.10 – PROCEDURE UPON DEFAULT**

40.10.1 **PERFORMANCE BOND.** Should the principal fail to comply with the conditions required by the relocation permit, the Building Official shall give notice of default in writing to the principal and to the surety named in the performance bond. The notice of default shall state the conditions of the bond which have not been complied with and shall specify the period of time the Building Official deems to be reasonably necessary for completion of the work. Upon receipt of a notice of default, the surety shall cause the required work to be completed within the time specified. The surety shall have the option of removing or demolishing the building or structure in lieu of completing the required work, in which case the site shall be suitably cleared, cleaned, and restored to the satisfaction of the Building Official.

**EXCEPTION:** The surety may be granted a release from its obligation to perform under the conditions of the performance bond provided:

1. A written agreement is executed between Surety and the Division of Building and Safety under which the Division assumes responsibility for causing completion of required work or demolition of the structure; and
2. A cash bond is posted by the Surety in the amount of the performance bond, payable to the County of Ventura, to enable the Building Official to cause the required work of repair or demolition to be performed in accordance with Section 40.10.2 in this Code.

**40.10.2 CASH BOND.** When a cash bond has been posted the Building Official shall give notice of default to the principal in the manner set forth above. Should the principal fail to comply with requirements within the specified time period, the Building Official at his own discretion may proceed without delay and without further notice or proceeding to use the cash deposit or any portion thereof to cause the required work to be completed by contract or otherwise.

**40.10.3 ASSIGNMENT OF SHARES.** When an assignment of share has been posted the Building Official shall give notice of default to the principal in the manner set forth above. Should the principal fail to comply with requirements within the specified time period, the Building Official may request payment of the assigned certificates or shares or any portion thereof by the lending institution and at his own discretion the Building Official may proceed without delay and without further notice or proceeding to use such assets to cause the required work to be completed by contract or otherwise.

#### **SECTION 40.11 RELEASE OF SECURITY**

**40.11.1 PERFORMANCE BOND.** When all conditions and requirements of the relocation permit and applicable laws and ordinances have been completed, the Building Official shall notify the surety that the bond has been exonerated.

**40.11.2 CASH BOND.** When a cash bond has been posted and all requirements of the relocation permit have been completed, the Building Official shall return the cash to the depositor, or to his successors or assigns, except any portion thereof that may have been used, cashed, or deducted as provided elsewhere in this Article.

**40.11.3 ASSIGNMENT OF SHARES.** When an assignment of shares has been made and all requirements of the relocation permit have been completed, the Building Official shall notify the lending institution and shall do all things reasonably necessary to effect a release of said assignment to the principal or to his successors or assigns, except any portion thereof that may have been used, cashed or deducted as provided elsewhere in this Article.

## CHAPTER 41 - SWIMMING POOLS, ORNAMENTAL POOLS, AND APPURTENANT FENCING

### SECTION 41.1 – GENERAL

**41.1.1 SCOPE.** The provisions of this section apply to the design and construction of barriers for swimming pools located on the premises of Group R, Division 3 Occupancies.

**41.1.2 STANDARDS OF QUALITY.** In addition to the other requirements of this Code, safety covers for pools and spas shall meet the requirements for pool and spa safety covers as listed below.

**41.1.3 Safety Pool Covers.** Safety Pool Covers shall comply with ASTM F 1346-91, Standard Performance Specification for Safety Covers and Labeling Requirement for All Covers for Swimming Pools, Spas and Hot Tubs.

### SECTION 41.2 - DEFINITIONS

For the purpose of this Article certain terms, words and phrases are defined as follows:

**Aboveground/On-Ground Pool.** See definition of "swimming pool."

**Approved safety pool cover** means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.

**Barrier (enclosure) is a fence,** wall, building wall or combination thereof that completely surrounds the swimming pool and obstructs access to the swimming pool.

**Exit Alarms** means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building. Home security systems may substitute for exit alarms when designed and demonstrated as complying with Section 41.7.1 #5 Exception 2.

**Grade is the underlying surface,** such as earth or a walking surface.

**Hot Tub.** See definition of "spa, non self-contained" and "spa, self-contained."

**In-Ground Pool.** See definition of "swimming pool."

**Public Swimming Pool** means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.

**Separation Fence** is a barrier that separates all doors of a dwelling unit with direct access to a swimming pool from the swimming pool.

**Spa, Non self-Contained,** is a hydro-massage pool or tub for recreational or therapeutic use, not located in health-care facilities, designed for immersion of users and usually have a filter, heater and a motor-driven blower. It may be installed indoors or outdoors, on the ground or on a supporting structure, or in the ground or in a supporting structure. A non self-contained spa is intended for recreational bathing and contains water over 18 inches deep.

**Spa, Self-Contained**, is a continuous-duty appliance in which all control, water-heating and water-circulating equipment is an integral part of the product, located entirely under the spa skirt. A self-contained spa is intended for recreational bathing and contains water over 18 inches deep.

**Swimming Pool**, is any structure intended for swimming or recreational bathing that contains water over 18 inches deep. This includes in-ground, aboveground and on-ground swimming pools, and fixed-in-place wading pools. The term "swimming pool," does not apply to plumbing fixtures such as bathtubs or hydro-therapy tubs; nor does it apply to man-made lakes, reservoirs or farm ponds used primarily for public park purposes, ornamentation, water conservation, irrigation, ground-water recharging basins, or watering of livestock. It shall apply to any water-filled excavation, lined or unlined, within three (3) feet of any structure or property line. (Public pools shall comply also with CCR Title 24).

**Swimming Pool, Indoor**, is a swimming pool that is totally contained within a residential structure and surrounded on all four sides by walls of said structure.

**Swimming Pool, Outdoor**, is a swimming pool that is not an indoor pool.

### SECTION 41.3. POOL DESIGN AND CONSTRUCTION

**41.3.1 GENERAL.** Pool design and construction shall be in accordance with accepted engineering practice, shall be in conformity with applicable provisions of the adopted building, electrical, plumbing, and mechanical codes, and shall be structurally suitable for the soil, topographic, and geologic conditions prevailing at the construction site.

**41.3.2 EXPANSIVE SOIL DESIGN.** Pools constructed below grade shall be designed on the assumption that their construction is to be in an area of moderately expansive soil having an expansion index of 51-90 and an equivalent fluid pressure of not less than 45 pounds per cubic foot (45 p.c.f.).

**EXCEPTION:** Where tests indicate that soils at a pool site are non-expansive or have low expansion characteristics from the ground surface to the full depth of the pool, structural design may be based on an equivalent fluid pressure not less than 30 p.c.f.

In highly expansive soils having an expansion index of 91-130, pools shall be designed for not less than 60 p.c.f. equivalent fluid pressure.

In very highly expansive soils having an expansion index over 130, pool design shall be subject to special requirements based on a site investigation, soil testing, and engineering analysis by a registered civil engineer to determine appropriate design parameters for the site.

**41.3.3 HYDROSTATIC UPLIFT.** In areas of anticipated high water table or moderate to highly expansive soil an approved hydrostatic relief system or device shall be installed.

**41.3.4 THERMAL PROTECTION FOR PLASTIC PIPING.** Between the inlet of pool water heating equipment and any plastic water piping connected thereto, a check valve shall be installed to prevent thermal damage to such piping due to backflow.

**EXCEPTION:** When rapid or high-rate filters are employed a check valve may be omitted.

Between the outlet of pool heating equipment and any plastic water piping connected thereto, not less than five feet of approved metal pipe shall be installed for the purpose of dissipating heat.

**41.3.5 ENTRAPMENT AVOIDANCE.** Suction outlets shall be designed to produce circulation throughout the pool or spa. Single-outlet systems, such as automatic vacuum cleaner systems, or other such multiple suction outlets whether isolated by valves or otherwise shall be protected against user entrapment with grates or other approved protective devices which cannot be removed except with tools. The slots or openings in these covers shall be of such area, shape, and arrangement as to prevent bathers from being drawn thereto with such force as to constitute a safety hazard.

**41.3.6 GRAB BARS.** Wherever egress from a pool is restricted by the presence of a vertical wall or other barrier which extends more than 12" above the water surface at the pool edge, permanent continuous grab bars, handrails, or other approved equivalent devices shall be installed within 12 inches above the water surface. Such devices shall be capable of being securely grasped, and shall be adequate to support the weight of a user of the pool.

## **SECTION 41.4 – DECKS**

**41.4.1 GENERAL.** A deck shall be provided around below-grade swimming pools except when special engineering design is furnished which indicates that such deck is not necessary for the purpose of maintaining the structural integrity of the pool and/or for controlling surface water and moisture content in the soil adjacent to the pool. Decks shall not be required for spas and hot tubs.

**41.4.2 DECK DESIGN AND CONSTRUCTION.** Required decks shall be constructed of concrete or other approved impervious material and shall be sloped to provide positive drainage away from the perimeter of the pool. Except as provided below, decks shall have a minimum width of four feet and shall be at least 3-1/2 inches in thickness. Reinforcement shall be #3 bars spaced not over 24 inches o.c. each way, or equivalent reinforcing.

Approved joints shall be provided in the deck at corners, at maximum 10-foot intervals, and wherever necessary in order to control cracking, to allow for differential movement, and to minimize damage to the deck from such movement should it occur.

Joints in decks and coping shall be made watertight with an approved permanent resilient sealant.

**41.4.3 CUTOFF WALLS.** At the outer perimeter of pool decks a cutoff wall of approved material shall be installed below-grade to a depth of at least 15 inches so as to form a permanent and effective vertical moisture barrier.

### **EXCEPTIONS:**

1. A cutoff wall may be omitted when a deck at least six feet wide is installed.
2. Decks less than four feet in width may be installed provided that the required cutoff wall is increased in depth beyond the minimum by an amount equal to the reduction in deck width.

**41.4.4 PRE-SATURATION, HIGHLY EXPANSIVE SOILS.** When the soil below a deck has an expansion index of 91 or greater it shall be saturated with water to a depth of at least 18 inches prior to installation of the deck.

**41.4.5 DECK BONDING.** When decks are to be installed, whether structurally required or not, the reinforcing installed therein shall be electrically bonded together with the pool shell reinforcing and metal parts of electrical equipment associated with the pool water recirculating system and with miscellaneous metal accessories, such as pool slides, diving boards and spring boards, in accordance with NEC Section 680-26 (C).

## **SECTION 41.5 – DRAINAGE AND DISPOSAL**

**41.5.1 SURFACE WATER.** Surface water from pool decks shall be collected and conducted through non-erosive devices to a street, storm drain, or other approved watercourse or disposal area.

**41.5.2 WASTE WATER.** Pool waste water shall be disposed of in accordance with the requirements of the Environmental Health Officer.

**41.5.3 DRYWELLS.** Drywells shall not be employed for pool wastewater disposal except when specifically approved for the purpose and when it has been determined that such installation is not likely to have adverse effects on the structural stability of the pool or other structures on the site. The Building Official may require a percolation test, soils report, and/or geological report to make such a determination.

## **SECTION 41.6 – SPECIAL INSPECTION**

**41.6.1** Special inspection as required by IBC Table 1704.4, Item #6 shall be provided for pneumatically placed concrete (gunite) in swimming pools.

## **SECTION 41.7 – BARRIER REQUIREMENTS**

**41.7.1 OUTDOOR SWIMMING POOL.** An outdoor swimming pool shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling with water. The barrier shall comply with the following:

1. The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the above ground pool structure. When barriers have horizontal members spaced less than 45 inches apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.
2. Openings in the barrier shall not allow passage of a 1 3/4-inch diameter sphere.

### **EXCEPTIONS:**

- a. When vertical spacing between such openings is 45 inches or more, the opening size may be increased such that the passage of a 4-inch diameter sphere is not allowed.
  - b. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4 inches when the distance between the tops of horizontal members is 45 inches or more.
3. Chain link fences used as the barrier shall not be less than 11 gauge.
  4. Access gates shall comply with the requirements of Items 1 through 3. Pedestrian access gates shall be self closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 60 inches (1524 mm) from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the barrier at least 3 inches (76 mm) below the top of the gate, and (2) the gate barrier shall have no opening greater than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. Pedestrian gates shall

swing away from the pool. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.

5. Where a wall of Group R, Division 3 Occupancy dwelling unit serves as part of the barrier and contains door openings between the dwelling unit and the outdoor swimming pool that provide direct access to the pool, a separation fence meeting the requirements of Items 1, 2, 3 and 4 of Section 41.6.1 shall be provided.

**EXCEPTION:** When approved by the Building Official, one of the following may be used:

- a. Self-closing and self-latching devices installed on all doors with direct access to the pool and the release mechanism located a minimum of 54 inches above the floor.
  - b. An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dBA when measured indoors at 10 feet. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches above the threshold of the door.
  - c. Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.
6. Where an above ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier that meets the requirements of Items 1 through 5. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Items 1 through 5.
  7. Outdoor Swimming Pools with an approved safety pool cover shall not be required to provide other barriers.
  8. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in Items 1 through 7, above, may be approved by the Building Official of the jurisdiction issuing the applicable building permit.

**41.7.2 INDOOR SWIMMING POOL.** For an indoor swimming pool, protection shall comply with the requirements of Section 41.6.1, Item 5.

**41.7.3 SPAS AND HOT TUBS.** For a non self-contained and self-contained spa or hot tub, protection shall comply with the requirements of Section 41.6.1.

**EXCEPTION:** Spas or hot tubs equipped with a listed safety cover shall be exempt from the requirements of Section 41.6.1.

**CHAPTER 42**  
**MOBILEHOMES AND COMMERCIAL COACHES**

**42.1. DEFINITIONS** For the purposes of this Article the terms "mobile home," "commercial coach," "mobile home accessory structure," and "foundation system" shall have the meanings set forth in Title 25, California Code of Regulations, and shall also apply to "manufactured housing" and "factory-built housing".

**42.2. SCOPE** The provisions of this Article shall apply to mobile homes and commercial coaches installed outside mobile home parks in all locations where the County of Ventura is the primary enforcement authority for applicable provisions of the State Mobile home Parks Act, Subchapter 1 of Chapter 2, California Code of Regulations, Title 25.

**42.3. INSTALLATION PERMIT REQUIRED** No person, firm, or corporation shall install, occupy, or use a mobile home, mobile home accessory structure, or commercial coach or cause the same to be done without first obtaining an installation permit therefore. Said installation permit shall be issued subject to compliance with applicable laws and ordinances, including but not limited to:

1. Terms and conditions of a zoning clearance, including time limits established thereby.
2. Requirements for an approved foundation system.
3. Requirements for approved electrical, plumbing, and sewage disposal facilities.
4. Payment of installation permit fees in addition to fees for permits, services or clearances which may otherwise be required.

**42.4. SPECIAL REQUIREMENTS, COMMERCIAL COACHES**

**42.4.1 ALLOWABLE AREA.** The area of commercial coach units connected in multiple shall not exceed the allowable floor area for the occupancy housed therein and the Type of Construction, in accordance with Section 503 in the IBC.

**42.4.2 LOCATION ON PROPERTY.** Commercial coaches shall be positioned on a site with sufficient setback from property lines so as to comply with the requirements of Table 602 in the IBC for fire-resistive protection of exterior walls and openings without the necessity for altering the structure or finish materials of the exterior walls of the coach.

**42.4.3 STAIRS AND EXITS.** Stairs, ramps, handrails, guardrails, landings, and exits shall be provided for commercial coaches as specified in Chapter 10 in the IBC. Such coaches shall also conform to applicable standards of the State of California for making buildings accessible by physically handicapped persons.

**42.4.4 SANITARY FACILITIES.** Commercial coaches shall be provided with sanitary facilities in accordance with the requirements of this Code which are applicable to the particular occupancy housed therein. Sanitary facilities shall also conform to the applicable standards of the State of California for accessibility to physically handicapped persons.

**42.5. REQUIREMENTS IN HIGH FIRE HAZARD AREAS** The requirements of CBC Chapter 7A in this Code shall be applicable to mobile homes, mobile home accessory structures, manufactured or factory-built housing, and commercial coaches installed within High Fire Hazard areas.

**42.6. SUBSTANDARD OR DANGEROUS MOBILEHOMES AND COMMERCIAL COACHES** All mobile homes, commercial coaches, or portions thereof, whether permanently or temporarily installed, which are determined to be substandard or dangerous as defined in the Uniform Housing Code or the Dangerous Buildings Code as amended by this Code, are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with procedures specified in such codes.

## **42.7 – RECREATIONAL VEHICLES**

### **42.7.1 DEFINITION**

See Section 18010 of the State of California Health and Safety Code which reads as follows:

"Recreational vehicle" means either of the following:

- (a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:
  - (1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.
  - (2) It contains 400 square feet or less of gross area measured at maximum horizontal projections.
  - (3) It is built on a single chassis.
  - (4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- (b) A park trailer as defined in [Health and Safety Code] Section 18009.3

### **42.7.2 – ALLOWABLE USE**

Recreational vehicles may only be used as "temporary dwellings during construction", provided all of the following requirements are met:

1. A building permit for new residential construction or major remodeling rendering the primary dwelling uninhabitable is in full force and effect and subject to Zoning Clearance conditions.
2. The Recreational Vehicle is connected to:
  - a. An approved source of potable water
  - b. An approved sewage disposal system, whether public or private
  - c. An approved source of electrical power.

Recreational vehicles cannot be used as permanent dwellings or permanent accessory structures on private property, except as specifically allowed under California State law.

**CHAPTER 43 - POST-DISASTER  
RECOVERY AND RECONSTRUCTION**

**SECTION 43.1 – POST-DISASTER SAFETY ASSESSMENT PLACARDS AND SECURITY**

**43.1.1 SCOPE.** This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy after any natural or man-made disaster. It further authorizes the Division of Building and Safety as well as authorized representatives, to post appropriate placards at each entry point to a building or structure upon completion of a safety assessment.

**43.1.2 APPLICATION OF PROVISIONS.** The provisions of this chapter are applicable to all buildings and structures, of all occupancies, regulated by the County of Ventura following each natural or man-made disaster.

**43.1.3 – DEFINITIONS.**

**43.1.3.1 BUILDING OFFICIAL** shall be as defined in Article 3, Chapter 2, Section 202 of this Code.

**43.1.3.2 SAFETY ASSESSMENT** is a visual examination of a building or structure for the purpose of determining whether continued use or occupancy is appropriate following a natural or man-made disaster.

**43.1.4 PLACARDS.** The following official placards shall be used to designate the condition of buildings or structures following a disaster.

**43.1.4.1 (GREEN) INSPECTED - LAWFUL OCCUPANCY PERMITTED** may be posted on any building or structure where no apparent hazard has been found. Placement of this placard does not mean that there is no damage to the building or structure.

**43.1.4.2 (YELLOW) RESTRICTED OR LIMITED ENTRY** may be posed on each damaged building or structure where damage has created a hazardous condition which justifies restricted occupancy. The Building Official who posts this placard will note in general terms the hazard created and will clearly and concisely note the restrictions on occupancy.

**43.1.4.3 (RED) UNSAFE – DO NOT ENTER OR OCCUPY** may be posted on each damaged building or structure such that continued occupancy poses a threat to life or health. Buildings or structures posted with this placard may be entered only after authorization in writing by the Building Official. Safety assessment teams are authorized to enter these buildings at any time. This placard shall not be used or considered as a demolition order. The official who posts this placard shall note in general terms damage encountered.

**43.1.4.5 SECURING OF UNSAFE BUILDINGS OR STRUCTURES.** Buildings or structures that have been determined by the Building Official to pose a threat to life safety or to be unsafe due to damage may be required by the Building Official to be secured from entry by fencing or other approved means until such time that the damage or threat to life is removed by repair, reconstruction or demolition. The fencing or security measures shall not be removed without authorization from the Building Official.

**43.1.4.6 REMOVAL OF PLACARDS.** Once the placard has been attached to a building or structure, it shall not be removed, altered or covered until authorized by the Building Official.

**43.1.5 VIOLATION.** Any violation of Article 3, Chapter 43 of this Code is a misdemeanor and shall be subject to punishment according to the provisions of Article 2, Chapter 1, Section 113.

## **SECTION 43.2 – POST DISASTER ABATEMENT**

**43.2.1 INTENT.** This chapter establishes abatement criteria for all buildings and structures damaged as a result of a disaster for which a local emergency has been declared by the Board of Supervisors.

**43.2.2 APPLICATION OF PROVISIONS.** The provisions of this chapter are applicable to all buildings and structures regulated by the County of Ventura.

**43.2.3 DEFINITIONS.** For the purpose of the chapter, the following definitions apply:

**43.2.3.1 EVENT** shall mean any occurrence which results in the declaration of a disaster by the Board of Supervisors, including but not limited to, fires, landslides, wind storms, earthquakes, and floods.

**43.2.3.2 HISTORIC BUILDING OR STRUCTURE** shall be any building or structure registered with a federal, state, county, or city government, or the register of points of interest. Historic buildings and structures shall also include those buildings and structures within a recognized historic district.

**43.2.3.3 STATE HISTORIC PRESERVATION OFFICER (SHPO)** is the person appointed by the Governor, pursuant to Section 101(b)(1) of the National Historic Preservation Act of 1966, as amended, to administer the State Historic Preservation Program.

Office of Historic Preservation  
Department of Parks and Recreation  
P.O. BOX 942896  
Sacramento, CA 94296-0001  
Phone: (916) 653-6624  
FAX: (916) 653-9824

### **43.2.4 ABATEMENT CRITERIA**

**43.2.4.1 NOTICE OF DETERMINATION.** Except as provided in section 43.2.4.2 below, the Building Official shall serve a written Notice of Determination to each property owner as found on the latest available copy of the last equalized assessment roll. Said Notice of Determination shall be delivered by hand-delivery, telephone, telegram, facsimile or other reasonable means, and shall clearly indicate that the structure is an imminent hazard and dangerous and that, as such, it constitutes a public nuisance. The notice shall set forth those factors which, in the opinion of the Building Official, make the structure an imminent hazard and dangerous, and shall also include a directive from the Building Official of the specific action or actions to be taken by the property owner. The Notice shall specify that within forty-eight (48) hours from the time of issuance of the Notice of Determination, the owner or other party of record with an equitable or legal interest in said property shall abate the nuisance in accordance with the directives written in the Notice of Determination by the Building Official.

**43.2.4.2 NOTICE OF DETERMINATION EXCEPTION.** No prior notice shall be required, when the Building Official, after considering all the facts, determines, in writing, that the structure is an imminent hazard and dangerous, and that it must be abated immediately and that time and circumstances do not permit the giving of prior notice to the owner. In those cases where time and circumstances do not permit the County to give the owner notice prior to abatement, the Building Official may cause the nuisance to be abated by the County with County resources or County contractees.

**43.2.4.3 APPEAL OF NOTICE OF DETERMINATION.** A Notice of Determination delivered by the Building Official, that a building or structure is an imminent hazard and dangerous and therefore must be abated, may be appealed by the property owner or any other party of record with an equitable or legal interest in said property. Such appeal must be made to the Building Official within 48 hours of delivery of such notice of determination by the Building Official. Such appeal shall be accompanied by a written Hazard Abatement Plan signed by a State of California licensed engineer or architect or by a written report by a State of California licensed engineer or architect stating why the engineer or architect feels the building or structure is not an imminent hazard or dangerous at this time. Such report shall include a recommendation by the engineer or architect as to what should and/or should not be done at this time. If the Building Official accepts the proposed Hazard Abatement Plan in lieu of the Notice of Determination, the Hazard Abatement Plan must be implemented within 24 hours of acceptance by the Building Official. If the Building Official accepts an engineer's report and agrees there is no imminent hazard, the Building Official shall rescind in writing his former Notice of Determination.

Should the Building Official disagree with the Hazard Abatement Plan, or should the Building Official disagree with the engineer's or architect's report, a hearing shall be conducted by the General Board of Appeals as soon as a quorum can be assembled.

**43.2.4.4 GENERAL BOARD OF APPEALS HEARING.** At the hearing, the appellant shall have the right to call witnesses, submit evidence and to cross-examine the witnesses, submit evidence and to cross-examine the witnesses of the County. All witnesses shall be sworn.

A record of the entire proceedings shall be made by tape recording. Any relevant evidence may be submitted regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in the courts of this State.

At the close of this hearing, the General Board of Appeals shall act to either uphold, overrule or modify the determination and order of the Building Official. The determination and order of the Building Official shall be upheld, unless the Board of Appeals finds, based upon the evidence in the record, that the Building Official erred in determining that the structure is an imminent hazard and dangerous. The decision of the Board of Appeals, with the reasons therefore, may be given orally on the record. If given orally, the decision shall be memorialized in writing and served upon the applicant within twenty-four (24) hours of the time the oral decision is rendered.

If the General Board of Appeals upholds the decision of the Building Official, the property owners of record shall be ordered to abate the public nuisance within the time set forth in the order. If the structure is determined not to be an imminent hazard and dangerous, the Building Official's determination and order shall be vacated. The decision of the General Board of Appeals shall be final on the date it is rendered.

**43.2.4.5 HAZARD ABATEMENT PLAN.** If a Hazard Abatement Plan is approved by the Building Official, the owner or other interested party of record shall execute such plan within twenty-four (24) hours of obtaining approval of the plan from the Building Official, or his designee. Within twenty-four (24) hours of completion of the abatement work the owner or other interested party of record shall provide the Building Official with a written certification that the public nuisance, as described in the Building Official's Notice of Determination, has been abated.

If the work performed pursuant to the Hazard Abatement Plan amounts to temporary abatement, the owner or other party of record, prior to proceeding with permanent repairs, shall obtain required permits and file a damage assessment report with the Building Official. The damage assessment report shall be reviewed and approved by the Building Official prior to proceeding with permanent repairs.

**43.2.4.6 FAILURE TO PERFORM.** In those instances where the property owner or other interested party of record either does not respond to the Building Official's Notice of Determination or approved Hazard Abatement Plan, responds untimely, or responds timely but fails to abate the public nuisance within the required time period, the imminent hazard and dangerous structure shall be subject to immediate abatement by the Building Official.

**43.2.4.7 PUBLIC NUISANCE.** All structures or portions thereof which, after inspection by the Building Official, are determined to be an imminent hazard and dangerous, either to the public, occupants of the subject structure, or to any adjacent structures, are hereby declared to be public nuisances and shall be abated by the owner in accordance with the procedures specified in sections 43.2.4.4 and 43.2.4.5.

**43.2.4.8 SUSPENSION OF ABATEMENT OF WORK.** Notwithstanding any provisions herein to the contrary, the Building Official is authorized to suspend abatement work by the County, or the County's contractees, and to allow the property owner or other party of legal interest to complete the abatement work.

**43.2.4.9 CHANGE OF STATUS.** When the conditions making a structure an imminent hazard and dangerous have been abated, the structure shall no longer be considered an imminent hazard and dangerous. However, if the abatement work is temporary in nature, as determined by the Building Official, the structure shall remain subject to the provisions of this Chapter.

**43.2.4.10 DEMOLITION PERMIT.** If the owner of any building or structure has decided to demolish rather than repair, the owner, or the owner's representative, shall obtain a demolition permit.

#### **43.2.5 HAZARD ABATEMENT OF HISTORIC BUILDINGS OR STRUCTURES.**

**43.2.5.1 NOTIFICATION OF IMMINENT HAZARD.** Within 10 days after the event, the Building Official shall notify the State Historic Preservation Officer that one of the following actions will be taken regarding any historic building or structure determined by the Building Official to represent an imminent hazard to the health or safety of the public, or to pose an imminent threat to the public right of way:

**43.2.5.1.1 BRACING OR SHORING.** Whenever possible, as determined by the Building Official, the building or structure may be braced or shored in such a manner as to mitigate the hazard to public health or safety or the hazard to the public right of way.

**43.2.5.1.2 CONDEMNATION.** Whenever bracing or shoring is determined to be an unreasonable alternative, the Building Official may cause the building or structure to be condemned and immediately demolished. Such condemnation and demolition may be performed in the interest of public health or safety without a condemnation hearing as required by the Uniform Code for the Abatement of Dangerous Buildings as adopted by reference in Article 1, Chapter 7, and as amended by Article 8 of this Code.

**43.2.5.2 CONDEMNATION PROCEEDINGS.** If, ten (10) days after the event and less than 30 days after the event, an historic building or structure is determined by the Building Official to represent a hazard to the health or safety of the public or to pose a threat to the public right of way, the Building Official may initiate condemnation proceedings in accordance with the Uniform Code for the Abatement of Dangerous Buildings as adopted by reference in Article 1, Chapter 7, and as amended by Article 8 of this Code. The Building Official may also notify the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1966, as amended, of its intent to hold a condemnation hearing.

**43.2.5.3 REQUEST TO DEMOLISH.** If the Building Official and the owner of any historic building or structure agree that such a building or structure should be demolished, the Building Official shall submit a request to demolish to the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1986, as amended. Said request shall include all substantiating data.

### **SECTION 43.3 – DISASTER REPAIR AND RECONSTRUCTION**

**43.3.1 INTENT.** This Chapter establishes standards and regulations for the expeditious repair and reconstruction of structures damaged as a result of a disaster for which a local emergency has been declared by the Board of Supervisors.

#### **43.3.2 APPLICATION OF PROVISIONS.**

**43.3.2.1 DECLARATION OF EMERGENCY.** The provisions of this chapter are applicable to all buildings and structures regulated by the County of Ventura following each disaster after a local emergency has been declared by the Board of Supervisors.

**43.3.2.2 WAIVER FOR ENGINEERING EVALUATION.** The requirements of this chapter may be waived by the Building Official subject to an Engineering Evaluation as defined in Section 43.3.3.4.

**43.3.3 DEFINITIONS.** For the purpose of this chapter, the following definitions apply:

**43.3.3.1 ARCHITECT** is a person licensed by the State of California to practice architecture as prescribed by the State of California Business and Professions Code.

**43.3.3.2 CIVIL ENGINEER** is a person registered by the State of California to practice Civil Engineering as prescribed by the State of California Business and Professions Code.

**43.3.3.3 CURRENT CODE** shall mean those codes listed in Article 1, Section 101.1 of this Code as adopted by the County of Ventura in accordance with operation of law pursuant to Section 18941.5 of the State of California Health and Safety Code. The edition to be applied shall be that edition in effect at the time of the declaration of a local emergency by the Board of Supervisors, County of Ventura.

**43.3.3.4 ENGINEERING EVALUATION** is an evaluation of a damaged building or structure, or suspected damaged building or structure, performed under the direction of a structural engineer, civil engineer, or architect retained by the owner of the building or structure. Engineering evaluations shall, at a minimum, contain recommendations for repair with appropriate opinion of construction cost for those repairs. All engineering evaluations shall include the engineer's or architect's stamp, wet-signature and license expiration date.

**43.3.3.5 ESSENTIAL SERVICE FACILITY** shall mean those buildings or structures designated by the County of Ventura to house facilities necessary for emergency operations subsequent to a disaster.

**43.3.3.6 REPLACEMENT VALUE** is the dollar value, as determined by the Building Official, for replacing a damaged structure with a new structure of the same size, same type of construction and same occupancy, and located on the same site.

**43.3.3.7 STRUCTURAL ENGINEER** is a person registered by the State of California to practice civil engineering and to use the title Structural Engineer as defined in Section 5537.1 of the State of California Business and Professions Code.

**43.3.3.8 VALUE OF REPAIR** is the dollar value, as determined by the Building Official, for making necessary repairs to the damaged structure.

**43.3.3.9 BUILDING OFFICIAL** shall be as defined in Article 3, Chapter 2, Section 202 of this Code.

#### **43.3.4 REPAIR CRITERIA**

**43.3.4.1 GENERAL.** Buildings and structures of all occupancies which have been damaged as the result of a disaster, except as otherwise noted, shall be repaired in accordance with the following criteria:

**43.3.4.2 UP TO TEN PERCENT REPAIR VALUE.** When the estimated value of repair does not exceed ten percent (10%) of the replacement value of the structure, the damaged portion may be restored to the pre-disaster condition; except that when the damaged elements include suspended ceiling systems, the ceiling system shall be repaired with all bracing required by current code.

**43.3.4.3 UP TO FIFTY PERCENT REPAIR VALUE.** When the estimated value of repair is greater than ten percent (10%) but less than fifty percent (50%) of the replacement value of the structure, the damaged elements shall be repaired and/or brought into conformance with the structural requirements of the current code.

**43.3.4.4 MORE THAN FIFTY PERCENT REPAIR VALUE.** When the estimated value of repair is fifty percent (50%) or more of the replacement value of the structure, the entire structure shall be brought into conformance with the fire and life safety and structural requirements of the current code.

**43.3.4.5 CHIMNEY VALUE EXCLUSION.** In group R, Division 3 occupancies, the repair value of damaged chimneys may be excluded from the computation of percentage of replacement value. Damaged chimneys shall be repaired in accordance with Section 43.3.5.

#### **43.3.5 REPAIR CRITERIA FOR FIREPLACES AND CHIMNEYS.**

**43.3.5.1 GENERAL.** All damaged chimneys must be repaired or reconstructed to comply with the requirements of Chapter 21 of the IBC. Damaged portions of chimneys shall be removed in accordance with the following criteria.

**43.3.5.2 DAMAGE ABOVE THE ROOF LINE.** When the damaged portion of the chimney is located between the roof line and the top of the chimney, the damaged portion may be removed to the roof line provided the roof and ceiling anchorage are in sound condition. The reconstruction portion of the chimney shall be braced to the roof structure using an approved method.

**43.3.5.3 SINGLE STORY STRUCTURE DAMAGE BELOW THE ROOF LINE.** For a single-story structure in which the damaged portion of the chimney is below the roof line or the damaged portion extends from above the roof line to below the roof line, the chimney shall be removed to the top of the firebox.

**43.3.5.4 MULTI-STORY STRUCTURE DAMAGE BELOW THE ROOF LINE.** For a multi-story structure, the damaged portion of the chimney shall be removed from the top to a floor line where anchorage is found.

**43.3.5.5 FIREBOX DAMAGE.** In any structure where the firebox has been damaged, the entire chimney and firebox shall be removed to the foundation. If the foundation is in sound condition, the firebox and chimney may be reconstructed using the existing foundation. If the foundation has been damaged, the foundation shall be removed and replaced. Such reconstruction and replacement shall be in accordance with Chapter 21 of this Code.

**43.3.5.6 ENGINEERED ALTERNATE SOLUTIONS.** Where existing conditions preclude the installation of all anchorage required by Chapter 21 of the IBC, alternate systems may be used in accordance with the alternate methods and materials provisions of the IBC when approved by the Building Official.

**43.3.5.7 BRACING.** Where the portion of the chimney extending above the roof line exceeds two times the least dimension of the chimney, that portion above the roof line shall be braced to the roof structure using an approved method.

#### **43.3.6 REPAIR CRITERIA FOR HISTORIC BUILDINGS OR STRUCTURES.**

**43.3.6.1 ENGINEERING EVALUATION REQUIRED.** Buildings or structures which are included on a national, state, or local register for historic places or which are qualifying structures within a recognized historic district, which have been damaged as a result of a disaster, shall have an Engineering Evaluation performed.

**43.3.6.2 MINIMUM REPAIR CRITERIA.** The minimum criteria for repair shall be as included in Section 43.3.4 Repair Criteria with due consideration given to the historical rating and nature of the structures. Additional standards and criteria, as noted in Part 8, Title 24, California Code of Regulations shall apply.

#### **43.3.7 REPAIR CRITERIA FOR UNREINFORCED MASONRY BUILDINGS AND STRUCTURES.**

**43.3.7.1 GENERAL.** All damaged buildings determined to be bearing wall buildings constructed of unreinforced masonry shall be repaired and strengthened to fully comply with the requirements of the California Existing Building Code as adopted by the County of Ventura.

## CHAPTER 44 – GREEN BUILDING

**44.1 – SCOPE** When approved by the Building Official, new commercial or residential buildings that are registered with an approved Green Building Certification or Rating Program shall receive expedited plan review processing and the expedited plan review fee as reflected in the latest Ventura County Building and Safety fee schedule shall be waived.

**44.2 DOCUMENTATION** All applicants wishing to receive priority plan review processing pursuant to section 44.1 must submit the following:

1. Upon Plan Review submittal:
  - a. Evidence of registration or application with an approved Green Building Certification Program
  - b. Completed Green Building checklist indicating all of the Green Building features included in the project.
2. Upon Final Inspection:
  - a. Copy of the certification provided by the approved Green Building Certification Program.

**44.3 FAILURE TO PERFORM** Projects that fail to achieve certification after receiving expedited plan check processing shall, as a condition precedent to final inspection approval, be required to pay the expedited plan check fee applicable to the project at the time of submittal.

**44.4 WORKLOAD EXEMPTION** When the Building Official determines that plan review workload or staffing levels are such that the acceptance of a plan review under this Chapter would extend the plan check turn-around-time for other applications to an unacceptable level, the Building Official is authorized to suspend the acceptance of plans under this Chapter until plan review workload or staffing levels are deemed acceptable.

**APPENDIX C  
AGRICULTURAL BUILDINGS**

**SECTION C102 - CONSTRUCTION, HEIGHT AND ALLOWABLE AREA**

**C102.2 SPECIAL PROVISIONS FOR AGRICULTURAL BUILDINGS.** The area of a Group U Occupancy in a one-story Agricultural building shall not be limited if the building is entirely surrounded and adjoined by public ways or yards not less than 60 feet (18,288 mm) in width, regardless of the type of construction.

**EXCEPTION:** The area of a one-story Group U Agricultural Building which is used exclusively for growing flowers, plants, fruits, vegetables, shrubs, trees, or similar horticultural products (horticultural structure) shall not be limited if the setback from all property lines to the building is not less than twenty (20) feet and if such setback area is maintained open and accessible for fire fighting purposes. In no case shall the distance from property lines be less than that required by zoning regulations. The maximum travel distance to an exit may be increased by 100 feet if the building or structure is provided with an approved fire sprinkler system.

The area of a two-story Group U Occupancy shall not be limited if the building is entirely surrounded and adjoined by public ways or yards not less than 60 feet (18,288 mm) in width and is provided with an approved automatic fire-extinguishing system throughout

Buildings using plastics shall comply with Type V-B construction. Plastics shall be approved plastics as defined in Chapter 2 and regulated by Chapter 26.

**EXCEPTIONS:**

1. When used as skylights or roofs, the areas of plastic skylights shall not be limited.
2. Except where designs must consider snow loads, plastics less than 20 mil (0.51 mm) thick may be used without regard to structural considerations. The structural frame of the building, however, shall comply.

Refer to Section 106.1.1 in this Code for permit exceptions which apply to specified agricultural buildings.

**VENTURA COUNTY BUILDING CODE  
APPENDIX J GRADING**

**SECTION J101 – GENERAL**

**J101.1 GENERAL.** Appendix J of the 2007 California Building Code is hereby amended and replaced by the Ventura County Building Code Appendix J Grading. All grading must be executed in accordance with the provisions of Ventura County Building Code Appendix J unless specifically amended herein; and all references in this appendix apply to the Ventura County Building Code except where noted. For the purposes of this appendix, the term "Building Official" shall mean the Director of Public Works, as defined in Article 3, Section 202 of the Ventura County Building Code.

**J101.2 SCOPE AND PURPOSE.** The provisions of this appendix set forth the rules and regulations to control excavation, grading and earthwork construction, including fills and embankments and the control of grading site runoff, including erosion sediments and construction-related pollutants; establishes the administrative procedure for the issuance of permits related to grading; and provides for approval of plans and inspection of grading construction. The purpose of this Appendix is to safeguard life, limb, property, and the public welfare by regulating grading on private and public property in the unincorporated areas of Ventura County.

**J101.3 FLOOD HAZARD AREAS.** A floodplain permit or floodplain clearance is required for all grading work within a flood hazard area as defined in the Ventura County Floodplain Management Ordinance. A separate watercourse encroachment permit may be required from the Ventura County Watershed Protection District for any grading work within their jurisdictional channels.

**J101.4 GENERAL HAZARDS.** Whenever the Building Official determines that any existing manmade excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage course, the Building Official may give written notice thereof to 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, the owner or another person or agent in control of the property shall repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code, within the period specified in said notice.

**J101.5 SAFETY PRECAUTIONS.** If at any stage of the work the Building Official determines by inspection that further grading as approved is likely to endanger any public or private property or result in the deposition of debris on any public way or interfere with an existing drainage course, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such person shall immediately stop such work. The Building Official may authorize the work to proceed if the Building Official finds adequate safety precautions can be taken or corrective measures incorporated in the work to avoid likelihood of such danger, deposition or interference.

If the grading work as done has created or resulted in a hazardous condition, the Building Official shall give written notice requiring correction thereof as specified in Section J101.4 of this code.

**J101.6 PROTECTION OF UTILITIES.** The permittee and owner of any property on which grading is performed shall be responsible for the prevention of damage to any public utilities, public services, or private services.

**J101.7 PROTECTION OF ADJACENT PROPERTY.** The permittee and owner of the property on which grading has been performed shall be responsible for the prevention of damage to adjacent property, including public and private streets, and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public or private street, sidewalk, alley, or other public or private property without taking adequate measures to support and protect such property from settling, cracking or other damage that might result. Any person performing any grading that involves imported or exported materials shall take special precautions, as approved by the Building Official, to prevent materials from being deposited on the adjacent public way and/or drainage courses.

**J101.7.1 DOCUMENTATION OF EXISTING CONDITIONS PRIOR TO GRADING.** Prior to the issuance of a grading permit, the permittee and owner of the property on which grading is proposed, shall provide the Building Official with representative photographs of all property lines and private or public streets adjacent to the proposed grading site. The purpose of the photo documentation is to establish the condition of adjacent property to avoid claims for damage to the adjacent property during construction of the site. Said photos of the adjacent public or private street shall include enough detail, for a distance of one block on each side of the property (approximately 400 feet or to the nearest intersection) to exhibit the existing conditions of street pavement, sidewalks, curb and gutter, driveways, shoulder parking areas, mail boxes, above grade utility services, gates, fences, walls, street trees, parkways, vault covers and survey monument wells, landscaping and irrigation, and catch basins/inlets. Said photos of the property lines shall be representative of the setback areas on both sides of the property lines and include fences, walls, landscaping and irrigation, natural features, driveways, buildings, and drainage devices. Photos shall be submitted to the Building Official on a CD Rom or DVD, in a “.jpg or .bmp” or equivalent digital file format, and include adequate description and direction to identify the location of said photos.

**J101.8 STORM WATER CONTROL MEASURES.** The permittee and owner of any property on which the grading is performed shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, and deposition of mud, debris, and construction-related pollutants originating from the site during grading and related construction activities.

**J101.9 MAINTENANCE OF PROTECTIVE DEVICES AND RODENT CONTROL.** The permittee and owner of any property on which grading has been performed pursuant to a permit issued under the provisions of this code, or any other person or agent in control of such property, shall: implement a program of eradication to control burrowing rodents if recommended by project Field Engineer and maintain in good condition and repair all drainage structures and other protective devices.

**J101.10. CONDITIONS OF APPROVAL.** In granting any permit under this code, the Building Official may include such conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to public or private property. Such conditions may include, but shall not be limited to:

1. Improvement of any existing grading to comply with the standards of this code.
2. Requirements for fencing of excavations or fills that would otherwise be hazardous.

## **SECTION J102 - DEFINITIONS**

**J102.1 DEFINITIONS.** For the purposes of this appendix, the terms, phrases and words listed in this section and their derivatives shall have the indicated meanings.

**AGRICULTURAL GRADING.** Grading to enhance or conduct farming, including animal husbandry and the production and management of crops (including aquatic crops) for food, fiber, fuel and ornament as defined in Section 8102-0 of the Ventura County Non-Coastal Zoning Ordinance. Agricultural grading does not include grading for buildings, barns, equestrian facilities, permanent structures with a foundation, and parking lots.

**APPROVAL.** When the proposed work or completed work conforms to this appendix, as determined by and to the satisfaction of the Building Official.

**AVERAGE NATURAL SLOPE DETERMINATION.** Slope is the ratio of the vertical distance to the horizontal distance, or the elevation change in feet divided by the distance in feet. The percent slope of a development area (i.e., the entire contiguous area that will be disturbed by the land clearing, grading, or other earthmoving activities) is the natural slope of the existing terrain and not the finished or proposed percent slope resulting from the project. The average natural slope, in percent, for a given area is the product of the selected contour interval and the sum of the length of each selected contour interval divided by the area in square feet and is shown in formula:  $S=(I \times L \times 100) / (A \times 43,560)$ , where:

S = Average existing land slope, in percent.

I = Interval, in feet, of the topographic map contour lines.

L = The sum, in feet, of the length of the contour lines, at the selected contour interval "I".

A = The total area, in acres, of the parcel (or total development site).

The cross section of the selected contour shall be representative of the property and drawn perpendicular to the contours of the proposed disturbed area using a site plan with a contour interval not to exceed five feet at a scale of 1 inch = 100 feet or better.

**AS-BUILT.** A record drawing of the completed work as to line and grade.

**BEDROCK.** The relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of alluvium, colluvium and/or soil.

**BENCH.** A relatively level step excavated into earth material on which fill is to be placed.

**BEST MANAGEMENT PRACTICE (BMP).** A stormwater pollution mitigation measure that is required to be employed in order to comply with the requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollution Discharge Elimination System (NPDES) Permit (See Section J112 of this code).

**BORROW.** Earth material acquired from an adjacent area within the property boundary for use in grading.

**BUILDING OFFICIAL.** (See Section 202 of the Ventura County Building Code) The Director of Public Works Agency, or a duly authorized representative.

**CIVIL ENGINEER.** A professional engineer registered in the State of California to practice in the field of Civil Engineering.

**CIVIL ENGINEERING.** The application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design, and construction of civil works.

**COMPACTION.** The densification of a fill by mechanical means.

**CUT.** See "Excavation."

**DESIGN ENGINEER.** The Civil Engineer responsible for the preparation of the grading plans for the site grading work.

**DESIGNATED WATERWAY.** A watercourse that is identified as one or more of the following: a Redline jurisdictional channel as defined by the Ventura County Watershed Protection District; a blue line stream as shown on a USGS Quad Map; or a regulated floodway as shown on the Federal Emergency Management Agency Flood Insurance Rate Maps for Ventura County.

**DESIGNATED WETLAND.** A wetland identified by an Environmental Impact Report or a wetland habitat, not including those within man-made structures, as identified on the latest National Wetlands Inventory Maps on file with the Resource Management Agency.

**DESILTING BASINS.** Physical structures, constructed for the removal of sediments from surface water runoff.

**DISCRETIONARY GRADING PERMIT.** Grading permits that are subject to the Permits Streamlining Act and exceeds thresholds provided herein in Section J103.3.

**DOWN DRAIN.** A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.

**DRAINAGE COURSE.** The natural or manmade path that runoff will follow through a property or parcel of land.

**EARTH MATERIAL.** Any rock, natural soil or unconsolidated material above bedrock or mixture thereof.

**ENGINEERING GEOLOGIST.** Is a certified Engineering Geologist duly licensed by the State of California who applies the geological sciences to engineering practice for the purpose of assuring that the geological features affecting the location, design, construction, operation and maintenance of engineering works are recognized and adequately addressed.

**ENGINEERING GEOLOGY.** The application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

**EROSION.** The wearing away of the ground surface as a result of the movement of wind, water, or ice.

**EXCAVATION.** The removal of earth material by artificial means, also referred to as a cut.

**EXPORT.** The removal of excess graded materials from the property.

**FIELD ENGINEER.** The Civil Engineer responsible for performing the functions as set forth in Section J106.3.

**FILL.** Deposition of earth materials by artificial means.

**GEOTECHNICAL ENGINEER.** See "Soils Engineer."

**GEOTECHNICAL HAZARD.** An adverse condition due to landslide, settlement, and/or slippage. These hazards include but are not limited to loose debris, slopewash, and mud flows from natural or graded slopes.

**GRADE.** The vertical location of the ground surface.

**GRADE, EXISTING.** The grade prior to grading.

**GRADE, FINAL.** See Section J106.7.

**GRADE, FINISHED.** The grade of the site at the conclusion of all grading efforts.

**GRADE, INITIAL.** See Section J106.7.

**GRADE, ROUGH.** See Section J106.7.

**GRADING.** An excavation or fill or combination thereof.

**HILLSIDE EROSION CONTROL ORDINANCE.** A Ventura County Ordinance (Ord. Nos. 3539 and 3683) that regulates agriculture grading in critical erosion areas. This ordinance is administered by the Ventura County Resource Conservation District and requires property owners who desire to perform agricultural grading to enter into a cooperative agreement with the Resource Conservation District and prepare a Hillside Erosion Control Plan before any grading is commenced.

**IMPORT.** Earth material acquired from outside the property boundaries for use in grading on a site.

**ISOLATED, SELF-CONTAINED AREA.** That portion of a parcel of land or of contiguous parcels of land under single ownership which meets any one of the following three criteria:

1. The portion is used for growing crops or raising livestock for sale, but not for building sites or for the construction of earthfills which will impound water to a depth of more than 5 feet.
2. The portion contains water impounding structures, that are bermed or diked no higher than five feet above natural grade, constructed under the direct control of the U.S. Department of Agriculture, Natural Resources Soil Conservation Service.
3. The portion contains oilfield operations, involving the exploration for or the development or production of oil, which are established under an existing land use entitlement and all of the following criteria are met:
  - (a) The portion is not visible from a publicly maintained street, road or highway within 1.0 horizontal mile of such portion;
  - (b) The portion is not visible from a private residence located within 1.0 horizontal mile of such portion unless the owner and the tenant or such residence have signed a written waiver of this criterion; and
  - (c) The portion is so located and configured that grading thereon cannot cause a significant increase in the volume of silt or debris deposited on downstream property owned by any person other than the owner of the portion.

**KEY.** A compacted fill placed in a trench excavated in earth material generally constructed at the toe of a slope. Also known as a “keyway.”

**LANDSCAPE ARCHITECT.** A person who holds a certificate to practice landscape architecture in the State of California under the applicable landscape architecture provisions of Division 3, Chapter 3.5 of the Business and Professions Code.

**LINE.** The horizontal location of the ground surface.

**MINISTERIAL GRADING PERMIT.** Grading permits that are not subject to the time limits established under the Permits Streamlining Act and do not exceed certain thresholds. These permits require no special discretion or judgment in whether or how the project should be carried out. The grading permit is not subject to the provisions of the California Environmental Quality Act.

**PERMITTEE.** The property owner or property owner’s authorized agent. See Section J106.6.

**PRIVATE SEWAGE DISPOSAL SYSTEM.** A septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits or into a combination of subsurface disposal field and seepage pit or of such other facilities as may be permitted by the Resource Management Agency Environmental Health Division.

**PROJECT CONSULTANTS.** The professional consultants required by this code which may consist of the design engineer, field engineer, soils engineer, engineering geologist, and landscape architect as applicable to this appendix.

**PROFESSIONAL INSPECTION.** The inspection required by this code to be performed by the Project Consultants. Such inspections shall be sufficient to form an opinion relating to the conduct of the work.

**PUBLIC WORKS AGENCY.** The Public Works Agency, County of Ventura.

**RAINY SEASON.** That period of time when rainfall is likely to occur and is defined within the months and dates as shown in the **current** Ventura Countywide Stormwater Quality Management Program, National Pollution Discharge Elimination System (NPDES) Permit.

**RETAINING WALL.** A wall-type structure that is built to restrain a vertical or near vertical face mass of earth. The earth behind the wall may be a natural embankment or backfill material placed adjacent to the retaining wall.

**RESOURCE MANAGEMENT AGENCY.** The Resource Management Agency, County of Ventura.

**SITE.** A lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

**SLOPE.** A stretch of ground forming a natural or artificial inclined ground surface, between two level areas, and is expressed as a ratio of horizontal distance to vertical distance. The overall slope height does not include in its height calculation any portion of slope supported by retaining walls. A level area can be a road, but not a terrace drain.

**SOIL.** Naturally occurring superficial deposits.

**SOILS ENGINEER (GEOTECHNICAL ENGINEER).** A Civil Engineer experienced and knowledgeable in the practice of soils engineering.

**SOILS ENGINEERING (GEOTECHNICAL ENGINEERING).** The application of the principals of soils mechanics in the investigation, evaluation, and design of civil works involving the use of earth materials and the inspection or testing of construction thereof.

**SOIL TESTING AGENCY.** An agency regularly engaged in the testing of soils and rock under the direction of a professional engineer experienced in soil testing.

**STORM DRAIN SYSTEM.** A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, pipes, and man-made channels, designed or used for collecting and conveying storm water.

**STORM WATER POLLUTION CONTROL PLAN (SWPCP).** A site drawing with details, notes, and related documents that identify the measures proposed by the permittee or property owner, during construction of the site that incorporates Best Management Practices (BMPs) to effectively control erosion, sediment loss, and prohibits the discharge of pollutants from the construction site area. SWPCPs are required on projects less than one acre of disturbed area.

**STORM WATER POLLUTION PREVENTION PLAN (SWPPP).** A site drawing with details, notes, and related documents that identify the measures proposed by the permittee or property owner to (1) control erosion and prevent sediment and construction-related pollutants from being carried offsite by stormwater, and (2) prevent non-stormwater discharges from entering the storm drain system. A SWPPP shall be prepared and implemented in accordance with the Ventura Countywide Stormwater Quality Management Program, National Pollution Discharge Elimination System (NPDES) Permit.

**SURFACE DRAINAGE.** Flows over the ground surface.

**TERRACE.** A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

**TEMPORARY STOCKPILE.** The creation of a mound of earth with side slopes of 3 units horizontal to 1 unit vertical (33% slope) or flatter, for a period not exceeding 180 calendar days, and not to exceed eight feet in height that will be removed or protected prior to the rainy season.

**TRUCK ROUNDTRIP.** One truck roundtrip is counted as a heavy axle wheeled vehicle, single or tandem, entering and leaving the project site as part of the permitted grading with a load of earth materials or road base materials.

## **SECTION J103 - PERMITS REQUIRED**

**J103.1 PERMITS REQUIRED.** Except as specified in Section J103.2, no grading shall be performed without first having obtained a grading permit from the Building Official.

**J103.2 EXEMPTED WORK.** A grading permit shall not be required for the following:

1. When approved by the Building Official, grading in an isolated, self-contained area for agricultural grading or oil field grading, provided there is no danger to the public or public property, and that such grading will not adversely affect adjoining properties. The Building Official will require the owner of the property to have a plan prepared showing the location of the grading in accordance with Sections J105.1, J105.2, and J105.3. A written agricultural grading/oil field grading exemption will be issued that may require the property owner to provide adequate sediment and erosion control in accordance with Section J111 and J112, and provide for limited site inspections by the property owner's engineering consultants who prepared the plans and reports. A flat fee will be charged by the Building Official to review and approve this type of grading exemption in accordance with the adopted fee schedule approved by the Board of Supervisors. The property owner shall obtain letters from his/her engineering consultants that states that the owner performed the grading in accordance with their plans, specifications, and recommendations at the conclusion of the project and forward said letters to the Building Official for record keeping. The written agricultural grading/oil field grading exemption shall have a time limit not to exceed 24 months from the date of issuance by the Building Official. The agricultural grading/oil field grading exemption does not apply to projects which otherwise would require a discretionary grading permit.
2. Excavation for construction of a structure and authorized by a valid building permit provided the excavation is limited to the removal of soil for the footprint of the structure plus a distance of five feet measured horizontally from any footprint edge for construction of footings, caissons, piles, foundation systems, retaining walls, or a pool. This shall not exempt any fill in excess of 50 cubic yards made with the material from such excavation at or below the natural grade unless approved by the Building Official.
3. Cemetery graves.
4. Refuse disposal sites complying with Public Resources Code Section 40000, et. seq., as determined by the Local Enforcement Agency or controlled by other regulations.
5. Excavations for wells, tunnels, or trenches for public utilities. Private utility trenches shall be exempt unless the trench is for a private storm drain conduit or private utility conduit that exceeds 18-inches in diameter and the trench excavation exceeds 50 cubic yards.

6. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, as administered by the Resource Management Agency, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Exploratory excavations under the direction of a Soils Engineer or Engineering Geologists. This shall not exempt grading of access roads or pads created for exploratory excavations. Exploratory excavations must not create a hazardous condition to adjacent properties or the public in accordance with Section J101.4. Exploratory excavations must be restored to existing conditions, unless approved by the Building Official. On deep exploratory excavations that exceed fifteen feet in depth, the responsible Soils Engineer or Engineering Geologist shall submit to the Building Official a compaction report demonstrating that the exploratory excavation was compacted so as not to create a hazard or a nuisance. The compaction report shall be filed with the Building Official within ten business days of completion of the work. Exploratory excavations that will be greater than 50 feet in depth may require a permit from the County of Ventura Watershed Protection District.
8. An excavation that complies with one of the following conditions (See Figure J103.2): (1) is less than 2 feet in depth and does not exceed 50 cubic yards, or (2) does not create a cut slope greater than 5 feet measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope) and does not exceed 50 cubic yards.
9. The cumulative placement of fill on any one lot that does not obstruct a drainage course and complies with one of the following conditions (See Figure J103.2): (1) is less than 1 foot in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope) and does not exceed one acre in size or 1000 cubic yards; or (2) is less than 3 feet in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, not intended to support structures, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope); or (3) is less than 5 feet in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, not intended to support a structure, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

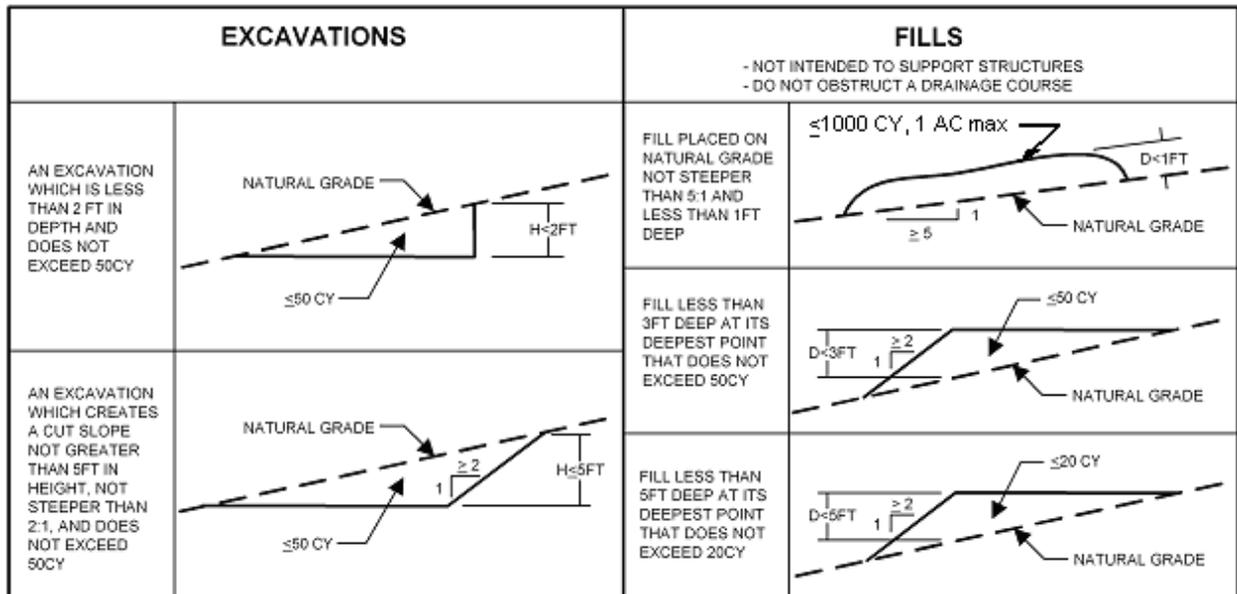


FIGURE J103.2

10. Grading to support irrigated agricultural production under an approved hillside erosion control plan by the Ventura County Resource Conservation District (VCRCDD) in compliance with the Hillside Erosion Control Ordinance (HECO). Should the VCRCDD exempt or deny a property owner from the requirements of the Hillside Erosion Control Ordinance, the property owner is required to obtain a grading permit or a formal grading permit exemption from the Building Official.
11. When approved by the Building Official, sand and gravel backfill behind retaining walls.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this appendix or any other laws or ordinances of this jurisdiction.

**J103.3 MINISTERIAL PERMITS.** The issuance or denial of a grading permit pursuant to this Code is a ministerial act for the purposes of Section 21080, subdivision (b) (1), of the Public Resources Code except in the following six cases:

1. Where the average natural slope within the area to be graded exceeds 10% and the amount of excavation or fill exceeds 10,000 cubic yards;
2. Where the average natural slope within the area to be graded exceeds 35% and the amount of excavation or fill exceeds 1,000 cubic yards;
3. Where the proposed graded slopes exceed 40 feet in vertical height;
4. Where the proposed grading is within a designated waterway or designated wetland.
5. Where the proposed grading is within an area officially designated by the County as a Sensitive Ecological, Archaeological, Scenic, or Biologically Sensitive Area;
6. Where the total truck roundtrips per calendar day for the grading operation exceeds 10 roundtrips or the cumulative total number of truck trips exceeds 50 truck trips per calendar week. The Building Official, as a ministerial act, may allow more than 10 truck roundtrips per day provided the truck traffic is scheduled to minimize impacts to the public or private streets.

In each of the six cases listed above, the issuance or denial of a grading permit is discretionary for the purposes of Section 21080, subdivision (a), of the Public Resources Code except in the following three cases in which such issuance or denial is a ministerial act:

1. Where the grading permit is required by a condition imposed upon a discretionary entitlement previously approved by the County of Ventura and the effects of the grading for which the grading permit is required were addressed in an environmental document prepared and certified with respect to that previously approved entitlement;
2. The grading is related to oilfield operations, involving the exploration for or the development or production of oil, and all of the following conditions are satisfied; (a) The grading will be restricted to an area on which such oilfield operations may lawfully take place pursuant to an existing use permit for such operations issued by the County; (b) the proposed graded slopes will be less than 40 feet in vertical height; (c) before the grading commences, grading bonds are submitted to the Building Official guaranteeing all erosion control facilities, slope planting and slope maintenance necessary to meet then existing County standards; and (d) within 60 days of completion of the grading, all slopes created or modified are hydromulched with a native plant and an irrigation system sufficient to ensure establishment of such plants.

3. The grading related to oilfield operations involving the exploration for or the development of production of oil, and is limited to one or more of the following: (a) routine maintenance or repair of existing drill sites or existing roads which does not materially alter the location, size or configuration of the original sites or roads; (b) routine dredging of waste materials for which a permit has been issued by the Environmental Health Division of Ventura County Resource Management Agency.

**J103.4 DISCRETIONARY GRADING PERMIT.** The issuance or denial of a discretionary grading permit pursuant to this Code is a discretionary act for the purposes of Section 21080, subdivision (a) of the Public Resources Code when the proposed grading is not for an exempted project as described in Section J103 or does not meet any one of the criteria described in Section J103.2, or cannot be determined as ministerial by the Building Official. A discretionary grading permit shall become operative on the 15th calendar day after its issuance or, in the case of an appeal, on the date the Board of Supervisors issues its decision upholding or ordering issuance. The discretionary grading permit will require the preparation of engineered grading plans as described in Section J105.2.2.

**J103.5 DISCRETIONARY GRADING PERMIT REVIEW.** The only discretionary powers to be exercised in conjunction with the issuance or denial of discretionary grading permit shall be exercised by the Building Official, or by the Board of Supervisors on appeal. Those discretionary powers shall be limited to all of those discretionary powers, (i) to issue the permit subject to conditions or changes in the project needed to mitigate significant environmental effects which would otherwise result from the grading, (ii) to deny the permit in order to avoid such effects, or (iii) to issue the permit despite such effects, as are conferred upon the lead agency by the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code) and are generally described in Section 15040 through 15043 of the State CEQA Guidelines (Section 15000 et seq. of Title 14 of the California Administrative Code).

**J103.6 DISCRETIONARY GRADING PERMIT HEARING.** With respect to a discretionary grading permit, the Building Official shall issue or deny the permit only after holding a public hearing, considering the applicable environmental document, and, if appropriate, certifying that such document has been prepared in compliance with the California Environmental Quality Act. The Building Official shall give at least 15 days written notice of such hearing to the applicant for the permit and to any owner of real property in the vicinity of the proposed grading whose property interest might be substantially affected by issuance or denial of the permit. The notice shall specify the time, date and place of the hearing, shall give a general description of the grading to which the permit application pertains, shall give a general description of the property on which the grading would occur, and shall state that any interested person will be given an opportunity to present relevant evidence at the hearing. The hearing shall be limited to, and any decision of the Building Official shall be based upon, the environmental issues with respect to which the Building Official has been granted discretion by this section.

**J103.7 DISCRETIONARY GRADING PERMIT APPEAL.** Any interested person may appeal the issuance or denial of a discretionary grading permit by filing with the Building Official the appeal fee prescribed by the Board of Supervisors together with a notice of appeal on a form satisfactory to the Building Official within 10 days after the issuance or denial. The hearing on appeal shall be noticed and conducted by the Board of Supervisors in the same manner as the original hearing before the Building Official, except that the notice shall also be given to the appellant. The decision of the Board of Supervisors on appeal shall be issued in writing after the hearing on appeal and shall be final and conclusive when issued. A copy of the decision shall be served upon the applicant for the permit and upon the appellant. If the decision is to order the issuance of a grading permit previously denied or to modify a grading permit previously issued by the Building Official, the written order shall constitute the permit and shall include appropriate conditions.

A ministerial grading permit shall be operative immediately upon issuance. A discretionary grading permit shall become operative on the 15th calendar day after its issuance or, in the case of an appeal, on the date the Board of Supervisors issues its decision upholding or ordering issuance.

## **SECTION J104 - GRADING PERMIT REQUIREMENTS**

**J104.1 GRADING DESIGNATION.** All grading in excess of 500 cubic yards shall be performed in accordance with the approved grading plan prepared by a Civil Engineer, and shall be designated as "engineered grading." Grading involving less than 500 cubic yards, including grading to place fill at or below grade, shall be designated as "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the Building Official determines that special conditions or unusual hazards exist in which case grading shall conform to the requirements for engineered grading.

**J104.2 PERMIT ISSUANCE.** The grading permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the grading and other improvements authorized by such a permit are not completed within 1 year from the date of such permit. The Building Official may extend the time for completion of the grading and other improvements authorized by the grading permit in increments not exceeding 1 year, for a maximum of three consecutive years, if circumstances beyond the permittee's control have prevented the completion of the project, and necessary time extension fees have been paid. Only subdivisions, with an improved subdivision improvements agreement or a development agreement, can be extended for more than three consecutive years but not in excess of the time limits of the agreement.

**J104.3 GRADING PERMIT FEES.** Grading permits and grading plan review fees shall be as set forth in schedules enacted by the Board of Supervisors. Except as otherwise specified in such schedule, grading permit and grading plan review fees shall not be refundable unless approved by the Building Official.

**J104.4 GRADING SECURITY.** The Building Official may require a security in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. When the Building Official determines that a security is necessary, a grading permit shall not be issued for grading unless the owner posts with the Building Official a security in one of the following forms:

1. A bond furnished by a corporate surety authorized to do business in this state.
2. A cash bond.
3. Savings and loan certificates or shares deposited and assigned to the County as provided in the Ventura County Bond Book.
4. An instrument of credit from a financial institution subject to regulation by the state or federal government and pledging that the funds necessary to carry out the grading are on deposit and guaranteed for payment, or a letter of credit issued by such a financial institution.

**J104.4.1 AMOUNT OF SECURITY.** The amount of security shall be based on an approved engineer's estimate that includes: the number of cubic yards of material in either excavation or fill, whichever is greater; the cost of all drainage or other protective devices for work necessary to eliminate geotechnical hazards; appurtenant improvements such as access roads for fire protection purposes; temporary and permanent BMP sediment control; landscaping and irrigation; and an amount to guarantee that damaged public and private property during the grading construction work will be repaired.

When the rough grading has been completed in conformance with the requirements of this appendix, the Building Official may at his or her discretion consent to a proportionate reduction of the security to an amount estimated to be adequate to ensure completion of the grading work, site development or planting remaining to be performed. The costs referred to in this section shall be approved by the Building Official.

**J104.4.2 CONDITIONS.** All security shall include the conditions that the principal shall:

1. Comply with all of the provisions of this appendix, applicable laws, and ordinances;
2. Comply with all of the terms and conditions of the grading permit;
3. Complete all of the work authorized by the grading permit; and;
4. Complete all repairs to public and private property in a timely manner to the satisfaction of the Building Official.

**J104.4.3 TERM OF SECURITY.** The term of each security shall begin upon the filing with the Building Official and the security shall remain in effect until the work authorized by the grading permit, including any repairs to public and private property, is completed and approved by the Building Official.

**J104.4.4 DEFAULT PROCEDURES.** In the event any grading for which a permit has been issued is not completed in accordance with the approved plans and specifications for said work or with all terms and conditions of the grading permit, the Building Official shall give notice thereof to the principal and surety or financial institution executing the security, or to the owner in the case of a cash bond or assignment. The Building Official may thereafter determine the work that is necessary to mitigate any hazardous or unsafe conditions on the site, and also include damaged public or private property adjacent to the site and cause such work to be performed. Where the security consists of a bond or instrument of credit, the surety or financial institution executing the security shall be responsible for the payment of all costs and expenses incurred by the Building Official in causing such work to be performed, up to the full amount of the surety. In the case of a cash bond or assignment, the Building Official may pay all costs and expenses incurred in causing such work to be performed from the funds deposited and return any unused portion of such deposit or funds to the person making said deposit or assignment.

**J104.5 RIGHT OF ENTRY.** The Building Official or the authorized representative of the surety company or financial institution shall have access to the premises described in the permit for the purpose of inspecting the work. In the event of default in the performance of any term or condition of the permit, the surety or financial institution or the Building Official, or any person employed or engaged in the behalf of any of these parties, shall have the right to go upon the premises to perform the required work. The owner or any other person who interferes with or obstructs the ingress into or egress from any such premises, of any authorized representative of the surety or financial institution or of the County of Ventura engaged in the correction or completion of the work for which a grading permit has been issued, after a default has occurred in the performance of the terms or conditions thereof, is guilty of a misdemeanor.

**J104.6 AVAILABILITY OF PERMIT AT SITE.** No person shall perform any grading that requires a permit under this appendix unless a copy of the grading permit is in the possession of a responsible person and available at the site for the Building Official.

**J104.7 LAND USE.** The Building Official may issue a grading permit for work on a parcel of land and by doing such does not does legalize the parcel or create an entitlement for future development of the parcel. The determination of a parcel as being capable of being developed is determined by the Resource Management Agency.

**J104.8 COORDINATION AND PERMITS WITH OTHER AGENCIES.** The property owner shall be responsible for coordinating their proposed project with other agencies to determine if a permit or agreement is necessary for conducting grading within another agency's jurisdiction. Agencies that may have jurisdiction in rivers, creeks, streams, and barrancas may include the Army Corps of Engineers, the California Department of Fish and Game, the Regional Water Quality Control Board, and the Ventura County Watershed Protection District. If a permit is required from such an agency, a copy of the permit or agreement will be kept at the project site and no grading work can occur in those areas where the other agency has jurisdiction until a permit or agreement is obtained.

**J104.9 UNPERMITTED GRADING.** For the purposes of this appendix, unpermitted grading shall be defined as any grading that was performed without the required permit(s) having first been obtained from the Building Official, pursuant to Section J103.1.

## **SECTION J105 - PERMIT APPLICATION AND SUBMITTALS**

**J105.1 SUBMITTAL REQUIREMENTS.** In addition to the provisions of this Section, the applicant shall state the estimated quantities of excavation, fill, import, and export.

**J105.2 SITE PLAN REQUIREMENTS.** In addition to the provisions of this Section, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

**J105.2.1 REGULAR GRADING REQUIREMENTS.** Grading involving less than 500 cubic yards or grading to place fill at or below the ground surface shall be designated "regular grading" unless the permittee, chooses to have the grading performed as engineered grading, or the Building Official determines that special conditions or unusual hazards exist in which case grading shall conform to the requirements for engineered grading. In addition to the provisions of this Section, an application for a regular grading permit shall be accompanied by two sets of plans in sufficient clarity to indicate the nature and extent of the work and supporting data consisting of a soils engineering report and if applicable, an engineering geology report. The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. The regular grading plan and submittal documents shall include the following information:

In addition to the provisions of this Section an application for a regular grading permit shall be accompanied by two sets of plans in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the property owner(s), and the name of the person who prepared the plan. The plan shall include the following information:

1. General vicinity of the proposed site.
2. Limits and depths of cut and fill.
3. Storm water provisions in accordance with the requirements of Section J112 of this Code.
4. The preparer of the plans shall complete the grading plan checklist form DS-35, provide the appropriate documents, and attachments to submit with plans. The preparer shall sign the DS-35 form.

**J105.2.2 ENGINEERED GRADING REQUIREMENTS.** All grading in excess of 500 cubic yards shall be performed in accordance with the approved grading plan prepared by a Civil Engineer, and shall be designated as "engineered grading." In addition to the provisions of this Section an application for an engineered grading permit shall be accompanied by two sets of plans and specifications, and supporting data consisting of a soils engineering report, and if applicable an engineering geology report. The plans and specifications shall be prepared and signed by a Civil Engineer licensed by the state to prepare such plans or specifications when required by the Building Official. Specifications shall contain information covering construction and material requirements. Plans shall be drawn to scale upon paper or mylar (3 mil thick) and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules, and regulations.

The plans and submittal documents shall include, but not limited to, the following information:

1. General vicinity of the proposed site.
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.

3. A hydrology and hydraulics report that includes a map showing the drainage area and the estimated runoff of the area shall also be provided. The hydrology and hydraulics report shall examine several frequencies of storms (2 year, 10 year, 50 year, and 100 year events) and demonstrate that the proposed site drainage design will either retain or detain the difference between the developed project storm flow rate and undeveloped or existing storm flow rate for the storm events listed above. This difference in storm flow rates will either be percolated into the ground onsite or released at the undeveloped flow rate from the site in such a manner as to not cause an adverse impact downstream in velocity or duration. The Civil Engineer shall consider alternative low impact design methods to handle and improve stormwater quality runoff.
4. The Civil Engineer that prepared the plans shall complete the grading plan checklist form, DS-35, provide appropriate documents and attachments and submit with plans. The DS-35 form shall be signed and stamped by the Civil Engineer.
5. Storm water provisions in accordance with the requirements of Section J112 of this Code.

**J105.3 SOILS ENGINEERING AND ENGINEERING GEOLOGY REPORTS.** The soils engineering report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and an opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes. All reports shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications. The engineering geology report shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors. The engineering geology report shall include a geologic map and cross sections utilizing the most recent grading plan as a base. All reports shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications.

Exception: A soils engineering/geology report is not required where the Building Official determines that the nature of the work applied for is such that a report is not necessary.

**J105.4 LIQUEFACTION STUDY.** For sites planned for development of habitable two-story structures located in an area designated as a "Seismic Hazard Zone" as defined in Title 14 of the California Code of Regulations §3722 on Seismic Hazard Zone Maps issued by the State Geologist under Public Resources Code §2696, a study of the liquefaction potential of the site shall be provided, and the recommendations incorporated in the plans.

Exception: A liquefaction study is not required where the Building Official accepts the project consultant's findings from established local data that there is no liquefaction potential.

## **SECTION J106 - INSPECTIONS**

**J106.1 GENERAL.** Grading inspections shall be as indicated hereon. Grading operations for which a permit is required shall be subject to inspection by the Building Official. In addition, professional inspection of grading operations shall be provided by the Field Engineer, Soils Engineer and the Engineering Geologist retained to provide such services in accordance with this Section for engineered grading and as required by the Building Official for regular grading.

**J106.2 SPECIAL AND SUPPLEMENTAL INSPECTIONS.** The special inspection requirements of Section 1704.7 shall apply to work performed under a grading permit where required by the Building Official. In addition to the called inspections specified in Section J106.11, the Building Official may make such other inspections as may be deemed necessary to determine that the work is being performed in conformance with the requirements of this code. The Building Official may require investigations and reports by the Soils Engineer and/or Engineering Geologist, and Field Engineer. Inspection reports shall be provided when requested in writing by the Building Official. The Building Official may require continuous inspection of drainage devices by the Field Engineer in accordance with this section when the Building Official determines the drainage devices are necessary for the protection of the structures.

**J106.3 FIELD ENGINEER.** The Field Engineer shall provide professional inspection of those parts of the grading project within such engineer's area of technical specialty, oversee and coordinate all field surveys, set grade stakes, and provide site inspections during grading operations to ensure the site is graded in accordance with the approved grading plan and the appropriate requirements of this code. During site grading, and at the completion of both rough grading and final grading, the Field Engineer shall submit statements and reports required by Sections J106.11 and J106.12. If revised grading plans are required during the course of the work they shall be prepared by a Civil Engineer and approved by the Building Official.

**J106.4 SOILS ENGINEER.** The Soils Engineer shall provide professional inspection within such Soils Engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The Soils Engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this appendix. If conditions differing from the approved soils engineering and engineering geology reports are encountered during grading, the Soils Engineer shall provide revised recommendations to the permittee, the Building Official, and the Field Engineer. During site grading and at the completion of both rough grading and final grading, the Soils Engineer shall submit statements and reports required by Section J106.12.

**J106.5 ENGINEERING GEOLOGIST.** The Engineering Geologist shall provide professional inspection of those parts of the grading project within such Engineering Geologist's area of technical specialty, which shall include professional inspection of all bedrock excavation surfaces to determine if conditions encountered are in conformance with the approved report. If conditions differing from the approved engineering geology report are encountered, the Engineering Geologist shall provide revised recommendations to the Soils Engineer. During site grading and at the completion of both rough grading and final grading, the Engineering Geologist shall submit statements and reports required by Section J106.12.

**J106.6 PERMITTEE.** The permittee shall be responsible for ensuring that the grading is performed in accordance with the approved plans and specifications and in conformance with the provisions of this code. The permittee shall engage project consultants, if required under the provisions of this code, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the project consultants, the contractor, and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.

**J106.7 REQUIRED INSPECTIONS.** The permittee shall call for an inspection by the Building Official at the following various stages of work and shall obtain the approval of the Building Official prior to proceeding to the next stage of work:

**Pre-grade.** Before any construction or grading activities occur at the site. Permittee shall schedule a pregrade inspection with the Building Official. The permittee is responsible for coordinating that all project consultants are present at the pre-grade inspection.

**Initial.** When the site has been cleared of vegetation and unapproved fill and it has been scarified, benched, or otherwise prepared for fill. No fill shall have been placed prior to this inspection.

**Rough.** When approximate final elevations have been established; drainage terraces, swales and other drainage devices necessary for the protection of the building sites from flooding are installed; berms installed at the top of the slopes; and the statements required by Section J106.12 have been received.

**Final.** When grading has been completed; all drainage devices necessary to drain the building pad are installed; slope planting established, irrigation systems installed; and the “As-Built” plans and required statements and reports have been submitted.

**J106.8 NOTIFICATION OF NONCOMPLIANCE.** If, in the course of fulfilling their respective duties under this appendix, the Field Engineer, the Soils Engineer or the Engineering Geologist finds that the work is not being done in conformance with this appendix or the approved grading plans, the Field Engineer, Soils Engineer, or the Engineering Geologist shall immediately report, in writing, the discrepancies and the recommended corrective measures to the permittee and to the Building Official.

**J106.9 TRANSFER OF RESPONSIBILITY.** If the Field Engineer, the Soils Engineer, or the Engineering Geologist of record is changed after the grading has commenced, the Building Official may stop the grading until the permittee has identified a replacement and the replacement has agreed in writing to assume responsibility for those parts of the grading project that are within the replacement’s area of technical competence. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.

**J106.10 NON-INSPECTED GRADING.** No person shall own, use, occupy or maintain any non-inspected grading. For the purposes of this code, non-inspected grading shall be defined as any grading for which a grading permit was first obtained, pursuant to Section J103, supra, but which has progressed beyond any point requiring inspection and approval by the Building Official without such inspection and approval having been obtained.

**J106.11 ROUTINE FIELD INSPECTIONS AND REPORTS.** Unless otherwise directed by the Building Official, the Field Engineer for all engineered grading projects shall prepare routine inspection reports and shall file these reports with the Building Official as follows:

1. Bi-weekly during all times when grading of 400 cubic yards or more per week is occurring on the site;
2. Monthly, at all other times; and
3. At any time when requested in writing by the Building Official.

Such reports shall certify to the Building Official that the Field Engineer has inspected the grading site and related activities and has found them in compliance with the approved grading plans and specifications, the building code, grading permit conditions, and all other applicable ordinances and requirements.

**J106.12 COMPLETION OF WORK.** Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is required by the Building Official:

1. An “As-Built” grading plan prepared by the Field Engineer retained to provide such services in accordance with Section J106.3 showing all plan revisions as approved by the Building Official. This shall include original ground surface elevations, “As-Built” ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and the outlets of subsurface drains. “As-Built” locations, elevations and details of subsurface drains shall be shown as reported by the Soils Engineer.

The "As-Built" grading plan shall be accompanied by certification by the Field Engineer to the best of their knowledge, the work within the Field Engineer's area of responsibility was done in accordance with the final approved grading plan.

2. A report prepared by the Soils Engineer retained to provide such services in accordance with Section J106.4, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. The report shall include a certification by the Soils Engineer that, to the best of their knowledge, the work within the Soils Engineer's area of responsibility is in accordance with the approved soils engineering report and applicable provisions of this appendix. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against geotechnical hazards.
3. A report prepared by the Engineering Geologist retained to provide such services in accordance with Section J106.5, including a final description of the geology of the site and any new information, if any, on the recommendations incorporated in the approved grading plan. The report shall contain a certification by the Engineering Geologist that, to the best of his or her knowledge, the work within the approved engineering geologist report and applicable provisions of this appendix. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against geotechnical hazards. The report must contain a final "As-Built" geologic map and cross-sections depicting all the information collected prior to and during grading.
4. The grading contractor shall certify, on a form prescribed by the Building Official, that the grading conforms to said "As-Built" plan and approved specifications.

**J106.13 NOTIFICATION OF COMPLETION.** The permittee shall notify the Building Official in writing when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices; and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted and approved, all damages to public and private property have been repaired to the satisfaction of the Building Official, all grading permit fees have been paid.

**J106.14 CHANGE OF OWNERSHIP.** Unless otherwise required by the Building Official, when a grading permit has been issued on a site and the owner sells the property prior to final grading approval, the new property owner shall be required to complete the grading permit and pay any applicable fees to the County to transfer the grading permit to the new property owner.

## **SECTION J107 - EXCAVATIONS**

**J107.1 MAXIMUM CUT SLOPE.** The slope of cut surfaces shall be no steeper than is safe for the intended use, and shall be no steeper than 2 units horizontal to 1 unit vertical (50 percent) unless the applicant furnishes a soils engineering or an engineering geology report, or both justifying a steeper slope. The reports must contain a statement by the Soils Engineer or Engineering Geologist that the site was investigated and an opinion that a steeper slope will be stable and not create a hazard to public or private property. The opinion shall be based on appropriate investigation, testing, and analysis. The Building Official may require the slope of cut surfaces to be flatter in slope than 2 units horizontal to 1 unit vertical if the Building Official finds it necessary for stability and safety of the slope.

### **EXCEPTIONS:**

1. A cut surface may be at a slope of 1.5 units horizontal to 1 unit vertical (67 percent) provided that all the following are met:

- 1.1 It is not intended to support structures or surcharges.
- 1.2 It is adequately protected against erosion.
- 1.3 It is no more than 8 feet in height.
- 1.4 It is approved by the Building Official.

**J107.2 DRAINAGE.** Drainage, including drainage terraces and overflow protection, shall be provided as required by Section J110.

## **SECTION J108 - FILLS**

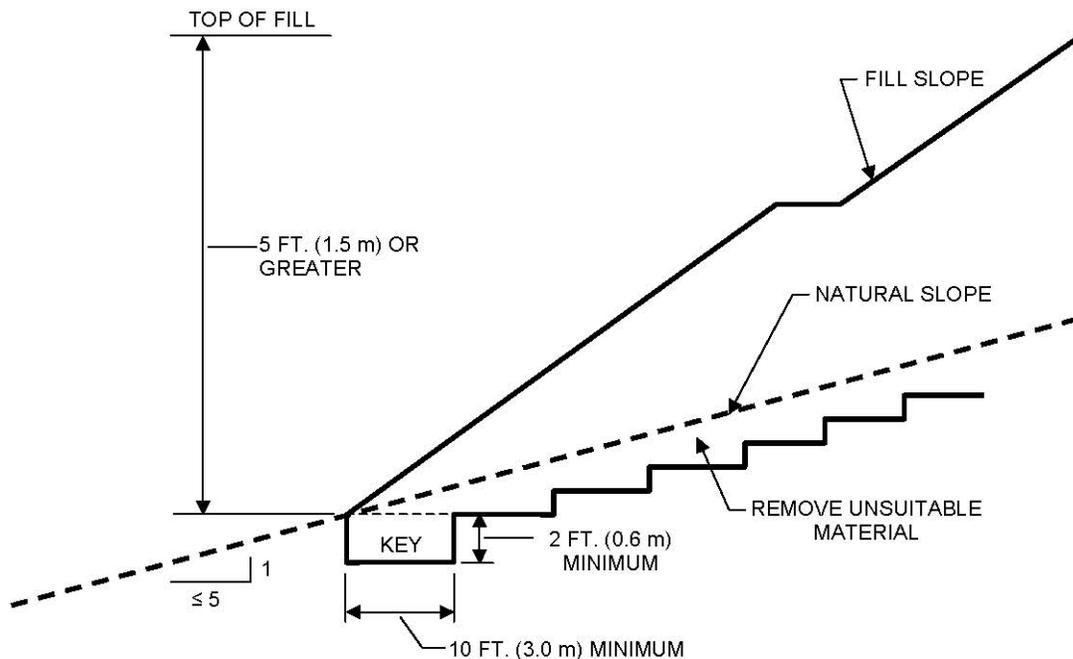
**J108.1 GENERAL.** Unless otherwise recommended in the soils report, fills shall conform to provisions of this section.

Exception: The Building Official may permit a deviation from the provisions of this appendix for minor fills not intended to support structures, where no soils engineering report has been prepared.

**J108.2 PREPARATION OF GROUND.** Fill slopes shall not be constructed on natural slopes steeper than 2 units horizontal to 1 unit vertical (50 percent slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil, and other unsuitable materials, including any existing fill that does not meet the requirements of this appendix, and scarifying the ground to provide a bond with the fill material.

Subdrains shall be provided under all fills placed in natural drainage courses and in other locations where seepage is evident, except where the Soils Engineer or Engineering Geologist recommends otherwise. Such sub-drainage systems shall be of a material and design and approved by the Soils Engineer and acceptable to the Building Official. The Soils Engineer shall provide continuous inspection during the process of subdrain installations. The location of the subdrains shall be shown on a plan by the Soils Engineer. Excavations for the subdrains shall be inspected by the Engineering Geologist when such subdrains are included in the recommendations of the Engineering Geologist.

**J108.3 BENCHING.** Where existing grade is at a slope steeper than 5 units horizontal to 1 unit vertical (20 percent) and the depth of the fill exceeds 5 feet benching shall be provided into sound bedrock or other competent material as determined by the Soils Engineer. The ground preparation shall be in accordance with Figure J108.3 or as determined by the Soils Engineer. When fill is to be placed over a cut, a key shall be provided which is at least 10 feet in width and 2 feet in depth. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be constructed thereon. The Soils Engineer or Engineering Geologist or both shall inspect and approve the cut as being suitable for the foundation and placement of fill material before any fill material is placed on the excavation.



**FIGURE J108.3**

## ***BENCHING DETAILS***

**J108.4 FILL MATERIAL.** Fill material shall not include organic, frozen or other deleterious materials. No rock or similar irreducible material greater than 12 inches in any dimension shall be included in fills. Fill material shall not include solid waste, as defined in the Ventura County Ordinance Code Section 4701-26, and the California Public Resources Code Section 40191, including but not limited to, construction waste, demolition waste, or inert debris, without written authorization from the County of Ventura Environmental Health Division and, if required, a permit from the County of Ventura Planning Division.

**EXCEPTION:** The Building Official may permit placement of larger rock when the Soils Engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically.
3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.
4. The reports submitted by the Soils Engineer shall acknowledge the placement of the oversized material and whether the work was performed in accordance with the engineer's recommendations and the approved plans.
5. The location of oversized rock dispersal areas shall be shown on the as-built plan.

**J108.5 COMPACTION.** All fill material shall be compacted to a minimum of 90 percent of maximum density as determined by ASTM D 1557, Modified Proctor, in lifts not exceeding ~~12~~ 8 inches in depth within 40 feet below finished grade and 93 percent of maximum dry density deeper than 40 feet below finished grade, unless a lower relative compaction (not less than 90 percent of maximum dry density) is justified by the Soils Engineer and approved by the Building Official. Where ASTM D 1557, Modified Proctor is not applicable, a test acceptable to the Building Official shall be used.

Field density shall be determined by a method acceptable to the Building Official. However, not less than ten percent of the required density tests, uniformly distributed, shall be obtained by the Sand Cone Method.

Fill slopes steeper than 2 units horizontal to 1 unit vertical (50 percent slope) shall be constructed by the placement of soil a sufficient distance beyond the proposed finish slope to allow compaction equipment to operate at the outer surface limits of the final slope surface. The excess fill is to be removed prior to completion of rough grading. Other construction procedures may be utilized when it is first shown to the satisfaction of the Building Official that the angle of slope, construction method and other factors will comply with the intent of this Section.

**J108.6 MAXIMUM FILL SLOPE.** The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 2 units horizontal to 1 unit vertical (50 percent) shall be justified by soils engineering reports—stating that the site has been investigated and giving an opinion that a fill at a steeper slope will be stable and not create a nuisance or hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50 percent slope) if the Building Official finds it necessary for stability and safety of the slope.

Fill slopes steeper than 2 units horizontal to 1 unit vertical (50 percent slope) may be designed and constructed using a geosynthetic reinforcement as recommended by the Soils and Civil Engineer. Other construction procedures may be utilized when it is first shown to the satisfaction of the Building Official that the angle of slope, construction method and other factors will comply with the intent of this Section.

**J108.7 SLOPES TO RECEIVE FILL.** Where fill is to be placed above the top of an existing slope steeper than 3 units horizontal to 1 unit vertical (33 percent slope), the toe of the fill shall be set back from the top edge of the slope a minimum distance of 6 feet measured horizontally or such other distance as may be specifically recommended by the Soils Engineer or Engineering Geologist and approved by the Building Official.

**J108.8 INSPECTION OF FILL.** The Soils Engineer shall provide sufficient inspections during the preparation of the natural ground and the placement and compaction of the fill to ensure that the work is performed in accordance with the conditions of plan approval and the appropriate requirements of this appendix. In addition to the above, the Soils Engineer shall provide continuous inspection the entire fill placement and compaction of fills that will exceed a vertical height or depth of 30 feet result in a slope surface steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

**J108.9 TESTING OF FILLS.** Sufficient tests of the fill soils shall be made to determine the density and to verify compliance of the soil properties with the design requirements. This includes soil types and shear strengths in accordance with Referenced Standards Section J113.

## **SECTION J109 – SETBACKS**

**J109.1 GENERAL.** Cut and fill slopes shall be set back from property lines in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the property line and shall be as shown in Figure J109.1, unless substantiating data is submitted justifying reduced setbacks and is recommended by a soils engineering and engineering geology report approved by the Building Official. The setbacks and other restrictions specified by this Section are minimum standards and may be increased by the Building Official or by recommendation of a civil engineer, soils engineer, or engineering geologist where necessary to assure slope stability, prevent damage to adjacent properties from deposition or erosion, provide access for slope maintenance and drainage, or otherwise provide for safety of the public.

**J109.2 TOP OF SLOPE.** The setback at the top of a cut slope shall not be less than that shown in Figure J109.1, or than is required to accommodate any required interceptor drains, whichever is greater. For graded slopes the grading design must be such that the property line between adjacent lots will be at the apex of the berm at the top of the slope. Property lines between adjacent lots shall not be located on a graded slope steeper than to 5 units horizontal to 1 unit vertical (20 percent slope).

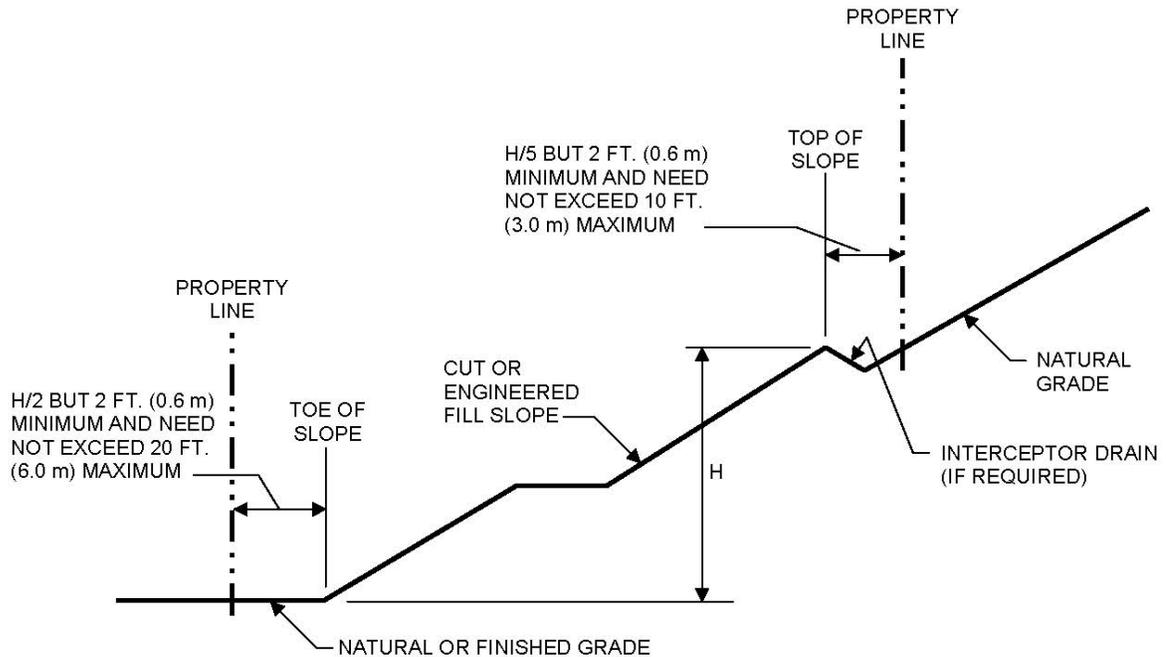


FIGURE J109.1

**SETBACK DIMENSIONS**

**J109.3 TOE OF FILL SLOPE.** The setback from the toe of a fill slope shall not be less than that shown by figure J109.1. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the Building Official, shall be included. Such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure J109.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.

## **SECTION J110 - DRAINAGE AND TERRACING**

**J110.1 GENERAL.** Unless otherwise recommended by a Civil Engineer, and approved by the Building Official, drainage facilities and terracing shall be provided in accordance with the requirements of section J110.2 for all cut and fill slopes where the ground slope is steeper than 5 units horizontal to 1 unit vertical (20 percent slope).

For slopes steeper than 5 units horizontal to 1 unit vertical (20 percent slope) a paved swale or ditch shall be provided at 30 foot vertical intervals to control surface drainage and debris. Swale shall be sized based on contributory area and have adequate capacity to convey intercepted waters to the point of disposal as defined in Section J110.5. Swales must be paved with reinforced concrete not less than 3 inches in thickness, reinforced with 6-inch by 6-inch No.10 by No.10 welded wire fabric or equivalent reinforcing centered in the concrete slab or an equivalent approved by the Building Official. Swales must have a gradient of not less than two percent. For slopes flatter than 5 units to 1 unit vertical, drainage facilities and terracing may not need to be provided in accordance with the Soils Engineer's recommendations.

**J110.2 DRAINAGE TERRACES.** Drainage terraces at least 8 feet in width shall be established at not more than 30 foot vertical intervals on all cut or fill slopes to control surface drainage and debris. When only one terrace is required, it shall be at midheight. For cut or fill slopes greater than 100 feet and up to 120 feet in vertical height, one terrace at approximately midheight shall be 20 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height shall be designed by the Civil Engineer and approved by the Building Official. Suitable access shall be provided to permit proper cleaning and maintenance.

Drainage swales on terraces shall have a longitudinal grade of not less than 2 percent nor more than 12 percent and a minimum depth of 1 foot at the flow line. There shall be no reduction in grade along the direction of flow unless the velocity of flow is such that slope debris will remain in suspension on the reduced grade. Such terraces must be paved with reinforced concrete not less than 3 inches in thickness, reinforced with 6-inch by 6-inch No. 10 by No. 10 welded wire fabric or equivalent reinforcing centered in the concrete slab or an approved equal paving. They shall have a minimum depth at the deepest point of 1 foot and a minimum paved width of 5 feet. Drainage terraces exceeding 8 feet in width need only be so paved for a width of 8 feet provided such pavement provides a paved swale at least 1 foot in depth. Downdrains or drainage outlets shall be provided at approximately 300-foot intervals along the drainage terrace or at equivalent locations. Downdrains and drainage outlets shall be of approved materials and of adequate capacity to convey the intercepted waters to the point of disposal as defined in Section J110.5.

**J110.3 INTERCEPTOR DRAINS AND OVERFLOW PROTECTION.** Berms, interceptor drains, swales or other devices shall be provided at the top of cut or fill slopes to prevent surface waters from overflowing onto and damaging the face of a slope. Berms used for slope protection shall not be less than 12 inches above the level of the pad and shall slope back at least 4 feet from the top of the slope.

Interceptor drains shall be installed along the top of graded slopes greater than 5 feet in height receiving drainage from a slope with a tributary width greater than 30 feet measured horizontally. They shall have a minimum depth of 1 foot and a minimum width of 3 feet. The slope shall be approved by the Building Official, but shall not be less than 50 units horizontal to 1 unit vertical (2 percent). The drain shall be paved with concrete not less than 3 inches in thickness, or by other materials suitable to the application and reinforced as required for drainage terraces. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the Building Official.

**J110.4 DRAINAGE ACROSS PROPERTY LINES.** Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.

**J110.5 DISPOSAL.** All drainage facilities shall be designed to carry waters to the nearest practicable street, storm drain, or natural watercourse approved by the Building Official or other appropriate governmental agency provided that the discharge of such waters at that location will not create or increase a hazard to life or property. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices. Desilting basins, filter barriers or other methods, as approved by the Building Official, shall be utilized to remove sediments from surface waters before such waters are allowed to enter streets, storm drains, or natural watercourses. If the drainage device discharges onto natural ground, riprap or a similar energy dissipator may be required.

Building pads shall have a minimum drainage gradient of two percent toward approved drainage facilities, a public street or drainage structure approved to receive storm waters unless waived by the Building Official. A lesser slope may be approved by the Building Official for sites graded in relatively flat terrain, or where special drainage provisions are made, when the Building Official finds such modification will not result in a hazard to life or property.

## **SECTION J111 - SLOPE PLANTING AND EROSION CONTROL**

**J111.1 GENERAL.** The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall consist of effective planting, erosion control blankets, soil stabilizers or other means as approved by the Building Official. Erosion control for the slopes shall be installed as soon as practicable and prior to calling for final inspection

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials as approved by the Project Consultants to the satisfaction of the Building Official.

**J111.2 OTHER DEVICES.** Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

**J111.3 PLANTING.** The surface of all cut slopes more than 5 feet in height and fill slopes more than 3 feet in height shall be protected against damage by erosion by planting with grass or ground cover plants. Slopes exceeding 15 feet in vertical height shall also be planted with shrubs, spaced at not to exceed 10 feet on centers; or trees, spaced at not to exceed 20 feet on centers; or a combination of shrubs and trees at an equivalent spacing, in addition to the grass or ground cover plants. The plants selected and planting methods used shall be suitable for the soil and climatic conditions of the site.

Plant material shall be selected which will produce a coverage of permanent planting to effectively controlling erosion. Consideration shall be given to deep-rooted plant material needing limited watering, maintenance, high root to shoot ratio, wind susceptibility and fire-retardant characteristics. All plant materials must be approved by the Building Official.

Planting may be modified for the site if specific recommendations are provided by both the Soils Engineer and a Landscape Architect. Specific recommendations must consider soils and climatic conditions, irrigation requirements, planting methods, fire retardant characteristics, water efficiency, maintenance needs, and other regulatory requirements. Recommendations must include a finding that the alternative planting will provide a permanent and effective method of erosion control. Modifications to planting must be approved by the Building Official prior to installation.

**J111.4 IRRIGATION.** Slopes required to be planted by Section J111.3 shall be provided with an approved system of irrigation that is designed to cover all portions of the slope. Irrigation system plans shall be submitted and approved prior to installation. A functional test of the system may be required.

For slopes less than 20 feet in vertical height, hose bibs to permit hand watering will be acceptable if such hose bibs are installed at conveniently accessible locations where a hose no longer than 50 feet is necessary for irrigation.

Irrigation requirements may be modified for the site if specific recommendations are provided by both the Soils Engineer and a Landscape Architect. Specific recommendations must consider soils and climatic conditions, plant types, planting methods, fire retardant characteristics, water efficiency, maintenance needs, and other regulatory requirements. Recommendations must include a finding that the alternative irrigation will sustain the proposed planting and provide a permanent and effective method of erosion control. Modifications for irrigation systems must be approved by the Building Official prior to installation.

**J111.5 PLANS AND SPECIFICATIONS.** Planting and irrigation plans shall be submitted for slopes required to be planted and irrigated by Sections J111.3 and J111.4. If requested by the Building Official, planting and irrigation details shall be included on the grading plan.

**J111.6 RODENT CONTROL.** Fill slopes shall be protected from potential slope damage by a preventative program of rodent control.

**J111.7 RELEASE OF SECURITY FOR LANDSCAPING.** The planting and irrigation systems required by this section shall be installed as soon as practical after rough grading. Prior to final approval of grading and before the release of the grading security or occupancy, the planting shall be well established and growing on the slopes and there shall be evidence of an effective rodent control program.

## **SECTION J112 - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) COMPLIANCE.**

**J112.1 GENERAL.** All grading plans and permits and the owner of any property on which such grading is performed shall comply with the provisions of this section for NPDES compliance.

All best management practices shall be installed before grading begins. As grading progresses, all best management practices shall be updated as necessary to prevent erosion and control constructed related pollutants from discharging from the site. All best management practices shall be maintained in good working order to the satisfaction of the Building Official unless final grading approval has been granted by the Building Official and all permanent drainage and erosion control systems, if required, are in place.

**J112.2 STORM WATER POLLUTION PREVENTION PLAN (SWPPP).** The Building Official may require a SWPPP in accordance with the Ventura County Stormwater Quality NPDES MS-4 Permit. The SWPPP shall contain details of Best Management Practices, including desilting basins or other temporary drainage or control measures, or both, as may be necessary to control construction-related pollutants which originate from the site as a result of construction related activities. No grading permit shall be issued until a written Notice of Intent has been obtained by the permittee from the State Regional Water Quality Control Board and the SWPPP has been completed by the permittee's Engineer and is ready to be available at the construction site at all times. The SWPPP will require one mandatory rainy season inspection by the Building Official and the grading permit applicant will have a maximum of two weeks to make corrections to the SWPPP if the BMPs are not functioning properly.

**J112.3 STORM WATER POLLUTION CONTROL PLAN (SWPCP).** A SWPCP may be required on projects that are less than one acre of disturbed area. The SWPCP will contain practical Best Management Practices to reduce the discharge of construction pollutants and sedimentation to a water body. A SWPCP shall be signed by the grading permit applicant and Project Engineer. The SWPCP will remain in effect throughout the duration of the grading permit. The SWPCP may need to be revised during construction to reflect the current site conditions. The SWPCP will require one mandatory rainy season inspection by the Building Official and the grading permit applicant will have a maximum of two weeks to make corrections to the SWPCP if the BMPs are not functioning properly. The Building Official may issue a stop work order on all grading until the site is brought into NPDES compliance.

**J112.4 SWPPP AND SWPCP, EFFECT OF NONCOMPLIANCE.** Should the owner fail to install the best management practices required by Sections J112.2 and J112.3 by the dates specified therein, it shall be deemed that a default has occurred under the conditions of the grading permit security. The Building Official may deem necessary to protect adjoining property from the effects of erosion, flooding, or the deposition of mud, debris or constructed related pollutants and require the surety to install and maintain adequate sediment control BMPs and protect the adjacent properties and watercourses that may be threatened from sedimentation. The Building Official may also cause the owner to be prosecuted as a violator of this Code. The Building Official shall have the authority to apply a penalty in the amount as adopted by the latest resolution by the Board of Supervisors regarding fines and civil penalties for unauthorized grading. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this appendix in execution of the work.

**SECTION J113 - REFERENCED STANDARDS**

**J113.1 REFERENCED STANDARDS.** These regulations establish minimum standards and are not intended to prevent the use of alternate materials, methods or means of conforming to such standards, provided such alternate has been approved. The Building Official shall approve such an alternate provided he or she finds that the alternate is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, durability and safety. The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the alternate. The standards listed below are recognized standards. Compliance with these recognized standards shall be prima facie evidence with the standard of duty set forth in Section J107:

A. Testing.

<p>ASTM D 1557</p> <p>1.2        ASTM D 1556</p> <p>1.3        ASTM D 2167</p> <p>1.4        ASTM D 2937</p> <p>1.5        ASTM D 2922</p> <p>1.6        ASTM D 3017</p>	<p>Laboratory Characteristics Compaction of Soil Using Modified Effort</p> <p>Density and Unit Weight of Soils In Place by the Sand Cone Method</p> <p>Density and Unit Weight of Soils In Place by the Rubber--Balloon Method</p> <p>Density of Soils in Place by the Drive-Cylinder Method</p> <p>Density of Soil and Soil Aggregate In Place by Nuclear Methods</p> <p>Water Content of Soil and Rock in Place by Nuclear Methods</p>
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**SECTION J114 - HAZARDS/PUBLIC HAZARDS**

**J114.1 HAZARDS DECLARED A PUBLIC NUISANCE.** Any manmade excavation, embankment or fill on private property which has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, or fails to comply with the provisions of this Code is hereby declared to be a public nuisance.

**J114.2 UNPERMITTED EARTHWORK OPERATIONS, IMPORT AND EXPORT OF EARTH MATERIALS BY TRUCKS DECLARED A PUBLIC NUISANCE.** The act of performing earthwork operations, when a grading permit or building permit is required and the property has not obtained such a permit, but continues to grade, excavate, or fill their property and/or have trucks import and export earth materials to/from their property, is hereby declared by the Building Official to be a public nuisance.

**J114.3 NOTICE AND ORDER TO ABATE.** When the Building Official has determined that such a public nuisance exists, he/she shall issue a notice and order to the record property owner upon which the nuisance is located. The notice and order shall contain:

- (1) The street address, if any, and a legal description sufficient for identification of the property upon which the nuisance is located;
- (2) A statement that the Building Official has found the excavation, embankment or fill placed to be a public nuisance and a concise description of the conditions, such as conducting grading without a permit and causing excessive truck traffic, which render it a public nuisance;
- (3) An order requiring that all applicable permits be secured and that the nuisance be abated within a specified time determined by the Building Official to be reasonable in circumstances;
- (4) A statement that, if the nuisance is not abated within the time specified, the County may cause the work to be done and charge the cost thereof against the property or its owner;
- (5) A statement that any person having a legal interest in the property may appeal from the notice and order to the Board of Grading Appeals if the appeal is made in writing as provided in this Section and is filed with the Clerk of the Board of Supervisors within 30 days of service of the notice and order; and
- (6) A statement that failure, neglect or refusal to abate the nuisance within the time set forth in the notice and order or, in the case of an appeal, within the time set by the Board of Grading Appeals is a misdemeanor.

**J114.4 SERVICE OF NOTICE AND ORDER.** The notice and order shall be mailed by US Postal Service and posted on the property near its main entrance by the Building Official in the manner and subject to conditions set forth of Section 401 of the Uniform Code for the Abatement of Dangerous Buildings ("DBC"), as adopted by Article VI of the Ventura County Building Code, with respect to notices and orders relating to dangerous buildings.

**J114.5 RECORDATION OF GRADING NONCOMPLIANCE CERTIFICATE RESPECTING NUISANCE.** If compliance is not had with the notice and order within the time specified therein by the Building Official or, if an appeal has been filed pursuant to this Section, within the time specified by the Board of Grading Appeals, the Building Official shall file in the Office of the County Recorder for recordation of a Grading Noncompliance certificate describing the property and certifying (1) that the unpermitted earthwork operations that may include the excavation, creation of an embankment or fill constitutes a public nuisance and/or hazard, (2) that the import and export of earth materials to and from the property by excessive truck trips constitutes a public nuisance and (3) that the owner has been so notified. Whenever the nuisance shall thereafter have been abated, the Building Official shall file in the office of the County Recorder for recordation a new certificate describing the property and certifying that the nuisance has been abated.

**J114.6 APPEAL FROM NOTICE AND ORDER.** Any person entitled to service under subdivision J114.4 of this Section may, upon payment of the fee prescribed by the Board of Supervisors for such purposes, appeal from the notice and order to abate the filing with the Clerk of the Board of Supervisors a written appeal in the form prescribed by the Building Official. The appeal shall be filed within 30 days after the date of service of the notice and order. Upon receipt of an appeal, the Clerk shall present it at the next regular or special meeting of the Board of Supervisors which, at such meeting, shall fix a date, time and place for the hearing of the appeal by the Board of Grading Appeals. Notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Clerk either by causing a copy of such notice to be delivered personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his/her address shown on the appeal. Enforcement of a notice and order to abate shall be stayed during the pendency of an appeal therefrom which is properly and timely filed. In connection with the hearing, the Board of Grading Appeals, and any member thereof, may administer oaths and affirmations and issue subpoenas. The hearing shall be conducted by the Board of Grading Appeals in the manner set forth in DBC Section 604. If, after the hearing, the Board of Grading Appeals determines that the excavation, embankment or fill does not constitute a public nuisance, it shall allow the appeal and cancel the notice and order to abate. If, after the hearing, the Board of Grading Appeals determines otherwise, it shall deny the appeal and set a date by which the nuisance must be abated, which date shall be no earlier than the last day of the period set forth in original notice and order to abate. The decision of the Board of Grading Appeals is final when made.

**J114.7 COMPLIANCE WITH NOTICE AND ORDER REQUIRED.** It shall be unlawful for any person, firm or corporation to who or to which a notice and order to abate is directed pursuant to this Section to fail, neglect or refuse to obey such order within the time specified in such notice and order or, in the case of an appeal, within the time set by the Board of Grading Appeals.

**J114.8 ABATEMENT BY COUNTY UPON FAILURE TO COMPLY WITH NOTICE AND ORDER TO ABATE.** If the nuisance is not abated within the time set forth in the notice and order to abate or, in the case of an appeal by the date set by the Board of Grading Appeals, the Board of Supervisors may, without further notice or hearing and direct that the nuisance be abated by the County. Such abatement by the County shall not excuse any prior failure, neglect, or refusal to comply with the notice and order to abate and shall be in addition to whatever other remedies may be provided by this Code or other provisions of law.

**J114.9 SUMMARY ABATEMENT BY COUNTY IN EMERGENCY.** If the nuisance threatens substantial injury to persons or property which is, in the opinion of the Building Official, so imminent as to require immediate corrective measures, the County may summarily abate such nuisance without complying with the provisions of subdivisions J114.3 through J114.8 of this Section; provided, that the Building Official shall give such notice to the owner of the property as may be practicable in the circumstances.

**J114.10. MANNER OF ABATEMENT BY COUNTY; RIGHT OF ENTRY.** Abatement by the County may be done directly by County personnel or through contractors in the same manner and subject to the same restrictions as public works. The County and its contractors may enter upon private property to effect such abatement.

**J114.11. DETERMINING COST OF ABATEMENT WORK BY COUNTY.** The Building Official shall keep an itemized account of the costs involved to investigate, respond to the public's concerns, and administer the enforcement actions necessary to require the property owner to abate the violation, including the actual of abatement by the County pursuant to subdivision J114.8 or J114.9 of this Section and, upon completion of the abatement work, shall prepare an itemized written cost report. The Building Official shall thereupon forward a copy of the report to the Clerk of the Board of Supervisors who shall set a date (at least 10 days after receipt of the report), time and place for a hearing before the Board of Supervisors respecting such report and any objections thereto. Notice of such hearing shall be served and posted at least 10 days prior to the hearing in the manner and subject to the conditions set forth in subdivision J114.4 of this Section with respect to the notice and order to abate. Such notice of hearing shall contain:

- (1) The street address, if any, and a legal description sufficient for identification of the property affected by the report;
- (2) A statement that the report has been prepared and is available for inspection in the office of the Building Official;
- (3) A statement that the Board of Supervisors will hold a hearing to consider the report and any timely objections thereto;
- (4) The date, time and place of such hearing;
- (5) A statement that the property owner will be fined a monetary amount for the nuisance and that the trucks will be stopped and cited by the County Sheriff if they are observed to be importing and/or exporting earth materials from the property.
- (6) A statement that any interested person wishing to object to such report must file, prior to the hearing, a written statement of the grounds for the objection.

Any interested person may file written objections prior to the hearing. Each such objection shall contain a statement of the grounds therefor. A contention that the condition abated did not constitute a public nuisance shall be a ground for objecting to the report only if the report relates to a summary abatement pursuant to subdivision J114.9 of this Section. At the hearing, the Board of Supervisors shall receive and consider the report, any timely written objections thereto, and such other information as it may deem proper. At the conclusion of the hearing, the Board of Supervisors may make such corrections in the report as it may deem just and, when it is satisfied that the report (as submitted or corrected) is correct, it shall, by resolution, determine the total amount of such cost of abatement attributable to each parcel of land upon which the abatement attributable to each parcel of land upon which the abatement took place.

**J114.12 REIMBURSEMENT OF COST OF ABATEMENT WORK BY COUNTY.** At any time within 10 days after the Board of Supervisors has adopted a resolution pursuant to subdivision J114.11 of this Section determining the cost of abatement by the County, the Building Official may receive payment of such amount and issue receipts therefor. If payment is not received within such period of time, the Building Official shall forward a copy of the resolution to the Auditor-Controller.

**J114.12.1 SPECIAL ASSESSMENT FOR COST OF ABATEMENT BY COUNTY.** For cost of abatement by the County, pursuant to subdivision J114.8 or J114.9 of this Section, for which payment is not made pursuant to subdivision J113.11 of this Section, shall be a special assessment against the parcel on which the nuisance has been located. Such special assessment shall be levied for the fiscal year commencing on the July 1 next following receipt by the Auditor-Controller of the resolution of the Board of Supervisors determining the amount of such cost. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary County taxes. All laws applicable to the levy, collection and enforcement of County taxes shall be applicable to such special assessment, except that if any real property to which such cost of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then such cost of abatement shall not result in a lien against such real property but instead shall be transferred to the unsecured roll for collection.

**J114.13 CIVIL PENALTIES FOR UNAUTHORIZED GRADING WORK.** The Building Official shall have the authority to apply a penalty to a property owner for creating a hazard as defined in Section J114.1 and J114.2 in the amount as adopted by the latest resolution by the Board of Supervisors regarding fines and civil penalties for unauthorized grading. Truck drivers delivering or removing earth materials to or from a property that has been determined by the Building Official to be in violation of Appendix J can be cited and fined by the Building Official or County Sheriff for each instance they cause to deliver or remove earth materials from the property. Failure to pay the fine to the County of Ventura within 30 calendar days shall constitute a misdemeanor. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this appendix in execution of the work.

## **ARTICLE 4 - AMENDMENTS TO THE CALIFORNIA ELECTRICAL CODE (CEC)**

### **ARTICLE 90 - INTRODUCTION**

#### **SECTION 90.4.1 POWERS AND DUTIES OF THE BUILDING OFFICIAL**

**90.4.1.1 CONNECTION TO ELECTRICAL INSTALLATIONS.** Except where work is done under an annual electrical maintenance permit, it shall be unlawful for any person, firm, or corporation to make connection from a source of electrical energy or to supply electrical service to any electrical wiring, device, appliance, or equipment which requires a permit for installation, or to cause or permit same to be done, or to continue or allow to continue any such connection unless such person, firm, or corporation shall have obtained evidence from the Building Official that such equipment is authorized to be energized.

**90.4.1.2 AUTHORITY TO ABATE.** Any electrical wiring or equipment regulated by this Code, which is unsafe or which constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purpose of this Section, unsafe. Any use of equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Any such unsafe electrical wiring or equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure set forth in the Uniform Code for the Abatement of Dangerous Buildings or such alternate procedure as may be adopted by the County. As an alternative, the Building Official or an authorized representative may institute any other appropriate action to prevent, restrain, correct, or abate the violation.

**90.4.1.3 AUTHORITY TO CONDEMN WIRING AND EQUIPMENT.** Whenever the Building Official ascertains that any electrical wiring or equipment, or portion thereof, regulated by this Code has become hazardous to life, health or property, a written order shall be issued to cause such wiring or equipment to be either removed or restored to a safe condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. No person shall use or maintain defective equipment after receiving such notice.

**90.1.5 GENERAL AMENDMENTS.** See Article 2, Chapter 1 for amendments of general application to this Code. Where there is a conflict between the general amendments and specific ones found herein, the more restrictive shall apply.

### **CHAPTER 1 - GENERAL**

### **CHAPTER 2 - WIRING AND PROTECTION**

**250.52(A)(3). CONCRETE ENCASED ELECTRODE.** Notwithstanding other provisions of Section 250-50 in the NEC, the electrical service grounding electrode for new construction where concrete footings in direct contact with earth are employed shall be a bare copper conductor installed as specified in Section 250-52(A)(3) in the NEC.

## CHAPTER 3 - WIRING METHODS AND MATERIALS

**334.10. USES PERMITTED.** Type NM, Type NMC, and Type NMS cables shall be permitted to be used in agricultural buildings, one-family and two-family dwellings and accessory structures, in multi-family dwellings, and other structures, except as prohibited in Section 334.12. Cables in such structures shall be protected from physical damage. Where installed in cable trays, cables shall be identified for the use.

(FPN): See Section 310-10 for temperature limitation of conductors.

- (a) **Type NM.** Type NM cable shall be permitted for both exposed and concealed work in normally dry locations. It shall be permissible to install or fish Type NM cable in air voids in masonry block or tile walls where such walls are not exposed or subject to excessive moisture or dampness.
- (b) **Type NMC.** Type NMC cable shall be permitted:
  - (1) For both exposed and concealed work in dry, moist, damp, or corrosive locations.
  - (2) In outside and inside walls of masonry block or tile.
  - (3) In a shallow chase in masonry, concrete, or adobe protected against nails or screws by a steel plate at least 1/16-in. (1.59-mm) thick, and covered with plaster, adobe, or similar finish.
- (c) **Type NMS.** Type NMS cable shall be permitted for both exposed and concealed work in normally dry locations. It shall be permissible to install or fish Type NMS cable in air voids in masonry block or tile walls where such walls are not exposed or subject to excessive moisture or dampness.

## CHAPTER 7 - SPECIAL CONDITIONS

### ARTICLE 700. EMERGENCY SYSTEMS:

FPN No. 6: For additional requirements for emergency power systems, refer to NFPA-20 "REQUIREMENTS FOR FIRE PUMP WIRING."

**790. OVERHEAD ELECTRIC LINE CONSTRUCTION.** Where not covered by this Code, provisions contained in the State of California General Order NUMBER 95 as prescribed by the Public Utilities Commission may be used as a guideline for the Construction of Overhead Electric Lines.

**791. UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION SYSTEMS.** Where not covered by this Code, provisions contained in the State of California GENERAL ORDER NUMBER 128 as prescribed by the Public Utilities Commission may be used as a guideline for the construction of Underground Electric Supply and Communication Systems.

**ARTICLE 5 - AMENDMENTS TO THE  
CALIFORNIA MECHANICAL CODE (CMC)**

Note: See Article 2, Chapter 1 for amendments of general application to this Code.

**ARTICLE 6 - AMENDMENTS TO THE  
CALIFORNIA PLUMBING CODE (CPC)**

Note: See Article 2, Chapter 1 for amendments of general application to this Code.

**CHAPTER 2 - DEFINITIONS**

**SECTION 202.0 - DEFINITIONS**

**SEEPAGE PIT.** A seepage pit is a rock-filled excavation which receives the effluent from a septic tank and is so designed as to permit such effluent to seep through the bottom and sides of the pit into the surrounding soil.

**CHAPTER 6 - WATER SUPPLY AND DISTRIBUTION**

**SECTION 601.0 – RUNNING WATER REQUIRED**

**601.1.2 REQUIREMENTS FOR WATER WELLS.** When the potable water supply for a structure is to be provided by a well, the well must pass the applicable pump and recovery test specified in the Ventura County Water Works Manual, as amended from time to time, for the purpose of demonstrating that the well is likely to remain an adequate source of potable water throughout the expected useful life of the structure.

EXCEPTIONS: A well shall not be required to pass the pump and recovery test if the structure to be served by it:

1. Is connected to a public water system or a state small water system as defined in Section 116275 of the Health and Safety Code; or
2. Overlies an aquifer that has been determined by the administrative authority to be adequate to meet all existing and projected demands made upon it for potable water without experiencing overdraft; or
3. Overlies an aquifer that may experience overdrafting but that has nonetheless been determined by the administrative authority, based upon a study and report prepared pursuant to the Ventura County Water works Manual, to be adequate to meet all existing and projected demands made upon it for potable water throughout the expected useful life of the structure.

This section does not preclude the adoption and imposition of additional or more stringent well test requirements and standards in connection with subdivision approvals, conditional use permits, or other discretionary (as opposed to ministerial) permits.

**CHAPTER 7 - SANITARY DRAINAGE**

**713.0 SEWER REQUIRED**

**713.4 CONVENTIONAL PRIVATE SEWAGE DISPOSAL SYSTEMS.** When the applicant seeks to install a conventional private sewage disposal system, the public sewer may be considered as not being available when such public sewer, or any building or any exterior drainage facility connected thereto, is located more than two hundred (200) feet from any proposed building or exterior drainage facility on any lot or premises which abuts and is served by such public sewer.

**713.4.1 ALTERNATE PRIVATE SEWAGE DISPOSAL SYSTEMS.**

- (a) When the applicant seeks to install an alternate private sewage disposal system and the public sewer or any building or any exterior drainage facility connected thereto is located more than two hundred (200) feet from any proposed building or exterior drainage facility on any lot or premises which abuts and is served by such public sewer, the public sewer may be considered as not being available when it has been adequately demonstrated to the satisfaction of the Administrative Authority that the total cost of connecting to the public sewer would be at least twice the total cost of the alternate private sewage disposal system.
- (b) In all other cases when the applicant seeks to install an alternate private sewage disposal system, the public sewer may be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto is located more than one-half mile (2,640 feet) from any proposed building or exterior drainage facility on any lot or premises which abuts and is served by such public sewer.

**713.7** For the purpose of administering those requirements of Chapter 7 and Appendix K of this Code, pertaining to the approval, permitting and inspection of private sewage disposal systems, the Administrative Authority shall mean the Environmental Health Officer. All other requirements of this Code shall be regulated and enforced by the Building Official.

**SECTION 714.0 - DAMAGE TO PUBLIC SEWER OR PRIVATE SEWAGE DISPOSAL SYSTEM**

**714.6 HOLDING TANKS.** A holding tank for industrial/commercial waste shall be installed only when it is permitted by and is in conformance with standards and safeguards established by the Administrative Authority and the Health Officer to prevent anticipated surface or subsurface contamination or pollution, damage to the public sewer, or other hazardous or nuisance condition. (Holding tanks for all domestic or residential waste shall be prohibited.)

**SECTION 721.0 - LOCATION**

**721.1 LOCATION OF SEWAGE DISPOSAL SYSTEMS.** Except as provided in section 721.2 in the UPC, no building sewer or private sewage disposal system, or parts thereof, shall be located in any lot other than the lot which is the site of the building or structure served by such sewer or private sewage disposal system; nor shall any building sewer or private sewage disposal system or part thereof be located at any point having less than the minimum distances indicated in Table UPC Appendix K-1 in this Code. Table 7-7 and Table K-1 in the UPC are hereby deleted in their entirety.

**APPENDIX CHAPTER K  
PRIVATE SEWAGE DISPOSAL SYSTEM**

**K 1. PRIVATE SEWAGE DISPOSAL: GENERAL REQUIREMENTS**

(A). Where permitted by Section 305.2 of the UPC the building sewer may be connected to a private sewage disposal system complying with the provisions of this Code. The type of system shall be determined on the basis of information contained in the soil report concerning location, soil porosity, groundwater, depth of fractured rock or impervious formations, and hillside stability, and shall be designed to receive all sanitary sewage from the property. The system, except as otherwise provided, shall consist of a septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits, into a combination of subsurface disposal field and seepage pits, into a mound system or into a subsurface sand filtration system.

(E). **SEWAGE DISPOSAL EXPANSION AREA.** All private sewage disposal systems shall be so designed that additional seepage pits, subsurface drain fields, mound systems or subsurface sand filtration systems, equivalent to at least 100% of the required original system, may be installed if the original system cannot absorb all the sewage. No division of the lot or erection of structures on the lot shall be made if such division or structure impairs the usefulness of the 100% expansion area.

(H). **PRIVATE SEWAGE DISPOSAL RESTRICTIONS.** When there is insufficient lot area or improper soil or geological conditions for adequate and safe sewage disposal for the building or land use proposed, and the Administrative Authority so finds, no building permit shall be issued and no private sewage disposal shall be permitted. Where space or soil conditions are critical, no building permit shall be issued until engineering data and test reports satisfactory to the Administrative Authority have been submitted and approved.

(J). **APPROVAL OF ALTERNATE SYSTEMS.** Alternate sewage disposal systems as defined in this Code may be installed only by special permission of the Administrative Authority which shall be given only if the Administrative Authority is satisfied that the systems will conform to the following requirements:

1. Treated or untreated effluent shall not be discharged onto the surface of the ground.
2. Wastewater shall be disposed of on the parcel where it is generated, except as provided for in Section 721.2 of the UPC.
3. The reliability of proposed designs for alternate private sewage disposal systems shall be well-documented.
4. The system shall be capable of easy maintenance.
5. Installation and repair shall not require the use of extraordinary materials, parts, or equipment.
6. The system shall require a minimum of mechanical components for its operation.
7. The system shall not be highly energy consumptive.
8. Operation of the system shall not create health hazards, water pollution, or nuisance conditions.

(K). Each dwelling unit shall be served by a separate septic tank.

**K 3. AREA OF DISPOSAL FIELDS AND SEEPAGE PITS** The minimum effective absorptive area of disposal fields in square feet of trench bottom, and of seepage pits in square feet of sidewall, shall be predicated on the required septic tank capacity in gallons. The required absorption area shall be as set forth in Table UPC Appendix K-6 in this Code for disposal fields, and as set forth in Table K-4 in the UPC for seepage pits. In addition, disposal fields and seepage pits shall conform to the following:

1. When disposal fields are installed, a minimum of one hundred fifty (150) square feet of trench bottom shall be provided for each system exclusive of any hardpan, rock, clay or other impervious formations. Sidewall area in excess of the required twelve (12 ) inches and not to exceed thirty-six (36) inches below the leach line may be added to the trench bottom area when computing absorption areas. Such increase shall be limited to 50% of the required absorption area.
2. Where leaching beds are permitted in lieu of trenches, the area of each such bed shall be at least 50% greater than the requirement for trenches. Perimeter sidewall area in excess of the required twelve (12) inches and not to exceed thirty-six (36) inches below the leach line may be added to the trench bottom area when computing absorption area.
3. The minimum effective absorption area in any seepage pit shall be calculated as the excavated sidewall area below the inlet exclusive of any hardpan, rock, clay, or other impervious formation. The minimum required area of porous formation shall be provided in one or more seepage pits.
4. No excavation for a leach line or leaching bed shall extend with five (5) feet of the water table nor to a depth where sewage may contaminate an underground water stratum which may be usable for domestic purposes. The applicant shall supply satisfactory evidence of groundwater depth when required by the Administrative Authority.
5. Plastic leaching chambers shall be sized on bottom absorption area (nominal unit width) in square feet. The required area shall be calculated using Table K-6 in this Code with a 0.70 multiplier.

#### **K 4. PERCOLATION TESTS**

(A) Disposal fields and seepage pits shall be sized in accordance with the percolation tests or analyses required by subsection (B) of this Section.

(B) In order to determine the absorption qualities of soils, the proposed site shall be subjected to percolation tests and/or hydrometer analyses performed under the supervision of a California-registered environmental health specialist, civil engineer, geologist or engineering geologist. Such tests or analyses shall be performed in accordance with standards established by the Administrative Authority.

(C) Each test shall be made with clear water in an excavation which has been thoroughly soaked prior to the test.

(D) No subsurface disposal field shall be permitted to serve a building if percolation test rates are greater than sixty (60) minutes per inch.

(E) No seepage pit shall be permitted to serve a building if the absorption capacity of the soil surrounding the pit is less than 0.83 gal./sq.ft./day.

(F) Test data shall be submitted on a form provided for that purpose and shall include such information as may reasonably be required by the Administrative Authority to determine the correctness and adequacy of the proposed disposal system.

#### **K 7. SEEPAGE PITS**

(A) The capacity of seepage pits shall be based on the quantity of liquid waste discharging thereunto, and on the character and porosity of the surrounding soil as determined by such tests as may be required and shall comply with Sec. UPC Appendix K-3 in this Code.

(B) Seepage pits may be used where conditions are unsatisfactory for the installation of leach lines or beds. In no case shall seepage pits extend more than sixty (60) feet below the surface of the ground.

(C) Multiple seepage pit installations shall be connected through an approved distribution box or diversion valve and watertight piping laid on undisturbed or compacted soil.

(D) Each seepage pit shall be circular in shape and shall have an excavated diameter of not less than four (4) feet. Seepage pits shall be filled with clean rock 3/4 inches to 2½ inches in diameter, free from fines, except when otherwise approved by the Administrative Authority. Effluent shall be conducted to the bottom of the excavation by means of approved perforated pipe extending to the entire depth of the pit. Approval shall be obtained prior to construction for any pit having an excavation diameter greater than six (6) feet.

(E) Where groundwater is encountered, the bottom of the pit shall be backfilled with clean coarse sand at least ten (10) feet above the ground water encountered. The bottom of the pit shall not extend to within 10 feet of any bedrock formations (except when the pit is part of a subsurface sand filtration system), and shall not extend to within 10 feet of any impermeable soil or rock. For the purposes of this section, impermeable soil or rock shall mean soil or rock exhibiting an absorption rate of less than 0.83 gal/sq.ft./day.

(F) Each seepage pit shall have a minimum sidewall of ten (10) feet below the inlet.

(G) Connections between a septic tank and seepage pits shall be made with approved watertight pipe. Such pipe shall be laid on natural ground or compacted fill.

(H) Rock fill in seepage pits shall be covered with asphalt-treated building paper, and backfilled with a minimum of eighteen (18) inches of earth.

(I) Subsection (i) of Appendix Section K7 in the UPC is hereby deleted in its entirety.

**K 9. SUBSURFACE DISPOSAL OF INDUSTRIAL WASTE** The discharge of industrial waste into a soil absorption system shall be prohibited unless specifically approved by the Administrative Authority.

### **K 13. ALTERNATE PRIVATE SEWAGE DISPOSAL SYSTEMS**

(A) **DEFINITION.** Alternate private sewage disposal systems are specially-designed, engineered, and approved private sewage disposal systems suitable for use in localities where the Administrative Authority has determined that the presence of shallow groundwater, rock, or adverse soil, geologic, or hydrologic conditions makes the use of conventional sewage disposal systems potentially hazardous to public health. Alternate private sewage disposal systems shall be limited to "mound" systems and "subsurface sand filtration" systems as regulated herein.

(B) **GENERAL REQUIREMENTS.** Designs for alternate private sewage disposal systems may be accepted for review by the Administrative Authority when it has been adequately demonstrated that the character of the soil, geology, or hydrology of the site is such that a conventional private sewage disposal system will not function in accordance with recognized health and sanitation standards. Such systems shall be designed by a California-registered civil engineer or a California-registered geologist, who shall submit written verification upon completion of an alternate private sewage disposal system that the installation is in conformance with the approved design.

Properties served by alternate private sewage disposal systems shall be located within an approved on-site wastewater management district or equivalent governmental agency capable of providing necessary maintenance and repair services for private sewage disposal systems within its boundaries. Such systems shall conform with all applicable rules and regulations adopted by said district or agency.

The design and construction of alternate private sewage disposal systems shall comply with the requirements of this Section and with other appropriate criteria established by the Administrative Authority.

Component parts of alternate private sewage disposal systems shall comply with the applicable setback requirements in Table UPC Appendix K-1 of this Code. The construction and capacity of septic tanks installed as components of alternate systems shall comply with Section K5 and Table K-2 in the UPC.

Leach lines, leaching beds, and seepage pits which are components of alternate systems shall comply with the applicable requirements of this Code. No portion of a distribution bed or related filter material which is a component of a mound or subsurface sand filtration system shall be installed under a walkway, parking area, driveway, or similar paved surface.

The sizing of mound or subsurface sand filtration systems shall be based upon the average percolation rate of the natural soil at the location and depth of the proposed system, and the number of bedrooms or plumbing fixture units, in accordance with this Code and other applicable standards for sizing conventional leachlines, leaching beds and seepage pits. No alternate private sewage disposal system shall be permitted where the percolation rate exceeds sixty (60) minutes per inch.

**(C) MOUND SYSTEMS.** A mound system is an alternate private sewage disposal system which utilizes pressurized piping to deliver effluent from a septic tank into an above-ground gravel distribution bed, from which the effluent percolates and is filtered through mounded sand fill into natural soil. Typical components of such systems include a septic tank, lift pump and wet well, pressurized effluent piping, a sand fill mound, a distribution bed composed of gravel filter material and perforated distribution piping, a cover of topsoil over the top and sloped sides of the mound.

The lift pump and wet well shall be designed to handle peak flow from the septic tank. In no case shall pump capacity be less than twenty (20) gallons per minute nor shall the pump motor be rated at less than one-half horsepower. The pump shall be approved for use in a sewage environment. The liquid holding capacity of the wet well shall be at least 300 gallons for one or two-bedroom dwelling units. An additional 100 gallons capacity shall be provided for each bedroom in excess of two. Equivalent capacity shall be provided for occupancies other than dwellings based on fixture unit calculations as set forth in this Code.

The wet well shall be fitted with automatic high and low level pump controls. Operation of the lift pump shall not cause surges in the liquid level within the tank. An alarm device shall be installed which will provide audio and visual warning signals to occupants of the property in advance of any overflow from the wet well.

Mounds shall not be installed on a slope greater than 12%. The base of the mound shall be located at least two (2) feet above the highest known seasonal groundwater elevation at the site and two (2) feet above fractured bedrock, if any. Fill material comprising the mound shall be clean sand having a uniform grain size distribution within the acceptable range indicated on Table UPC Appendix K-7 of this Code. Conformance with this grain size standard shall be determined by sieve analysis performed on representative samples taken prior to placement of the fill material onto the mound. The slope of the sides of the mound shall be not steeper than 3 horizontal to 1 vertical.

Distribution beds shall be level and shall be located a minimum of five (5) feet above the highest known seasonal groundwater elevation at the site. Filter material comprising the bed shall be clean gravel varying in size from .75 inch to 2.5 inches. The total thickness of the bed shall be sufficient to provide a minimum of twelve (12) inches of filter material below, and at least two (2) inches of such material above all distribution piping within the bed. Distribution piping shall uniformly distribute effluent over the entire area of the bed. Distribution beds shall be of sufficient size to limit the application rate for effluent to not more than 1.5 gallons per square foot per day.

After filter material has been placed over the piping, the distribution bed shall be covered with untreated building paper, straw, or similar porous material to prevent closure of voids when earth covering is added. Topsoil shall be placed to a depth of at least twelve (12) inches over the top of the distribution bed, and shall be placed on the sloping sides of the mound to a thickness of at least six (6) inches.

**(D) SUBSURFACE SAND FILTRATION SYSTEMS.** A subsurface sand filtration system is an alternate private sewage disposal system which utilizes gravity to deliver effluent from a septic tank to a subsurface gravel distribution bed, from which the effluent is filtered through a bed of sand to reduce organic matter and pathogenic organisms, and thence percolates into natural soil. Typical components of such systems include a septic tank, effluent piping, a subsurface distribution bed composed of gravel filter material and perforated distribution piping, a sand filtration bed, and a leaching bed, leach lines, or seepage pits.

Distribution beds shall be designed and constructed in a manner similar to that set forth for mound systems in section (c) above, using approved, perforated gravity-flow piping in lieu of pressurized piping. Sand filtration beds shall extend not less than five (5) feet vertically below and five (5) feet horizontally from the edges of any distribution bed. Filtration material shall be clean sand having a uniform grain size distribution within the acceptable range indicated on Table UPC Appendix K-7 of this Code. Conformance with this grain size standard shall be determined by sieve analysis performed on representative samples taken prior to placement of the filtration material into the filter bed excavation.

## **K 14 NON-HAZARDOUS LIQUID WASTE TRANSFER FACILITIES**

**Definition:** A **Non-Hazardous Liquid Waste Transfer Facility** is a temporary holding facility for non-hazardous liquid waste from recreational vehicle holding tanks and portable toilets. A Non-Hazardous Liquid Waste Transfer Facility consists of a holding tank, liquid waste loading area with washdown equipment, associated piping, and holding tank liquid level alarm system.

1. Holding tank construction shall be consistent with UPC section K5, with the following exceptions:
  - (a) Baffles are not required
  - (b) Only one access port is required
  - (c) Tanks shall be traffic-rated IAPMO approved
2. All piping, including but not limited to materials, cleanouts, and venting, shall be consistent with UPC sections 715.0 through 720.0, inclusive.
3. Minimum setbacks for holding tanks shall be as follows:

Streams and Watercourses	50 feet
Wells	50 feet
Groundwater	5 feet
Structures	5 feet
Property Line	5 feet
On-Site Domestic Water Line	5 feet
Public Water Main	10 feet
4. Minimum holding tank capacity shall be not less than three times the anticipated daily loading to the holding tank and in no case shall be less than 1,000 gallons.
5. An alarm system constructed of durable, corrosion-resistant material shall be installed on each holding tank. This alarm shall give a conspicuous audio and visual indication whenever the tank becomes two-thirds full.
6. The liquid waste loading area shall consist of an impermeable, easily cleanable area designed and constructed in a manner which prevents the formation of insanitary conditions. A ¾ inch water hose connection shall be installed at the liquid waste loading area to allow connection of a hose for area washdown following holding tank pumping. An approved backflow prevention assembly shall be installed in the water service line to the hose connection. Provisions shall be made to store the washdown hose off the ground. A warning sign shall be posted at the water hose connection reading: DANGER - UNSAFE WATER.
7. Holding tanks shall be pumped by a licensed pumper as needed. Quarterly reports of holding tank pumping shall be submitted to the Ventura County Environmental Health Division by March 30, June 30, September 30, and December 31 of each year.
8. Offer to grant an easement to County Service Area 32 is required. A contractual maintenance agreement with a public utility may also be required.

## **K 15 CLUSTERED SYSTEMS**

**(A) DEFINITION.** Clustered systems are comprised of three or more private sewage disposal systems with soil absorption components located in a common area on a single legal lot.

**(B) GENERAL REQUIREMENTS.** All components of clustered systems shall comply with all applicable requirements of this Code pertaining to private sewage disposal systems and the following additional requirements:

1. The primary (installed) soil absorption components of the clustered system shall provide 200% of the minimum area calculated for each structure connected to the clustered system pursuant to Section K-3 of this Code.
2. Land area providing for complete replacement of the primary soil absorption components of the clustered system shall be set aside for future expansion, and shall conform with Table UPC Appendix K-1 of this Code.
3.
  - a. For residential structures, each private sewage disposal system comprising the clustered system shall be connected to not more than one dwelling unit within a structure.
  - b. For non-residential structures, each private sewage disposal system comprising a clustered system shall be connected to one or more structures with a combined daily wastewater discharge not to exceed 1,500 gallons.
4. The soil absorption component of each private sewage disposal system within the clustered system shall be located at least sixteen horizontal feet from the soil absorption component of any other private sewage disposal system within the same clustered system.
5. When a clustered system is (or can become) located on land jointly owned by more than one owner of the structures served (e.g., condominium projects), an easement and agreement approved by the Environmental Health Division providing for access to inspect, maintain, and repair/replace the clustered system shall be recorded in the Office of the County Recorder.
6. A monitoring well, constructed and maintained in conformance with procedures adopted by the Administrative Authority, shall be provided in an approved location.
7. All distribution boxes within the clustered system shall be fitted with risers extending to finish grade elevation.
8. The applicant for each clustered system shall provide a signed statement from a California-Certified Engineering Geologist, certifying the following:
  - a. The proposed clustered system site is free against the potential hazard from landslide, excessive settlement and slippage.
  - b. Incorporation of geotechnical and geologic recommendations in concert with safe construction practices is anticipated to result in a site which is considered geotechnically and geologically suitable for the intended use and will not adversely affect adjoining properties.

**TABLE UPC APPENDIX K-1**  
(Superscript numbers refer to footnotes (1)  
through (8) on next page

**LOCATION OF SEWAGE DISPOSAL SYSTEMS**

Minimum Horizontal Distance in Feet From:	Building Sewer	Septic Tank	Disposal Field	Seepage Pit	Subsurface Sand Filtration System	Mound System
Building or Structures <sup>1</sup>	2	5	8	8	8	20 <sup>7</sup>
Property line adjoining private property	Clear <sup>2</sup>	5	5	8	8	10
Water supply well on suction line	50 <sup>3</sup>	50	100	150	100 <sup>8</sup>	100
Streams, lakes, tidal waters or ocean waters	50	50	100	150	100	100
Large Trees	--	10	--	10	10	--
Seepage pits or cesspools	--	5	5	12	--	--
Disposal Field	--	5	4 <sup>4</sup>	5	--	--
On site domestic water service line	1 <sup>5</sup>	5	5	5	5	5
Distribution Box	--	--	5	5	--	--
Pressure public water main	10 <sup>6</sup>	10	10	10	10	10

NOTE: When disposal fields or seepage pits are installed in sloping ground, the minimum horizontal distance between any part of the leaching system and ground surface shall be fifteen (15) feet.

When facilities are located near tidal or ocean waters, the horizontal distance shall be measured from the historically most landward location of the beach at the mean high tide elevation. Structures or facilities shall be constructed in accordance with Federal, State and local laws to prevent erosion of the beaches and movement of the mean high tide closer than the horizontal distances specified above.

FOOTNOTES TO TABLE UPC APPENDIX K-1

- (1) Including porches and steps, whether covered or uncovered, breezeways, roofed port-cocheres, roofed patios, carports, covered walks, covered driveways and similar appurtenances.
- (2) See Section 313.3 of the UPC.
- (3) The distance may be reduced to not less than twenty-five (25) feet when approved metallic piping is installed. Where special hazards are involved, the distance required shall be increased as may be directed by the County Health Officer or the Administrative Authority.
- (4) Plus two (2) feet for each additional foot of depth in excess of one (1) foot below the bottom of the drain line (see Section K6(i) of the UPC).
- (5) See Section 720.0 of the UPC.
- (6) For parallel construction. For crossings, approval by the Administrative Authority is required.
- (7) This distance shall be increased to 30 feet when the system is located upslope of the structure.
- (8) This distance shall be increased to 150 feet when seepage pits are used as a component of the system.

**TABLE UPC APPENDIX K-2**  
**SINGLE FAMILY DWELLINGS**

Calculate septic tank capacity by both number of bedrooms and by number of plumbing fixture units. Use the capacity based on plumbing fixture units if greater than capacity based on number of bedrooms.

Number of Bedrooms	Septic Tank Capacity (gallons)	Number of Plumbing Fixture Units	Septic Tank Capacity (gallons)
3 or less	1,000	25 or less	1,000
4	1,200	26-33	1,200
5-6	1,500	34-45	1,500
Additional Bedrooms	Add 150 gallons capacity per bedroom in excess of 6	46-55	2,000
		56-60	2,250
		61-70	2,500
		71-80	2,750
		81-90	3,000
		91-100	3,250
		Over 100	Add 25 gallons capacity per fixture unit in excess of 100

**NON-RESIDENTIAL STRUCTURES**

Calculate septic tank capacity based solely on number of plumbing fixture units.

Number of Plumbing Fixture Units	Septic Tank Capacity (gallons)
20 or less	1,000
21-25	1,200
26-33	1,500
34-45	2,000
46-55	2,250
56-60	2,500
61-70	2,750
71-80	3,000
81-90	3,250
91-100	3,500
Over 100	Add 25 gallons capacity per plumbing fixture unit in excess of 100

Note: Where tank size is not commercially available for calculated capacity, round up to the next available size.

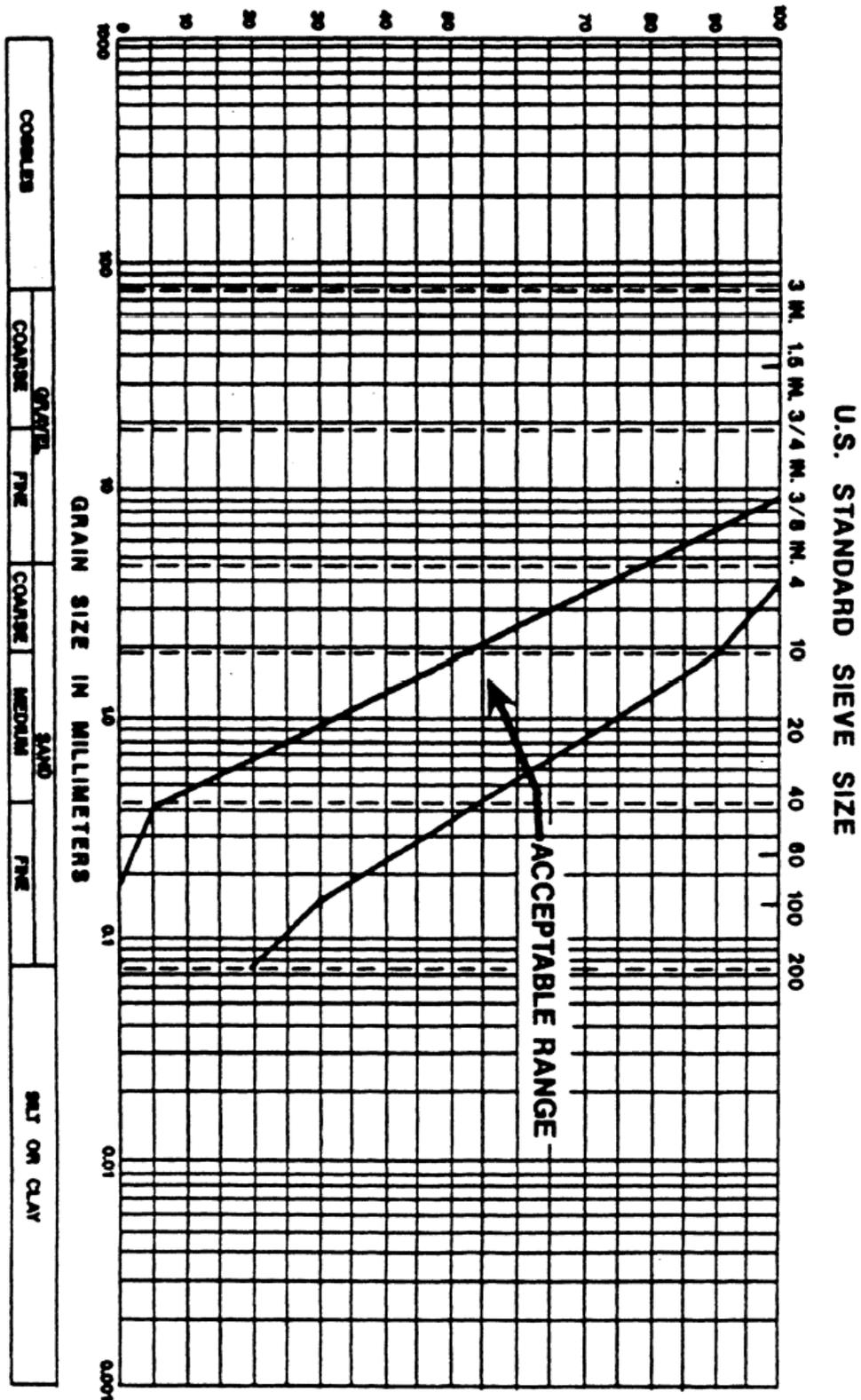
**TABLE UPC APPENDIX K-6**  
(Letters in parenthesis refer to footnotes below)

**ABSORPTION AREA REQUIREMENTS**

Percolation Rate (Time in minutes required for water to fall one inch)	Required Absorption Area (Sq. ft. per bedroom using standard leach lines. See notes (a) through (e) below.
1 or less	75
2	85
3	100
4	115
5	125
10	165
15	190
30	250
45	300
60	330
over 60 (e)	---

- (a) Sufficient usable land area must be available to provide 100% expansion of required absorption area when/if necessary. See Section UPC APPENDIX K-1(d) in this Code.
- (b) Absorption area should be sufficient to accommodate increased future use stemming from the addition of bedrooms or conversion of unfinished spaces to bedroom use, whenever such changes can be reasonably be anticipated.
- (c) The absorption area for leach lines and leaching beds is calculated as trench bottom area only except as provide in Section UPC APPENDIX K-3 in this Code. Minimum required area for leaching trenches is 150 sq. ft.
- (d) The above table allows for the connection of domestic food waste units and automatic clothes washing machines without further increase in absorption area.
- (e) Soil having a percolation rate over 60 min/inch is unsuitable for installation of an absorption system.

PERCENT FINER BY WEIGHT



GRADATION CURVE

TABLE UPC APPENDIX K-7

**ARTICLE 7 - AMENDMENTS TO THE  
UNIFORM HOUSING CODE (UHC)**

**CHAPTER 1 – TITLE AND SCOPE**

**SECTION 104 – APPLICATION TO EXISTING BUILDINGS AND STRUCTURES.**

**104.2 RELOCATION.** Buildings or structures moved into or within the County shall comply with the provisions of Article 2, Chapter 40 in this Code.

**105 GENERAL AMENDMENTS.** See Article 2, Chapter 1 for amendments of general application to this Code. Where there is a conflict between the general amendments and specific ones found herein, the more restrictive shall apply.

**CHAPTER 2 – ENFORCEMENT**

**SECTION 203 – APPEALS BOARD**

**203.1 GENERAL.** The Housing Advisory and Appeals Board, for the purposes of this Article, shall be the General Board of Appeals as set forth in Article 2, Chapter 1, Section 112 in this Code. Appeals to the Board shall be processed in accordance with the provisions contained in Section 1201 in the UHC.

**SECTION 204 – VIOLATIONS AND PENALTIES.** See Article 2, Chapter 1, Section 113 in this Code.

**CHAPTER 3 – PERMITS AND INSPECTIONS**

**SECTION 302 – FEES.** Refer to Article 2, Chapter 1, Section 108 in this Code.

**CHAPTER 10 – SUBSTANDARD BUILDINGS**

**SECTION 1001 – DEFINITION**

For the purpose of Clarity, section 17920.3 of the California Health and Safety Code is repeated below:

17920.3. Any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:

- (a) Inadequate sanitation shall include, but not be limited to the following:
- (1) Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
  - (2) Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
  - (3) Lack of, or improper kitchen sink.
  - (4) Lack of hot and cold running water to plumbing fixtures in a hotel.
  - (5) Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
  - (6) Lack of adequate heating.
  - (7) Lack of, or improper operation of required ventilating equipment.
  - (8) Lack of minimum amounts of natural light and ventilation required by this Code.
  - (9) Room and space dimensions less than required by this Code.
  - (10) Lack of required electrical lighting.
  - (11) Dampness of habitable rooms.
  - (12) Infestation of insects, vermin, or rodents as determined by the health officer.
  - (13) General dilapidation or improper maintenance.
  - (14) Lack of connection to required sewage disposal system.

- (15) Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.
- (b) Structural hazards shall include, but not be limited to, the following:
- (1) Deteriorated or inadequate foundations.
  - (2) Defective or deteriorated flooring or floor supports.
  - (3) Flooring or floor supports of insufficient size to carry imposed loads with safety.
  - (4) Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
  - (5) Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
  - (6) Members of ceilings, roofs, ceilings and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
  - (7) Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
  - (8) Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
  - (9) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
- (c) Any nuisance.
- (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.
- (e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.
- (f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
- (g) Faulty weather protection, which shall include, but not be limited to, the following:
- (1) Deteriorated, crumbling, or loose plaster.
  - (2) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
  - (3) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
  - (4) Broken, rotted, split, or buckled exterior wall coverings or roof coverings.
- (h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
- (i) All materials of construction, except those which are specifically allowed or approved by this Code, and which have been adequately maintained in good and safe condition.
- (j) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
- (k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code [Currently the 2006 International Building Code].
- (l) All buildings or portions thereof not provided with adequate exit facilities as required by this Code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(m) All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this Code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

(o) Inadequate structural resistance to horizontal forces.

“Substandard building” includes a building not in compliance with [Health and Safety Code] Section 13143.2. However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.

## **CHAPTER 12 – APPEAL**

### **SECTION 1201 – GENERAL**

**1201.2 PROCESSING OF APPEAL.** Upon receipt of any appeal filed pursuant to Section 1201 in the UHC, the Building Official shall present it at the next regular or special meeting of the Board of Appeals. The Building Official may, under the applicable procedures set forth in this Code, request and initiate a hearing before the Board of Appeals on any matter related to a substandard building or the premises on which it is located.

## **CHAPTER 14 – ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE BOARD OF APPEALS**

### **SECTION 1401 – COMPLIANCE**

**1401.1 GENERAL.** After any order of the Building Official or a Board of Appeals made pursuant to this Code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order shall be guilty of a misdemeanor or infraction.

**ARTICLE 8 - AMENDMENTS TO THE UNIFORM CODE FOR  
THE ABATEMENT OF DANGEROUS BUILDINGS (DBC**

**CHAPTER 1 – TITLE AND SCOPE**

**SECTION 104 – GENERAL AMENDMENTS.** See Article 2, Chapter 1 for amendments of general application to this Code. Where there is a conflict between the general amendments and specific ones found herein, the more restrictive shall apply.

**CHAPTER 2 – ENFORCEMENT**

**SECTION 203 – VIOLATIONS AND PENALTIES.** See Article 2, Chapter 1, Section 113 in this Code.

**SECTION 205 – APPEALS BOARD.** The appeals Board for the purposes of the Dangerous Buildings Code shall be the General Board of Appeals as set forth in Article 2 Section 112 in this Code. Appeals to the Board shall be processed in accordance with the provisions contained in Section 501 in the DBC.

**CHAPTER 5 – APPEAL**

**SECTION 501 – GENERAL**

**501.2 PROCESSING OF APPEAL.** Upon receipt of any appeal filed pursuant to Section 501 in the DBC, the Building Official shall present it at the next regular or special meeting of the Board of Appeals. The Building Official may, under the applicable procedures set forth in this Code, request and initiate a hearing before the Board of Appeals on any matter related to a dangerous building or the premises on which it is located.

**CHAPTER 7 – ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE BOARD OF APPEALS**

**SECTION 701 – COMPLIANCE**

**701.1 GENERAL.** After any order of the Building Official or a board of appeals made pursuant to this Code shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order shall be guilty of a misdemeanor/infraction.

**ARTICLE 9 - AMENDMENTS TO APPENDIX CHAPTER A1 OF THE  
2007 CALIFORNIA EXISTING BUILDING CODE (CEBC)**

**APPENDIX CHAPTER A1 - SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED  
MASONRY BEARING WALL BUILDINGS**

**SECTION A101 – PURPOSE**

The purpose of this Article is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on existing unreinforced masonry bearing wall buildings.

The provisions of this Article are intended as minimum standards for structural seismic resistance established primarily to reduce the risk of life loss or injury. Compliance with these standards will not necessarily prevent loss of life or injury or prevent earthquake damage to rehabilitated buildings.

**A102.1 SCOPE.** The provisions of this Article shall apply to all existing buildings in Seismic Design Category D and E which were constructed or under construction, or for which a building permit was issued, prior to May 10, 1962, having at least one unreinforced masonry wall. Except as provided herein, all other provisions of the California Building Code shall apply.

**EXCEPTIONS:** This Article shall not apply to:

1. Detached one or two story family dwellings, detached apartment houses containing less than 5 dwelling units and used solely for residential purposes, and hotels/motels containing less than 5 guest rooms.
2. Essential Facilities as defined in Table 1604.5 of the California Building Code.
3. Hazardous Facilities as defined in Table 1604.5 of the California Building Code.
4. Existing electrical, plumbing, mechanical or fire safety systems.

**A102.2 GENERAL AMENDMENTS.** See Article 2, Chapter 1 for amendments of general application to this Code. Where there is a conflict between the general amendments and specific ones found herein, the more restrictive shall apply.

**SECTION A103.1 DEFINITIONS**

**HIGH RISK BUILDING** is any building, other than an essential or hazardous building, having an occupant load of 100 occupants or more as determined by Section 1004 and Table 1004.1.1 of the California Building Code.

**EXCEPTIONS:** A high risk building shall not include the following:

1. Any building having exterior walls braced with masonry crosswalls or woodframe crosswalls spaced less than 40 feet apart in each story. Crosswalls shall be full-story height with a minimum height of 1-1/2 times the story height.
2. Any building used for its intended purpose, as determined by the Building Official for less than 20 hours per week.

**LOW RISK BUILDING** is any building, other than an essential or hazardous building, having an occupant load of less than 20 occupants as determined by Section 1004 and Table 1004.1.1 of the California Building Code.

**MEDIUM RISK BUILDING** is any building, not classified as a high-risk building or an essential or hazardous building, having an occupant load of 20 occupants or more as determined by Section 1004 and Table 1004.1.1 of the California Building Code.

**A103.2 Rating Classifications.** The rating classifications identified in Table A-9-A are hereby established and each building within the scope of this Article shall be placed in one such rating classification by the Building Official. The total occupant load of the entire building as determined by Section 1004 and Table 1004.1.1 of the California Building Code shall be used to determine the rating classification.

**EXCEPTION:** For purposes of this Article, portions of buildings constructed to act independently when resisting seismic forces may be placed in separate rating classifications.

**A103.3 Compliance Requirements.**

1. The owner of each building within the scope of this Article shall, upon service of an order and within the time limits set forth in this Article, cause a structural analysis to be made of the building by an engineer or architect licensed by the state to practice as such and, if the building does not comply with earthquake standards specified in this Article, the owner shall cause it to be structurally altered to conform to such standards or shall cause the building to be demolished.
2. The owner of a building within scope of this Article shall comply with the requirements set forth above by submitting to the Building Official for review within the stated time limits:
  - a. Within 270 days after service of the order, a structural analysis, which is subject to approval by the Building Official, and which shall demonstrate that the building meets the minimum requirements of this Article; or
  - b. Within 270 days after service of the order, the structural analysis and plans for structural alterations of the building to comply with this Article; or
  - c. Within 120 days after service of the order, plans for installation of wall anchors in accordance with the requirements specified in Section A113 of the UCBC; or
  - d. Within 270 days after service of the order, plans for the demolition of the building.
3. After plans are submitted and approved by the Building Official, the owner shall obtain a building permit and then commence and complete the required construction or demolition within the time limits set forth in Table No. A-9-B. These time limits shall begin to run from the date the order is served in accordance with Section A101.4.2, except that the time limit to commence structural alteration or demolition shall begin to run from the date the building permit is issued.
4. Owners electing to comply with A103.3 of this section are also required to comply with Sections A103.2 or A103.4 of this section provided, however, that the 270-day period provided for in Items A103.2 or A103.4 and the time limits for obtaining a building permit and to complete structural alterations or building demolition set forth in Table A-9-B shall be extended in accordance with Table No. A-9-C. Each such extended time limit shall begin to run from the date the order is served in accordance with Section A101.4 except that the time limit to commence structural alterations or demolition shall begin to run from the date the building permit is issued.

**A103.4 Administration.**

**A103.4.1 Order - Service.**

1. The Building Official shall, in accordance with the priorities set forth in Table No. A-9-C, issue an order to the owner or owners of each of the buildings within the scope of this Article as provided in this section..
2. Prior to the service of an order as set forth in Table No. A-9-C, a bulletin may be issued to the owner as shown upon the last equalized assessment roll or to the person in apparent charge or control of a building considered by the Building Official to be within the scope of this Article. The bulletin may contain information the Building Official deems appropriate. The bulletin may be issued by mail or in person.

**A103.4.2 Order - Priority of Service.** Priorities for the service of the order for buildings within the scope of this Article shall be in accordance with the rating classification as shown on Table No. A-9-C. Within each separate rating classification, the priority of the order shall normally be based upon the occupant load of the building. The owners of the buildings housing the largest occupant loads shall be served first. The minimum time period prior to the service of the order as shown on Table No. A-9-C shall be measured from the effective date of this Article. The Building Official may, upon receipt of a written request from the owner, order such owner to bring his building into compliance with this Article prior to the normal service date for such building set forth in this Article.

**A103.4.3 Order - Contents.** The order shall be in writing and shall be served either personally or by certified or registered mail upon the owner as shown on the last equalized assessment roll, and upon the person, if any, in apparent charge or control of the building. The order shall specify that the building has been determined by the Building Official to be within the scope of this Article and, therefore, is required to meet the minimum seismic standards of this Article. The order shall specify the rating classification of the building and shall be accompanied by a copy of Section A103 which sets forth the owner's alternatives and time limits for compliance.

**A103.4.4 Appeal from Order.** The owner of the building may appeal the Building Official's initial determination that the building is within the scope of this Article to the Board of Appeals established by Section 112 of the Ventura County Building Code. Such appeal shall be filed with the Board within 60 days from the service date of the order described in Section A103.4. Any such appeal shall be decided by the Board no later than 90 days after filing and the grounds thereof shall be stated clearly and concisely. Requests for modifications from any other determinations, orders or actions by the Building Official pursuant to this Article shall be made in accordance with the procedures established in Sections 104.10 and 104.11 of the California Building Code.

**A103.4.5 Recordation.** At the time that the Building Official serves the aforementioned order, the Building Official shall also file with the Office of the County Recorder a certificate stating that the subject building is within the scope of this Article and is a potentially earthquake hazardous building. The certificate shall also state that the owner thereof has been ordered to structurally analyze the building and to structurally alter or demolish it where compliance with this Article has not been demonstrated.

If the building is either demolished, found not to be within the scope of this Article or is structurally capable of resisting minimum seismic forces required by this Article as a result of structural alterations or an analysis, the Building Official shall file with the Office of the County Recorder a form terminating the status of the subject building as being classified within the scope of this Article.

**A103.4.6 Enforcement.** If the owner or other person in charge or control of the subject building fails to comply with any order issued by the Building Official pursuant to this Article within any of the time limits set forth in Section A103.3, the Building Official shall verify that the owner of record of this building has been properly served. If the order has been served on the owner of record, then the Building Official shall order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within 90 days after the date the building has been ordered vacated or such additional time as may have been granted by the Board of Appeals, the Building Official may order its demolition in accordance with the provisions of Section 102 of the California Building Code.

<b>TABLE NO. A-9-A RATING CLASSIFICATIONS</b>	
<b>TYPE OF BUILDING</b>	<b>CLASSIFICATION</b>
Essential Building	I
Hazardous Building	I
High-Risk Building	II
Medium-Risk Building	III
Low-Risk Building	IV

<b>TABLE NO. A-9-B TIME LIMITS FOR COMPLIANCE</b>			
<b>Required Action by Owner</b>	<b>Obtain Building Permit Within</b>	<b>Commence Construction Within</b>	<b>Complete Construction Within</b>
Structural Alteration or Building Demolition	1 year <sup>1</sup>	180 days <sup>2</sup>	3 years <sup>2</sup>
Wall Anchors	180 days <sup>1</sup>	270 days <sup>2</sup>	1 year <sup>2</sup>

<sup>1</sup>Measured from date of service of order.

<sup>2</sup>Measured from date of building permit issuance.

TABLE A-9-C EXTENSIONS OF TIME AND SERVICE PRIORITIES			
Rating Classification	Occupant Load	Extension of Time if Wall Anchors are Installed	Periods for Service of Order
I (Highest Priority)	N/A	N/A	N/A
II	100 or more	1 year	180 days
III-A	100 or more	1 year	1 year
III-B	More than 50 but Less than 100	1 year	2 years
III-C	More than 19 but Less than 51	1 year	3 years
IV (Lowest Priority)	Less than 20	1 year	4 years

ADOPTED this 20th day of November, 2007 by the following vote:

AYES: Supervisors Bennett, Lung, Foy,  
Flynn and Parks.

NOES: None.

ABSENT: None.

Linda Parks  
Chair, Board of Supervisors

ATTEST:

**JOHN F. JOHNSTON**  
Clerk of the Board of Supervisors

By Roberta Rodriguez  
Chief Deputy Clerk