

**AN ORDINANCE OF THE TOWN OF SAN ANSELMO
AMENDING TITLE 9 OF THE
SAN ANSELMO MUNICIPAL CODE**

The Town Council of the Town of San Anselmo does hereby ordain as follows:

SECTION 1.

FINDINGS.

The required findings shall be found in the Town Council Resolution No. 3932.

Chapter 1 (Construction Codes) and Chapter 5 (Numbering of Buildings) of Title 9, Building Regulations, of the San Anselmo Municipal Code are hereby amended as follows.

Repeal Chapter 1, Article 1, Section 9-1.101 in its entirety and replace with:

**Chapter 1
CONSTRUCTION CODES**

Article 1. Construction Codes

Sections:

9-1.101 Adoption of Construction Codes

The following parts of Title 24, California Code of Regulations are adopted by reference as construction codes for the Town of San Anselmo, including the amendments noted in this Article.

- (a) 2010 edition of the California Building Code (CBC)(Title 24 Part 2) based upon the 2009 International Building Code (IBC) including Appendix G, Flood-Resistant Construction, Appendix H, Signs, Appendix I, Patio Covers, and Appendix J, Grading.
- (b) 2010 edition of the California Residential Code (CRC)(Title 24 Part 2.5) based upon the 2009 International Residential Code (IRC) including Appendix G, Swimming Pools, Appendix H, Patio Covers, Appendix J, Existing Buildings and Structures, and Appendix K, Sound Transmission.
- (c) 2010 edition of the California Electrical Code (CEC)(Title 24 Part 3) based upon the 2008 National Electrical Code (NEC) including Appendix H, Administration.
- (d) 2010 edition of the California Mechanical Code (CMC)(Title 24 Part 4) based upon the 2009 Uniform Mechanical Code (UMC).
- (e) 2010 edition of the California Plumbing Code (CPC)(Title 24 Part 5) based upon the 2009 Uniform Plumbing Code (UPC).
- (f) 2010 edition of the California Energy Code (CEC)(Title 24 Part 6)
- (g) 2010 edition of the California Historical Building Code (Title 24 Part 8)
- (h) 2010 edition of the California Green Building Standards Code (CALGreen)(Title 24 Part 11)
- (i) 2009 International Property Maintenance Code (IPMC).

A copy of each of these documents is maintained in the office of the Building Official.

Amend Chapter 1, Article 2, Section 9-1.201 through Section 9-1.208 as follows:

Article 2. Amendments

- 9-1.201 Buried Utilities** (*CBC 111*)(*CRC R111*)(CEC 230)
All electrical and communication service laterals, including those for cable television service, to any new building or structure must be placed underground.
- 9-1.202 Non-metallic Cable** (CEC 334)
Non-metallic electric cable (Type NM, NMC, NMS) is not allowed in electrical wiring in non-residential applications.
- 9-1.203 Swimming Pools, Spas and Hot Tubs** (*CBC 3109*)(*CRC Appendix G*)
Design and construction must adhere to the most stringent requirements of California Building Code Section 3109, *California Residential Code Appendix G* and California Health & Safety Code Section 115921. Barriers enclosing a swimming pool must be at least 5' tall. Before water is placed in a pool for any reason, including the curing of the pool walls, a barrier at least 5' tall conforming to the requirements of CBC Section 3109.4 must be in place or a pool cover complying with ASTM F1346 must be installed and operational.
- 9-1.204 Garage/Carport Ceiling Height** (*CBC 1208*)(*CRC R305*)
Private garages and carports shall have a clear ceiling height of not less than 7'.
- 9-1.205 Size of Doors** (*CBC 1008*)(*CRC R311*)
Except for access to a storage room or closet, all doors must be at least 6'-8" (80") high. Required exit doors must be side-hinged, swing type.
- 9-1.206 Roofing** (*CBC 1505*)(*CRC R902*)
For all new structures and any addition that exceeds 50% of the original area, the new roof must be covered with a Class A Roofing Assembly. A noncombustible roof may be applied in accordance with the manufacturer's requirements in lieu of a fire-retardant roofing assembly.

Existing buildings that have 50 percent or more of the roof surface replaced within a five-year period are required to totally replace the roof with a Class A roof assembly or be fire resistive by other provisions of this code.
- 9-1.207 Permit and Application Expiration** (*CBC 105.3.2, 105.5*)(*CRC R105*)
(*CEC Annex H 80.19*)(*CPC 1003.3.4, 103.4.3*)(*CMC 114.4, 115.4*)
The permit application process must be completed and a permit issued within 180 days of submittal. If the process is not completed and the permit issued within the allotted time, it shall expire. The building official may extend the permit application one time for a period up to 180 days. The request must be in writing and demonstrate the circumstances beyond the applicant's control that delayed the application. In order to renew action on an expired application, the applicant shall submit new plans and pay a new plan review fee.

In order for a construction permit to remain active, work must commence within 180 days after the permit is issued and remain continuously in progress. If work is suspended,

abandoned or is not diligently progressing for a period up to 180 days, the permit shall expire. The building official may extend the permit expiration one time for up to 180 days if the applicant makes a written request before the expiration demonstrating circumstances beyond the applicant's control. If a permit expires, work may not resume until a new permit is obtained. If the period of expiration is less than 180 days, no changes are made to the plans and the original plans and specifications may be utilized, the applicant shall pay half the required amount for a new permit. Otherwise, the applicant must pay the full amount.

9-1.208 Fee Refunds (*CBC 109.6*)(*CRC R108.5*)(*CPC 103.4.5*)(*CMC 115.6*)(*CEC 80.19E*)
The building official may authorize refunding of any fee paid which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application is withdrawn or canceled before any plan review is done.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee and not later than 180 days after the date of fee payment.

Article 3. Construction Work Hours

9-1.301 Bald Hill Work Hours

(a) Construction, demolition and the operation of miscellaneous noise sources such as vehicle back-up alarms, power saws and other similar noise sources are allowed during the following times: 8:00AM to 4:30PM Monday through Friday.

No work is allowed on Bald Hill on weekends or holidays observed by the town.

Heavy Construction Truck Trips are restricted to occur only between 10AM and 3PM Monday through Friday (no holidays). Heavy construction truck trips include, but are not limited to, concrete trucks, dump trucks (10 yards or greater), backhoes, graders, pile drivers, and flatbed delivery trucks.

The Public Works Director can authorize construction beyond these hours and days upon written request, including interior work and other work tasks the Director deems appropriate. Exceptions granted by the Public Works Director include any single activity that will necessitate the use of a heavy construction vehicle beyond the 10 a.m. to 3 p.m. time period. Any exceptions granted by the Public Works Director regarding heavy construction truck trips will require notification of residents at least 24 hours in advance. Such notification shall be the responsibility of the applicants. Furthermore, all construction equipment shall be adequately muffled and maintained.

9-1.302 All Other Work Hours

- (a) Construction, demolition and the operation of miscellaneous noise sources such as vehicle back-up alarms, power saws and other similar noise sources are allowed during the following times: Monday through Fridays from 7:00AM to 7:00PM;
Saturdays from 9:00AM to 5:00PM;
Sundays from 12:00PM to 5:00PM.

Work hours may be extended until 8:00PM for homeowners or residents working alone on their own property.

Article 4. [Reserved]

Article 5. Violation Penalties

9-1.501 Violation Penalties

- (a) Stop Work Orders/Work Without Permits or other actions in violation of this code – For work performed in violation of this code, an investigation/penalty fee shall be assessed up to three (3) times the construction permit fee. The minimum penalty fee for a building permit shall be \$500. This applies to revisions, alterations, or changes on an authorized project where the work done is not within the scope of the originally authorized permit. The fee shall be due whether a permit is issued or not. Additional penalties may be assessed in the event of repeated violations.
- (b) No new construction permits shall be issued for work on a property unless all existing violations and expired permits issued for work on such property are cleared by abatement, issue or reinstatement of a permit.
- (c) The penalties imposed in this section are in addition to any penalties that may be imposed pursuant to other provisions of this Code.

Article 6. Public Nuisances

9-1.601 Public Nuisances

- (a) Any work commenced or continued in violation of this Chapter shall be, and is hereby declared, unlawful and a public nuisance.
- (b) A building or structure in a state of partial construction for an unreasonable period of time is a nuisance.

Repeal Chapter 5, Sections 9-5.02, 9-5.03, 9-5.04, 9-5.05, 9-5.06 and 9-5.07 in their entirety and replace with:

**Chapter 5
NUMBERING OF BUILDINGS**

9-5.02 Numbering System Adopted.

- (a) The numbering of buildings in the Town shall be in accordance with the official Town streets map on file in the *Planning and Building* Department which is hereby declared as the official numbering of such buildings.
- (b) The numbering of buildings on any street shall be in sequential order as determined by the Director of *Planning and Building*.

9-5.03

Building numbers to be visible from the street.

Every building or occupancy in the Town shall be numbered by placing the appropriate number on or adjacent to the main entrance to such building or occupancy so as to be readily seen from the street upon which such building is situated. Residential numbers shall be self-illuminated or placed adjacent to a light which is controlled by a photocell and switched only by a breaker so it will remain illuminated all night.

9-5.04

Notification to owners to number buildings.

Whenever it shall come to the attention of the Director of Planning and Building that any building or occupancy is not numbered as required by this chapter, he shall notify in writing the owner, agent, or occupant of such building of the appropriate number and require such building to be so numbered. Failure on the part of the owner, agent, or occupant to cause such building to be so numbered within fourteen (14) calendar days after receiving such notice shall be deemed a violation of this chapter.

9-5.05

New building numbers.

Numbers for new buildings shall be assigned by the Director of Planning and Building. Numbers shall be affixed to the building immediately upon completion. Temporary numbers must be posted during construction.

9-5.06

Size and placement of numbers.

(a) All main entrances from streets to buildings, or to separate apartments in buildings, shall be numbered. It shall be unlawful for any person, whether as owner or occupant of any building or apartment, to place, maintain, or allow to remain thereon any number other than the one (1) assigned by the Department of Planning and Building.

(b) Building numbers shall be a color that clearly contrasts with the color of the background upon which they are placed. Residential building numbers shall be not less than four (4") inches in height and non-residential /commercial building numbers shall be not less than six (6") inches in height and shall conform to the requirements of Title 10, Chapter 9. All numbers shall be of proportionate width to the height, shall be made of permanent material, and shall be placed in a manner as to not be easily defaced or removed.

Address numbers must be Arabic numerals or alphabetical letters with a minimum stroke width of .5 inch. Numbers on residential buildings shall be internally-illuminated or placed adjacent to a light which is controlled by a photocell and switched only by a breaker so it will remain illuminated all night.

9-5.07

Renumbering streets.

The Director of Planning and Building is authorized to renumber all or portions of streets when necessary to prevent confusion in locating the buildings thereon.

9-5.08

Notices to change numbers.

Whenever the owner, agent, or occupant of any property has been notified to change the number of his building, the old number may be temporarily retained in addition to the new number; provided, however, in no case shall such old number be retained for a period longer than thirty (30) calendar days after the official notice to change the number.

The foregoing ordinance was introduced at a regular meeting of the San Anselmo Town Council on the 23th day of November, 2010 and was adopted at a regular meeting on the 23th day of November, 2010 by the following vote.

AYES: COLEMAN, GREENE, KROOT, MCINERNEY, THORNTON

NOES: NONE

ABSENT: NONE

Barbara Thornton
Mayor

ATTEST

D. Chmura
Town Clerk