

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING TITLE 16 OF THE RIVERSIDE MUNICIPAL CODE, CHAPTERS 16.04, 16.06, 16.07, 16.08, 16.09, 16.10, 16.11, 16.12, 16.16, 16.32 AND ADDING CHAPTER 34 TO ADOPT THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, GREEN BUILDING STANDARDS, MECHANICAL, PLUMBING, AND ELECTRICAL CODES WITH LOCAL AMENDMENT THERETO.

The City Council of the City of Riverside does ordain as follows:

Section 1: The Table of Contents for Chapter 16.04 of the Riverside Municipal Code entitled "Administration" is hereby amended to read as follows:

**"Chapter 16.04 - Administration**

**Sections:**

**16.04.010 Purpose and Intent.**

...

**16.040.470 Board of Building Appeals**

...

**16.04.590 Appeal Process for Other Administrative Actions."**

Section 2: Section 16.04.020 of the Riverside Municipal Code is amended as follows:

**"Section 16.04.020 Scope.**

The provisions of Chapters 16.04 through 16.20 of this Code shall apply to the erection, construction, enlargement, alteration, installation, reconstruction, repair, movement, improvement, connection, conversion, demolition, and use of any building, structure or premises, or portion thereof, and grading within the City. The provisions of this Code shall not apply to work located primarily in a public way other than pedestrian protection structures required by Chapter 33, the California Building Code; public utility towers and poles; equipment not specifically regulated in this Code; hydraulic flood control structures; work exempted by Section 105.2, the California Building Code; or minor work of negligible hazard to life specifically exempted by the building official. Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as

1 otherwise provided in ~~Chapter 4 of~~ Title 24 Part 10, the California Existing Buildings Code.  
2 ...”

3 Section 3: Section 16.04.310 of the Riverside Municipal Code is amended as follows:  
4 **“Section 16.04.310 Expiration of permits.**

5 Except as otherwise specified, every permit issued by the building official under the  
6 provisions of Chapters 16.04 through 16.20 shall expire by limitation and become null and void if  
7 the work authorized by such permit is not commenced within one hundred eighty days from the  
8 date of permit issuance, or if the work authorized by such permit is suspended, abandoned, or  
9 without progress at any time after the work is commenced for a period of one hundred eighty days.  
10 Progress, shall further be defined as obtaining one or more successful inspections required in  
11 accordance with Section 110 of this Code. Prior to a permit’s expiration and upon a showing of  
12 good cause by the permit holder in writing, the building official may issue one or more extensions  
13 for periods not to exceed one hundred eighty calendar days.

14 Exception: Permits issued for the construction of residential occupancies as defined in this  
15 Code shall have twelve (12) months from the date of issuance to commence work authorized by  
16 such permit and show progress thereafter as defined herein.

17  
18 A permit for demolition, however, shall expire by limitation and become null and void if  
19 the work authorized by the permit is not completed within ninety days from the date of permit  
20 issuance. ~~or on the sixtieth day after work is commenced, whichever comes sooner.~~  
21 ...”

22 Section 4: Section 16.04.335 of the Riverside Municipal Code is amended as follows:  
23 **“Section 16.04.335 Expiration of plan review applications.**

24 An application for plan review for which no permit is issued within one year following the  
25 date of such paid application shall expire as of the three hundred sixty-fifth 365<sup>th</sup>-day, and plans  
26 and other data submitted for review may thereafter be returned to the applicant or destroyed by the  
27 building official if said plans and data cannot be reasonably retained. The building official may  
28 issue one or more extensions of time for periods not to exceed one hundred eighty 180 days upon

1 written request by the applicant showing that circumstances beyond the control of the applicant  
2 have prevented action from being taken; provided, however, the applicant must pay a plan review  
3 extension fee of one-half the original plan review ~~such~~ fee, or as otherwise determined by the  
4 building official.

5 No permit application shall be extended beyond seven hundred twenty ~~720~~ days after the  
6 original plan review submittal date. In order to renew action on an application after expiration, the  
7 applicant shall resubmit plans and pay a new plan review fee.”

8 Section 5: Section 16.04.380 of the Riverside Municipal Code is amended as follows:

9 **“Section 16.04.380 Plan review fee refund.**

10 Plan review fees ~~shall may~~ be refunded able by the building official provided the application  
11 has not expired and the checking of ~~the~~ plans has not commenced ~~been started~~. In such cases, Aa  
12 portion equal to eighty percent of the plan review fee may be refunded. ~~when the Building Official~~  
13 ~~determines that less than three-fourths of the checking has been completed~~. The fee for processing  
14 such refunds shall be as established by resolution of the City Council. This fee shall be deducted  
15 from any moneys being refunded. No refund shall be made without first receiving a request in  
16 writing therefor from the person paying the fee, together with authorization in writing from the  
17 owner of the project.”

18  
19 Section 6: Section 16.04.390 of the Riverside Municipal Code is amended as follows:

20 **“Section 16.04.390 Permit fees refund.**

21 Permit fees ~~may shall~~ be refundable provided by the building official provided the permit  
22 has not expired and ~~provided~~ no inspections have been made in connection therewith. In such  
23 cases, a portion equal to eighty percent of the permit fee may be refunded. The fee for  
24 processing such refund shall be as established by resolution of the City Council. The fee shall be  
25 deducted from any moneys being refunded. No refund shall be made without first receiving a  
26 request therefor in writing from the person paying the fee, together with authorization in writing  
27 from the owner of the project.”

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1           Section 7:     Section 16.04.400 of the Riverside Municipal Code is amended as follows:  
2   **“Section 16.04.400   Other refunds.**

3           ~~A.—Fees for Services.   At the discretion of the building official,~~ fees imposed by this title  
4   for inspections or other services, except for those specifically listed elsewhere in this chapter, may  
5   ~~shall~~ be refundable provided the inspection or service in connection therewith has not been  
6   performed. The fee for processing such refund shall be the same as that established pursuant to  
7   Section 16.04.390 above. No refund shall be made without first receiving a request therefor in  
8   writing from the person paying the fee. Such request for refund shall be received not more than  
9   one hundred eighty (180) days from the date of payment of the fee.

10           ~~B. —Development Impact Fees. —Development fees imposed by and paid to the City in~~  
11   ~~conjunction with, and as a condition precedent to, the issuance of a permit may be refunded~~  
12   ~~provided the work authorized by the permit has not been performed, and the permit therefor has~~  
13   ~~expired or otherwise been terminated. A fee as may be established by resolution of the City Council~~  
14   ~~shall be paid for the processing of any such refund. No refund shall be made without first receiving~~  
15   ~~a request therefor in writing from the person paying the fee together with authorization in writing~~  
16   ~~from the owner of the project or other evidence to establish that the applicant for the refund is~~  
17   ~~legally entitled thereto.”~~

18           Section 8:     Section 16.040.470 of the Riverside Municipal Code is hereby added as  
19   follows:  
20

21   **“Section 16.040.470   Board of Building Appeals.**

22           **A.   General.**

23           To hear and decide appeals of orders, decisions or determinations made by the  
24   building official relative to the application and interpretation of this code, there is hereby  
25   created a board of building appeals. The board of building appeals shall be the “local appeals  
26   board,” the “housing appeals board,” and the “board of appeals” as defined and used in the  
27   California Building Standards Code. The building official shall be an ex officio member of  
28

1 said board but shall not have a vote on any matter before the board. The board shall establish  
2 policies and procedures to carry out its business.

3 B. Limitations on authority.

4 An application for appeal shall be based on a claim that the true intent of this code or  
5 the rules legally adopted thereunder have been incorrectly interpreted, or the provisions of  
6 this code do not fully apply or an equally good or better form of construction is proposed.

7 The board shall not have authority to waive requirements of this code.

8 C. Qualifications.

9 The board of building appeals shall consist of members who are qualified by  
10 experience and training to pass judgment on matters pertaining to building standards and  
11 construction. Members shall not be City employees or elected officials of the jurisdiction and  
12 shall be registered voters in the City of Riverside. The board shall consist of five members,  
13 one from each of the following professions or disciplines:

14 1. A California registered Architect with at least (10) years of architectural  
15 experience, (5) of which shall have been in responsible charge of work.

16 2. A California registered Engineer with at least (10) years of structural  
17 engineering experience, (5) of which shall have been in responsible charge of work.

18 3. A California registered mechanical or electrical engineer with at least (10)  
19 years of engineering experience, (5) of which shall have been in responsible charge of work

20 4. A California licensed building contractor or superintendent of building  
21 construction with at least (10) years of building construction experience, (5) of which shall  
22 have been in responsible charge of work.

23 ~~4.~~ 5. Any other building related professional with the prerequisite knowledge and  
24 experience to pass judgment on building standards and construction. The professional shall  
25 have at least (10) years of experience in the construction industry, (5) of which shall have  
26 been in responsible charge of work.

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1            **A.D. Administration.**

2            **The Community & Economic Development Director shall administer the Board of**  
3 **Building Appeals and appoint members through an application process. Appointed board**  
4 **members shall be volunteers who will serve without compensation, serve four year terms**  
5 **with no maximum tenure and may be reappointed. Should there be an insufficient amount**  
6 **of applicants for the board of building appeals, the Director of Community & Economic**  
7 **Development is authorized to appoint qualified members. Meetings are scheduled when an**  
8 **appeal is filed or when the building official requests advisory comments, such as the potential**  
9 **adoption of new codes, proposed code changes, or alternate methods and materials of**  
10 **construction. The building official shall be the principal city staff liaison to the board.**

11            **Appeals shall be in writing and within ten (10) days of any final order or**  
12 **determination made by the building official stating the grounds for the appeal and shall be**  
13 **accompanied by a fee in the amount set by resolution of the City Council. Failure to request**  
14 **an appeal to the board in a timely manner constitutes a waiver of the right to a hearing before**  
15 **the board and a failure to exhaust administrative remedies.**

16            **Appeals shall be heard by the board within thirty (30) working days of receiving the**  
17 **appeal. The appellant shall be given at least ten (10) days written notice of the date and time**  
18 **of the hearing. Only those matters specifically raised by the appellant shall be considered in**  
19 **the hearing of appeal.**

20            **The board shall render a final decision with a two-thirds majority vote and the**  
21 **decision of the board of building appeals shall be final. Final determinations shall be in**  
22 **writing to the appellant and building official who shall take immediate action in accordance**  
23 **with the decision of the board.”**

24            **Section 9:     Section 16.06.020 of the Riverside Municipal Code is amended as follows:**  
25 **“Section 16.06.020    California Residential Code adopted--Filed with City Clerk.**

26            **The California Residential Code, 20196 Edition, including appendices and any related**  
27 **errata, and any amendments thereto by the State of California in the 20196 Edition of Title 24 of**  
28

1 the California Code of Regulations, promulgated by the International Code Council, which  
2 regulates the construction, alteration, movement, enlargement, replacement, repair, equipment,  
3 use, and occupancy, location, maintenance, removal and demolition of every detached one-and-  
4 two family dwelling, townhouse not more than three stories above grade plane in height with a  
5 separate means of egress and structures accessory thereto, is adopted and by this reference is made  
6 a part of this code with the force and effect as though set out herein in full, with the exception of  
7 those parts expressly excepted and deleted or as amended by this chapter. One copy of the  
8 California Residential Code with the amendments thereto by the State of California, which has  
9 been certified as a true copy, is on file and open to public inspection in the Office of the ~~City~~  
10 Clerkbuilding official.”

11 Section 10: Section 16.06.030 of the Riverside Municipal Code is amended as follows:

12 **“Section 16.06.030 Sections deleted and not adopted.**

13 The chapters, sections, paragraphs, and parts of the California Residential Code which are  
14 excepted, deleted, and not adopted are:

- 15 1. Chapter 1, Division II Sections R105.3.2, R105.5, R108, R110.3, R111, R112;
- 16 2. Appendix A, B, C, D, E, F, G;
- 17 3. Appendix I, J, ~~K~~, L, M, N, P, ~~Q, R, S~~, R, T, U, ~~V~~, W.”

18 Section 11: Section 16.07.020 of the Riverside Municipal Code is amended as follows:

19 **“Section 16.07.020 California Green Building Standards Code adopted--Filed with City**  
20 **Clerk.**

21 The California Green Building Standards Code, 20196 Edition, including any related  
22 errata, and any amendments thereto by the State of California in the 20196 Edition of Title 24 of  
23 the California Code of Regulations, which regulates the planning, design, operation, use and  
24 occupancy of every newly constructed building or structure is adopted and by this reference is  
25 made a part of this Code with the force and effect as though set out herein in full, with the exception  
26 of those parts expressly excepted and deleted or as amended by this chapter. One copy of the  
27 California Green Building Standards Code with the amendments thereto by the State of California,  
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1 which has been certified as a true copy, is on file and open to public inspection in the office of the  
2 ~~City Clerk~~building official.”

3 Section 12: Section 16.08.020 of the Riverside Municipal Code is amended as follows:  
4 **“Section 16.08.020 California Building Code adopted--Filed with City Clerk.**

5 The California Building Code, 201~~96~~ Edition, consisting of two volumes, including  
6 appendices and any related errata, and any amendments thereto by the State of California in the  
7 201~~96~~ Edition of Title 24 of the California Code of Regulations, promulgated by the International  
8 Code Council, which regulates the erection, construction, enlargement, alteration, repair, moving,  
9 removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of  
10 buildings and other structures, is adopted and by this reference is made a part of this Code with  
11 the force and effect as though set out herein in full, with the exception of those parts expressly  
12 excepted and deleted or as amended by this chapter. One copy of the California Building Code  
13 with the amendments thereto by the State of California, which has been certified as a true copy, is  
14 on file and open to public inspection in the office of the ~~City Clerk~~building official.”

15 Section 13: Section 16.08.030 of the Riverside Municipal Code is amended as follows:  
16 **“Section 16.08.030 Sections deleted and not adopted.**

17 The chapters, sections, paragraphs and parts of the California Building Code which are  
18 excepted, deleted and not adopted are:  
19

- 20 1. Chapter 1, Division II Sections ~~101.4.4~~, 105.3.2, 105.5, 109, 112, 113;
- 21 2. Appendix A, B;
- 22 ~~3. Appendix B;~~
- 23 ~~34.~~ Appendix D, E, and F;
- 24 ~~45.~~ Appendix H; and
- 25 ~~56.~~ Appendix K, L, M, N and O.”

26 Section 14: Section 16.08.185 of the Riverside Municipal Code is amended as follows:  
27 **“Section 16.08.185 Geologic investigation required.**

28 As a prerequisite to the issuance of any building permit, a complete geological



1 investigation shall be conducted by an appropriately licensed design professional for any property  
2 identified as being subject to the potential of liquefaction or within a seismic hazard zone in  
3 accordance with this code. The geological investigation shall identify the specific liquefaction  
4 potential or other seismic hazard at the subject property and prescribe mitigating measures to  
5 eliminate or substantially reduce the possibility of structural failure. Said analysis shall be subject  
6 to approval by the building official and all prescribed mitigating measures shall be incorporated  
7 into building plans submitted for permits.

8 ...

9 2. The building official is authorized to establish a policy exempting ~~minor~~-structures  
10 deemed minor in nature from geological investigations.”

11 Section 15: Section 16.09.020 of the Riverside Municipal Code is amended as follows:  
12 **“Section 16.09.020 Uniform Housing Code adopted--Filed with City Clerk.**

13 The Uniform Housing Code, 1997 Edition, and any related errata, and any amendments  
14 thereto by the State of California in Title 25 of the California Code of Regulations, promulgated  
15 by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier,  
16 California, which regulates the occupancy, equipment, use, height, area and maintenance of  
17 buildings and premises, is adopted and by this reference is made a part of this Code with the force  
18 and effect as though set out herein in full with the exception of those parts expressly excepted and  
19 deleted or as amended by this chapter. One copy of the Uniform Housing Code, which has been  
20 certified as a true copy, is on file and open to public inspection in the office of the ~~City~~  
21 Clerkbuilding official.”

22 Section 16: Section 16.10.020 of the Riverside Municipal Code is amended as follows:  
23 **“Section 16.10.020 Uniform Code for the abatement of dangerous buildings adopted--**  
24 **Filed with City Clerk.**

25 The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, and any  
26 related errata, promulgated by the International Conference of Building Officials, 5360 Workman  
27 Mill Road, Whittier, California, which regulates the enlargement, alteration, repair, moving,  
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1 removal, conversion, demolition, occupancy, equipment, use and maintenance of buildings and  
2 other structures, is adopted and by this reference is made a part of this Code with the force and  
3 effect as though set out herein in full with the exception of those parts expressly excepted and  
4 deleted or as amended by this chapter. One copy of the Uniform Code for the abatement of  
5 dangerous buildings, which has been certified as a true copy, is on file and open to public  
6 inspection in the office of the ~~City Clerk~~building official.”

7       Section 17:     Section 16.11.020 of the Riverside Municipal Code is amended as follows:  
8       **“Section 16.11.020     California Mechanical Code adopted--Filed with City Clerk.**

9       The California Mechanical Code, 2016 Edition, including appendices, and any related  
10 errata, and any amendments thereto by the State of California promulgated by the International  
11 Association of Plumbing and Mechanical Officials, which regulates the erection, installation,  
12 alteration, repair, relocation, replacement, addition to, use or maintenance of any equipment as  
13 defined herein, is adopted and by this reference is made a part of this Code with the force and  
14 effect as though set out herein in full with the exception of those parts expressly excepted and  
15 deleted or amended by this chapter. One copy of the California Mechanical Code, which has been  
16 certified as a true copy, is on file and open to public inspection in the office of the ~~City~~  
17 ~~Clerk~~building official.”

18       Section 18:     Section 16.12.020 of the Riverside Municipal Code is amended as follows:  
19       **“Section 16.12.020     California Plumbing Code adopted--Filed with City Clerk.**

20       The California Plumbing Code, 2016 Edition, including appendices and any related errata,  
21 and any amendments thereto by the State of California promulgated by the International  
22 Association of Plumbing and Mechanical Officials, which regulates the design, construction,  
23 installation, quality of materials, location, operation, equipment and maintenance of plumbing  
24 systems, is adopted and by this reference is made a part of this Code with the same force and effect  
25 as though set out in this chapter in full, with the exception of those parts expressly excepted,  
26 deleted or as amended by this chapter. One copy of the California Plumbing Code, which has been  
27 certified as a true copy is on file and open to public inspection in the office of the ~~City~~  
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1 ~~Clerk~~building official.”

2 Section 19: Section 16.16.020 of the Riverside Municipal Code amended as follows:

3 **“Section 16.16.020 California Electrical Code adopted--Filed with City Clerk.**

4 The California Electrical Code, 2016 Edition, and any related errata, and any amendments  
5 thereto by the State of California, copyrighted by the National Fire Protection Association,  
6 Batterymarch Park, Quincy, Massachusetts, which regulates the erection, construction, demolition,  
7 equipment, use and maintenance of electrical systems, is adopted and by this reference is made a  
8 part of this Code with the same force and effect as though set out in this chapter in full, with the  
9 exception of those parts expressly excepted, deleted or as amended by this chapter. One copy of  
10 the California Electrical Code, which has been certified as a true copy is on file and open to public  
11 inspection in the office of the ~~City Clerk~~building official.”

12 Section 20: Section 16.32.335 of the Riverside Municipal Code is amended as follows:

13 **“Section 16.32.335 Section 903.2 amended – Where Required.**

14 ...

15  
16 B. All New Buildings. An automatic sprinkler system shall be installed and maintained  
17 in operable condition in all new buildings. All systems shall conform to the National Fire  
18 Protection Association Standards 13, 13D, and 13R and the Riverside Fire Department  
19 Standards and Policies.

20 1. NFPA 13D local water flow alarm shall be provided on a fire sprinkler system in  
21 homes. The water flow alarm shall be located on the exterior of the structure at an approved  
22 location by the fire department.

23 2. NFPA 13D fire sprinkler system shall have a lead free (2)- single check valves in  
24 line or one dual check valve on the riser.

25 EXCEPTIONS:

26 3. Group S occupancies, less than 5,000 square feet in floor area, that are accessory  
27 to uses such as golf courses, tree nurseries, parks, farms, etc. Administrative and clerical  
28 office use area may not exceed 25 percent of the floor area of the major use. Additionally, the

1 site must be zoned RE, ~~HR, RA, RA-2~~, RA-5 or RC.

2 ...

3 10. Aircraft hangars, pursuant to California Fire Code, Section 914.8~~3~~.

4 ...”

5 Section 21: Chapter 16.34 of the Riverside Municipal Code entitled “Emergency  
6 Housing” is hereby added as shown in Exhibit “A” attached hereto and incorporated herein by  
7 reference.

8 Section 22: The City Council has reviewed the matter and, based upon the facts and  
9 information contained in the staff reports, administrative record, and written and oral testimony,  
10 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2),  
11 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations,  
12 Title 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical  
13 change in the environment nor have a significant impact on the environment.

14 Section 23: The City Clerk shall certify to the adoption of this ordinance and cause  
15 publication once in a newspaper of general circulation in accordance with Section 414 of the  
16 Charter of the City of Riverside. This ordinance shall become effective on the 30th day after the  
17 date of its adoption.

18 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

19  
20  
21 \_\_\_\_\_  
22 WILLIAM R. BAILEY, III  
23 Mayor of the City of Riverside

24 Attest:

25 \_\_\_\_\_  
26 COLLEEN J. NICOL  
27 City Clerk of the City of Riverside

28 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the

1 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2019, and that thereafter the said ordinance was duly and  
3 regularly adopted at a meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2019  
4 by the following vote, to wit:

5 Ayes:

6 Noes:

7 Absent:

8 Abstain:

9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
10 City of Riverside, California, this \_\_\_\_ day of \_\_\_\_\_, 2019.

11  
12 \_\_\_\_\_  
13 City Clerk of the City of Riverside

14 CA: 19-0809 09/26/19  
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