

**ORDINANCE NO. 1079**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF BEAUMONT, CALIFORNIA  
AMENDING PORTIONS OF CHAPTER 15  
“BUILDINGS AND CONSTRUCTION,” OF  
THE BEAUMONT MUNICIPAL CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEAUMONT, RIVERSIDE COUNTY, STATE OF CALIFORNIA AS FOLLOWS:

**SECTION 1. CEQA.** The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act (“CEQA”) pursuant to 15061(b)(3), CEQA review is not required because there is no possibility that this Ordinance may have a significant effect upon the environment and the proposed text amendments constitute a minor alteration in a land use limitation under CEQA Guidelines Section 15305, and such a land use limitation is a permissible exercise of the City's zoning powers.

**SECTION 2. Severability.** The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

**SECTION 3. Prosecution of Prior Ordinances.** Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution of any violation of any City ordinance or provision of the City of Beaumont Municipal Code, committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

**SECTION 4.** The City Council hereby amends Title 15.03, entitled “Administration” to the Beaumont Municipal Code, to read as specifically set forth in Exhibit “A”, which Exhibit is attached hereto and made a part hereof.

**SECTION 5.** The City Council hereby amends Title 15.04, entitled “Building Code” to the Beaumont Municipal Code, to read as specifically set forth in Exhibit “B”, which Exhibit is attached hereto and made a part hereof.

**SECTION 6.** The City Council hereby amends Title 15.08, entitled “Building Fees” to the Beaumont Municipal Code, to read as:

**Chapter 15.08**  
**BUILDING FEES**

**Sections:**

- 15.08.010 Permit Issuance Fees**
- 15.08.020 Additional Fee**

**15.08.010 Permit Issuance Fees.** The following fees, the amount of which shall be established from time-to-time by action of the City Council, shall be collected prior to the issuance of a permit:

- A. Plan Check Fees and Deposits.
- B. Permit Fees.
- C. Re-inspection Fees.
- D. Special Inspection Fees

**15.08.020 Additional Fee.** In addition to the permit fees, the following fee is to be collected prior to the issuance of a permit:

Strong Motion Instrumentation Program (SMIP), 0.007 percent per thousand dollars of valuation with a minimum of fifty cents for each permit. (S.B. 1374 Chapter 1152 ALQUIST).

**SECTION 7.** The City Council hereby amends Title 15.10, entitled “Elevator Safety Construction Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.10**  
**ELEVATOR SAFETY CONSTRUCTION CODE**

**Sections:**

- 15.10.010 Adoption of 2016 California Elevator Safety Construction Code**
- 15.10.020 Violation--Penalty**

**15.10.010 Adoption of 2016 California Elevator Safety Construction Code.** Except as otherwise provided in this Chapter, the California Elevator Safety Construction Code, Title 24, California Code of Regulations, Part 7, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Elevator Safety Construction Code.

**15.10.020 Violation—Penalty.**

- A. Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Elevator Safety Construction Code is an infraction.

**SECTION 8.** The City Council hereby amends Title 15.11, entitled “Historical Building Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.11**  
**HISTORICAL BUILDING CODE**

**Sections:**

- 15.11.010 Adoption of California 2016 Historical Building Code**
- 15.11.020 Violation—Penalty**

**15.11.010 Adoption of 2016 California Historical Building Code.** Except as otherwise provided in this Chapter, the California Historical Building Code, Title 24, California Code of Regulations, Part 8, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Historical Building Code.

**15.11.020 Violation—Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Historical Building Code is an infraction.

**SECTION 9.** The City Council hereby amends Title 15.12, entitled “Electrical Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.12**  
**ELECTRICAL CODE**

**Sections:**

- 15.12.010 Adoption of California 2016 Electrical Code**
- 15.12.020 Violation—Penalty**

**15.12.010 Adoption of 2016 California Electrical Code.** Except as otherwise provided in this Chapter, the California Electrical Code, Title 24, California Code of Regulations, Part 3, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Electrical Code.

**15.12.020 Violation—Penalty.**

A. Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Electrical Code is an infraction.

B. It shall be a violation of this Chapter, punishable as an infraction, for any person, firm or corporation to make connection from a source of electrical energy to an installation for which a permit is required, unless such person, firm or corporation has obtained a certificate of approval from the building inspector that such wiring devices, appliances or equipment are in conformity with all the requirements of this code.

**SECTION 10.** The City Council hereby amends Title 15.13, entitled “California Existing Building Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.13**  
**CALIFORNIA EXISTING BUILDING CODE**

**Sections:**

- 15.13.010 Adoption of California 2016 Existing Building Code**  
**15.13.020 Violation—Penalty**

**15.13.010 Adoption of 2016 California Existing Building Code.** Except as otherwise provided in this Chapter, the California Existing Building Code, Title 24, California Code of Regulations, Part 10, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Existing Building Code.

**15.13.020 Violation—Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Existing Building Code is an infraction.

**SECTION 11.** The City Council hereby amends Title 15.15, entitled “Residential Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.15**  
**RESIDENTIAL CODE**

**Sections:**

- 15.15.010 Adoption of the 2016 California Residential Code**  
**15.15.020 Violation – Penalty**

**15.15.010 Adoption of the 2016 California Residential Code.** Except as otherwise provided in this Chapter, the California Residential Code, Title 24 California Code of Regulations, Part 2.5, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Residential Code.

**15.15.020 Violation-Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Residential Code is an infraction.

**SECTION 12.** The City Council hereby amends Title 15.16, entitled “Plumbing Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.16**  
**PLUMBING CODE**

**Sections:**

- 15.16.010 Adoption of 2016 California Plumbing Code**  
**15.16.020 Violation—Penalty**

**15.16.010 Adoption of California 2016 Plumbing Code.** Except as otherwise provided in this Chapter, the California Plumbing Code, Title 24, California Code of Regulations, Part 5, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the Plumbing Code of the City.

**15.16.020 Violation—Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Plumbing Code is an infraction.

**SECTION 13.** The City Council hereby amends Title 15.17, entitled “Mechanical Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.17**  
**MECHANICAL CODE**

**Sections:**

- 15.17.010 Adoption of California 2016 Mechanical Code**
- 15.17.020 Violation—Penalty**

**15.17.010 Adoption of 2016 California Mechanical Code.** Except as otherwise provided in this Chapter, the California Mechanical Code, Title 24, California Code of Regulations, Part 4, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the Mechanical Code of the City.

**15.17.020 Violation—Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Mechanical Code is an infraction.

**SECTION 14.** The City Council hereby amends Title 15.19, entitled “Energy Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.19**  
**ENERGY CODE**

**Sections:**

- 15.19.010 Adoption of 2016 California Energy Code**
- 15.19.020 Violation—Penalty**

**15.19.010 Adoption of 2016 California Energy Code.** Except as otherwise provided in this Chapter, the California Energy Code, Title 24, California Code of Regulations, Part 6, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Energy Code.

**15.19.020 Violation—Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Energy Code is an infraction.

**SECTION 15.** The City Council hereby amends Title 15.20, entitled “Fire Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.20**  
**FIRE CODE**

**Sections:**

- 15.20.010 Title
- 15.20.020 Adoption of 2016 Fire Code
- 15.20.030 Violation—Penalty

**15.20.010 Title.** This Chapter shall be cited as the “Fire Code” of the City, and any reference in the Beaumont Municipal Code or any Chapter thereof to the Fire Code refers to and applies to this Chapter and the Fire Code adopted by reference in accordance with this Chapter.

**15.20.010 Adoption of 2016 Fire Code.** Subject to the particular additions, amendments and deletions set forth in this Chapter, all of the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as “An Ordinance of the County of Riverside Amending Ordinance No. 787 and Adopting the 2016 California Fire Code as Amended”, certified copies of which are on file in the office of the City Clerk, are hereby adopted as the Fire Code of the City, and each and all of the rules, regulations, provisions and conditions thereof are hereby referred to, adopted and made part of this Chapter as though fully set forth at length herein. (Ord. 1042, 2.4.14)

**15.20.030 Violation—Penalty.** In the discretion of the Enforcement Officer, any person violating the provisions of this Chapter shall be issued an Administrative Citation pursuant to Beaumont Municipal Code Chapter 1.17 or shall be guilty of an infraction pursuant to Beaumont Municipal Code Chapter 1.16. In either case, the amount of the fine shall be the appropriate amount set forth in Section 1.16.030 of this Code. Each such violation shall be deemed a separate offense as specified in Section 1.16.040.

Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor, punishable by a fine of \$1,000.00 or 6 months in jail, or both.

In addition to the penalties provided in this Section, any condition caused or permitted to exist in violation of any of the provision of this Chapter shall constitute a public nuisance and may be abated by the City by civil process by means of a restraining order, preliminary or permanent injunction or in any manner provided by law for the abatement of such nuisance.

All remedies herein are cumulative and non-exclusive.

**SECTION 16.** The City Council hereby amends Title 15.22, entitled “Green Building Standards” to the Beaumont Municipal Code, to read as:

**Chapter 15.22**  
**GREEN BUILDING STANDARDS CODE**

**Sections:**

**15.22.010 Adoption of 2016 California Green Building Standards Code**

**15.22.020 Violation-Penalty**

**15.22.010 Adoption of 2016 California Green Building Standards Code.** Except as otherwise provided in this Chapter, the California Green Building Standards Code, Title 24, California Code of Regulations, Part 11, including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Green Building Code.

**15.22.020 Violation- Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Green Building Code is an infraction.

**SECTION 17. Effective Date and Publication.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36933. This Ordinance shall take effect 30 days after adoption in accordance with Government Code Section 36937.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves an amendment to the City Code.

**INTRODUCED AND READ** for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the 15<sup>TH</sup> day of November, 2016, by the following roll call vote:

AYES: Orozco, Knight, Condon, White, Lara

NOES: None

ABSENT: None

ABSTAIN: None

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the 6<sup>th</sup> day of December, 2016.


AYES: Orozco, Knight, Condon, White, Lara

NOES: None

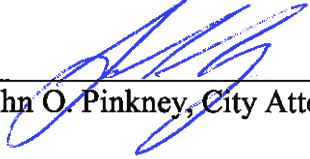
ABSENT: None

ABSTAIN: None

  
Mike Lara, Mayor

Attest:   
Julio Martinez, City Clerk

Approved as to form:

  
John O. Pinkney, City Attorney



## Exhibit A

### Chapter 15.03 ADMINISTRATION

#### Sections:

- 15.03.010 Adoption of 2016 Chapter I, Division II Scope and Administration
- 15.03.015 Department of Building and Safety
- 15.03.020 Duties and Powers of Building Official
- 15.03.025 Amendments to Chapter I, Division II Scope and Administration

#### 15.03.010 Adoption of 2016 Chapter I, Division II Scope and Administration

Except as otherwise provided in this Chapter, the California Building Code, Title 24, California Code of Regulations, Part 2, Volume 1, Chapter 1, Division II, "Scope and Administration," including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the Administrative Code of the City. This administrative chapter shall apply to all codes listed in this title.

#### 15.03.015 Department of Building and Safety

The Department of Building Safety is hereby created and the official in charge thereof shall be known as the *building official*. The *building official* shall be appointed by the City Manager. With the concurrence of the City Manager, the *building official* shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers delegated by the *building official*.

#### 15.03.020 Duties and Powers of Building Official

The *building official* is authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

#### 15.03.025 Amendments to Chapter I, Division II Scope and Administration

The Administrative code is amended in part as follows:

#### **105.3.2 Time limit of application.**

Applications for which no permit is issued within 180 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. The building official may extend the time for action by the applicant for a period not exceeding 90 days upon request by the applicant. The extension shall be requested in writing and justifiable cause demonstrated showing that circumstances beyond the control of the applicant which has prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

#### **105.5.1 Expiration of Permit regarding Nuisance Abatement**

Building permits issued to repair under Nuisances Chapter 8.32 of this code shall expire in sixty (60) days from the date such permit is issued unless authorized by the Chief Building Official that a longer period of time is needed to complete the work in which event such permit will expire at the end of such longer period of time.

**Section 109, Fees** is amended to read as follows:

#### **109.1.1 Plan Review Fees**

When submittal documents are required by Section 109.3.2, a plan review fee shall be paid at the time of submitting the submittal documents for plan review.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.2, an additional plan review fee shall be charged at the rate established by the Building Official.

#### **109.4 Work commencing before permit issuance**

Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

##### **109.4.1 Investigation fee**

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

#### **109.6 Fee Refunds**

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

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 may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit or which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

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

### **109.7 Re-inspections**

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work or which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a re-inspection, the applicant shall pay the re-inspection fee in accordance with the fee schedule adopted by the jurisdiction.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

**Section 110 Inspections** is amended to read as follows:

### **110.3.5 Lathe and gypsum board inspections**

The exception is deleted in its entirety.

**Exhibit B**

**Chapter 15.04**  
**BUILDING CODE**

**Sections:**

- 15.04.010 Adoption of 2016 California Building Code**  
**15.04.020 Amendments to the California Building Code**  
**15.04.030 Violation—Penalty**

**15.04.010 Adoption of 2016 California Building Code.** Except as otherwise provided in this Chapter, the California Building Code, Title 24, California Code of Regulations, Part 2, Volumes 1 and 2, including, Appendix C, Group U-“Agricultural Buildings”, Appendix F “Rodent Proofing”, Appendix I “Patio Covers”, and Appendix J “Grading”, is hereby adopted by this reference as the Code for the City for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City providing for the issuance of permits and collection of fees therefore; and each and all of the amendments to such Building Code as may hereafter be adopted by the State of California shall be made a part of this Chapter without further action by the City Council.

**15.04.020 Amendments to the California Building Code.** The Building Code is amended in part as follows:

**Chapter 18: SOILS AND FOUNDATIONS, Section 1801.1 is amended to add:**

“Where relevant to grading, drainage and soil investigation, ‘Building Official’ shall also mean and include City Engineer/Director of Public Works or his/her designee.”

**Appendix “J” GRADING, Section J103.1 is amended by adding:**

“Wherever the word ‘Building Official’ is used, it shall also mean and include City Engineer/Director of Public Works or his/her designee.”

**Section J109.4 is amended to read:**

“Drainage across property lines. All graded lots shall drain to the street or publicly maintained facility. Cross lot drainage may be allowed at the sole discretion of the City Engineer/Director of Public Works. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained onsite or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by the installation of nonerosive down drains or other devices acceptable to the City Engineer.”

**Section J110-Erosion Control – first paragraph is amended to read:**

“General. The faces of cut and fill slopes and graded surfaces shall be prepared and maintained to control erosion. This control shall be permitted to consist of effective planting and other practicable means.”

**15.04.030 Violation—Penalty.** Violation of the provisions of this Chapter or failure to comply with any of the requirements of the Building Code is an infraction.