

DEVELOPMENT SERVICES DEPARTMENT

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13

LATE DISTRIBUTION

Date 9:30 am, Aug 06, 2010

To: Board of Supervisors

From: Roger Trout, DSD Director
Larry Lohman, Deputy Director/Building Official

Date: August 6, 2010

Re: Responses to Questions Regarding Proposed Ordinance
Revising Title 2 and Title 15

On August 3, 2010, the Board considered introduction of an Ordinance revising County Ordinance Code Title 2 and Title 15. During the discussion, a number of questions were raised regarding Title 15, the Building Code. Those questions are answered below.

DSD recommends adoption of the draft Ordinance with the minor revisions, to 15.16.020.G, 15.16.110, 15.16.140, and 15.16.150 as outlined below.

(Page numbers provided herein reference the draft Ordinance, attachment D to the Agenda item.)

Chapter 15.16 – Building Code

15.16.020 – General Amendments

Section F (Attachment D, page 5)

Question: Is the Board of Supervisors included in the appeal process?

Response: Yes. See Section 15.12.020.F regarding the Boards of Appeals (attached).

Section G (Attachment D, page 5)

Question: Are the time extension rules flexible enough?

Response: The proposed Ordinance includes more flexibility than the current Ordinance. The building official was previously only allowed to extend permit

"applications" because of a governmental-agency delay. This section gives the building official the authority to extend "permits" (not just applications) in the event of governmental delays.

The typographical error in the last sentence was corrected:

“These exception permits will be found exclusively ~~with~~ within the Lake Tahoe Basin.”

Section K (Attachment D, page 6)

Question: Does this section limit authority of the Board to grant time extensions?

Response: Section K states, “Extension of the application may only be granted if a delay is caused by a governmental agency and only for the amount of time the application was delayed by that agency.”

This section was brought forward from the current Title 15 with no change. These sections limit the authority of the building official, not the Board of Supervisors. The Board of Supervisors may extend applications and permits as it deems appropriate.

15.16.070 – International Building Code and Section 105.3.1 Add Action on Application

Subsection 1 (Attachment D, page 8)

Question: Can permits be issued without well and septic installation in order to allow construction financing to cover these expensive improvements?

Response: Not recommended. The issuance of a building permit gives a permittee the right to start construction. If it is determined after construction has started that there is no potable water supply, it could cause the property owner great expense. It is appropriate to determine that potable water is available with sufficient quality and quantity prior to allowing construction to start. Additionally, if the buildings and septic system are placed first, locations available to drill a well will be limited.

15.16.110 – International Building Code as amended, Chapter 15, Section 1505 Fire Classification. (Attachment D, page 11)

Question: Are the two paragraph sections redundant?

Response: Paragraphs are somewhat redundant. The following revision is recommended to Section 1505.1.2:

“Roof coverings ~~in very high fire hazard severity zones~~ within the unincorporated area of El Dorado County: ”

With the above revision, Section 1505.1.3 is no longer necessary and would be deleted.

15.16.140 – International Building Code, Chapter 31 Section 3109 – Swimming Pool Enclosures and Safety Devices. (Attachment D, page 12)

Question: General comment that this section was awkward.

Response: Agreed. The following revision will clarify the section:

"Section 3109.4.2 shall be modified:

Devices allowed by sections 3 and 4 may only be used in conjunction with an enclosure meeting the requirements of Section 115923 of the California Health and Safety Code. The enclosure shall isolate the swimming pool, spa, or hot tub from surrounding properties. ~~Section 3109.4.4.3 that isolates the swimming pool, spa or hot tube from other properties.~~ "

15.16.150 – Uniform Mechanical Code, Chapter 13 Section 1333.3 Mechanical Protection. (Attachment D, page 12)

Question: General comment that service interruptions should not require application of new requirements. In Tahoe, it is not uncommon for utilities services to be disconnected.

Response: The following change is recommended to clarify that this applies only to an unscheduled service interruption.

"Section 1333.3 shall be modified:

Facilities in Snow-load Areas – This subsection shall apply in snow-load areas of one hundred (100) pounds or more, to all new liquefied petroleum gas (LPG) installations and to existing installations when LPG service is reconnected after ~~service is interrupted an~~ unscheduled service interruption.”

15.16.160 – Uniform Mechanical Code California Chapter 1 Section 108.4 Permits, Fees, Applications, and Inspection. (Attachment D, page 13)
and

15.16.170 Uniform Plumbing Code Chapter 1 Section 108.4, Permits, Fees, Applications, and Inspections. (Attachment D, page 14)

Question: What are the references to the code sections?

Response: These statements are included in Title 15 so that Title 15 will serve as the administrative code for all three Codes: the Building Code, Plumbing Code, and Mechanical Code.

15.64.040 Matters Regulated by State Law. (Attachment D, page 16)

Question: What was the reference number about? Was it “farm labor housing?”

Response: This section was updated to address language changes in State law changing "farming labor housing" to "employee housing." The State Employee Housing law is enforced by the State, not by El Dorado County. This is simply a cross reference and has no effect on the implementation of the Building Code.