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ORDINANCE NO. 457.105


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

Section 1. Ordinance No. 457 is amended in its entirety to read as follows:

“ORDINANCE NO. 457

HOUSING LAW; AND, INCORPORATING THE ABATEMENT COST RECOVERY PROCEDURES OF RIVERSIDE COUNTY ORDINANCE

NO. 725

Section 1. FINDINGS. The Board of Supervisors finds the following:

A. Every three years, the State of California adopts a new California Building Standards Code by order of the California legislature.

B. The 2019 California Building Standards Code, California Code of Regulations, Title 24, was published on July 1, 2019 and became effective on January 1, 2020.

C. The County of Riverside may establish more restrictive building standards than the California Building Standards Code by making express findings that the more restrictive building standards are reasonably necessary because of local climatic, geological or topographical conditions, pursuant to Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5,

D. Riverside County has a variety of local climatic, geological or topographical conditions that require local modification of the 2019 California Building Standards Code for the County of Riverside.

E. Riverside County has an arid climate with annual rainfall varying from 3 inches in Blyth to over 33 inches in Pine Cove. The excessive rain that may occur can cause flooding, which may result in soaking of and damage to building materials and unfinished buildings, structures, grading elevations or building sites. In addition, the moisture damage to building materials and unfinished buildings may leave buildings and structures more susceptible to fire damage. These conditions require more stringent local modifications to the criteria for the architectural design and structural design for buildings and structures, submittal requirements, construction of buildings and structures, construction of ponds, construction performed without a permit, handling of construction sites, grading, and processing requirements for grading permits.
F. The average wind conditions in Riverside County can vary substantially from region to region with high wind gusts exceeding 50 miles per hour in the desert area of Riverside County. In addition, Riverside County experiences annual hot and dry Santa Ana winds. The wind conditions in Riverside County contribute to blown sand and soil, which can cause erosion of and damage to building materials and unfinished buildings, structures, grading elevations or building sites. This type of wind erosion may leave buildings and structures more susceptible to fire damage, as well. These conditions require more stringent local modifications to the criteria for the architectural design and structural design for buildings and structures, submittal requirements, construction of buildings and structures, construction performed without a permit, and handling of construction sites.

G. The temperature variation in Riverside County can range from 20 degrees Fahrenheit with snow in Idyllwild to well over 100 degrees several days of the year in the desert area of Riverside County. The extreme temperature conditions may have an adverse effect on building materials and unfinished buildings and structures because these materials are not designed for long term exposure to these weather conditions. In addition, the extreme temperature conditions may create additional stress on the integrity of buildings and structures. These conditions require more stringent local modifications to the criteria for the architectural design and structural design for buildings and structures, submittal requirements, construction of buildings and structures, construction without permit, and handling of construction sites.

H. A variety of regions exist within Riverside County including deserts, mountains, brush covered wild lands, the Salton Sea, and agricultural lands. Additionally, elevations within Riverside County range from 300 feet below sea level to mountains over 10,000 feet in height. Certain areas of Riverside
County are also located in floodplains, which necessitates certain local modifications to account for potential damage to the buildings, structures, and grading due to flooding. These conditions require more stringent local modifications to the criteria for the architectural design and structural design for buildings and structures, submittal requirements, construction of buildings and structures, construction of ponds, construction without permit, grading, and processing requirements for grading permits.

I. Among the many earthquake faults in Riverside County, two major earthquake faults, the San Andreas Fault and the San Jacinto Fault, bisect Riverside County and numerous minor faults exist throughout Riverside County. As a result, a substantial amount of building and structures located in Riverside County are likely to be impacted by earthquakes. Earthquakes can impact the soil compaction and cause damage to buildings and structures, changes in elevation to grading sites and building sites, and impede emergency access to properties. These conditions require more stringent local modifications to the criteria for the architectural design and structural design for buildings and structures, submittal requirements, construction of buildings and structures, construction of ponds, construction without permit, grading, and processing requirements for grading permits.

J. A wide variety of soil conditions exist throughout Riverside County, which may cause challenges in maintaining the structural integrity of buildings and structures, landslides during heavy rainstorms, and damage to buildings and structures during earthquakes. These conditions require more stringent local modifications to the criteria for the architectural design and structural design for buildings and structures, submittal requirements, construction of buildings and structures, construction of ponds, construction without permit, grading, and processing requirements for grading permits.
K. The local modifications to the California Building Standards Code are necessary to establish the minimum requirements for building standards of buildings, structures, and improvements in order to protect the public health, safety and general welfare in the County of Riverside.

Section 2. PURPOSE. The purpose of this ordinance is to do all of the following:

A. Adopt the 2019 California Building Standards Code, California Code of Regulations, Title 24, including any errata and supplements, with local amendments to establish the minimum requirements for building standards of buildings, structures, and improvements, which are necessary to protect the public health, safety and general welfare.

B. Declare and establish as a public nuisance every substandard building or portion thereof as defined in the State Housing Law, Health and Safety Code Sections 17920.3 and 17920.10, as may be amended from time to time and implement the laws, rules and regulations to be enforced by local enforcement agencies provided in Title 25 of the California Code of Regulations, Division 1, Chapter 1, Subchapter 1, State Housing Law Regulations.

Section 3. AUTHORITY. This ordinance is adopted pursuant to all of the following:

A. California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5, California Building Code Section 1.8.6.2 and California Residential Code Section 1.8.6.2, which authorize a local enforcement agency to adopt more restrictive building standards to the 2019 California Building Standards Code that are reasonably necessary because of local climatic, geological or topographical conditions.

B. California Building Code Section 109.2 and California Residential Code Section R108.2, which require a local enforcement agency to establish a schedule of permit fees for buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit.

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C. Article XI, Section 7 of the California Constitution, which authorizes the County of Riverside to adopt ordinances and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws and declare certain conditions, like substandard buildings and portions thereof, a public nuisance.

D. State Housing Law, Title 25 of the California Code of Regulations, Division 1, Chapter 1, Subchapter 1, Article 3, Section 6, which requires a local enforcement agency to adopt ordinances or regulations imposing the requirements of Subchapter 1.

E. California Government Code Section 25845, which permits a county to establish procedures for the abatement of a nuisance and related cost recovery.

Section 4. APPLICATION.

A. General. This ordinance shall apply to all buildings, structures, grading, improvements or parts thereof in the unincorporated area of the County of Riverside.

B. Effect on Past Actions and Obligations. The adoption of the 2019 California Building Standards Code as amended, does not affect any civil lawsuit instituted or filed or prosecutions for ordinance violations committed on or prior to the effective date of this ordinance, does not waive any fee or penalty due and unpaid prior to the effective date of this ordinance, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

C. References to Ordinance No. 457.103 or Ordinance No. 457.104. References in County forms, documents and regulations to the chapters and sections of Ordinance No. 457.103 or Ordinance No. 457.104 shall be construed to apply to the corresponding provisions contained within this Ordinance No. 457.105.

D. No Permission to Violate Other Riverside County Ordinances. The issuance or granting of any building permit or approval of any plan, specification,
computations, or inspection does not constitute a permit for, or an approval of, any violation of the provisions of any Riverside County ordinance. The issuance of any building permit or approval of any plan, specification, computations, or inspection presuming to grant authority to violate or cancel the provisions of any Riverside County ordinance is not valid.

Section 5. AMENDMENTS TO THE 2019 CALIFORNIA BUILDING CODE. The 2019 California Building Code, including any errata and supplements, is adopted in its entirety except as to the following:

A. DUTIES AND POWERS OF BUILDING OFFICIAL.

Section 104.11 of the California Building Code is amended to read as follows:

“104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the building official. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. An alternative material, design or method of construction shall also be approved where the building official finds that the proposed method of construction provides equivalent flood protection or if the unique characteristics of a building site make the requirements unnecessary. The building official may require plans for an alternative material, design or method of construction that are prepared by a registered design professional.

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///
Where the alternative material design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

[DSA-SS, DSA-SS/CC & OSHPD 1, 1R, 2, 4 & 5] Alternative system shall satisfy ASCE 7 Section 1.3, unless more restrictive requirements are established by this code for an equivalent system.

[DSA-SS, DSA-SS/CC] Alternative systems shall also satisfy the California Administrative Code, Section 4-304.

[OSHPD 1, 2 & 4] Alternative systems shall also satisfy the California Administrative Code, Section 7-104.

B. PERMITS.

1. A new Section 105.1.3 is added to Section 105.1 of the California Building Code to read as follows:

“105.1.3 Construction Without Permit. To remedy any construction without permit, as defined in Section 202 of this code, any owner or owner’s authorized agent applicant shall comply with the provisions of the applicable part of the California Building Standards Code, Riverside County ordinances, and Riverside County Building and Safety Department policies and procedures in effect at the time of the building plan submittal to obtain the required permit(s). The building official may determine whether non-deconstructive testing or deconstructive testing will be required to verify whether the construction without permit complies with the applicable part of the California Building Standards Code, Riverside County ordinances, and Riverside County Building and Safety Department policies and procedures.”

2. A new Section 105.3.1.1 is added to Section 105.3.1 of the California Building Code to read as follows:
“105.3.1.1 Performance Bond or Security. As a condition to the issuance of a permit for any project involving construction, demolition, rehabilitation, grading, or special inspection, the building official may require the posting of a performance bond or security in an amount which the building official, in his discretion, deems sufficient to assure timely performance and completion of the project for which the permit is issued. The applicant shall satisfy the requirement of posting a performance bond or security by providing any of the types of security specified in Section 19835 of the Health and Safety Code, as may be amended from time to time. The performance bond or security shall be released upon completion, final inspection, and approval of the project for which the permit is issued. All or part of the performance bond or security may be released earlier at the discretion of the building official.”

3. Section 105.5 of the California Building Code is amended to read as follows:

“105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced and an approved building inspection has been obtained within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. A permit shall be deemed suspended or abandoned if more than 180 days elapses prior to filing a request for extension of time on the permit with the building official. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated, including documentation of the substantial completion of a required inspection
pursuant to Section 110. When a permit expires under this section, no work shall be done unless the owner or owner’s authorized agent obtains a new permit.”

4. A new Section 105.8 is added to Section 105 of the California Building Code to read as follows:

“105.8 Recommencement of Work After Expiration, Suspension or Revocation. After expiration, suspension or revocation of a permit, any owner or owner’s authorized agent must obtain the required new permit prior to recommencing work. The permit fee shall be determined by using the approved fix-rate fee or deposit-based fee, as established in Riverside County Ordinance No. 457, as may be amended from time to time, for the activity permitted. If there has been a major code change between the expired, suspended or revoked permit date and the request for a new permit for the same work, fees will be charged for the time necessary to verify compliance with the new building codes that have been adopted since the initial permit was issued. A major code change includes revisions, errata, or supplements issued by the California Building and Standards Commission to any part of the California Building Standards Code.”

C. **SUBMITTAL DOCUMENTS.**

1. Section 107.1 of the California Building Code is amended to read as follows:

“107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed and the
documents shall bear the stamp and signature of the registered design professional, as set forth in Business and Professions Code sections 5536.1 and 6735. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional and the documents shall bear the stamp and signature of the registered design professional, as set forth in Business and Professions Code Sections 5536.1 and 6735.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if the building official determines that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.”

2. A new Section 107.1.1 is added to Section 107.1 of the California Building Code to read as follows:

“107.1.1 Exemption to submittal documents prepared by a registered design professional.

1. As set forth in Business and Professions Code Sections 5537 and 6737.1, a person other than a registered design professional as defined in this code may prepare construction documents for the following:

a. Single-family dwellings of woodframe construction not more than two stories and basement in height.

b. Multiple dwellings containing no more than four dwelling units of woodframe construction not more than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to
four dwelling units each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.

c. Garages or other structures appurtenant to buildings described under subdivision (1), of woodframe construction not more than two stories and basement in height.

d. Agricultural and ranch buildings of woodframe construction, unless the building official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved.

2. If any portion of any structure exempted by this section deviates from substantial compliance with conventional framing requirements for woodframe construction found in the most recent edition of Title 24 of the California Code of Regulations or tables of limitation for woodframe construction, as defined by the applicable part of the California Building Standards Code duly adopted by the County of Riverside or the state, the building official shall require the preparation of plans, drawings, specifications, or calculations for that portion by, or under the responsible control of, a licensed architect or registered engineer. The documents for that portion shall bear the stamp and signature of the licensee who is responsible for their preparation. Substantial compliance for purposes of this section is not intended to restrict the ability of the building officials to approve plans pursuant to existing law and is only intended to clarify the intent of Chapter 405 of the Statutes of 1985.
3. At no time may a contractor or person other than a registered design professional prepare construction documents for design for others.”

3. A new Section 107.2.1.1 is added to Section 107.2.1 of the California Building Code to read as follows:

“107.2.1.1 Earthquake Fault Zones. In addition to the requirements of this code, all applicants for a building permit for a building or structure used for human occupancy that lies within an earthquake fault zone delineated by the State Geologist pursuant to Public Resources Code Section 2621 et seq. and which is subject to Riverside County Ordinance No. 547, as may be amended from time to time, shall comply with all the provisions thereof.”

D. FEES.

1. Section 109.2 of the California Building Code is amended to read as follows:

“109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as by the applicable governing authority. Riverside County Ordinance No. 671, as may be amended from time to time, establishes the processing procedures for permit fees. Appendix A to Riverside County Ordinance No. 457, as may be amended from time to time, sets forth the amount and type of each permit fee.”

2. Section 109.4 of the California Building Code is amended to read as follows:

“109.4 Work commencing before permit issuance. Any person or entity who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary
permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The County of Riverside establishes an hourly permit fee as set forth in Riverside County Ordinance No. 457, as may be amended from time to time, for an investigation of such work. This hourly permit fee shall be in addition to the required permit fees.”

3. Section 109.6 of the California Building Code is amended to read as follows:

“109.6 Refunds. The building official is authorized to establish a refund policy. The County of Riverside shall refund fees in accordance with the processing procedure of Riverside County Ordinance No. 671, as may be amended from time to time, in the following circumstances:

1. A permit or inspection fee which was erroneously paid or collected.

2. During the term of a fixed rate permit and when no work has commenced under a permit in accordance with this code. In this circumstance, the building official may authorize the refunding of not more than 80% of the permit fee paid.

3. When property for which a permit for a project has been issued is annexed to a city and the County loses jurisdiction over the property prior to completion of the project. In this circumstance, the portion of any fees collected, in accordance with Riverside County Ordinance No. 457, as may be amended from time to time, that are in excess of the costs to the Department of Building and Safety may be refunded. An application for refund shall be made on the appropriate form to the building official for review and approval.
Exception: Any fee collected under any section of this code for the State of California shall not be refunded by the County of Riverside.”

E. DEFINITIONS.

1. Section 202 of the California Building Code is amended to add the following definitions:

“AGRICULTURAL SHADE STRUCTURE. A structure that is open on two or more sides and designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.”

“CONSTRUCTION WITHOUT PERMIT (“CWP”). Any building, structure, grading, improvement, appliance or equipment that has been constructed, erected or placed on a property without a permit required by the California Building Standards Code.”

“POND. A constructed or prefabricated artificial basin constructed below grade, designed to contain water and not intended to be used as a lake, pool or swimming pool.”

“SHED. A building not to exceed 600 square feet in area, which is only used for storage and not a place of human habitation, place of employment, or place used by the public. A shed shall not contain a door where a vehicle can pass through.”

2. Section 202 of the California Building Code is amended to amend the following definitions:

“REGISTERED DESIGN PROFESSIONAL. An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state or jurisdiction in which the project is to
be constructed and holds a current California license or registration as an architect or engineer.”

F. **PONDS.**
1. A new Section 3114 is added to Chapter 31 of the California Building Code to read as follows:

   “SECTION 3114
   PONDS”

2. A new Section 3114.1 is added to Section 3114 of the California Building Code to read as follows:

   “3114.1 General. Construction of ponds shall comply with all requirements of this code, including permits for grading, plumbing, electrical, and mechanical, when applicable.”

3. A new Section 3114.2 is added to Section 3114 of the California Building Code to read as follows:

   “3114.2 Definition. The following term is defined in Section 202: POND.”

G. **AGRICULTURAL REGISTRATION CERTIFICATE.**
1. A new Section 3115 is added to Chapter 31 of the California Building Code to read as follows:

   “SECTION 3115
   AGRICULTURAL REGISTRATION CERTIFICATE”

2. A new Section 3115.1 is added to Section 3115 of the California Building Code to read as follows:

   “3115.1 General. Prior to the commencement of any construction or work on an agricultural shade structure, an agricultural registration certificate shall be obtained from the building official.”

3. A new Section 3115.2 is added to Section 3115 of the California Building Code to read as follows:
“3115.2 Definition. The following term is defined in Section 202:
AGRICULTURAL SHADE STRUCTURE.”

4. A new Section 3115.3 is added to Section 3115 of the California
Building Code to read as follows:
“3115.3 Application. An application for an agricultural registration
certificate shall describe the location, nature, and estimated cost of
construction of the agricultural shade structure.”

5. A new Section 3115.4 is added to Section 3115 of the California
Building Code to read as follows:
“3115.4 Payment of Fees. An agricultural registration certificate
shall not be valid until the fees established by Riverside County
Ordinance No. 457, as may be amended from time to time, have been
paid, nor shall an amendment to a permit be released until the
additional fee, if any, has been paid.”

H. SAFEGUARDS DURING CONSTRUCTION.

1. A new Section 3302.2.1 is added to Section 3302.2 of the California
Building Code to read as follows:
“3302.2.1 Waste Materials. Waste materials are construction
rubbish and debris that includes, but is not limited to, stub ends of cut
lumber, broken lumber and other scrap wood, scrap cement and
plaster, scrap metal, paper cartons, wrappings, and similar materials
that result from the process of constructing a building or structure.”

2. A new Section 3302.2.2 is added to Section 3302.2 of the California
Building Code to read as follows:
“3302.2.2 Collections and Disposal. During the process of
constructing a building or structure, the construction site and general
area around the site shall be kept clear of waste materials that result
from the construction activities. Waste materials shall not be allowed
to accumulate on, or be blown from, the site and shall be placed in appropriate containers or removed from the construction site to an authorized disposal area. All containers for waste materials shall be emptied periodically at an authorized disposal area so they will remain usable for further collection of waste materials. When construction is complete, a final clean-up of waste materials from the site shall be conducted by the permittee.”

3. A new Section 3302.2.3 is added to Section 3302.2 of the California Building Code to read as follows:

“**3302.2.3 Inspections.** A permit holder shall not be entitled to, and no inspector shall make an inspection of any phase of completed work, including the final inspection, if the construction site or general area thereof contains an accumulation of waste materials, rubbish and debris.”


Section 7. ADOPTION OF APPENDIX I, PATIO COVERS, OF THE 2019 CALIFORNIA BUILDING CODE. Appendix I, Patio Covers, including any errata and supplements, of the 2019 California Building Code is adopted in its entirety.

Section 8. AMENDMENTS TO APPENDIX J, GRADING, OF THE 2019 CALIFORNIA BUILDING CODE. Appendix J, Grading, including any errata and supplements, of the 2019 California Building Code is adopted in its entirety, except as to the following:

A. **GENERAL.**

1. Section J101.1 of Appendix J of the California Building Code is amended to read as follows:

“**J101.1 Scope.** The provisions of this chapter apply to grading,
excavation and earthwork construction, including fills and embankments. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern. The intent of this Appendix J is to safeguard life, limb, property, and public welfare by regulating the clearing, grubbing, grading, excavation, stockpiling, paving, exploratory excavations and earthwork construction, including fills and embankments; agricultural grading, storm water compliance, and control of runoff from graded sites, including erosion sediments and construction related pollutants on private property in the unincorporated area of the County of Riverside. The scope of this Appendix J does not include road work that is administered by the Riverside County Director of Transportation through a Riverside County contract or Riverside County Ordinance Nos. 460, 461 and 499, as may be amended from time to time.”

2. A new Section J101.1.1 is added to Section J101.1 of Appendix J of the California Building Code to read as follows:

“**J101.1.1 Purpose.** This Appendix sets forth requirements to control the clearing, grubbing, grading, excavation, stockpiling, paving, exploratory excavations and earthwork construction, including fills and embankments; agricultural grading, storm water compliance and control of runoff from graded sites, including erosion sediments and construction related pollutants on private property and establishes administrative requirements for approval of plans, issuance of permits and inspection of grading in compliance with the other provisions of this code.”

3. A new Section J101.1.2 is added to Section J101.1 of Appendix J of the California Building Code to read as follows:
“J101.1.2 Alternative Methods of Construction. The provisions of this Appendix J are not intended to prevent any method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the building official. An alternative method of construction may be approved where the building official finds that the proposed method of construction provides equivalent flood protection or if the unique characteristics of a building site make the requirements unnecessary.”

4. A new Section J101.1.3 is added to Section J101.1 of Appendix J of the California Building Code to read as follows:

“J101.1.3 Other Requirements. In addition to the requirements of this Appendix J, the building official may require intermittent grading inspections, additional storm water inspections, implementation of additional precautionary Best Management Practices (“BMPs”), permanent stabilization and other mitigation measures to provide site stabilization and protection of adjacent private property, public right of way, blue line streams and natural water courses.”

5. A new Section J101.3 is added to Section J101 of Appendix J of the California Building Code to read as follows:

“J101.3 Grading Designation. The designations for Regular Grading and Engineered Grading are described as follows.”

6. A new Section J101.3.1 is added to Section J101.3 of Appendix J of the California Building Code to read as follows:

“J.101.3.1 Regular Grading. Grading is designated “Regular Grading” in any of the following circumstances:

1. Single Family Grading with earthwork quantities indicating grading less than 200 cubic yards.

2. Stockpile Permit with earthwork quantities indicating
stockpiling less than 200 cubic yards.

3. Clearing and Grubbing with earthwork quantities indicating less than 200 cubic yards.”

7. A new Section J101.3.2 is added to Section J101.3 of Appendix J of the California Building Code to read as follows:

“**J101.3.2 Engineered Grading.** Grading is designated “Engineered Grading” in any of the following circumstances:

1. Single Family Grading with earthwork quantities of 200 or more cubic yards.

2. Stockpile with earthwork quantities in excess of 200 or more cubic yards.

3. Commercial / Industrial Grading.

4. Tract Grading, which includes the following:
   b. Mass Only.
   c. Rough Only.
   d. Precise Only.”

**B. DEFINITIONS.**

Section J102.1 of Appendix J of the California Building Code is amended to add the following definitions:

“**APPROVAL.** When the proposed work or completed work conforms to the requirements of this Appendix J, as determined by and to the sole satisfaction of the building official.”

“**BERM.** A mound of earth located at the top of fill slopes to prevent drainage flows over the slope face and to direct drainage towards an approved drainage swale or drainage device.”

“**BORROW SITE.** Earth material acquired from an off-site location with an approved grading permit for use in grading on a site.”
“CLEARING. The removal of natural vegetation by any means; including, but not limited to, brushing, grubbing, tilling or discing.”

“EARTH MATERIAL. Any rock, natural soil or fill or any combination thereof.”

“FARmed. The lot has been subject to practices associated with the raising of crops or animals including but not limited to discsing, plowing, tilling, seeding, cultivating, harvesting, pasturing and fallowing for the purpose of crop rotation.”

“FARMING. The performance of practices associated with the raising of crops or animals including but not limited to discsing, plowing, tilling, seeding, cultivating, harvesting, pasturing and fallowing for crop rotation.”

“FARM PLAN. A proposed plan for a site where the natural ground surface has not been previously disturbed and will be agriculturally graded for commercial farming.”

“GRUBBING. The removal of the natural vegetation root system by any means; including but not limited to brushing, clearing, tilling or diskling.”

“NATURAL GROUND SURFACE. The ground surface in its original state before any clearing, grubbing, grading, excavation or filling.”

“NATURAL WATER COURSE. Any natural channel through which water may flow, including an arroyo, canal, channel, conduit, creek, culvert, ditch, drain, gully, ravine, stream, wash, waterway or wetland, in which tributary drainage flows in a definite direction or course, either continuously, intermittently or seasonally.”

“OPERATING FARM. An agricultural operation that has for at least two consecutive years done each of the following:

1. Owned or leased implements used to produce crops or animals and produced crops or animals for sale on any owned, managed or leased
land whether the land is contiguous or non-contiguous; and

2. Derived reportable sales of the crops or animals produced.”

“ROUGH GRADE. The stage at which the grade approximately conforms to the approved plan including the installation of brow ditches, terrace and down drains and the installation of runoff velocity reducers.”

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

“STOCKPILE. A supply of earth material placed on a site, for a temporary period of time not to exceed 12 months.”

C. **PERMITS REQUIRED.**

1. A new Section J103.1.1 is added to Section J103.1 of Appendix J of the California Building Code to read as follows:

   **“J103.1.1 Precise Grading Permit.”** After issuance of a permit authorizing rough grading work, a precise grading permit authorizing precise grading work shall be obtained regardless of precise grading quantities of excavation or fill.”

2. A new Section J103.1.2 is added to Section J103.1 of Appendix J of the California Building Code to read as follows:

   **“J103.1.2 Best Management Practices Permit.”** The building official may require a Best Management Practice (“BMP”) permit to conduct certain types of inspections; including but not limited to the following types of inspections: Pre-Construction Inspection, National Pollutant Discharge Elimination System (“NPDES”) Construction inspections, Water Quality Management Plan (“WQMP”) BMP inspections, Annual WQMP inspections, Bond Release inspections and Air Quality inspections.”

3. A new Section J103.1.3 is added to Section J103.1 of Appendix J of the California Building Code to read as follows:
“J103.1.3 Performance Bond or Security. A performance bond or security may be required pursuant to Section 105.3.1.1 of the California Building Code prior to the issuance of any permit pursuant to this Appendix J.”

4. Section J103.2 of Appendix J of the California Building Code is amended to read as follows:

“J103.2 Exemptions. When approved by the building official, the following minor grading is exempt from the permit requirement of Section J103.1:

1. Road work that is being regulated by the Riverside County Director of Transportation by Riverside County contract or through Riverside County Ordinance Nos. 460, 461 and 499, as may be amended from time to time.

2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavating nor exempt any excavation having an unsupported height greater than 5 feet after the completion of such structure.

3. Cemetery Graves.

4. Refuse disposal sites controlled by other regulations.

5. Excavations for wells or tunnels or utilities.

6. Mining quarrying, processing, stockpiling of rock, sand, gravel, aggregate or clay regulated by Riverside County Ordinance No. 555, as may be amended from time to time, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. The construction or maintenance of roads or facilities for the generation, storage or transmission of water including floodwaters or any utilities by public agencies or their agents.

8. The maintenance of existing private roads by private individuals or their agents, including private roads used exclusively in connection with an agricultural use, but not the construction, paving or placement of gravel or base or the widening of such roads.

9. Fire protection within that area specified in any annual weed abatement notice or hazard reduction notice or such additional area as may be authorized or required, in writing, by the appropriate fire protection agency or as provided in Riverside County Ordinance No. 787, as may be amended from time to time.

10. Uses incidental to an existing residence such as fencing, gardening, or landscaping, including but not limited to, the mowing, cutting or removal of dead underbrush, dead weeds, or dead grasses when the work does not violate Section J103.1.

11. Site restoration work required pursuant to court order or otherwise authorized in writing by the County of Riverside or any state or federal agency.

12. Exploratory excavations under the direction of soil engineers or engineering geologists. This exemption shall be restricted to those circumstances involving exploratory excavations of less than one thousand cubic yards in any one location less than one acre.

13. An excavation which does not exceed 50 cubic yards on any one lot and which, (a) is less than 2 feet in depth, or (b) which
does not create a cut slope greater than 5 feet in height and steeper than 1 ½ horizontal to 1 vertical. This exemption shall not apply when finish grading is proposed, subsequent to a permit authorizing rough grading.

14. A fill less than 1 foot in depth and placed on natural terrain with a slope flatter than 5 horizontal to 1 vertical, or less than 3 feet in depth, not intended to support structures, which does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course. This exemption shall not apply when finish grading is proposed, subsequent to a permit authorizing rough grading.

15. Agricultural discing on an operating farm.

16. The raising of crops or animals exclusively for commercial agricultural purposes (“agricultural grading or clearing”) when all excavated material remains on-site and the agricultural grading or clearing occurs on land that will be used exclusively to raise crops or animals within one year of the grading or clearing.

a. Any person or entity claiming the benefit of this exemption shall file, under penalty of perjury, a completed Agricultural Grading/Clearing Certificate (“Certificate”) with the building official prior to commencing the agricultural grading or clearing. The Certificate shall be accompanied by the appropriate processing fee as well as an approved erosion control plan from the United States Department of Agriculture Nature Resource Conservation Service or licensed soil engineer where any grading or clearing performed
under the exemption involves a slope angle of 10% or greater. The filing of a Certificate shall not be construed to authorize the commencement or continuance of any activity prohibited by this Appendix J, any other Riverside County ordinance, or any state or federal law or regulation.

b. Any person or entity who files a Certificate shall file, under penalty of perjury, a completed Agricultural Grading/Clearing Verification (“Verification”) within one year of filing of said Certificate. The Verification shall be accompanied, where an approved erosion control plan has been previously required to be submitted, by a written confirmation from the United States Department of Agriculture Natural Resource Conservation Service or licensed soil engineer that all work required in the approved erosion control plan has been performed. Site restoration pursuant to this Appendix J and all applicable Riverside County Board of Supervisors policies shall, in all instances, be required if a person or entity fails to file a Certificate prior to grading, subsequently fails to file a verification or fails to comply with erosion control plan requirements as provided herein.

c. This exemption shall be restricted to only those areas disturbed by actual farming and shall not apply to the grading or clearing associated with the construction of any building or structure itself and shall not apply to any grading or clearing for any activity that requires a
land use permit. Furthermore, any grading or clearing performed under this exemption shall not be construed to have been evaluated for compliance with the grading or building requirements of this Appendix J or any of the applicable parts of the California Building Standards Code.

d. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than one year each. The extension shall be requested in writing and justifiable cause demonstrated for why the farm plan would not be implemented within one year. A grading permit shall be required for farm plans not implemented within the time authorized by the Certificate.

e. If at any time the building official determines that the planned or actual grading or clearing is not for agricultural purposes, a grading permit shall be required. Any person or entity aggrieved by the decision of the building official to require a grading permit may file a written appeal of the decision with Appeals Board as set forth in this code.

Exemption from the permit requirements of this Appendix J 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 Riverside County ordinances.”

5. A new Section J103.3 is added to Section J103 of Appendix J of the California Building Code to read as follows:

“J103.3 Penalty. In addition to any other remedy provided by law,
any grading or clearing done in violation of this Appendix J may be grounds for denying for five years all applications for building permits, use permits, sub-divisions, changes of zones, specific plans, specific plan amendments, general plan amendments, and any other land development application proposed for the property in which the violation occurred. Grading permits shall not be subject to the five year penalty established by this section. The five year period shall commence from the date the violation is documented by the County of Riverside through a notice of violation or any other means. The Riverside County Board of Supervisors may waive this penalty for good cause as may be demonstrated by the property owner. The procedures, remedies and penalties for violations of this Appendix J and for recovery of costs related to enforcement are provided in Riverside County Ordinance No. 725, as may be amended from time to time.”

6. A new Section J103.4 is added to Section J103 of Appendix J of the California Building Code to read as follows:

“J103.4 Unpermitted Grading. Any area graded without a permit shall be restored according to the requirements of Section J111, Restoration of Unpermitted Grading.”

D. PERMIT APPLICATION AND SUBMITTALS.

1. A new Section J104.5 is added to Section J104 of Appendix J of the California Building Code to read as follows:

“J104.5 CEQA Compliance. All grading permits shall comply with the California Environmental Quality Act (“CEQA”) and Riverside County CEQA Implementing Procedures, as may be amended from time to time.”
2. A new Section J104.6 is added to Section J104 of Appendix J of the California Residential Code to read as follows:

“J104.6 Payment of fees. A grading permit shall not be valid until the fees prescribed by Riverside County Ordinance No. 457, as may be amended from time to time, have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.”

3. A new Section J104.6.1 is added to Section J104.6 of Appendix J of the California Building Code to read as follows:

“J104.6.1 Schedule of permit fees. Riverside County Ordinance No. 671, as may be amended from time to time, establishes the processing procedures for permit fees. Appendix A to Riverside County Ordinance No. 457, as may be amended from time to time, sets forth the amount and type of each permit fee.”

E. SETBACKS.

1. Section J108.1 of Appendix J of the California Building Code is amended to read as follows:

“J108.1 General. Cut and fill slopes shall be set back from the 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 J108.1 of this Appendix J, unless substantiating data is submitted justifying reduced setbacks including recommendations in the soils engineering and engineering geology report approved by the building official.”

2. Section J108.2 of Appendix J of the California Building Code is amended to read as follows:

“J108.2 Top of Slope. The setback at the top of a cut slope shall not be less than that shown in Figure J108.1 of this Appendix J, or than is
required to accommodate any required interceptor drains, whichever is greater. For graded slopes within the site boundaries of the approved grading plan, the property line between adjacent lots shall be at the apex of the berm at the top of the slope. Additional setbacks may be required if the building official finds it necessary for stability, safety, increased drainage runoff, irrigation runoff or to ensure proper maintenance along property line.”

3. A new Section J108.2.1 is added to Section J108.2 of Appendix J of the California Building Code to read as follows:

“J108.2.1 Toe of Fill Slope. The setback from the toe of a fill slope shall not be less than that shown in Figure J108.1 of this Appendix J. Additional setbacks may be required if the building official finds it necessary for stability, safety, increased drainage runoff, irrigation runoff or to ensure proper maintenance along property line.”

F. **EROSION CONTROL.**

Section J110.1 of Appendix J of the California Building Code is amended to read as follows:

“J110.1 General. The faces of cut and fill slopes shall be prepared and maintained to control erosion and to provide permanent stability. This control shall be permitted to consist of effective planting or other means of stabilization that are approved by the building official.

**Exception:** Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials. Erosion control for the slopes shall be installed as soon as practicable and prior to requesting a final inspection.”

G. **RESTORATION OF UNPERMITTED GRADING.**

1. Section J111 of Appendix J of the California Building Code is amended to read as follows:
“SECTION J111
RESTORATION OF UNPERMITTED GRADING”

2. A new Section J111.1 is added to Section J111 of Appendix J of the California Building Code to read as follows:

“J111.1 General. Site restorations shall be completed in accordance with Section J111 of this Appendix J. The building official may require that the site be restored to the condition it was in previous to the unlawful grading or clearing.”

3. A new Section J111.2 is added to Section J111 of Appendix J of the California Building Code to read as follows:

“J111.2 Requirements. A restoration assessment under an hourly permit shall be obtained in compliance with the applicable Riverside County Board of Supervisor’s policies and ordinances when either:

1. The building official determines such an assessment is necessary due to grading or clearing of a site in excess of an approved permit or without an approved permit in violation of the requirements of Section J103 of this Appendix J, or

2. The owner or owner’s authorized agent of the property has received a notice of violation related to grading or clearing of a site in excess of an approved permit or without an approved permit in violation of the requirements of Section J103 of this Appendix J.”

4. A new Section J111.3 is added to Section J111 of Appendix J of the California Building Code to read as follows:

“J111.3 Site Restoration Procedures. The following procedures shall be completed for all site restorations:

1. Grading Restoration Assessment Permit Application. Complete an “Application to Construct”...
and file for an hourly permit, referred to as a BHR permit, to obtain a grading restoration assessment number.

2. **Site Assessment.** Obtain a site assessment from the Riverside County Planning Department Environmental Programs Division (“EPD”) and the Riverside County Building and Safety Department.

3. **Restoration Plan.** Submit the following Biological Restoration Plan or Earthwork Restoration Plan, if required by the building official.

   a. **Biological Restoration Plan.** A biological restoration plan for grading shall be prepared by a qualified biologist and shall be submitted to the Riverside County EPD for review and approval.

   b. **Earthwork Restoration Plan.** An earthwork restoration plan for grading shall be prepared by a qualified California licensed civil engineer shall be submitted to the Riverside County Building and Safety Department for review and approval.”

5. A new Section J111.4 is added to Section J111 of Appendix J of the California Building Code to read as follows:

   “**J111.4 Payment of Fees.** A Restoration Assessment Permit shall not be valid until the fees prescribed in Riverside County Ordinance No. 457, as may be amended from time to time, have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.”
H. STOckPiles.

1. A new Section J112 is added to Appendix J of the California Building Code to read as follows:

   “SECTION J112
   StockPiles”

2. A new Section J112.1 is added to Section J112 of Appendix J of the California Building Code to read as follows:

   “J112.1 Definition. The following definition is defined in Section J102.1:
   StockPile.”

3. A new Section J112.2 is added to Section J112 of Appendix J of the California Building Code to read as follows:

   “J112.2 Stockpile Requirements. The requirements for stockpiles are as follows:
   1. A stockpile shall require a stockpile registration permit in accordance with this Section J112 and payment of a fee in accordance with the fee schedule in Riverside County Ordinance No. 457, as may be amended from time to time.
   2. A stockpile shall be authorized in conjunction with an approved construction project or as approved by the building official.
   3. A stockpile shall not obstruct or divert natural drainage, water courses or blue line streams.
   4. A stockpile shall be carefully maintained and under no circumstances cause an adverse effect to adjacent properties.
   5. Erosion and dust control measures shall be implemented for a stockpile pursuant to Sections J110 and J114 of this Appendix J and fencing may be required for a stockpile, as determined
by the building official. Permanent BMPs shall be implemented when stockpiling for greater than six months.

6. The borrow site shall be permitted pursuant to the provisions of this Appendix J and the quantity of excavated earth material may not exceed the authorized quantity for either site.”

4. A new Section J112.3 is added to Section J112 of Appendix J of the California Building Code to read as follows:

“**J112.3 Stockpile Registration Permit.** A stockpile registration permit shall be required for a stockpile in accordance with the requirements of this Appendix J and the following:

1. A stockpile shall not be authorized until such time as a stockpile registration permit is submitted to and approved by the building official.

2. A stockpile registration permit shall expire 12 months from the date of issuance. Upon expiration, the stockpile shall be removed pursuant to a grading permit authorizing such removal unless a new stockpile registration permit is submitted to and approved by the building official.

3. A stockpile registration permit may be approved by the building official for a total of an additional three times for the same site.

4. If stockpiling remains for greater than six months, permanent BMPs shall be installed. Temporary BMPs will not be acceptable for stockpiling greater than six months.”

5. A new Section J112.4 is added to Section J112 of Appendix J of the California Building Code to read as follows:

“**J112.4 Payment of Fees.** A stockpile registration permit shall not be valid until the fees prescribed in Riverside County Ordinance No.
457, as may be amended from time to time, have been paid, nor shall an amendment to a stockpile registration permit be released until the additional fee, if any, has been paid.”

I. **PARKING LOTS.**

1. A new Section J113 is added to Appendix J of the California Building Code to read as follows:

   “SECTION J113
   **PARKING LOTS**”

2. A new Section J113.1 is added to Section J113 of Appendix J of the California Building Code to read as follows:

   “**J113.1 Requirements.** The requirements for grading parking lots are as follows:

   1. Minimum parking lot grade for asphalt concrete shall be 1%.
   2. Minimum parking lot grade for concrete shall be 0.35%.
   3. Minimum parking lot grade for alternative pavements such as porous or pervious pavements shall be in accordance with the manufactures specifications for drainage or approved Water Quality Management Plan.
   4. If no preliminary soils report is provided specifying the structural paving section, then the structural section required shall be 3 inches asphalt concrete and 4 inches Class II aggregate base.
   5. In instances where the grading plan involves the use of porous or pervious pavements as an alternative to asphalt and concrete surfaces, the manufactures specifications shall be provided to the building official for review and approval.”

3. A new Section J113.2 is added to Section J113 of Appendix J of the California Building Code to read as follows:
“J113.2 Permits. A permit to grade a parking lot shall be obtained in accordance with all of the permit requirements of Section J103 of Appendix J.”

4. A new Section J113.3 is added to Section J113 of Appendix J of the California Building Code to read as follows:

“J113.3 Payment of Fees. A permit to grade a parking lot shall not be valid until the fees prescribed in Riverside County Ordinance No. 457, as may be amended from time to time, have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.”

5. A new Section J113.4 is added to Section J113 of Appendix J of the California Building Code to read as follows:

“J113.4 Inspections. Inspections shall be performed in accordance with Section J105 of this Appendix J.”

J. DUST CONTROL.

1. A new Section J114 is added to Appendix J of the California Building Code to read as follows:

“SECTION J114
DUST CONTROL”

2. A new Section J114.1 is added to Section J114 of Appendix J of the California Building Code to read as follows:

“J114.1 General. The sites for which a valid grading permit has been issued shall have necessary dust control measures to control dust during grading operations and throughout all aspects of the site development. All clearing and grading shall be carried out with dust control measures adequate to prevent creation of a nuisance to persons or public or private property. The following measures shall be implemented during clearing or grading to achieve adequate dust control.”
control: watering, application of surfactants, shrouding, control of vehicle speeds or other measures to reduce the dispersion of dust. Sites located within the Coachella Valley shall implement PM10 Fugitive Dust Mitigation measures in accordance with Riverside County Ordinance No. 742, as may be amended from time to time.”

K. REFERENCED STANDARDS.

The existing Section J111 is renumbered as Section J115 of Appendix J of the California Building Code.

Section 9. ADOPTION OF APPENDIX O, EMERGENCY HOUSING, OF THE 2019 CALIFORNIA BUILDING CODE. Appendix O, Emergency Housing, including any errata and supplements, of the 2019 California Building Code is adopted in its entirety.

Section 10. AMENDMENTS TO THE 2019 CALIFORNIA RESIDENTIAL CODE. The 2019 California Residential Code, including any errata and supplements, is adopted in its entirety except as to the following:

A. DUTIES AND POWERS OF BUILDING OFFICIAL.

Section R104.11 of the California Residential Code is amended to read as follows:

“R104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the building official. The building official shall have the authority to approve an alternative material, design or method of construction upon application of the owner or the owner’s authorized agent. The building official shall first find that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance,
durability and safety. An alternative material, design or method of construction shall also be approved where the building official finds that the proposed method of construction provides equivalent flood protection or if the unique characteristics of a building site make the requirements unnecessary. The building official may require plans for an alternative material, design or method of construction that are prepared by a registered design professional. Compliance with the specific performance-based provisions of the California Codes shall be an alternative to the specific requirements of this code. Where the alternative material design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.”

B. **PERMITS.**

1. A new Section R105.1.1 is added to Section R105.1 of the California Residential Code to read as follows:

“**R105.1.1 Construction Without Permit.** To remedy any construction without permit, as defined in Section R202 of this code, any owner or owner’s authorized agent applicant shall comply with the provisions of the applicable Part of the California Building Standards Code, Riverside County ordinances, and Riverside County Building and Safety Department policies and procedures in effect at the time of the building plan submittal to obtain the required permit(s). The building official may determine whether non-deconstructive testing or deconstructive testing will be required to verify whether the construction without permit complies with the applicable Part of the California Building Standards Code, Riverside County ordinances, and Riverside County Building and Safety Department policies and procedures.”
2. A new Section R105.3.1.2 is added to Section R105.3.1 of the California Building Code to read as follows:

“R105.3.1.2 Performance Bond or Security. As a condition to the issuance of a permit for any project involving construction, demolition, rehabilitation, grading, or special inspection, the building official may require the posting of a performance bond or security in an amount which the building official, in his discretion, deems sufficient to assure timely performance and completion of the project for which the permit is issued. The applicant shall satisfy the requirement of posting a performance bond or security by providing any of the types of security specified in Section 19835 of the Health and Safety Code, as may be amended from time to time. The performance bond or security shall be released upon completion, final inspection, and approval of the project for which the permit is issued. All or part of the performance bond or security may be released earlier at the discretion of the building official.”

3. Section R105.5 of the California Residential Code is amended to read as follows:

“R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced and an approved building inspection has been obtained within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. A permit shall be deemed suspended or abandoned if more than 180 days elapses prior to filing a request for extension of time on the permit with the building official. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be
requested in writing and justifiable cause demonstrated, including documentation of the substantial completion of a required inspection pursuant to Section R109. When a permit expires under this section, no work shall be done unless the owner or owner’s authorized agent obtains a new permit.”

4. A new Section R105.10 is added to Section R105 of the California Residential Code to read as follows:

“R105.10 Recommencement of Work After Expiration, Suspension or Revocation. After expiration, suspension or revocation of a permit, any owner or owner’s authorized agent must obtain the required new permit prior to recommencing work. The permit fee shall be determined by using the approved fix-rate fee or deposit-based fee, as established in Riverside County Ordinance No. 457, as may be amended from time to time, for the activity permitted. If there has been a major code change between the expired, suspended or revoked permit date and the request for a new permit for the same work, fees will be charged for the time necessary to verify compliance with the new building codes that have been adopted since the initial permit was issued. A major code change includes revisions, errata, or supplements issued by the California Building and Standards Commission to any Part of the California Building Standards Code.”

C. CONSTRUCTION DOCUMENTS.

1. Section R106.1 of the California Residential Code is amended to read as follows:

“R106.1 Submittal documents. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall
be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed and the documents shall bear the stamp and signature of the registered design professional, as set forth in Business and Professions Code Sections 5536.1 and 6735. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional and the documents shall bear the stamp and signature of the registered design professional, as set forth in Business and Professions Code Sections 5536.1 and 6735.

**Exception**: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if the building official determines that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.”

2. A new Section R106.1.6 is added to Section R106.1 of the California Residential Code to read as follows:

“**R106.1.6 Exemption to submittal documents prepared by a registered design professional.**

1. As set forth in Business and Professions Code Sections 5537 and 6737.1, a person other than a registered design professional as defined in this code may prepare construction documents for the following:

   a. Single-family dwellings of woodframe construction not more than two stories and basement in height.
   b. Multiple dwellings containing no more than four dwelling units of woodframe construction not more
than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwelling units each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.

c. Garages or other structures appurtenant to buildings described under subdivision (1), of woodframe construction not more than two stories and basement in height.

d. Agricultural and ranch buildings of woodframe construction, unless the building official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved.

2. If any portion of any structure exempted by this section deviates from substantial compliance with conventional framing requirements for woodframe construction found in the most recent edition of Title 24 of the California Code of Regulations or tables of limitation for woodframe construction, as defined by the applicable Part of the California Building Standards Code duly adopted by the County of Riverside or the state, the building official shall require the preparation of plans, drawings, specifications, or calculations for that portion by, or under the responsible control of, a licensed architect or registered engineer. The documents for that portion shall bear the stamp and signature of the licensee who is responsible for their preparation. Substantial compliance for purposes of this section is not
intended to restrict the ability of the building officials to approve plans pursuant to existing law and is only intended to clarify the intent of Chapter 405 of the Statutes of 1985.

3. At no time may a contractor or person other than a registered design professional prepare construction documents for design for others.”

3. A new Section R106.1.7 is added to Section R106.1 of the California Residential Code to read as follows:

“R106.1.7 Earthquake Fault Zones. In addition to the requirements of this code, all applicants for a building permit for a building or structure used for human occupancy that lies within an earthquake fault zone delineated by the State Geologist pursuant to Public Resources Code Section 2621 et seq. and which is subject to Riverside County Ordinance No. 547, as may be amended from time to time, shall comply with all the provisions thereof.”

D. FEES.

1. Section R108.2 of the California Residential Code is amended to read as follows:

“R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as by the applicable governing authority. Riverside County Ordinance No. 671, as may be amended from time to time, establishes the processing procedures for permit fees. Appendix A to Riverside County Ordinance No. 457, as may be amended from time to time, sets forth the amount and type of each permit fee.”
2. Section R108.5 of the California Residential Code is amended to read as follows:

“R108.5 Refunds. The building official is authorized to establish a refund policy. The County of Riverside shall refund fees in accordance with the processing procedure of Riverside County Ordinance No. 671, as may be amended from time to time, in the following circumstances:

1. A permit or inspection fee which was erroneously paid or collected.
2. During the term of a fixed rate permit and when no work has commenced under a permit in accordance with this code. In this circumstance, the building official may authorize the refunding of not more than 80% of the permit fee paid.
3. When property for which a permit for a project has been issued is annexed to a city and the County loses jurisdiction over the property prior to completion of the project. In this circumstance, the portion of any fees collected, in accordance with Riverside County Ordinance No. 457, as may be amended from time to time, that are in excess of the costs to the Department of Building and Safety may be refunded. An application for refund shall be made on the appropriate form to the building official for review and approval.

Exception: Any fee collected under any section of this code for the State of California shall not be refunded by the County of Riverside.”

3. Section R108.6 of the California Residential Code is amended to read as follows:

“R108.6 Work commencing before permit issuance. Any person or entity who commences any work on a building, structure, electrical,
gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The County of Riverside establishes an hourly permit fee as set forth in Riverside County Ordinance No. 457, as may be amended from time to time, for an investigation of such work. This hourly permit fee shall be in addition to the required permit fees.”

E. **DEFINITIONS.**

1. Section R202 of the California Residential Code is amended to add the following definitions:

   “**AGRICULTURAL SHADE STRUCTURE.** A structure that is open on two or more sides and designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.”

   “**CONSTRUCTION WITHOUT PERMIT (“CWP”).** Any building, structure, grading, improvement, appliance or equipment that has been constructed, erected or placed on a property without a permit required by the California Building Standards Code.”

   “**POND.** A constructed or prefabricated artificial basin constructed below grade, designed to contain water and not intended to be used as a lake, pool or swimming pool.”

   “**SHED.** A building not to exceed 600 square feet in area, which is only used for storage and not a place of human habitation, place of employment, or place used by the public. A shed shall not contain a door where a vehicle can pass through.”
2. Section R202 of the California Residential Code is amended to amend the following definitions:

“REGISTERED DESIGN PROFESSIONAL. An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state or jurisdiction in which the project is to be constructed and holds a current California license or registration as an architect or engineer.”

F. PONDS.

1. A new Section R341 is added to Chapter 3 of the California Residential Code to read as follows:

“SECTION R341

PONDS”

2. A new Section R341.1 is added to Section R341 of the California Residential Code to read as follows:

“R341.1 General. Construction of ponds shall comply with all requirements of this code, including permits for grading, plumbing, electrical, and mechanical, when applicable.”

3. A new Section R341.2 is added to Section R341 of the California Residential Code to read as follows:

“R341.2 Definition. The following term is defined in Section R202: POND.”

G. AGRICULTURAL REGISTRATION CERTIFICATE.

1. A new Section R342 is added to Chapter 3 of the California Residential Code to read as follows:

“SECTION R342

AGRICULTURAL REGISTRATION CERTIFICATE”
2. A new Section R342.1 is added to Section R342 of the California Residential Code to read as follows:

“R342.1 General. Prior to the commencement of any construction or work on an agricultural shade structure, an agricultural registration certificate shall be obtained from the building official.”

3. A new Section R342.2 is added to Section R342 of the California Residential Code to read as follows:

“R342.2 Definition. The following term is defined in Section R202: AGRICULTURAL SHADE STRUCTURE.”

4. A new Section R342.3 is added to Section R342 of the California Residential Code to read as follows:

“R342.3 Application. An application for an agricultural registration certificate shall describe the location, nature, and estimated cost of construction of the agricultural shade structure.”

5. A new Section R342.4 is added to Section R342 of the California Residential Code to read as follows:

“R342.4 Payment of Fees. An agricultural registration certificate shall not be valid until the fees established by Riverside County Ordinance No. 457, as may be amended from time to time, have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.”


Section 12. ADOPTION OF THE 2019 CALIFORNIA ELECTRICAL CODE. The 2019 California Electrical Code, including any errata and supplements, is adopted in its entirety.

Section 13. ADOPTION OF THE 2019 CALIFORNIA ADMINISTRATIVE CODE. The 2019 California Administrative Code, including any errata and supplements, is adopted in its entirety.
Section 14. ADOPTION OF THE 2019 CALIFORNIA MECHANICAL CODE. The 2019 California Mechanical Code, including any errata and supplements, is adopted in its entirety.

Section 15. ADOPTION OF THE 2019 CALIFORNIA PLUMBING CODE. The 2019 California Plumbing Code, including any errata and supplements, is adopted in its entirety.

Section 16. ADOPTION OF THE 2019 CALIFORNIA ENERGY CODE. The 2019 California Energy Code, including any errata and supplements, is adopted in its entirety.

Section 17. ADOPTION OF THE 2019 CALIFORNIA HISTORIC BUILDING CODE. The 2019 California Historic Building Code, including any errata and supplements, is adopted in its entirety.

Section 18. ADOPTION OF THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE. The 2019 California Green Building Standards Code, including any errata and supplements, is adopted in its entirety.

Section 19. DECLARATION OF PUBLIC NUISANCE FOR SUBSTANDARD BUILDINGS OR PORTIONS THEREOF AND INCORPORATION OF THE ABATEMENT COST RECOVERY PROCEDURES IN RIVERSIDE COUNTY ORDINANCE NO. 725. The County of Riverside declares all substandard structures, as defined in Sections 17920.3 or 17920.10 of the California Health and Safety Code, a public nuisance and imposes the abatement procedures and requirements as required by the State Housing Law through California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1 as follows:

A. Public Nuisance Declared. Every substandard building or portion thereof as defined in Sections 17920.3 or 17920.10 of the California Health and Safety Code, as may be amended from time to time, located within the unincorporated areas of the County of Riverside (“County”) which is caused, maintained or permitted to exist shall be and the same is hereby declared unlawful and a public nuisance that may be abated consistent with the procedures in this section.

B. Authority to Inspect. The County is authorized to enter any real or personal property or premises within the unincorporated area of the County to investigate and ascertain whether the property or premises is in compliance
with this section, and to make any inspection as may be necessary in the performance of the enforcement duties. These investigation activities may include visual inspections, taking of photographs, taking samples or other physical evidence, and the making of video or audio recordings. All such entries and inspections shall be done in a reasonable manner. If an owner, lawful occupant or the respective agent thereof refuses permission to enter or inspect, the County may seek an Administrative Inspection Warrant pursuant to the procedures provided by California Code of Civil Procedure Section 1822.50 et seq., as may be amended from time to time. All costs incurred by the County in seeking and obtaining an Administrative Inspection Warrant shall be recoverable as abatement costs.

C. **Summary Abatement.** Pursuant to California Government Code Section 25845(a), as may be amended from time to time, the County enforcement officer is authorized to summarily abate public nuisances determined by the enforcement officer to constitute an immediate threat to public health, safety or welfare. Summary abatement authority shall include the right of the County of Riverside to take immediate interim remedial measures to mitigate, secure or make safe the immediate threat to public health and safety, including the building official issuing an order to vacate.

D. **Order to Vacate.** Whenever in the opinion of the building official extreme and imminent hazard exists, the building official shall give written notice ordering the occupants of any such building to immediately vacate, and in the event compliance with the order is not voluntarily and promptly obtained, the building official shall request the law enforcement agency having jurisdiction to effect such a vacation or forthwith take such action at law as is required to cause the premises to be vacated. A copy of the “Order to Vacate”, which shall include the reasons for the order, shall be posted on the building and mailed to all concerned parties and filed with the Clerk of the Riverside...
County Board of Supervisors in the same manner as the notice of defects. Upon giving such order to vacate, the building official shall cause to be posted at each entrance to the building a notice to read: “Danger – Do Not Enter or Occupy, Building Official, County of Riverside”. Such notices shall remain posted until the required repair, demolition or removal are completed. Such notice shall not be removed without written permission of the building official, and no person shall enter the building except for the purpose of making the required repairs or the demolition of the building, without the written permission of the building official.

E. Abatement Procedure. The abatement procedures for substandard buildings shall be in accordance with the procedures provided for in the State Housing Law, California Health and Safety Code, Division 13, Part 1.5, commencing with Section 17910 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1 except Section 24(f) through (k), which are enforced by the California Department of Housing and Community Development.

F. Recordation of Notices of Pendency in Abatement Proceedings.

1. Notice of Pendency.

   a. Whenever the County institutes a judicial action or proceeding to enforce a Land Use Ordinance, as defined in Riverside County Ordinance No. 725, as may be amended from time to time, a Notice of Pendency of the action or proceeding may be filed with the County Recorder’s Office. The Notice may be filed at the time of the commencement of the action or proceeding and upon recordation of the Notice, shall have the same effect as a notice recorded in compliance with Section 405.20 et seq. of the California Code of Civil Procedure, as may be amended from time to time.
b. Upon motion of a party to the judicial action or proceeding, the Notice of Pendency may be vacated upon an appropriate showing of need therefore by an order of a judge of the Court in which the action or proceeding is pending.

2. **Notice of Pendency of Administrative Proceedings.**
   
a. Whenever a Notice of Violation has issued pursuant to this Ordinance, the County may record a Notice of Pendency of Administrative Proceedings with the Office of the County Recorder and shall notify the owner of the property of such action.

b. The Notice of Pendency of Administrative Proceedings shall describe the real property, shall set forth the non-complying conditions, and shall state that all current or subsequent owners of the property may be liable for abatement costs pertaining to any violation of Land Use Ordinances and that the abatement costs may be affixed as a lien and special tax assessment on the real property.

c. A Release of Notice of Pendency of Administrative Proceedings may be recorded after the County has confirmed that each violation described in the Notice of Pendency of Administrative Proceedings has been abated and all related abatement costs have been reimbursed to the County.

3. **Notice of Non Compliance.** Any Notice of Non Compliance issued or recorded by the County in abatement proceedings prior to the effective date of this Riverside County Ordinance No. 457.105 shall remain in full force and effect.

**G. Abatement Cost Recovery.** In addition to the costs recovery procedures pursuant to the State Housing Law, all abatement costs incurred pursuant to
this section shall be recovered in accordance with the abatement costs recovery procedures provided for in Riverside County Ordinance No. 725, as may be amended from time to time, which is incorporated herein by this reference.

H. **Enforcement by Civil Action.** The County may abate a violation of this ordinance by the prosecution of a civil action through the Office of County Counsel, including an action for injunctive relief. The remedy of injunctive relief may take the form of a court order, enforceable through civil contempt proceedings or receivership, prohibiting the maintenance of the violation of this ordinance or requiring compliance with other terms.

I. **Misdemeanor Penalty.** Any person who violates any of the provisions of this part, the building standards published in the State Building Standards Code relating to the provisions of this part, or any other rule or regulation promulgated pursuant to the provisions of this part is guilty of a misdemeanor, punishable by a fine not exceeding $1,000.00 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

J. **Non-Exclusive Remedies and Penalties.** All remedies and penalties for the abatement of public nuisances provided for in this section shall be cumulative and not exclusive. Enforcement by use of any administrative, criminal or civil action, citation or administrative proceeding or abatement remedy does not preclude the use of additional citations or other remedies as authorized by other ordinance or law. Enforcement remedies may be employed concurrently or consecutively. Conviction and punishment of or enforcement against any person hereunder shall not relieve such person from the responsibility of correcting, removing or abating a violation, nor prevent the enforced correction, removal or abatement thereof. Each and every day, or any portion thereof, during which any violation of a this section or the rules, regulations, orders, permits or conditions of approval issued thereunder is committed,
continued, or permitted by such person, shall be deemed a separate and distinct offense.

**Section 20.** INCORPORATION OF APPENDIX A. Appendix A, setting forth permit types and fees related to building and grading, is incorporated herein by this reference.

**Section 21.** VIOLATION AND PENALTIES. Unless otherwise provided in this ordinance or as required by state law, the procedures, remedies and penalties for any violation of this ordinance and for recovery of costs related to enforcement are provided for in Riverside County Ordinance No. 725, as may be amended from time to time, which is incorporated herein by this reference.

**Section 22.** SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.”

**Section 2.** EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

**ADOPTED:** 457.105 Item 3.50 of 04/07/2020 (Eff: 05/07/2020)
### APPENDIX A

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*Base Fee – Final Permit cost calculate at permit application*  
(S.M.I., Processing Fee, Micro-Film fee, LMS Surcharge, Green Building Fee)