

**ORDINANCE NO. 24-2010**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AMENDING TITLE 16 OF THE ELK GROVE MUNICIPAL CODE RELATING TO  
BUILDINGS AND CONSTRUCTION AND ADOPTING BY REFERENCE THE 2010:  
CALIFORNIA ADMINISTRATIVE CODE, CALIFORNIA BUILDING CODE;  
CALIFORNIA RESIDENTIAL CODE; CALIFORNIA GREEN BUILDING STANDARDS  
CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA ELECTRICAL CODE; AND  
CALIFORNIA MECHANICAL CODE**

The City Council of the City of Elk Grove does hereby ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to adopt by reference the 2010 edition of the California Building Standards Code, Title 24 – Part 1; Part 2, Volume I & II; Part 2.5; Part 3; Part 4; Part 5; and Part 11 of the California Code of Regulations subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The Purpose of this Ordinance is also to provide minimum requirements and standards for the protection of public safety, health, property and welfare of the City of Elk Grove. This Ordinance is adopted under the authority of Government Code subsection 50022.2 and Health and Safety Code Section 18941.5.

Section 2: Chapter 16.02 Revision – Administrative Code

Elk Grove Municipal Code Chapter 16.02 is repealed in its entirety and is hereby amended to read as follows:

**Chapter 16.02  
CALIFORNIA ADMINISTRATIVE CODE**

Sections:

16.02.010 Administrative Code

**16.02.010 Administrative Code**

In order to regulate the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, wiring, plumbing, use, height, area and maintenance of all buildings and structures within the City of Elk Grove, the 2010 Edition of the California Administrative Code, published by the International Code Council (ICC), as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at Title 24, Part 1, of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Elk Grove, is hereby adopted and made a part of this Chapter as though set forth in full herein. A true and correct copy of the 2010 California Administrative Code as adopted by this section shall be on file in the office of the City Building Official for examination and use by the public.

Section 3: Chapter 16.04 Revision – Building Code

Elk Grove Municipal Code Chapter 16.04 is hereby amended to read as follows:

**Chapter 16.04  
CALIFORNIA BUILDING CODE**

Sections:

16.04.010 Building Code

**16.04.010 Building Code**

In order to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, wiring, plumbing, use, height, area and maintenance of all buildings and structures within the City of Elk Grove, the 2010 Edition of the California Building Code, Title 24, Part 2, Volumes 1 and 2, Published by the International Code Council (ICC), administrative sections, Chapter 29, Appendices A, C and I; and amendments, as adopted by the Building Standards Commission of the State of California and codified at Title 24, Part 2 in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Elk Grove, is hereby adopted and made part of this Chapter as though set forth in full herein. A true and correct copy of the 2010 California Building Code as adopted by this section shall be on file in office of the City Building Official for inspection by the public.

Section 4: Chapter 16.10 Addition – Residential Code

Elk Grove Municipal Code Chapter 16.10 is hereby added to read as follows:

**Chapter 16.10  
CALIFORNIA RESIDENTIAL CODE**

Sections:

16.10.010 Residential Code

**16.10.010 Residential Code**

The purpose of this code is to establish minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation, and energy conservation, safety to life and property from fire and other hazards attributed to the built environment; and provide safety to firefighters and emergency responders during emergency operations. The provisions of this code shall apply to the construction, alteration, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one and two single family dwellings, townhouse not more than three stories above grade

plane in height with a separate means of egress and structures accessory thereto within the City of Elk Grove. Therefore; the 2010 California Residential Code, Title 24, Part 2.5, published by the International Code Council (ICC), in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Elk Grove, is hereby adopted and made part of this chapter as though set forth in full herein. A true and correct copy of the 2010 California Residential Code as adopted by this section shall be on file in office of City Building Official for inspection by the public.

Section 5: Chapter 16.14 Addition – Green Building Standards Code

Elk Grove Municipal Code Chapter 16.14 is hereby added to read as follows:

**Chapter 16.14  
CALIFORNIA GREEN BUILDING STANDARDS CODE**

Sections:

16.14.010 Green Building Standards Code

**16.14.010 Green Building Standards Code**

In order to improve public health, safety and general welfare by enhancing the design and construction of building through the use of building concepts having a reduced negative impact or positive environmental impact, and encouraging sustainable construction practices within the City of Elk Grove, the 2010 edition of the California Green Building Standards Code, Title 24, Part 11 (also known as the CALGreen Code), published by the International Code Council (ICC), in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Elk Grove, is hereby adopted and made part of this chapter as though set forth in full herein. The provisions of this code shall apply to the planning, design, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this code, throughout the City of Elk Grove. A true and correct copy of the 2010 California Green Building Standards Code as adopted by this section shall be on file in the office of the City Building Official for inspection and use by the public.

Section 6: Chapter 16.24 Revision – Plumbing Code

Elk Grove Municipal Code Chapter 16.24 is hereby amended to read as follows:

**Chapter 16.24  
CALIFORNIA PLUMBING CODE**

Sections:

16.24.010 Plumbing Code

**16.24.010 Plumbing Code**

In order to provide minimum requirements and standards for the protection of the public

health, safety and welfare and to regulate the erection, installation, alteration, addition, repair, relocation, replacement, maintenance, and use of any plumbing system within the City of Elk Grove, the 2010 Edition of the California Plumbing Code, Title 24, Part 5 and all appendix chapters, published by the International Association of Plumbing and Mechanical Officials (IAPMO), as adopted by the Building Standards Commission of the State of California and codified in the California Building standards Code at Title 24, Part 5 of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Elk Grove, is hereby adopted and made a part of this chapter as though set forth in full herein. A true and correct copy of the 2010 California Plumbing Code as adopted by this section shall be on file in the office of the City Building Official for inspection and use by the public.

Section 7: Chapter 16.28 Revision – Electrical Code

Elk Grove Municipal Code Chapter 16.28 is hereby amended to read as follows:

**Chapter 16.28  
CALIFORNIA ELECTRICAL CODE**

Sections:

16.28.010 Electrical Code

**16.28.010 Electrical Code**

In order to provide minimum standards for the proper regulation of the installation of electrical systems within the City of Elk Grove, the 2010 Edition of the California Electrical Code, Title 24, Part 3, and all appendix chapters, published by the National Fire Protection Association (NFPA), as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at Title 24, Part 3, of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Elk Grove, is hereby adopted and made a part of the Chapter as though set forth in full herein. A true and correct copy of the 2010 California Electrical Code shall be in the office of the City Building Official for inspection and use by the public.

Section 8: Chapter 16.32 Revision – Mechanical Code

Elk Grove Municipal Code Chapter 16.32 is hereby amended to read as follows:

**Chapter 16.32  
CALIFORNIA MECHANICAL CODE**

Sections:

16.32.010 Mechanical Code

**16.32.010 Mechanical Code**

In order to provide minimum standards to safeguard life, limb, health, property, and

public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, maintenance and use of heating, ventilating, cooling, refrigeration systems, and other heat-producing appliances and systems within the City of Elk Grove, the 2010 edition of the California Mechanical code, Title 24, Part 4, and all appendix chapters, published by the International Association of Mechanical and Plumbing Officials (IAPMO), as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at Title 24, Part 4 of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Elk Grove, is hereby adopted and made a part of this Chapter as though set forth in full herein. A true and correct copy of the 2010 California Mechanical Code as adopted by this section shall be on file in the office of the City Building Official for inspection and use by the public.

#### Section 9: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

#### Section 10: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

#### Section 11: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and affect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 12: Effective Date and Publication

This Ordinance shall take effect January 1, 2011. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the Office of the City Clerk, pursuant to GC 36933(c)(1).

**ORDINANCE:**       **24-2010**  
**INTRODUCED:**     October 13, 2010  
**ADOPTED:**         October 27, 2010  
**EFFECTIVE:**       January 1, 2011

  
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SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

  
\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

Date signed: November 1, 2010

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL ORDINANCE NO. 24-2010**

STATE OF CALIFORNIA            )  
COUNTY OF SACRAMENTO        )        ss  
CITY OF ELK GROVE             )

*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on October 13, 2010 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 27, 2010 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**        **Scherman, Detrick, Cooper, Hume**

**NOES:**        **COUNCILMEMBERS:**        **None**

**ABSTAIN:**   **COUNCILMEMBERS:**        **None**

**ABSENT:**    **COUNCILMEMBERS:**        **Davis**

*A summary of the ordinance was published pursuant to GC 36933(c) (1).*

  
**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**