

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA, APPROVING THE ADOPTION OF THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, (CALIFORNIA CODE OF REGULATIONS, TITLE 24), PARTS 2, 2.5, 3, 4, 5, 6, 8, 10 AND 11 WITH AMENDMENTS AND AMENDING PORTIONS OF CHAPTER 15 “BUILDINGS AND CONSTRUCTION,” OF THE BEAUMONT MUNICIPAL CODE**

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

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

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

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

**SECTION 4. Findings.** The City Council hereby finds that the proposed amendments to the 2022 edition of the California Building Standards Code, (California Code of Regulations, Title 24), Parts 2, 2.5, including appendix AX, 3, 4, 5, 6, 8, 10 and 11 are necessary for administrative or procedural clarification and to establish administrative standards for the effective enforcement of the Building and Construction Code of the City of Beaumont and do not modify a building standard pursuant to California Health & Safety Code Section 17958, 17958.7, and/or 18941.5.

**SECTION 5.** The City Council hereby amends Title 15.04, entitled “Building Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

- 15.04.010      Adoption of 2022 California Building Code**
- 15.04.020      Amendments to the 2022 California Building Code**
- 15.04.030      Violation--Penalty**

**15.04.010 Adoption of 2022 California Building Code.** Except as otherwise provided in this Chapter, the California Building Code, Title 24, California Code of Regulations, Part 2, Volumes 1 and 2, including Chapter 1, Division II - Scope and Administration, and Appendix J - Grading, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Building Code.

**15.04.020 Amendments to the 2022 California Building Code.** The 2022 California Building Code is amended in part as follows:

**101.1 Title.** These regulations shall be known as the Building Code of the City of Beaumont, hereinafter referred to as “this code.”

**103.1 Creation of enforcement agency.** The Building & Safety Department is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**105.3.2 Time limitation of application.** Applications for which no permit is issued within 12 months following the date of filing of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may grant one or more extensions for a period not exceeding 180 days each. The building official shall not grant any extension of an application after the 2025 California Code of Regulations, Title 24 has been adopted. The extension shall be requested in writing and justifiable cause demonstrated showing that circumstances beyond the control of the applicant which has prevented action from being taken and must be accompanied with the permit extension request fee in accordance with the fee schedule adopted by the City of Beaumont. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced 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. The building official is authorized to grant, in writing, one or more extensions of

time, for periods not more than 180 days each. The building official shall not grant any extension of a permit after the 2025 California Code of Regulations, Title 24 has been adopted. The extension shall be requested in writing and justifiable cause demonstrated and be accompanied by a permit extension fee in accordance with the fee schedule adopted by the jurisdiction.

**109.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. The following fees, the amount of which shall be established from time-to-time by action of the City Council, shall be collected prior to the issuance of a permit:

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

When submittal documents are required, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The plan review fees specified are separate fees from and are in addition to the permit fees. When submittal documents are incomplete or changed to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate established by the Building Official.

**109.2 Schedule of permit fees.** Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule of fees established by the City of Beaumont fee schedule.

**109.4 Work commencing before permit issuance.** Whenever any work for which a permit is required by this code has been commenced on a building, structure, electrical, gas, mechanical or plumbing system, a special investigation shall be made before a permit may be issued for such work. The cost of the special investigation shall be equal to the permit fee for the proposed work.

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

**109.5 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work or which inspection is called is not complete or when corrections called for are not made. It is not the intent to require re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before

the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a re-inspection, the applicant shall pay the re-inspection fee in accordance with the fee schedule adopted by the jurisdiction. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

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

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

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

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

**111.3 Temporary occupancy.** This section is deleted in its entirety.

## **Section 202 – Definitions**

**BUILDING OFFICIAL.** The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. Where relevant to grading, drainage and soil investigation, Building Official shall also mean and include City Engineer/Director of Public Works or his/her designee.

**J109.4 Drainage across property lines.** All graded lots shall drain to the street or publicly maintained facility. Cross lot drainage may be allowed at the sole discretion of the City Engineer/Director of Public Works. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained onsite or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by the installation of nonerosive down drains or other devices acceptable to the City Engineer.

**J110.1 General.** The faces of cut and fill slopes and graded surfaces shall be prepared and maintained to control erosion. This control shall be permitted to consist of effective planting and other practicable means.

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

**SECTION 6.** The City Council hereby amends Title 15.11, entitled “Historical Building Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

- 15.11.010 Adoption of California 2022 Historical Building Code**
- 15.11.020 Violation--Penalty**

**15.11.010 Adoption of 2022 California Historical Building Code.** Except as otherwise provided in this Chapter, the California Historical Building Code, Title 24, California Code of Regulations, Part 8, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Historical Building Code.

**15.12.020 Violation--Penalty**

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

**SECTION 7.** The City Council hereby amends Title 15.12, entitled “Electrical Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

- 15.12.010 Adoption of California 2022 Electrical Code**
- 15.12.020 Amendments to the 2022 California Electrical Code**
- 15.12.030 Violation--Penalty**

**15.12.010 Adoption of 2022 California Electrical Code.** Except as otherwise provided in this Chapter, the California Electrical Code, Title 24, California Code of Regulations, Part 3, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Electrical Code.

**15.12.020 Amendments to the 2022 California Electrical Code.** The 2022 California Electrical Code is amended in part as follows:

**89.108.4.2 Payment of fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.1 Payment of Fees.

**89.108.4.2.1 Schedule of permit fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.2 Schedule of Permit Fees.

**89.108.4.2.2 Work commencing before permit issuance.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.4 Work commencing before permit issuance.

**89.108.4.2.3 Related fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.5 Related fees.

**89.108.4.2.4 Refunds.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020 Item 109.6 Refunds.

**89.108.4.3 Plan Review and Time limitation of application.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 105.3.2 Time limitation of application.

**89.108.4.3.2 Permit Expiration.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 105.5 Expiration.

**15.12.030 Violation--Penalty**

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

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

**SECTION 8.** The City Council hereby amends Title 15.13, entitled “California Existing Building Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

**15.13.010 Adoption of California 2022 Existing Building Code**

**15.13.020 Violation--Penalty**

**15.13.010 Adoption of 2022 California Existing Building Code.** Except as otherwise provided in this Chapter, the California Existing Building Code, Title 24, California Code of Regulations, Part 10, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Existing Building Code.

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

**SECTION 9.** The City Council hereby amends Title 15.15, entitled “Residential Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

- 15.15.010** Adoption of the 2022 California Residential Code
- 15.15.020** Amendments to the 2022 California Residential Code
- 15.15.030** Violation--Penalty

**15.15.010 Adoption of the 2022 California Residential Code.** Except as otherwise provided in this Chapter, the California Residential Code, Title 24 California Code of Regulations, Part 2.5, including Chapter 1, Division II - Scope and Administration, and Appendix AX – Swimming Pool Safety Act, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Residential Code.

**15.15.020 Amendments to the 2022 California Residential Code.** The 2022 California Residential Code is amended in part as follows:

**R101.1 Title.** These regulations shall be known as the Residential Code for One- and Two-family Dwellings of the City of Beaumont, hereinafter referred to as “this code.”

**R105.3.2 Time limitation of application.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 105.3.2 Time limitation of application.

**R105.5 Expiration.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020 ; Item 105.5 Expiration.

**R108.1 Payment of fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.1 Payment of Fees.

**R108.2 Schedule of permit fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.2 Schedule of Permit Fees.

**R108.3 Building permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the

valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

**R108.4 Related fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.5 Related fees.

**R108.5 Refunds.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.6 Refunds.

**R108.6 Work commencing before permit issuance.** Pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.4 Work commencing before permit issuance.

**R110.4 Temporary occupancy.** This section is deleted in its entirety.

## **Section R202 - Definitions**

**BUILDING OFFICIAL.** The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. Where relevant to grading, drainage and soil investigation, Building Official shall also mean and include City Engineer/Director of Public Works or his/her designee.

## **Appendix AX California Swimming Pool Safety Act.**

### **115922**

(a) Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with item #1 and at least one additional of the following seven drowning prevention features:

1. An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home. Any walls of the residential structure or accessory structures used to complete the isolation enclosure must have its door openings equipped with protection as required in #4 or #5. Any such door protection device provided for this purpose may not be used to comply with the second drowning prevention feature requirement.

### **115923**

(e) An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over. In order to be considered non-climbable the following minimum standards apply:

1. Horizontal members which would allow gasping and/or footholds must be separated



- a minimum of 45 inches (1143 mm).
2. The maximum opening formed by a chain link fence shall be not more than 1¼ inches (32 mm).
  3. There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the enclosure and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the enclosure.

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

**SECTION 10.** The City Council hereby amends Title 15.16, entitled “Plumbing Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

- 15.16.010 Adoption of 2022 California Plumbing Code**  
**15.16.020 Amendments to the 2022 California Plumbing Code**  
**15.16.030 Violation--Penalty**

**15.16.010 Adoption of California 2022 Plumbing Code.** Except as otherwise provided in this Chapter, the California Plumbing Code, Title 24, California Code of Regulations, Part 5, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the Plumbing Code of the City.

**15.16.020 Amendments to the 2022 California Plumbing Code.** The 2022 California Plumbing Code is amended in part as follows:

**101.1 Title.** These regulations shall be known as the Plumbing Code of the City of Beaumont, hereinafter referred to as “this code.”

**104.3.3 Time limitation of application.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 105.3.2 Time limitation of application.

**104.4.3 Expiration** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 105.5 Expiration.

**104.5 Payment of fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.1 Payment of Fees.

**104.5.1 Schedule of permit fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.2 Schedule of Permit Fees.

**104.5.2 Work commencing before permit issuance.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.4 Work commencing before permit issuance.

**104.5.3 Related fees.** Shall be Pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.5 Related fees.

**104.5.4 Refunds.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.6 Refunds.

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

**SECTION 11.** The City Council hereby amends Title 15.17, entitled “Mechanical Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

- 15.17.010 Adoption of California 2022 Mechanical Code**
- 15.17.020 Amendments to the 2022 California Mechanical Code**
- 15.17.030 Violation--Penalty**

**15.17.010 Adoption of 2022 California Mechanical Code.** Except as otherwise provided in this Chapter, the California Mechanical Code, Title 24, California Code of Regulations, Part 4, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the Mechanical Code of the City.

**15.17.020 Amendments to the 2022 California Mechanical Code.** The 2022 California Mechanical Code is amended in part as follows:

**101.1 Title.** These regulations shall be known as the Mechanical Code of the City of Beaumont, hereinafter referred to as “this code.”

**104.3.3 Time limitation of application.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 105.3.2 Time limitation of application.

**104.4.3 Expiration.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 105.5 Expiration.

**104.5 Payment of fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.1 Payment of Fees.

**104.5.1 Schedule of permit fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.2 Schedule of Permit Fees.

**104.5.2 Work commencing before permit issuance.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.4 Work commencing before permit issuance.

**104.5.3 Related fees.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020; Item 109.5 Related fees.

**104.5.4 Refunds.** Shall be pursuant to Beaumont Municipal Code Chapter 15.04; Section 15.04.020 Item 109.6 Refunds.

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

**SECTION 12.** The City Council hereby amends Title 15.19, entitled “Energy Code” to the Beaumont Municipal Code, to read as:

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

**Sections:**

**15.19.010      Adoption of 2022 California Energy Code**

**15.19.020      Violation--Penalty**

**15.19.010 Adoption of 2022 California Energy Code.** Except as otherwise provided in this Chapter, the California Energy Code, Title 24, California Code of Regulations, Part 6, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Energy Code.

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

**SECTION 13.** The City Council hereby amends Title 15.22, entitled “Green Building Standards” to the Beaumont Municipal Code, to read as:

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

**Sections:**

**15.22.010 Adoption of 2022 California Green Building Standards Code**

**15.22.020 Violation--Penalty**

**15.22.010 Adoption of 2022 California Green Building Standards Code.** Except as otherwise provided in this Chapter, the California Green Building Standards Code, Title 24, California Code of Regulations, Part 11, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Green Building Code.

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

**SECTION 14. Effective Date and Publication.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36933. This Ordinance shall take effect 30 days after adoption in accordance with Government Code Section 36937 or January 1, 2023, whichever is later.

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

**INTRODUCED AND READ** for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_\_ day of November 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Lloyd White, Mayor

Attest: \_\_\_\_\_  
Steven Mehlman, City Clerk

Approved as to form:

\_\_\_\_\_  
John O. Pinkney, City Attorney