

Chapter 23.06
ADMINISTRATIVE CODE

Section 1. 23.06.010 Adoption

(a) The ~~2019-2022~~ California Administrative Code, California Code of Regulations, Title 24, Part 1, as adopted and amended by the State of California, hereinafter called "Administrative Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Administrative Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

(c) A copy of the Administrative Code shall at all times be kept on file in the office of the City Clerk.

23.06.011 APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT.

Repealed.

23.06.012 DEFINITIONS.

Repealed.

23.06.013 CONFLICTING PROVISIONS.

When conflicting provisions or requirements occur between this code, the technical codes and other codes or laws, the most restrictive shall govern.

When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or fire safety are not involved, the most restrictive provisions shall govern.

Where in a specific case, different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

When conflicts occur between specific provisions of this code and administrative provisions in a technical code which is then applicable within this jurisdiction, those provisions becoming the law most recently shall govern.

23.06.014 ALTERNATE MATERIALS, METHODS OF DESIGN AND METHODS OF CONSTRUCTION.

Repealed.

23.06.015 MODIFICATIONS.

Repealed.

23.06.016 TESTS.

Repealed.

23.06.017 TEMPORARY BUILDING.

Real estate sales and leasing of the building or buildings under construction may be conducted from a temporary structure located on the construction site, subject to the conditions and procedures established in Section 26.04.130 of this code.

23.06.020 AUTHORITY.

Repealed.

23.06.021 POWERS AND DUTIES OF BUILDING OFFICIAL.

Repealed.

23.06.030 UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT.

Repealed.

23.06.040 APPEALS.

Repealed.

23.06.050 VIOLATIONS AND PENALTIES.

Repealed.

23.06.060 Hours of Work

No work regulated by this code shall be permitted between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday, nor prior to 9:00 a.m. or after 5:00 p.m. on Saturday, nor prior to 12:00 noon or after 4:00 p.m. on Sundays and holidays. These hours do not apply to construction work that takes place inside a completely enclosed building and does not exceed the exterior ambient noise level as measured ten feet from the exterior property lines.

23.06.061 Hours of Work Exemption

(a) Exemptions from the hours of work designated in Section 23.06.060 may be granted:

(1) As a condition of approval of a planning application issued pursuant to Title 26 or Title 27; or

(2) Upon written application to the Building Official. The Building Official may approve such application in his or her sole discretion for emergency situations or exceptional circumstances beyond the control of the applicant. An application shall contain any information required by the Building Official, including, but not limited to the type of work to be performed, the equipment to be used, the date(s) and time(s) for the proposed hours of work, and the reason(s) therefor.

(b) The approved hours of construction activity shall be posted at the construction site in a place and manner that can be easily viewed by an interested member of the public.

(c) The building official may revoke an exemption at any time if the contractor or owner of the property fails to abide by the conditions of the exemption or if it is determined that the peace, comfort and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction.

23.06.070 PERMITS.

Repealed.

23.06.080 APPLICATION FOR PERMIT.

Repealed.

23.06.090 PERMITS ISSUANCE.

Repealed.

23.06.100 Demolition Permits

(a) Demolition permits may be issued if at least one of the following is applicable:

(1) Demolition has been ordered by the building official because of major structural damage or a condition resulting in imminent or immediate danger to public health or safety; or

(2) A building permit or site development permit has been issued authorizing work to be performed which requires the prior removal of an existing structure to accomplish the new construction; or

(3) The City has determined that demolition is necessary in order to perform appropriate soil tests for a proposed project; or

(4) Demolition is required by the City as a condition of approval of a planning application under Title 27 or a subdivision under Title 26 of this code, and the application for the demolition permit complies with the time frame set in the condition of approval.

(5) The demolition involves a nonresidential structure smaller than 3,000 square feet.

(6) The demolition involves an accessory building as defined in Section 27.04.010.

(7) The demolition of structures where a master plan or specific plan has been approved for development of the site provided that: (1) the building official receives written confirmation that the demolition is needed to facilitate the timely construction of new structures under the approved master plan; (2) the structures are substantially vacant; (3) there is written documentation from a lending institution that the project (at least in substantial part) is capable of being financed and the applicant is credit worthy.

(b) All demolition permits shall comply with the following conditions:

(1) The site shall be fenced when open holes in the ground exist, if required by the building official because of other hazards or to ensure maintenance of the site.

(2) All debris, weeds, and other nuisances shall be removed from the site, and the site shall be leveled unless requirements regarding hazardous wastes make leveling infeasible. If planting is not required and construction does not commence within 30 days after demolition, the soil shall be treated with a weed inhibitor approved by the City.

(3) If deemed appropriate, the City may require that the entire site be planted and maintained with a drought tolerant ground cover that will fully cover all exposed soil within six months of planting, or covered to a minimum depth of two inches with crushed rock.

(4) That the site be fenced according to code, or if deemed appropriate, the City may require that any driveway curb cuts not used be provided with bollards and chains, located and installed so as to prevent vehicular entry into the site.

(5) The applicant shall comply with all other conditions that may be attached by the building official to ensure maintenance of the site, including, but not limited to, vacant lot maintenance requirements contained in Chapter 7.48 of the San Mateo Municipal Code.

23.06.110 INSPECTIONS.

Repealed.

23.06.120 Fees

(a) **General.** All permit fees, surcharges, plan checking fees, fees for inspections and reinspections, and all other fees, shall be those established by resolution of the City Council.

(b) **Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken and that extension will not result in violation of this code or any other laws. An application shall not be extended more than two times. An application ~~shall not may~~ be extended at the discretion of the Building Official if ~~this code or any other pertinent laws or ordinances have been amended~~ subsequent to the date of the application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee, and the plans shall comply with the codes and other pertinent laws or ordinances in effect at the time of resubmittal.

(1) **Planning Applications.** For applications for which a planning application was approved, a completed building permit application shall be filed before the two-year expiration date of the planning approval; and a building permit shall be issued no later than six months after the expiration date. Extension for issuance of a building permit may be granted ~~by~~ at the discretion of the building official ~~only~~ if the applicant demonstrates that the delay in performance was caused by ~~action or inaction of governmental permitting agencies other than the City of San Mateo~~ circumstances beyond the control of the applicant, and that the applicant has diligently pursued approval of the permit.

(c) **Investigation Fees—Work Without a Permit.**

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

(2) **Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The amount of the investigation fee shall be adopted by resolution of the City council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law.

(d) **Fee Refunds.** The building official may authorize refunding of a 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 is withdrawn and if no plan review services have been rendered.

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

23.06.130 SPECIAL INSPECTIONS.

Repealed.

23.06.140 STRUCTURAL OBSERVATION.

Repealed.

23.06.150 CONNECTION TO UTILITIES.

Repealed.

23.06.160 CERTIFICATE OF OCCUPANCY.

Repealed.

23.06.170 FIRE AND HEALTH PROTECTION.

Repealed.

Chapter 23.07
RESIDENTIAL CODE

23.07.010 Adoption

(a) The [2019-2022](#) California Residential Code, California Code of Regulations, Title 24, Part 2.5 and Appendices [AH](#)—Patio Covers, [AK](#)—Sound Transmissions, and [VAX](#)—Swimming Pool Safety Act, as adopted and amended by the State of California, hereinafter called "Residential Code," are adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Residential Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

(c) A copy of the Residential Code shall at all times be kept on file in the office of the City Clerk.

23.07.020 SECTION R319.1 SITE ADDRESS NOT ADOPTED.

Repealed.

23.07.030 SECTION R319.2 ADDRESS NUMBERS—MULTI-TENANT BUILDINGS NOT ADOPTED.

Repealed.

23.07.040 SECTION R319.3 ADDRESS NUMBERS—REAR ADDRESSING NOT ADOPTED.

Repealed.

23.07.060 SECTION R313.1 TOWNHOUSE AUTOMATIC FIRE SPRINKLER SYSTEMS—EXCEPTION NOT ADOPTED.

Repealed.

23.07.070 SECTION R313.2 ONE- AND TWO-FAMILY DWELLINGS AUTOMATIC FIRE SPRINKLER SYSTEMS—EXCEPTION NOT ADOPTED.

Repealed.

23.07.080 SECTIONS R902.1, R902.1.1, R902.1.3 ROOFING REQUIREMENTS AMENDED.

Repealed.

23.07.110 TABLE R602.10.3(3) AND SECTION R602.10.4.4-5 PROHIBIT THE USE OF GYPSUM BOARD AND LIMIT THE USE OF PORTLAND CEMENT PLASTER AS PRESCRIPTIVE WALL BRACING MATERIALS IN SEISMIC DESIGN CATEGORIES D₀, D₁ AND D₂ AMENDED.

1. ~~CRC~~ Chapter 6 (Wall Construction) Table R602.10.3(3) (Bracing Requirements Based on Seismic Design Category) is amended as follows:

1.1. The title of Table R602.10.3(3) is amended to read:

TABLE R602.10.3(3)i, j

1.2. Footnotes "i" and "j" are added to Table R602.10.3(3), to read:

i. Methods PBS, HPS, SFB and CS-SFB are not permitted in Seismic Design Categories D₀, D₁, and D₂.

j. Methods GB, DWB and PCP are not permitted in Seismic Design Categories D₀, D₁, and D₂ where S₁ is greater than or equal to 0.75.

~~(a) Add a new footnote "f" to the end of CRC Table R602.10.3(3), to read:~~

~~f. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted and the use of Method PCP is limited to one-story single-family dwellings and accessory structures.~~

~~(b) Add the "f" footnote notation in the title of Table R602.10.3(3), to read:~~

TABLE R602.10.3(3)^f

~~(c) 2.~~ Add a new subsection R602.10.4.4-5, to read:

R602.10.4.4-5 Limits on methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D₀, D₁, and D₂, the use of Method PCP is limited to one-story single-family dwellings and accessory structures.

Chapter 23.08
BUILDING CODE

23.08.010 Adoption

(a) The [2019-2022](#) California Building Code, California Code of Regulations, Title 24, Part 2, Volumes 1 and 2 and Appendix G—Flood Resistant Construction, as adopted and amended by the State of California, hereinafter called "Building Code," are adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Building Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

(c) A copy of the Building Code shall at all times be kept on file in the office of the City Clerk.

23.08.020 SECTION 501.2 PREMISES IDENTIFICATION—ADDRESS NUMBERS NOT ADOPTED.

Repealed.

23.08.030 SECTION 501.2.1 ADDRESS NUMBERS—MULTI-TENANT BUILDINGS NOT ADOPTED.

Repealed.

23.08.040 SECTION 501.2.2 ADDRESS NUMBERS—REAR ADDRESSING NOT ADOPTED.

Repealed.

23.08.045 SECTION 903.2 AUTOMATIC SPRINKLER SYSTEMS—WHERE REQUIRED NOT ADOPTED.

Repealed.

23.08.090 SECTION 905.3 STANDPIPE SYSTEMS—REQUIRED INSTALLATION NOT ADOPTED.

Repealed.

23.08.100 SECTIONS 1505.1, 1505.1.3 ROOFING REQUIREMENTS AMENDED.

The roof covering or roofing assembly on any structure regulated by this code shall be minimum Class B fire retardant as specified in Table 1505.1 and as classified in Section 1505.

TABLE 1505.1 Minimum Covering Classification for Types of Construction.

TABLE 1505.1 MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

23.08.120 SECTION 1705.3 CONCRETE CONSTRUCTION AMENDED.

Section 1705.3 is amended to read as follows:

Section 1705.3. Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

Exception: Special inspections shall not be required for:

(1) Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.

23.08.130 Section 1905.1.8-7 Plain Concrete In Earthquake Resisting Structures Amended

1905.1.8-7 ACI 318 Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1 - Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

23.08.140 SECTION 2308 Table 2308.6.1~~SECTION 2308.9.3 BRACING REPEALED.~~

a. Table 2308.6.1 (Wall Bracing Requirements) of CBC Chapter 23 (Wood) is amended as follows:

1. The title of Table 2308.6.1 is amended to read:

TABLE 2308.6.1a, f, g

2. Footnotes "f" and "g" are added to Table 2308.6.1, to read:

f. Methods PBS, HPS, and SFB are not permitted in Seismic Design Categories D or E.

[g. Methods GB, DWB and PCP are not permitted in Seismic Design Category E.](#)

23.08.150 SECTIONS 3109.1 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES AMENDED.

Section 3109.1 is amended to read as shown below:

~~Section 3109.1 General. Swimming pools shall comply with the requirements of Sections 3109.2 through 3109.6 and other applicable sections of this code.~~

Section 3109.1.1 Location. A swimming pool may be placed or constructed in any of the required yard areas provided the pool is constructed at ground level and provided the following setbacks are maintained:

(a) For single-family dwellings, the inside face of the pool shall not be less than four feet from any property boundary of the lot or parcel on which the pool is located.

(b) For multifamily dwellings, the inside face of an outdoor pool shall be not less than twenty feet from any property boundary. Indoor swimming pool structures for multifamily dwellings shall also be subject to the setback requirements for accessory buildings, as designated in Chapter 27.70 of the Zoning Code, with the exception that the minimum clearance of 4 feet to the property line and 5 feet to surrounding buildings shall still apply.

(c) No portion of a swimming pool may be constructed in any public utility easement or drainage easement or utility right-of-way. There shall be not less than five feet of open space between the inside face of the pool and any structure.

(d) No part of a swimming pool (water area) shall be located or constructed directly under permanently-installed electric power lines. Pools shall be located in such a manner that overhead conductor clearances meet the requirements of the Electrical Code, Chapter 23.12 of the San Mateo Municipal Code. No pool shall be constructed in any location that violates any State law or Public Utility Commission rules for location in relation to electric power lines, service drops and/or communication lines.

(e) Swimming pools located on slopes must comply with setback requirements as prescribed in chapter 23.40 of the Site Development Code.

23.08.160 SECTION 3109.4.1 BARRIER HEIGHT AND CLEARANCES AMENDED.

Repealed.

23.08.170 SECTION 3109.6 POOL EQUIPMENT ENCLOSURE ADDED.

Section 3109.6 is added as follows:

Pool Equipment Enclosure. Pumps and other swimming pool equipment which produce sound above the level of 35 dba shall not be located within twenty-five feet of any neighboring property unless such equipment is enclosed in an enclosure that will reduce the sound at the

property line to a level of 35 dba or less. Swimming pool heaters need not be enclosed in a pool equipment enclosure.

Chapter 23.09
EXISTING BUILDING CODE

23.09.010 Adoption

(a) The [2019-2022](#) California Existing Building Code, California Code of Regulations, Title 24, Part 10, as adopted and amended by the State of California, hereinafter called "Existing Building Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Existing Building Code shall imply a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section or not to enforce it.

(c) A copy of the Existing Building Code shall at all times be kept on file in the office of the City Clerk.

Chapter 23.12
ELECTRICAL CODE

23.12.010 Adoption

(a) The [2019-2022](#) California Electrical Code, California Code of Regulations, Title 24, Part 3, as adopted and amended by the State of California, hereinafter called "Electrical Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Electrical Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the City, and the appropriate officer, official, agent, employee, board, council, or commission thereof with discretion to enforce the section, or not to enforce it.

(c) A copy of the California Electrical Code shall at all times be kept on file in the office of the City Clerk.

Chapter 23.16
PLUMBING CODE

23.16.010 Adoption

(a) The [2019-2022](#) California Plumbing Code, California Code of Regulations, Title 24, Part 5, as adopted and amended by the State of California, hereinafter called "Plumbing Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Plumbing Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

(c) One copy of the Plumbing Code shall at all times be kept on file in the office of the City Clerk.

23.16.020 SECTION 719.0 CLEANOUTS.

Section 719.0 is amended by adding Section 719.7 as follows:

Section 719.7 Cleanout. Cleanouts shall be installed adjacent to the property line where the private sewer system connects to the public sanitary sewer lateral and in conformance with the California Plumbing Code. All such line cleanouts shall be extended to grade with materials and according to specifications approved by the Director of Public Works, or designee, and terminate within a concrete box.

Chapter 23.20
MECHANICAL CODE

23.20.010 Adoption

(a) The [2019-2022](#) California Mechanical Code, California Code of Regulations, Title 24, Part 4, as adopted and amended by the State of California, hereinafter called "Mechanical Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Mechanical Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the City, and the appropriate officer, official, agent, employee, board, council or commission thereof with discretion to enforce the section or not enforce it.

(c) A copy of the Mechanical Code shall at all times be kept on file in the office of the City Clerk.

Chapter 23.28

FIRE CODE

23.28.010 Adoption

(a) The Fire Code adopted by the San Mateo Consolidated Fire Department, and as amended from time to time, hereinafter called "Fire Code," is adopted as the rules, regulations, and standards within the City as to all matters therein, except otherwise provided.

(b) No section of the Fire Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the City, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

(c) A copy of the Fire Code, as defined herein, shall be kept on file in the office of the City Clerk.

23.28.020 APPLICABILITY.

Repealed.

23.28.030 TITLE—AMENDED.

Repealed.

23.28.040 POLICY MANUAL—AMENDED.

Repealed.

23.28.050 BOARD OF APPEALS—NOT ADOPTED.

Repealed.

23.28.060 GENERAL DEFINITIONS—AMENDED.

Repealed.

23.28.090 BUILDINGS AND FACILITIES—AMENDED.

Repealed.

23.28.100 FIRE LANE DESIGNATION—ADDED.

Repealed.

23.28.110 ADDRESS IDENTIFICATION.

Repealed.

23.28.120 ADDRESS IDENTIFICATION—MULTI-TENANT BUILDINGS—ADDED.

Repealed.

23.28.130 ADDRESS IDENTIFICATION—REAR ADDRESSING—ADDED.

Repealed.

23.28.140 KEY BOX CONTENTS REQUIREMENTS—ADDED.

Repealed.

23.28.145 GATES—ADDED.

Repealed.

23.28.150 RECORDS REPORTING—ADDED.

Repealed.

23.28.160 AUTOMATIC SPRINKLER SYSTEMS—WHERE REQUIRED—AMENDED.

Repealed.

23.28.170 NFPA 13R SPRINKLER SYSTEMS—AMENDED.

Repealed.

23.28.180 AUTOMATIC SPRINKLER SYSTEMS—EXISTING BUILDINGS AND STRUCTURES—ADDED.

Repealed.

23.28.190 FIRE CONTROL ROOM—ADDED.

Repealed.

23.28.200 STANDPIPE SYSTEMS—REQUIRED INSTALLATIONS—AMENDED.

Repealed.

23.28.210 FIRE ALARM CERTIFICATION—ADDED.

Repealed.

23.28.220 MIDRISE SMOKE CONTROL SYSTEMS—ADDED.

Repealed.

23.28.230 CONVENIENCE STAIRWAYS—ADDED.

Repealed.

23.28.240 APPENDIX C, NUMBER AND DISTRIBUTION OF FIRE HYDRANTS—AMENDED.

Repealed.

23.28.250 VIOLATIONS.

It is unlawful to violate or fail to comply with any provisions of this code, or violate or fail to comply with any order made under this code or to build in violation of any detailed statement of specification or plans submitted and approved under this code, or any certificate or permit issued under this code.

23.28.260 ~~FIRE AND LIFE SAFETY INSPECTIONS. REPEALED~~

~~Inspections by the Fire Department shall periodically be made of buildings and structures that are used for residential or non-residential purposes as follows:~~

~~(a) The time and frequency of inspections shall be determined by the Fire Chief. No buildings shall be inspected for a fee more than annually except for re-inspections to assure that code corrections have been made or hazards have been corrected.~~

~~(b) A fee for inspections shall be established in the adopted City Fee Schedule to offset costs of the 2016 California Fire Code regulatory inspection program and shall be collected upon inspection from each property subject to this chapter. Revenues shall be used for the inspection and enforcement program.~~

~~(c) All properties shall be subject to inspection fees.~~

~~(d) Nothing in this section is intended to prevent inspections of property under nuisance abatement or other laws.~~

Chapter 23.30
Dangerous Building Code

23.30.010 Adoption

(a) The 1997 Uniform Code For The Abatement of Dangerous Buildings, published by the International Conference of Building Officials, hereinafter called "Dangerous Building Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Dangerous Building Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

(c) A copy of the Dangerous Building Code shall at all times be kept on file in the office of the City Clerk.

23.30.020 Title and Scope

Chapter 1 Title and Scope is amended as follows:

(a) Section 103 is amended as follows:

All buildings or structures which are to be repaired under the provisions of this code shall be subject to the provisions of the Building Code.

23.30.030 Enforcement

Chapter 2 Enforcement is amended as follows:

(a) Section 204 is amended as follows:

All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and Sections 110 and 1701 of the Building Code.

(b) Section 205.1 is amended as follows:

General. Appeals to orders, decisions, or determinations made by the building official relative to the application of this code shall be reviewed by the City Council in accordance with Chapters 5 and 6 of this code. The City Council shall serve as the board of Appeals. The hearing shall be informal and shall not require compliance with the formal rules of evidence. At the hearing, the City Council shall hear and consider all relevant evidence in reaching its decision.

(c) Section 205.2 is not adopted.

23.30.040 Definitions

Chapter 3 Definitions is amended as follows:

(a) Section 301 is amended as follows:

The term “Building Code” is the California Building Code, promulgated by the International Code Council and as adopted by the City of San Mateo.

The term “Housing Code” is the California Residential Code and the International Property Maintenance Code promulgated by the International Code Council and as adopted by the City of San Mateo.

(b) Section 301 is amended to include the following definition:

The term “board of appeals” or “board” shall mean the City Council.

(c) Section 302.15 is amended as follows:

15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Director of the Community Development Department, building official or code enforcement manager to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

23.30.050 Appeal

Chapter 5 Appeal is amended as follows:

(a) Section 501.1 Form of Appeal, first paragraph, is amended as follows:

501.1. Form of Appeal. Any person entitled to service under Section 401.3 may appeal from any notice and order or any action of the building official under this code by submitting a written appeal to the Director of the Community Development Department containing the following requisite information:...

(b) Section 501.2 Processing of Appeal is amended as follows:

501.2. Processing of Appeal. Upon receipt of any appeal filed pursuant to this Chapter, the Director of the Community Development Department shall as soon as practicable schedule an appeal hearing before the City Council.

23.30.060 Procedures for Conduct of Hearing Appeals

Chapter 6 Procedures for Conduct of Hearing Appeals is amended as follows:

(a) Section 601 General is not adopted.

(a)

(b) Section 603 Subpoenas is not adopted.

(c) Section 604.2 Oral Evidence is not adopted.

(d) Sections 605.2 Hearing Before Examiner; 605.3 Consideration of Report by Board-Notice; 605.4 Exceptions to Report; 605.5 Disposition by the Board; and 605.6 Proposed Decision Not Adopted are not adopted.

23.30.070 Performance of Work of Repair or Demolition

Chapter 8 Performance of Work of Repair or Demolition is amended as follows:

(a) Section 801.1 Procedure is amended as follows:

When any work or repair or demolition is to be done pursuant to Section 701.3, Item 3, of this code, the building official shall prepare the work to be accomplished by the City or private contract under the direction of the Director of the Community Development Department.

(b) Section 801.2 Costs is amended as follows:

The cost of such work done may be made a special assessment against the property involved, or may be a personal obligation of the property owner, or by all other legal means as determined appropriate by the City Council.

(c) Section 802 Repair and Demolition Fund is not adopted.

23.30.080 Recovery of Cost of Repair or Demolition

Chapter 9 Recovery of Cost of Repair or Demolition is amended as follows:

(a) Section 901 Account of Expense, Filing of Report is amended as follows:

The Director of the Community Development Department shall keep an itemized account of the expense incurred by the City in the repair or demolition of any building done pursuant to the provisions of Section 701.3, Item 3, of this code. Upon the completion of the work of repair or demolition, said director shall prepare and file with the City Council a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section 401.3.

(b) Section 905.2 Personal Obligation is amended as follows:

905.2 Personal Obligation. If the City Council orders that the charge shall be a personal obligation of the property owner, the City Attorney may direct the collection of the charge by use of all appropriate legal remedies.

(c) Section 912 Repayment of Repair and Demolition Fund is not adopted.

Chapter 23.36
Historical Building Code

23.36.010 Adoption

(a) The [2019-2022](#) California Historical Building Code, California Code of Regulations, Title 24, Part 8, as adopted and amended by the State of California, hereinafter called "Historical Building Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the Historical Building Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

(c) A copy of the Historical Building Code shall at all times be kept on file in the office of the City Clerk.

Chapter 23.38
Referenced Standards Code

23.38.010 Adoption

(a) The [2019-2022](#) California Referenced Standards Code, California Code of Regulations, Title 24, Part 12, as adopted and amended by the State of California, hereinafter called "Referenced Standards Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) No section of the California Referenced Standards Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

(c) A copy of the California Referenced Standards Code shall at all times be kept on file in the office of the City Clerk.

Chapter 23.50

~~HANDICAPPED~~ ACCESS COMPLIANCE

23.50.010 ~~HANDICAPPED~~ ACCESS COMPLIANCE.

The ~~Handicapped~~ Access Compliance Regulations-Reference Materials of the state as prepared by the ~~Office~~-Division of State Architect shall be followed wherever they are applicable.