

ORDINANCE NO. 3618

AN ORDINANCE AMENDING CHAPTER 15 OF PART VII OF THE ORDINANCE CODE, PERTAINING TO BUILDING REGULATIONS IN TULARE COUNTY, AND TO ADD CHAPTER 32, ENTITLED “ELECTRIC VEHICLE CHARGING STATIONS REVIEW PROCESS,” TO PART VII OF THE ORDINANCE CODE OF TULARE COUNTY.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

Section 1. Section 7-15-1000 of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-1000. ADOPTION OF CALIFORNIA CODES:

In compliance with and pursuant to Health and Safety Code sections 17958, 19722 and 18938, the County of Tulare adopts the 2022 California Building Standards Code, found in Title 24 of the California Code of Regulations, in its entirety, unless otherwise specified in this Chapter.

The procedures and proceedings provided in the 2022 California Building Standards Code may, at the discretion of the Resource Management Agency Director or authorized representatives, or where applicable the Fire Chief or authorized representatives, be used in place of procedures and proceedings that may be provided elsewhere in this Ordinance Code.

Section 2. Section 7-15-1010 of Article 1 (“Administration and Procedure”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-1010. DEFINITIONS:

Whenever any of the following terms are used in said Chapter 15 (Building Regulations), such terms shall have the following meanings:

(a) “Building Official” shall mean the Resource Management Agency Director of the County of Tulare or authorized representative.

(b) "Certificate of Occupancy" shall be given the same meaning as defined in 2022 California Residential Code, California Code of Regulations, Title 24, Part 2.5 based on the 2018 International Residential Code, Division II Administration, Section R110. "Certificate of Occupancy" shall also mean approval of Final Inspection as performed by the Resource Management Agency.

(c) "Chief Appointing Authority of the City" shall mean the Board of Supervisors of the County of Tulare.

(d) "City" shall mean the County of Tulare or the unincorporated territory of the County of Tulare, as the text may require.

(e) "Fire Chief" shall mean Fire Chief of Tulare County, Fire Warden where applicable, Fire Code Official, Fire Marshall, or authorized representatives.

(f) "Governing Body" shall mean the Board of Supervisors of the County of Tulare.

(g) "Resource Management Agency Director or authorized representative(s)" shall mean the Associate Director, Assistant Director Public Works, Assistant Director Planning Branch, Assistant Director Administration Branch, Fire Chief or their designees.

Section 3. Section 7-15-1066 of Article 2 ("California Building Code of Regulations, Part 2, Volumes 1 and 2") of Chapter 15 ("Building Regulations") of Part VII ("Land Use Regulation and Planning") of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-1066. ADOPTION OF CALIFORNIA BUILDING CODE, PART 2, AND VOLUMES 1 AND 2, INCLUDING APPENDICES C, F, G, H, I AND J:

Except as otherwise provided in this Article, Volumes 1 and 2 of the California Building Code 2022 Edition, found in Part 2 of Title 24 of the California Code of Regulations and published by the California Building Standards Commission and International Code Council, including Appendix C – Group U – Agricultural Buildings, Appendix F – Rodent Proofing, Appendix G – Flood Resistant Construction, Appendix H – Signs, Appendix I – Patio Covers, and Appendix J – Grading, are adopted and made a part of this Article as if fully set forth herein, and shall hereinafter be referred to as the "California Building Code."

Section 4. Section 7-15-1115 of Article 3 ("California Fire Code") of Chapter 15 ("Building Regulations") of Part VII ("Land Use Regulation and Planning") of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-1115. ADOPTION OF CALIFORNIA FIRE CODE, TITLE 24, PART 9:

Except as otherwise provided in this Article, the code and regulations known as the 2022 California Fire Code, based on the 2021 International Fire Code and found in Title 24, Part 9 of the California Code of Regulations, including Appendix D – Fire Apparatus Access Roads; Appendix F – Hazard Ranking;; Appendix I – Fire Protection Systems – Non Compliance Conditions; Appendix K –construction requirements for existing ambulatory care facilities; Appendix N – Indoor trade shows and exhibits; Appendix O – temporary haunted houses, Ghost Walks and Similar Amusement Uses; Section 503 Fire Apparatus Access Roads; Section 805 Upholstered Furniture and mattresses in new and existing buildings and Section 5707 On-Demand Mobile Fueling Operations are hereby adopted and made part of this Article as if fully set forth herein as the Fire Code of the County of Tulare, and shall hereinafter be referred to as the “California Fire Code.”

Section 5. Section 7-15-1485 of Article 9 (“California Electrical Code”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-1485. ADOPTION OF CALIFORNIA ELECTRICAL CODE:

Except as otherwise provided in this Article, the code entitled 2022 California Electrical Code, based on the 2020 National Electrical Code, found in Title 24, Part 3 of the California Code of Regulations, is hereby referred to, adopted, and made a part of this Article with the same effect as if fully set forth herein, and is hereby adopted as the Electrical Code of the County of Tulare, and all of the provisions thereof shall apply to all of the unincorporated territory of the County of Tulare.

Section 6. Section 7-15-1565 of Article 11 (“California Plumbing Code”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-1565. ADOPTION OF CALIFORNIA PLUMBING CODE:

Except as otherwise provided in this Article, the code entitled 2022 California Plumbing Code, based on the 2021 Uniform Plumbing Code, found in Title 24, California Code of Regulations, Part 5, together with appendices thereto, as published by the International Code Council, as adopted and modified by the State Building Standards Code by the State Building Standards Commission pursuant to Health and Safety Code section 17922, and as amended by the provisions of this Ordinance Code, is hereby referred to, adopted and made a part of this Article with the same effect as if fully set forth herein and is hereby adopted as the Plumbing Code of the

County of Tulare, and all the provisions thereof shall apply to all of the unincorporated territory of the County of Tulare.

Section 7. Section 7-15-2115 of Article 20 (“California Historical Building Code, Title 24, Part 8”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-2115. ADOPTION OF CALIFORNIA HISTORICAL CODE, TITLE 24, PART 8:

The code and regulations known as the California Historical Building Code ~~2016~~ 2022 Edition, found in Title 24, Part 8 of the California Code of Regulations, published by the California Building Standards Commission and International Code Council, is hereby referred to, adopted and made a part of this Article as if fully set forth herein, and shall hereinafter be referred to as the “California Historical Building Code.”

Section 8. Section 7-15-2410 of Article 23 (“California Residential Code, Title 24, Part 2.5”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-2410. ADOPTION OF CALIFORNIA RESIDENTIAL CODE, TITLE 24, PART 2.5:

Except as otherwise provided in this Article, the 2022 California Residential Code, found in Title 24, Part 2.5 of the California Code of Regulations, based on the 2021 International Residential Code, is hereby referred to, adopted and made a part of this Article, along with the following Appendices hereto, and shall be referred to as the “California Residential Code”: Appendix H – Patio Covers, Appendix J – Existing Buildings and Structures, Appendix Q – Tiny Homes, and Appendix AX – Swimming Pool Act.

Section 9. Section 7-15-2510 of Article 24 (“California Administrative Code, Title 24, Part 1”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

§ 7-15-2510. ADOPTION OF CALIFORNIA ADMINISTRATIVE CODE, TITLE 24, PART 1:

Except as otherwise provided in this Article, the California Administrative Code 2022 Edition published by the International Code Council, found in Title 24, Part 1 of the California Code of Regulations, is hereby referred to, adopted in its entirety and made a part of this Article as if fully set forth herein, and shall hereinafter be referred to as the “California Administrative Code.”

**§ 7-15-2610. ADOPTION OF CALIFORNIA ENERGY CODE, TITLE 24,
PART 6:**

The California Energy Code, 2022 Edition, published by the California Building Standards Commission, found in Title 24, Part 6 of the California Code of Regulations, is hereby referred to, adopted in its entirety and made a part of this Article as if fully set forth herein and shall hereinafter be referred to as the “California Energy Code.”

Section 10. Section 7-15-2710 of Article 26 (“California Green Buildings Standards Code, Title 24, Part 11”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

**§ 7-15-2710. ADOPTION OF CALIFORNIA GREEN BUILDINGS STANDARDS
CODE, TITLE 24, PART 11:**

The California Green Buildings Standards Code, Part 11 of Title 24, 2022 Edition, published by the International Code Council, is hereby referred to, adopted in its entirety and made a part of this Article as if fully set forth herein, and is hereby adopted and shall hereinafter be referred to as the “California Green Buildings Standards Code.”

Section 11. Section 7-15-2810 of Article 27 (“California Referenced Standards Code, Title 24, Part 12”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

**§ 7-15-2810. ADOPTION OF CALIFORNIA REFERENCED STANDARDS
CODE, TITLE 24, PART 12:**

The California Referenced Standards Code 2022 Edition, published by the International Code Council, found in Title 24, Part 12 of the California Code of Regulations, is hereby referred to, adopted in its entirety and made a part of this Article as if fully set forth herein, and shall hereinafter be referred to as the “California Referenced Standards Code.”

Section 12. Section 7-15-2910 of Article 28 (“California Mechanical Code, Title 24, Part 4”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

**§ 7-15-2910. ADOPTION OF CALIFORNIA MECHANICAL CODE, TITLE 24
PART 4:**

The California Mechanical Code, 2022 Edition, published by the California Building Standards Commission, found in Title 24, Part 4 of the California Code of Regulations, based on the 2021 Uniform Mechanical Code, is hereby referred to, adopted in its entirety and made a part

of this Article as if fully set forth herein and shall hereinafter be referred to as the “California Mechanical Code.”

Section 13. Section 7-15-3100 of Article 31 (“California Existing Building Code, Title 24, Part 10”) of Chapter 15 (“Building Regulations”) of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is amended to read as follows:

**§ 7-15-3100. ADOPTION OF CALIFORNIA EXISTING BUILDING CODE,
TITLE 24, PART 10:**

The California Existing Building Code, 2022 Edition, published by the International Code Council, found in Title 24, Part 10 of the California Code of Regulations, is hereby referred to, adopted in its entirety and made a part of this Article as if fully set forth herein, and shall hereinafter be referred to as the “California Existing Building Code.”

Section 14. Chapter 32 of Part VII (“Land Use Regulation and Planning”) of the Tulare County Ordinance Code is added to read as follows:

**CHAPTER 32. ELECTRIC VEHICLE CHARGING STATIONS
REVIEW PROCESS**

§ 7-32-1000. DEFINITIONS:

The following words and phrases as used in this section are defined as follows:

- (a) “Electronic submittal” means the utilization of the County's online portal or the Internet.
- (b) “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built-in compliance with Article 625 of the California Electrical Code, as it reads on January 1, 2016, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- (c) “Specific, adverse impact” means a significant, quantifiable, direct, or unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

§ 7-32-1010. PERMIT APPLICATION PROCESS:

. Section 65850.7 of the California Government Code provides that every city or county shall adopt an ordinance that creates an expedited, streamlined permitting process for Electric Vehicle Charging Stations.

This section applies to the permitting of all electric vehicle charging stations in the County.

§ 7-32-1020. EXISTING ELECTRIC VEHICLE CHARGING STATIONS:

All electric vehicle charging stations legally established or permitted prior to the effective

date of this ordinance shall not require a permit issued under this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electric vehicle charging station. Routine operations and maintenance or like-kind replacements of the components of an electric vehicle charging state shall not be considered a material change.

§ 7-32-1030. REQUIREMENTS:

(a) All electric vehicle charging stations shall meet all applicable health and safety standards and requirements, including but not limited to any requirements imposed by the state and the County, local fire department and utility director, the California Building Code, Tulare County Code, and Federal laws including the Americans with Disabilities Act.

(b) Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and the accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

§ 7-32-1040. APPLICATIONS:

(a) All documents required for submission of an electric vehicle charging station application shall be made available on the County's website.

(b) An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

(c) The Building and Housing Department shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review.

(d) The Building and Housing Department may refer to the recommendations contained in the most current version of the Plug-In Electric Vehicle Infrastructure Permitting Checklist of the Zero-Emission Vehicles in California: Community Readiness Guidebook published by the Governor's Office of Planning and Research, when adopting the electric vehicle charging station permit process and checklist. The checklist will be made available on the Resource Management Agency's Forms website.

§ 7-32-1050. REVIEW:

(a) The Building Official shall implement an administrative review process to expedite approval of electric vehicle charging stations. Review of a complete permit application shall be limited to the Building Official's review of whether it meets all health and safety requirements of local, state, and federal law. Local law requirements shall be limited to those standards and regulations necessary to ensure there is no specific, adverse impact on public health or safety by the proposed installation. For direct current fast chargers (DCFC), the review of a complete permit application will be a fifteen-business day timeline.

(b) A permit application that satisfies the information requirements in the checklist, as adopted by the County, shall be deemed complete.

(c) A complete permit application and proposed installation that meets the required standards and approved checklist that does not have a specific, adverse impact on public health or safety shall not be denied.

(d) An applicant that provides an incomplete permit application shall be provided with a written correction notice detailing all deficiencies in the application and any information required to be eligible for expedited permit issuance.

(e) The Building Official may require an applicant to apply for an administrative special use permit (AA PSP) if the official makes a written finding, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official may be appealed to the Hearing Officer in accordance with the procedures of Ordinance No. 3606.

(f) The Director may not deny an application for an administrative special use permit, unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The Director's written findings shall include the basis for the rejection of potential feasible alternatives or conditions for preventing the adverse impact. The decision of the Director may be appealed to the Local Appeals Board as provided in section 7-15-1050 of this Code.

(g) Any conditions imposed on an application shall be designed to mitigate the specific, adverse impact upon the public health or safety at the lowest cost possible. Government Code Section 65850.7 requires that the Building Official shall not condition the approval for any conditional use permit on the approval of such a system by an association, as that term is defined by Civil Code 4080.

(h) A feasible method to satisfactorily mitigate or avoid the specific, adverse impact includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the County on another similarly situated application in a prior successful application for a permit.

Section 15. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof a summary shall be published once in the Sun-Gazette, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the 29th day of November 2022, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

COUNTY OF TULARE

By:

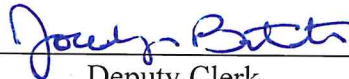


Chairman, Board of Supervisors

EDUARDO VALERO

ATTEST: JASON T. BRITT
County Administrative Officer/
Clerk of the Board of Supervisors

By:



Deputy Clerk



Approved as to Form:
County Counsel

By AZaheen

Deputy

Matter # 20221016

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