

## **ORDINANCE NO. 1-26**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING BY REFERENCE, WITH CERTAIN AMENDMENTS, THE 2025 EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA ENERGY CODE, CALIFORNIA HISTORICAL BUILDING CODE, CALIFORNIA EXISTING BUILDING CODE, CALIFORNIA GREEN BUILDINGS STANDARDS CODE, CALIFORNIA REFERENCE STANDARDS, CALIFORNIA FIRE CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE**

**THE CITY COUNCIL OF THE CITY OF OAKLEY DOES ORDAIN AS FOLLOWS:**

SECTION 1. Upon the effective date of this Ordinance, Oakley Municipal Code 7.1.102 shall be amended to read as follows:

### **7.1.102 Adoption by reference.**

The following publications, 2025 Edition, including the specified appendices thereto, are hereby adopted by reference and incorporated into this code as they are adopted, published and promulgated from time to time by the International Code Council, and as adopted by the California Building Standards Commission in the California Code of Regulations:

- a. The California Building Code, Volumes 1 and 2, including Chapter 1 as amended, Appendix Chapters: C – Group U Agricultural Buildings, H – Signs, I – Patio Covers, N- Replicable Buildings, and P- Sleeping Lots.
- b. The California Residential Code, including Chapter 1 as amended, Appendix Chapters: C – California Swimming Pools Safety Acts and B – Patio Covers.
- c. The California Electrical Code, incorporating the National Electrical Code and all annexes.
- d. The California Mechanical Code, incorporating the Uniform Mechanical Code, excluding appendix chapters.
- e. The California Plumbing Code, incorporating the Uniform Plumbing Code including Appendix Chapters: A – Recommended Rules for sizing the Water Supply System, D – Sizing Storm Water Drainage Systems, G – Sizing of Venting Systems.
- f. The California Energy Code, including Appendix Chapter 1-A – Standards and Documents Referenced in the Energy Efficiency Regulations.
- g. The California Historical Building Code, including Appendix Chapter A.
- h. The California Existing Building Code.

- i. The California Green Building Standards Code.
- j. The California Reference Standards.
- k. The International Property Maintenance Code, including Appendix A – Boarding Standard.
- l. The 2025 Edition of the California Fire Code, California Code of Regulations, Title 24, Part 9, subject to the following:

1) Contra Costa County Fire Protection District Ordinance adopted. Ordinance 2025-14 of the Contra Costa County Fire Protection District, adopted [TBD], is hereby adopted and ratified by the City Council under the authority of California Health and Safety Code Section 13869.7. Ordinance 2025-14 adopts the 2025 California Fire Code (California Code of Regulations, Title 24, Part 9, including Chapters 1-12 and 20-80, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, Appendix J, Appendix K, and Appendix P), and amends it by the changes, additions, and deletions set forth in the ordinance. The provisions of the 2025 California Fire Code, as amended by Ordinance 2025-14, shall be controlling and enforceable within the jurisdictional boundaries of the City of Oakley.

2) Copies available. Copies of the 2025 Edition of the California Fire Code and Ordinance 2025-14 shall be kept on file in the City of Oakley Building Department for use and examination by the public.

3) Delegation of enforcement to Fire Chief. Pursuant to California Health and Safety Code Section 13869.7, the City Council delegates enforcement of Ordinance 2025-14 to the Fire Chief of the Contra Costa County Fire Protection District, or his or her authorized representatives.

**SECTION 2.** Upon the effective date of this Ordinance, Oakley Municipal Code 7.1.102 shall be amended to read as follows:

### **7.2.102 Amendments to the California Building Code.**

The California Building Code ("CBC"), Volumes 1 and 2, are amended by the changes, additions and deletions set forth in this chapter.

- a. CBC Volume 1, Chapter 1 – Scope and Administration, Division II – Administration, is amended as follows:

- 1) Section 101.1, Title, is amended to read as follows:

**Section 101.1 Title.** These regulations shall be known as the Building Code of the City of Oakley hereinafter referred to as "this Code."

- 2) Section 105.5, Permits, is amended to read as follows:

**Section 105.5. Expiration.** Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the

building, structure, equipment or work authorized by such permit is not commenced within 365 days from the date of such permit, or if the building, structure, equipment or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work as set forth in the current fee schedule as adopted by the Council, provided no changes have been made or will be made to the original plans or specifications for such work, and provided further that such suspension or abandonment has not exceeded one year.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time frame required by this section for good and satisfactory reasons. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing with justifiable cause demonstrated and accompanied by an extension request review fee, as required by the current fee schedule as adopted by the Council.

3) Section 109.2, Schedule of permit fees, is amended in its entirety to read as follows:

**Section 109.2.** Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the current fee schedule as adopted by the Council.

The Council is hereby authorized to set and amend all fees prescribed by this Code. Said fees may be adjusted periodically by the Council to ensure the full recovery of City costs relating to building permits and inspections.

Permit fees and any required plan checks are based upon the value of the project. Electrical, plumbing and mechanical fees are based on a percentage of the building permit fee. The determination of value or valuation shall be made by the Chief Building Official. The Chief Building Official shall maintain the current fee schedule, and shall make it available for public review upon request.

4) Section 109.4, Work commencing before permit issuance, is amended to include subsection 109.4.1, Investigation, investigation fees, and work without a permit:

**Section 109.4.1.** Investigation, investigation fees, and work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, an investigation shall be made before a permit may be issued for such work. An investigation fee shall be collected

whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the current fee schedule as adopted by the Council. 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.

5) Section 109.6, Refunds, is amended in its entirety to read as follows:

**Section 109.6 Refunds.** The Building Official may authorize the refunding of not more than 80% of the permit fees paid when no work has commenced under a permit in accordance with this code or when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

6) Section 109, Fees, is amended to include Section 109.7, Re-inspections, and Section 109.8, Plan review fees:

**Section 109.7 Re-inspections.** A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is scheduled and is not complete or when corrections called for previously are not complete.

This section is not to be interpreted as requiring 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.

To obtain a re-inspection, the applicant shall call and schedule a re-inspection and pay the re-inspection fee set forth in the current fee schedule as adopted by the Council.

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.

**Section 109.8 Plan review fees.** When submittal documents are required, a plan review fee shall be paid at the time of submittal for plan review. Said plan review fee shall be a percent of the building permit fee as shown in the current fee schedule as adopted by the Council.

The plan review fees specified in this section are separate fees from the permit fees specified in the current fee schedule as adopted by the Council and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1 – Deferred submittals, an additional plan review fee shall be charged at the rate shown in the current fee schedule as adopted by the Council.

7) Section 113, Board of appeals, is amended for existing Section 113.1, General:

**Section 113.1 General.** Any appeals of City determinations under this chapter shall occur as specified in Title 1 Chapter 8 of this code.

SECTION 3. Upon the effective date of this Ordinance, Oakley Municipal Code 7.1.112 shall be amended to read as follows:

### **7.2.112 Amendments to the International Property Maintenance Code**

The International Property Maintenance Code ("IPMC") is amended by the changes, additions and deletions set forth in this chapter.

a. IPMC Chapter 1, Scope and Administration, Part 1, Scope and Application, is amended as follows:

1) Section 101.1, Title, is amended to read as follows:

**Section 101.1 Title.** These regulations shall be known as the Property Maintenance Code of the City of Oakley, hereinafter referred to as "this code."

2) Section 102.3, Application of other codes, is amended to read as follows:

**Section 102.3 Application of other codes.** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the effective California Existing Building Code, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Historical Building Code, California Fire Code, California Existing Building Code and the California Reference Standards.

b. IPMC Chapter 1, Scope and Administration, Part 2, Administration and Enforcement, is amended as follows:

1) Section 103: Code Compliance Agency, is amended to read as follows:

**Section 103.1 Creation of agency.** The Authority for the enforcement of this code shall rest with the City Manager.

2) Section 103.2, Appointment, is amended to read as follows:

**Section 103.2 Appointment.** The code official referenced in this Code shall be a building official hired, appointed or retained in accordance with the Oakley Municipal Code.

3) Section 103.5, Fees, is amended to read as follows:

**Section 104.1 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the most current fee schedule as adopted by the Council.

5) Section 106, Means of appeal, is amended to read as follows:

**Section 106.1 General.** Any appeals of City determinations under this chapter shall occur as specified in Title 1 Chapter 8 of this code.

7) Section 302, Exterior property areas, subsections 302.4, Weeds, and 304.14, Insect screens, are amended as follows:

**Section 302.4-Weeds** Insert 6 inches.

**Section 304.14 Insect screens.** Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

8) Section 602, Heating facilities, is amended to repeal the exception listed for Section 602.2, Residential occupancies, Section 602.3, Heat supply, and Section 602.4, Occupiable work spaces.

9) Section 602, Heating Facilities is amended as follows:

**Section 602.3 Heat Supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof to maintain a minimum temperature of 68 degrees F in all habitable rooms, bathrooms and toilet rooms.

**Section 602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of 65 degrees during the periods the spaces are occupied.

#### SECTION 4. California Environmental Quality Act (CEQA).

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 5. Severability.**

The City Council of the City of Oakley hereby declares that should any section, paragraph, sentence, phrase, term or word of this Ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

**SECTION 6. Effective Date and Posting.**

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

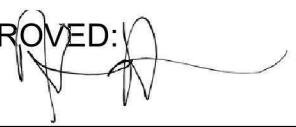
**PASSED AND ADOPTED** by the City Council of the City of Oakley this 27<sup>th</sup> day of January 2026 by the following vote:

AYES: Fuller, Henderson, Meadows, Shaw, Williams

NOES:

ABSTENTIONS:

ABSENT:

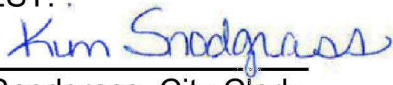
APPROVED: 

\_\_\_\_\_  
Hugh Henderson, Mayor

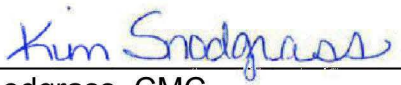
1/28/2026

\_\_\_\_\_  
Date

ATTEST: .

  
\_\_\_\_\_  
Kim Snodgrass, City Clerk

**I HEREBY CERTIFY** that in accordance with Government Code Section 40806, this ordinance is a true and correct copy of a city ordinance. It has been published or posted pursuant to law.

  
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Kim Snodgrass, CMC  
City Clerk