

**ORDINANCE NO. 262**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY CALIFORNIA, AMENDING TITLE 8, CHAPTER 8.02, BUILDING CODES OF THE TOWNS MUNICIPAL CODE, REPEALING CHAPTER 8.02, SECTIONS 8.02.010 THROUGH 8.02.140, AND ADOPTS AS MODIFIED THE 2016 EDITION OF THE CALIFORNIA BUILDING CODE VOLUMES 1, 2 INCLUDING THE APPENDIX AND STANDARDS, THE 2016 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2016 EDITION OF THE CALIFORNIA PLUMBING CODE, THE 2016 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2016 EDITION OF THE CALIFORNIA GREEN BUILDING CODE, THE 2016 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2016 EDITION CALIFORNIA ENERGY CODE AND OTHER REGULATIONS RELATING TO BUILDING REQUIREMENTS AS CONTAINED WITHIN THIS ORDINANCE.**

WHEREAS, Title 8 of the Municipal Code (the "Code") of the Town of Yucca Valley (the "Town") has provided minimum standards to safeguard life or limb, health, property and public welfare by regulating the construction, quality of materials, use, and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment; and WHEREAS, Title 8 - Building and Construction has not been comprehensively updated since January 1, 2013; and WHEREAS, it is deemed to be in the best interest of the Town to update and amend a portion of Title 8 of the Code to incorporate the newly adopted standards adopted by the State of California Building Standards Commission and to account for the new building construction standards; and WHEREAS, the 2016 California Building Standards Code, contained in the California Code of Regulations, Title 24, parts 1-12, incorporate public health, life safety, and general welfare standards used in the design and construction of buildings in California. The California codes incorporate the latest national standards for construction, including the 2015 International Building Code, the 2015 International Residential Code, the International Fire Code, the 2014 National Electrical Code, the 2015 Uniform Plumbing Code, the 2015 Uniform Mechanical Code and the California Green Building Standards Code; and WHEREAS, the Town also desires to make certain amendments to the above State codes based on local climatic, geologic and topographic conditions as outlined in the resolution accompanying this ordinance; and WHEREAS, Government Code Section §50022.1, et seq., provides that ordinances and codes of the Federal, State, or any agency of either of them, may be adopted by reference, provided that prior to such adoption by reference a notice public hearing has been held.

The Town Council of the Town of Yucca Valley does ordain as follows:

## Chapter 8.02

### **BUILDING CODES**

#### SECTION:

- 8.02.010: Findings
- 8.02.020: Local Climatic Conditions
- 8.02.030: Local Topographical Conditions
- 8.02.040: Local Topographical Conditions
- 8.02.050: Public Hearing
- 8.02.060: Building Code Adopted; Amendments
- 8.02.070: California Residential Building Code
- 8.02.080: California Electrical Code
- 8.02.090: California Plumbing Code
- 8.02.100: California Existing Building Code
- 8.02.110: California Historical Building Code
- 8.02.120: California Reference Standards Code
- 8.02.130: California Mechanical Code
- 8.02.140: California Green Building Standards
- 8.02.150: California Energy Code
- 8.02.160: California International Property Maintenance Code
- 8.02.170: Amendments Necessary
- 8.02.180: Violations and Penalties

SECTION 1. Chapter 8.02 of the Yucca Valley Municipal Code, "Findings", is hereby repealed in its entirety and restated as follows:

#### **8.02.010: FINDINGS**

- A. Government Code sections 50022.1 et. Seq., provide that ordinances and codes of the federal, state or any agency of either of them may be adopted by reference, provided that prior to such adoption by reference a noticed public hearing has been held.
- B. Pursuant to Section 17958.5 of the Health and Safety Code of the State of California, The Town Council of the Town of Yucca Valley hereby finds that the amendments of the building standards contained in the California Building Code, Volumes 1, 2, 2016 Edition are necessary do to:

#### **8.02.020: LOCAL CLIMATIC CONDITIONS:**

- A. The Town is subject to extremely strong winds, commonly known as "Santa Ana Winds" which can reach speeds in excess of 90 miles per hour. Extensive damage frequently accompanies these winds, such as blowing sand and debris, downed power lines, fallen

trees, overturned vehicles and structural damage to buildings. These conditions result in increased demand for fire services, blocked or delayed emergency vehicle access and impaired water supplies and building emergency systems.

- B. During the summer months, the Santa Ana Winds may produce periods of extremely low humidity, thereby reducing the fuels moisture and increasing the possibility and severity of fire from dry vegetation and other common combustibles.
- C. During the summer months, much of the Town experiences prolonged periods of temperatures in excess of 100°F. When coupled with sustained severe Santa Ana Winds, an increase in the threat from rapidly moving wildfires exists.
- D. During the winter months, heavy rains routinely cause damage to roadways rendering them completely impassible, or with limited access, sometimes for extended periods.
- E. During winter months, heavy snow and ice conditions exist in the mountain areas resulting in increased demand for fire services and limiting or delaying emergency vehicle access. In some cases, emergency vehicle access roads are completely impassible, or have limited access, sometimes for extended periods.

**8.02.030: LOCAL GEOLOGICAL CONDITIONS:**

- A. The Town is subject to moderately strong to severe shaking and surface ruptures resulting from known earthquake faults located within or near the Town. These local earthquake faults have the potential to cause severe personal and property damage, utility interruptions, fire hazards and hazardous materials releases. Additionally, significant roadway, bridge structure, water supply and communications systems are subject to failure, thereby causing a detriment to emergency services response.
- B. Unstable slopes in several areas throughout the Town have experienced soil movement as a result of heavy or soaking rains, resulting in damage to roadways, structures and utilities.

**8.02.040: LOCAL TOPOGRAPHICAL CONDITIONS:**

- A. The Town encompasses an area with limited access routes connecting areas developed with street and utility infrastructure from underdeveloped areas. This distance, combined with these limited access routes, results in delays in the reallocation of resources to emergency scenes.
- B. The topography of the Town is exceptionally diverse, ranging from relatively flat desert and valley areas, to foothill areas, and canyon areas. This results in some areas that are inaccessible to radio communications, which hampers emergency response capabilities.

- C. The diverse topography of the Town, combined with numerous areas of lacking infrastructure, results in many areas having limited, unreliable or unavailable water supplies available for firefighting purposes.

**8.02.050: PUBLIC HEARING:**

- A. The following are hereby incorporated and adopted by reference:

California Building Code, 2016 Edition, Volumes 1, 2 with Appendix F, G, H, I, J  
California Residential Building Code, 2016 Edition with Appendix E, G, H, O  
California Mechanical Code, 2016 Edition with Appendix and Standards  
California Plumbing Code 2016 Edition with Appendix and Standards  
California Electrical Code, 2016 Edition  
California Green Building Code, 2016 Edition  
California Energy Code, 2016 Edition  
California Fire Code, 2016 Edition  
California Administrative Code, 2016 Edition  
2015 International Property Maintenance Code

- B. Pursuant to Section 17958.5 of the Health and Safety Code of the State of California, The Town Council of the Town of Yucca Valley hereby finds that the amendments of the building standards contained in the California Building Code, Volumes 1, 2, 2016 Edition are necessary do to past earthquakes (Landers 1992) and the inherent run off problems incurred with severe thunderstorm activity and flooding due to the Towns desert location.
- C. Copies of these codes and standards are on file with the Building Official fifteen days prior to the noticed hearing. Location is at 58928 Business Center Drive.
- D. A noticed public hearing shall be held by the Town Council, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting by reference the current editions of certain model codes, as follows:

SECTION 2. Section 8.02.060 of the Yucca Valley Municipal Code, "Building Code Adopted; Amendments", is hereby repealed in its entirety and restated as follows:

**8.02.060: BUILDING CODE ADOPTED AMENDMENTS:**

- A. Building Code Adopted: Except as hereinafter provided, the California Building Codes, 2016 Edition, Volumes 1, & 2 published by the International Codes Council. All California Building Code Appendix Chapters with the exception of Appendix Chapters A,B,C,D, and E; Elevator Safety Code Title 24 part 7 for Elevators and Escalators, Society of Mechanical Engineers; Structural Welding Code-Reinforcing Steel, AWS D1.4-92 (UBC Standard No.19-2); Structural Welding Code-Steel, ANSI/AWS D1.1-84 (UBC Standard

No.27-6) and Structural Welding Code-Sheet Steel, ANSI/AWS D1.3-81 (UBC Standard No. 27-13) published by the American Welding Society; as modified or amended in the California Building Code referenced herein; is hereby adopted by reference as the Building Code of the Town of Yucca Valley for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment use, height area, maintenance of all buildings or structures in the Town of Yucca Valley providing for the issuance of all permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such California Building Code, 2016 Edition, Volumes 1, 2, , published by the International Code Council above, except as amended herein, all of which are on file in the office of the Building Official, Town of Yucca Valley are hereby referred to, adopted and made part hereof as if fully set out in this ordinance.

A copy of the Building Code of the Town of Yucca Valley shall be maintained in the office of the Building Official in the Town of Yucca Valley, and shall be made available for public inspection while this code is in force.

B. Building Code Amended: The 2016 California Building Code as adopted by referenced herein is amended as follows:

1. The California Building Code, Chapter 1, Division II, Section 104.8, "Liability", is hereby amended to read as follows:

**Section 104.8 Liability.** The Building Official, or his authorized representative charged with the enforcement of this Code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties.

The provisions of this section shall apply if the Building Official or his authorized representative are employees of this jurisdiction and shall also apply if the Building Official or his authorized representative are acting under contract as agents of the jurisdiction.

Such Codes shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

2. California Building Code Chapter 1, Volume 1, Section 109, "Fees", shall be amended to read as follows:

**Section 109 Fees.** All fees shall be as set forth in the most recent resolution of the Town Council regarding fees for building, plumbing, mechanical, electrical, elevator and grading permits and plan review.

3. California Building Code Chapter 16 Volume 2, "Structural Design Requirements Division General Design Requirements", is amended by addition of a new Section 1604.11 to read as follows:

**Section 1604.11 Structural Design Requirements Division General Design Requirements.** Allowable Shear Values for Stucco and Drywall. Reduce the allowable shear values for Portland cement (stucco) and gypsum sheathing board and gypsum wall board (drywall) permitted under the 2016 C.B.C Table 2306.3 (3) as follows:

Portland Cement Plaster:

1. Reduce allowable shear wall value to 90#/foot.
2. Limit ratio "h/d" to 1.
3. Required minimum nailing will be limited to 11 (gage) x 1 1/2(length) galvanized nails with lath furred to 1/4 in. Staples and self-furring lath will not be permitted.

Gypsum sheathing and wallboard (1/2 or 5/8 in. thickness):

1. Reduce the maximum shear value to 30#/foot (for both blocked and unblocked shear walls), with nailing at 7 in. maximum spacing.
2. Limit the ratio "h/d" to 1.
3. Wall frame assemblies of Portland cement plaster or gypsum wallboard will not be permitted to carry shear loads at the ground floor of a multi-story building.

Plywood:

1. Reduce the allowable values for plywood shear walls to 75% of the shear values.
2. Require nominal 3 in. thick boundary and panel edge members for all shear walls with shear values exceeding 300# per foot.
3. Require minimum 1/2 in. edge distance for nailing at the 3X boundary and panel edge members of these shear walls.

4. Limit the shear wall "h/d" ratio to 2:1.

Hold-down Connectors:

1. All bolt holes shall be 1/16" (max.) oversized at the connection of hold-downs to posts (note on plans inspector to verify).
2. Specify that hold-down connection bolts and nuts shall be torqued 1/2 turn beyond finger tight or as required by the manufacturer. Inspector shall verify by random inspection prior to covering walls.
3. Allowable load on the manufactured hold-downs should be 75% of the value listed in the research report.

Open/Soft Story Design:

1. Column deflection shall be limited to 0.005H, where "H" is story height.
2. Use "K-2.1" the buckling factor for cantilevered columns for the design of columns.

Plan Requirements:

1. Lateral-force resisting system of the structure shall be clearly shown on the plans and calculations.
2. Sufficient elevations and detail references for all shear-walls, frames etc. shall be provided on the plans to clearly show all applicable conditions.

4. California Building Code Chapter 19 Volume 2, Section 1907.2, "Minimum Slab Provisions", is hereby amended to read as follows:

**Section 1907.2 Minimum Slab Provisions.** The minimum thickness of concrete floor slabs shall be not less than 4 inches and shall have minimum 6x6x10x10 welded wire mesh reinforcement.

5. California Building Code Chapter 15, Volume 1, Section 1505.1, "Roof Covering Requirements", is hereby amended by addition of the following sentence:

**Section 1505.1 Roof Covering Requirements.** The roof covering on any structure regulated by this Code shall be Class "A" as classified in Section 1505.2. Exception: Repairs of and additions to existing structures which requires the replacement or addition of 25% or less of the total roof area may be made using material matching the existing roof.

6. Sections J101.3, "Grading Design", and J110.1, "Erosion Control", of California Building Code Appendix J, "Excavation and Grading", is hereby restated to read as follows:

**Section J101.3 Grading Design.** Grading in excess of 2500 cubic yards shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated "engineered grading." Grading involving less than 2500 cubic yards shall be designated "regular grading" unless the Town Engineer determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.

**Section J110.1 Erosion Control.**

1. Slopes. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control must consist of effective planting as described elsewhere in this section, or other devices satisfactory to the Building Official.

2. Planting. The surface of all cut slopes more than 5 feet in height and fill slopes more than three feet in height shall be protected against damage by erosion by planting with grass or ground cover plants or other suitable soil stabilization methodology. Slopes exceeding 15 feet in height shall also be planted with shrubs, spaced at not to exceed 10 feet on centers; or trees, spaced at not to exceed 20 feet on centers; or a combination of shrubs and trees at equivalent spacing, in addition to the grass or ground cover plants or other suitable soil stabilization methodology. The plants selected and planting methods used shall be suitable for the soil and climate conditions of the site and in accordance with the current Town approved publication. Planting need not be provided for cut slopes rocky in character and not subject to damage by erosion or any slopes protected against erosion damage by other methods when such methods have been specifically recommended by a soils engineer, engineering geologist, or equivalent authority and found to offer erosion protection equal to that provided by the planting specified in this section. Plant material shall be selected which will produce a coverage of permanent planting effectively controlling erosion. Consideration shall be given to deep-rooted plant material needing limited watering, to low maintenance during the lifetime of the project, to high root to shoot ratio (weight of above ground parts versus root system), wind susceptibility and fire-retardant characteristics.

3. Irrigation. Slopes required to be planted by sub-section (b) shall be provided with an approved system of irrigation, designed to cover all portions of the slope and plans therefore shall be submitted and approved



prior to installation. A functional test of the system may be required.

For slopes less than 20 feet in vertical height, hose bibs to permit hand watering will be acceptable if such hose bibs are installed at conveniently accessible locations where a hose no longer than 50 feet is necessary for irrigation.

The requirements for permanent irrigation systems may be modified upon specific recommendation of a landscape architect or equivalent authority that because of the type of plants selected, the planting methods used, and the soil and climatic conditions at the site, an irrigation system will not be necessary.

4. Plans and Specifications. Planting and irrigation plans shall be submitted for slopes required to be planted and irrigated by sub-sections (b) and (c). Except when waived by the Director for minor grading, the plans for slopes 20 feet or more in vertical height shall be prepared and signed by a civil engineer or landscape architect.

5. Rodent Control. Fill slopes steeper than two horizontal to one vertical within a grading project located adjacent to undeveloped and unoccupied land determined to be infested by burrowing rodents, shall be protected from potential slope damage by an effective rodent control program.

7. California Building Code Chapter 18, Volume 2, is hereby amended by addition of the following Section 1802.1.1.1, "Soils and Foundation" which reads:

The Town Engineer may require an engineering geology or geotechnical engineering report, or both, where in his opinion such reports are essential for the evaluation of the safety of the site. The engineering geology or geotechnical engineering report, or both shall contain a finding regarding the safety of the building site for the proposed structure against hazard from landslide, settlement, or slippage and a finding regarding the effect that the proposed building or grading construction will have on the geologic stability of property outside the building site. Any engineering geology report shall be prepared by a certified engineering geologist licensed by the State of California. Any geotechnical engineering report shall be prepared by a civil engineer qualified to perform this work, such as a geotechnical engineer experienced in soils mechanics. When both an engineering geology and geotechnical engineering report are required for the evaluation of the safety of the site, the two reports shall be coordinated before submission to the Town Engineer."

SECTION 3. Section 8.02.070 of the Yucca Valley Municipal Code, "Residential Building Code Adopted", is hereby repealed in its entirety and restated as follows:

**8.02.070: CALIFORNIA RESIDENTIAL BUILDING CODE:**

- A. Residential Building Code Adopted by Reference. Except as hereinafter provided, the Residential Code, 2016 Edition, published by the International Code Council is hereby adopted by reference as the Residential Building Code of the Town of Yucca Valley. A copy of the California Residential Building Code, 2016 Edition, shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 4. Section 8.02.080 of the Yucca Valley Municipal Code, “Electrical Code Adopted”, is hereby repealed in it’s entirely and restated as follows:

**8.02.080: California Electrical Code:**

- A. Electrical Code Adopted by Reference. Except as hereinafter provided, the California Electrical Code, 2016 Edition, published by the National Fire Protection Association is hereby adopted by reference as the Electrical Code of the Town of Yucca Valley. A copy of the California Electrical Code, 2016 Edition, shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.

Electrical Code Amended. The Administrative Provisions governing the California Electrical Code, 2016 Edition, Annex H including violation and penalty provisions shall be as set forth in Section 14 of this Chapter.”

SECTION 5. Section 8.02.090 of the Yucca Valley Municipal Code “Plumbing Code Adopted”, is hereby repealed in its entirety and restated as follows:

**8.02.090: CALIFORNIA PLUMBING CODE:**

- A. Plumbing Code Adopted by Reference. Except as hereinafter provided, the California Plumbing Code, 2016 Edition, published by the Uniform Plumbing Code, including the installation standards contained in is hereby adopted by reference as the Plumbing Code of the Town of Yucca Valley. A copy of the California Plumbing Code 2016 Edition, including the installation standards shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.

Plumbing Code Amended. The Administrative provisions of the California Plumbing Code, 2016 Edition, contained in part one of that Code except Sections 101.1, 101.2 101.3 and 101.4 are hereby deleted. The Administrative provisions governing the Plumbing Code, including violation and penalty provisions, shall be as set forth in Section 14 of this ordinance.”

SECTION 6. Section 8.02.1000 of the Yucca Valley Municipal Code, "California Existing Building Code", is hereby repealed in its entirety and restated as follows:

**8.02.100: CALIFORNIA EXISTING BUILDING CODE:**

- A. Existing Building Code Adopted by Reference. Except as hereinafter provided, the California Existing Building Code, 2016 Edition, published by the International Code Council is hereby adopted by reference as the Existing Building Code of the Town of Yucca Valley. A copy of the California Existing Building Code, 2016 Edition, shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force."

SECTION 7. Section 8.02.110 of the Yucca Valley Municipal Code, "California Historical Building Code Adopted", is hereby repealed in its entirety and restated as follows:

**8.02.110: CALIFORNIA HISTORICAL BUILDING CODE:**

- A. Historical Building Code Adopted by Reference. Except as hereinafter provided, the California Historical Building Code, 2016 Edition, published by the International Code Council is hereby adopted by reference as the Historical Building Code of the Town of Yucca Valley. A copy of the California Historical Building Code, 2016 Edition, shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force."

SECTION 8. Section 8.02.120 of the Yucca Valley Municipal Code, "California Reference Standards Code Adopted", is hereby repealed in its entirety and restated as follows:

**8.02.120: CALIFORNIA REFERENCE STANDARDS CODE:**

- A. California Reference Standards Code Adopted by Reference. Except as hereinafter provided, the California Reference Standards Code, 2016 Edition, published by the International Code Council is hereby adopted by reference as the California Reference Standards Code of the Town of Yucca Valley. A copy of the California Reference Standards Code, 2016 Edition, shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force."

SECTION 9. Section 8.02.130 of the Yucca Valley Municipal Code "Mechanical Code Adopted", is hereby repealed in its entirety and restated as follows:

**8.02.130: CALIFORNIA MECHANICAL CODE:**

- A. Mechanical Code Adopted by Reference. Except as hereinafter provided, The California Mechanical Code, 2016 Edition, published by the International Association of Plumbing

and Mechanical Officials, is hereby adopted by reference as the Mechanical Code of the Town of Yucca Valley. A copy of the California Mechanical Code, 2016 Edition shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.

Mechanical Code Amended. The Administrative provisions of the California Mechanical Code, 2016 Edition, contained in Part I except sections 101 and 102 are hereby deleted. The Administrative provisions governing the Mechanical Code, including violation and penalty provisions, shall be as set forth in Section 14 of this Chapter.”

SECTION 10. Section 8.02.140 of the Yucca Valley Municipal Code “California Green Building Standards Adopted”, is hereby repealed in its entirety and restated as follows:

**8.02.140: CALIFORNIA GREEN BUILDING STANDARDS:**

- A. California Green Building Standards Adopted by Reference. Except as hereinafter provided, the California Green Building Standards, 2016 Edition, published by the California Building Standards Commission is hereby adopted by reference as the Green Building Standards of the Town of Yucca Valley. A copy of the California Green Building Standards, 2016 Edition, shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 11. Section 8.02.150 of the Yucca Valley Municipal Code, “California Energy Code Adopted”, is hereby repealed in its entirety and restated as follows:

**8.02.150: CALIFORNIA ENERGY CODE:**

- A. California Energy Code Adopted by Reference. Except as hereinafter provided, the California Energy Code, 2016 Edition, published by the California Building Standards Commission is hereby adopted by reference as the California Energy Code of the Town of Yucca Valley. A copy of the California Energy Code, 2016 Edition, shall be maintained in the office of the Building Official of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 12. Section 8.02.160 of the Yucca Valley Municipal Code, “The International Property Maintenance Code”, is hereby repealed in its entirety and restated as follows:

**8.02.160: CALIFORNIA INTERNATIONAL PROPERTY MAINTENANCE CODE:**

- A. “Except as hereinafter provided the International Property Maintenance Code, 2012 Edition, published by the International Code Council, is hereby adopted by reference as the Housing Code of the Town of Yucca Valley. A copy of the International Property Maintenance Code, 2012 Edition, shall be maintained in the office of the Building

Official for public inspection while this Code is in force.”

SECTION 13. Section 8.02.170 of the Yucca Valley Municipal Code, “Amendments Necessary”, is hereby repealed in its entirety.

**8.02.170: AMENDMENTS NECESSARY:**

SECTION 14. Current Section 8.02.140 of the Yucca Valley Municipal Code, “Violations and Penalties”, is hereby repealed in its entirety and re-numbered as Section 8.02.180, to read as follows:

**8.02.180: VIOLATIONS AND PENALTIES:** Violations and penalties pertaining to violations of this Chapter 8.02 shall be as follows:

1. Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Chapter, or cause same to be done, in conflict with or in violation of any of the provisions of this Chapter.
2. Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Chapter, or in violation of a permit or certificate issued under the provisions of this Chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
3. Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the Town Attorney to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.
4. Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.
5. Other Penalties. In addition to the penalties and procedures stated in this Section, the Town may enforce the provisions of this Chapter by any other administrative, criminal or civil remedies available to the Town under this Code.”

SECTION 15. Severability.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed and adopted this Ordinance and each and all provisions thereof, irrespective of the fact that any one or more of said provisions may be declared invalid.

SECTION 16. Processing of Ordinance.

After first reading, this ordinance shall be adopted pursuant to the procedures set forth in Government Code Section 50022.3. To wit, after the first reading of the title of the adopting ordinance and of the title of the code to be adopted hereby the City Clerk is directed to schedule a public hearing thereon. Notice of the hearing shall be published pursuant to Section 6066 in a newspaper of general circulation. The notice shall state the time and place of the hearing. It shall also state that copies of the codes being adopted by reference are on file with the Clerk and are open to public inspection. The notice shall also contain a description which the legislative body deems sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

PASSED AND ADOPTED this 17th day of January, 2017.

  
MAYOR

ATTEST:

  
TOWN CLERK

STATE OF CALIFORNIA


COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 262 as duly and regularly introduced at a meeting of the Town Council on the 15<sup>th</sup> day of November, 2016, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 17<sup>th</sup> day of January, 2017, by the following vote, to wit:

Ayes:	Council Members Denison, Drozd, Leone, Lombardo and Mayor Abel
Noes:	None
Abstain:	None
Absent:	None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 18<sup>th</sup> day of January, 2017.

  
Town Clerk of the Town of  
Yucca Valley