

# MARIN COUNTY BOARD OF SUPERVISORS

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

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN ADOPTING AMENDMENTS TO PORTIONS OF TITLE 19 (BUILDINGS) OF THE MARIN COUNTY CODE REGULATING: ADOPTION AND AMENDMENT OF THE 2010 CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, CALIFORNIA CODE OF REGULATIONS; GENERAL ADMINISTRATIVE PROVISIONS OF THE MARIN COUNTY BUILDING CODE; GREEN BUILDING REQUIREMENTS; RECYCLING AND REUSE REQUIREMENTS FOR CONSTRUCTION AND DEMOLITION DEBRIS; CONSTRUCTION AND MAINTENANCE OF FLOATING HOMES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.**

## **SECTION I: FINDINGS**

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN hereby ordains as follows:

**WHEREAS**, the California Building Standards Code is published in its entirety every three years by order of the California legislature to implement the State's statutes, to have the same force of law, to take effect 180 days after their publication, unless otherwise stipulated, and to apply to all occupancies in the State of California; and

**WHEREAS**, the County of Marin is authorized by statute to adopt local amendments, additions or deletions to the California Building Standards Code when determined reasonably necessary by the Marin County Board of Supervisors because of local climatic, geological, topographical or environmental conditions, provided the procedures and effective date of local amendments coincide with the procedures and effective date of the California Building Standards Code; and

**WHEREAS**, Title 19 of Marin County Code is the official repository of local amendments, additions or deletions to the California Building Standards Code promulgated for the unincorporated County of Marin, and do not apply to triennial publications the California Building Standards Code without appropriate periodic local adoption and required filing; and

**WHEREAS**, Title 19 of Marin County Code requires periodic maintenance for the purpose of updating existing provisions and correcting duplicate, conflicting or obsolete provisions; and

**WHEREAS**, the Marin County Community Development Agency is the designated enforcement authority for this Title, and with the Ordinance proposed herein is expressly initiating local amendments, additions or deletions to the California Building Standards Code and recommended maintenance of Title 19 of Marin County Code.

## **SECTION II: AMENDMENTS TO TITLE 19**

NOW, THEREFORE, BE IT RESOLVED that the Marin County Board of Supervisors hereby adopts the amendments to Marin County Code Title 19 (Building Code) as depicted in Exhibit "A" of this Ordinance.

### **SECTION III: EFFECTIVE DATE**

This ordinance is enacted pursuant to and in compliance with Health and Safety Code §17958, §17958.5, §17958.7 and §18941.5 and as expressly permitted in Government Code §50022.2 and shall be, and is hereby declared to be, in full force and effect as of January 1, 2011.

Within fifteen (15) days after adoption the Marin County Board of Supervisors Clerk shall publish a summary of this Ordinance, with the names of the Supervisors voting for and against the same, in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin, and shall also post in the office of the Marin County Board of Supervisors a certified copy of the full text of this Ordinance along with the names of those Board of Supervisors members voting for and against the Ordinance.

Prior to the effective date, a copy of this Ordinance shall be filed with the California Building Standards Commission complete with local findings for each local amendment to the California Building Standards Code.

### **SECTION IV: FORMER ORDINANCES**

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the provisions depicted in Exhibit "A" of this Ordinance hereby adopted are hereby repealed.

### **SECTION V: VALIDITY**

If any section, subsection, sentence, clause or phrase of the provisions depicted in Exhibit "A" of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions adopted under this Ordinance. The board of supervisors of Marin County hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof shall be declared invalid.

### **SECTION VI: CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The Board of Supervisors of Marin County finds that adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") under California Code of Regulations, Title 14, § 15061(b)(3).

### **SECTION VII: VOTE**

Notice of this Ordinance was published and a certified copy of the full text of this Ordinance was posted in the office of the Clerk of the Marin County Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which it was adopted.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Marin, State of California, held this 30th day of November, 2010, by the following vote:

AYES:

NOES:

ABSENT:

---

JUDY ARNOLD, PRESIDENT  
BOARD OF SUPERVISORS

ATTEST:

---

MATTHEW HYMEL  
CLERK OF THE BOARD OF SUPERVISORS