

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AMENDING CHAPTER 6.02 OF RICHMOND MUNICIPAL CODE ARTICLE VI, BUILDING REGULATIONS TO ADOPT THE 2025 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE WITH NOTED AMENDMENTS.**

**WHEREAS**, the California Building Standards Codes are published every three years by the Building Standards Commission;

**WHEREAS**, the California Building Standards Commission has published the 2025 California Building Standards Code amending Title 24 of the California Code of Regulations, effective January 1, 2026;

**WHEREAS**, California Health and Safety Code Section 17958, et. seq., provides that the 2025 California Building Standards Code may be adopted by reference, provided that prior to such adoption by reference a noticed public hearing has been held;

**WHEREAS**, this ordinance is exempt from the California Environmental Quality Act (CEQA) per the State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed Ordinance will not have an impact on the environment because they do not directly facilitate new development, or changes in the type and intensity of land use;

**WHEREAS**, a noticed public hearing was held on \_\_\_\_\_, 2026 by the City Council at which time all interested persons had the opportunity to appear and be heard on the matter, adopting by reference the 2025 Building Standards Code with noted local amendments;

**WHEREAS**, Health and Safety Code Section 18941.5, with reference to Section 17958.7, allows for more restrictive local amendments to the Building Code that are reasonably necessary because of local climatic, geological, or topographical conditions; and

**WHEREAS**, a copy of the 2025 Building Standards Code is on file with the Building Official;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND** does ordain as follows based on the following findings and determinations:

**SECTION I. Findings and Determinations.**

**A.** The following local climatic conditions justify modifications to the California Building Standards Code.

- 1. Climatic:** The City is located in Climate Zone 3 as established in the 2025 California Energy Code. Climate Zone 3 encompasses primarily coastal communities, extending from Marin County to southern Monterey County, including San Francisco. The City experiences an average annual precipitation of 23 inches per year. Ninety percent of precipitation falls during November through April, leaving a dry period of approximately six months each year. Relative humidity remains moderate most of the time. In addition, local surface winds frequently transport moisture-laden air from the surface of the Bay waters into the City. Larger-scale prevailing weather patterns and winds created by the jet stream from the west also transport highly humid air and storms across the Pacific Ocean through the strait between the San Francisco Peninsula and the Marin Headlands, straddled by the Golden Gate Bridge, and into the City. The moderating effect of the Bay waters on local temperatures tends to reduce local temperature extremes, even during periods of high inland temperatures. The combination of moist air from adjacent waters and the associated mild temperatures means that local weather conditions often hover near the dew point. This can result in the formation of fog associated with local and regional

marine weather layers, which commonly cover the City for hours or even days at a time with an average morning relative humidity of 81 percent in November. Much of Northern California is considered to possess a predominantly Mediterranean climate. At times, Richmond does experience periods of high temperature and/or low humidity, particularly between mid-July and mid-October, when the danger of hillside fires is greatest. Temperatures in September, the warmest month, average around 74 degrees Fahrenheit, and in January, the coolest month, average around 58 degrees Fahrenheit. The amendments cited herein would provide a framework to create shelters that more adequately protect the unhoused population from rain, cold, and heat. Most adults who received homeless services from the Contra Costa County Department of Health and Human Services continuum of care self-reported having a disability, and many reported having a chronic health condition. Exposure to the elements puts unhoused people at greater risk.

2. **Geologic:** The City of Richmond is in a region of high seismic activity and is traversed by the Hayward fault. It has the San Andreas earthquake fault to the west and the Calaveras earthquake fault to the east. All three faults are known to be active as evidenced by the damaging earthquakes they have produced in the last 100 years and can, therefore, be expected to do the same in the future. Of primary concern to Richmond is the Hayward Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. It extends through many residential areas including East Richmond and Hilltop and passes through schools and business districts. A large number of underground utilities cross the fault, including major water supply and natural gas lines. Intensified damage during an earthquake may be expected in those areas of poorer ground along the Bay, west of Interstate 80 and in known slide areas, as well as hillside areas (occupied mainly by dwellings) located within or near the fault zone; some areas are steep and have been subjected to slides. The waterfront areas and areas in the Richmond flatlands immediately adjacent to creeks and water streams present a major potential for soil liquefaction hazard. Thus, because the City is within a seismic area which includes these earthquake faults, the modifications and changes cited herein are designed to better limit property damage as a result of seismic activity and to establish criteria for repair of damaged properties following a local emergency.
3. **Topographic:** The City of Richmond is contiguous with the San Francisco Bay, resulting in a natural receptor for storm and wastewater run-off. Also, the City is located in an area that is relatively high liquefaction potential given its proximity to the Bay. The surface condition near the Bay consists stiff to hard silty clays and clayey silts with variable amounts of gravel, which are moderately expansive. The City of Richmond has many homes built in higher elevation regions, such as in Point Richmond, that are reached by narrow and often winding paved streets which hamper access for fire apparatus and escape routes for residents. A number of developments in these areas are of wood frame construction and are several stories in height from grade level. The fire potential is moderately high due to building congestion and heights. Fires can be expected to involve large groups of buildings in these areas. The local topographical conditions increase the magnitude, exposure and accessibility problems associated with the fire hazards which arise within the City. The modifications and changes cited herein are designed to better ensure life safety and appropriate Emergency Services access and response in the event of a fire emergency.

**B.** The City Council finds, pursuant to Title 14, Chapter 3 of the of the California Code of Regulations(CEQA Guidelines), that this ordinance is exempt from CEQA under 15061(b)(3) on the grounds that these standards are more stringent than the State code standards, and there is no possibility that the activity in question may have a significant effect on the environment.

**SECTION II. Amendment of Code.** Chapter 6.02 of Article VI of the Richmond Municipal Code is hereby amended as follows:

## **Chapter 6.02 BUILDING CODE OF THE CITY OF RICHMOND**

Sections:

6.02.010 Adoption by reference.

6.02.020 Copies on file.

6.02.030 Amendments, additions and deletions.

### **6.02.010 - Adoption by reference.**

A. The Building Code of the City of Richmond is the 2025 California Building Standards Code (California Code of Regulations, Title 24), adopted by reference and incorporated herein as follows:

PART 1 – CALIFORNIA ADMINISTRATIVE CODE

PART 2 – CALIFORNIA BUILDING CODE — Volumes 1 & 2, as amended in Section 6.02.030 and including the following appendices:

- Appendix G Flood-Resistant Construction
- Appendix I Patio Covers
- Appendix J Grading
- Appendix N Replicable Buildings
- Appendix Q Emergency Housing

PART 2.5 – CALIFORNIA RESIDENTIAL CODE, including the following appendices:

- Appendix CI Swimming Pool Safety Act

PART 3 – CALIFORNIA ELECTRICAL CODE

PART 4 – CALIFORNIA MECHANICAL CODE

PART 5 – CALIFORNIA PLUMBING CODE

PART 6 – CALIFORNIA ENERGY CODE

PART 7 – CALIFORNIA WILDLAND-URBAN INTERFACE CODE

PART 8 – CALIFORNIA HISTORICAL BUILDING CODE

PART 9 – CALIFORNIA FIRE CODE, as adopted by RMC Section 8.16.010.

PART 10 – CALIFORNIA EXISTING BUILDING CODE

PART 11 – CALIFORNIA GREEN BUILDING STANDARDS CODE, CALGreen

PART 12 – CALIFORNIA REFERENCED STANDARDS CODE

### **6.02.020 Copies on file.**

At least one copy of the Building Code of the City of Richmond shall be kept on file in the office of the Building Official for inspection by the public.

### **6.02.030 Amendments, additions, and deletions.**

(a) Amendments, additions, and deletions to 2025 California Building Code Chapter 1 Division II  
**Scope and Administration:**

1. Section 103.1 is amended as follows:

**103.1 Creation of enforcement agency.** The Building Division of the Community Development Department is hereby created, and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

2. New Section 105.3.2.1 is added as follows:

**105.3.2.1 Expiration of Plan Review.** Abandoned applications or applications for which no permit is issued within 180 days following the date of plan review approval notification will expire by limitation, and the Building Official may thereafter destroy plans and other data submitted for review.

3. New Section 105.5.2 is added as follows:

**105.5.2 Completion of work after permit expiration.** Before work on an expired permit can be recommenced, a new permit shall first be obtained and the fee for such new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. Any suspension or abandonment in excess of one year shall be treated as a new permit and subject to all the provisions thereof.

4. New Section 109.4.1 is added as follows:

**109.4.1 Investigation fee for work without permit.** Whenever any work for which a permit is required 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, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to three times the permit fee as set forth in the City's adopted fee schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this code nor from any penalty prescribed by law. The permit fee is defined as the total fee a permit applicant would pay to obtain a building permit for a similar scope of construction, alteration, or repair.

**Exemption:** Dwellings legalized under section 109.4.2

5. New Section 109.4.2 with subsections is added as follows:

**109.4.2 Legalization Program for Accessory Dwelling Units and residential additions and remodels**

**109.4.2.1 Purpose and intent.** Pursuant to Government Code Section 66332, Section 17980.12 of the Health and Safety Code, and the Shelter Crisis Declaration under Resolution 79-18, the City enacts the following dwelling unit legalization amnesty program, aiming to eliminate substandard living conditions of the existing built environment within the City to the maximum extent possible.

**109.4.2.2 Scope.** The legalization procedure applies to residential projects constructed without a finalized building permit and built before the enactment of this program.

**109.4.2.3 Compliance procedure:**

**109.4.2.3.1 Code Compliance Permit** The applicant must first obtain a Code Compliance Permit for legalization from the Building Division, allowing a contractor and designer to investigate and map the existing conditions. As part of the investigation, the applicant may request the available building records for the property from the City Clerk's office and may request an inspection from a Building Inspector.

**109.4.2.3.2 Planning Application.** Before submitting a building permit application, the applicant must discuss the project's feasibility with the Planning Division, and if changes are necessary for planning approval, those must be included with the permit application drawings.

**109.4.2.3.3 Building Permit Application.** The project applicant must apply for a building permit and present construction drawings and documents identifying the existing legally constructed portion and presenting the illegally constructed items as proposed for approval.

**109.4.2.3.4 Licensed engineer required.** Construction drawings for the building permit application must be prepared by a licensed engineer and demonstrate that the project, upon completion, will comply with the life and safety provisions of the California Building Standards. The permit drawings must indicate which edition of the California Building Standards Code was used in the preparation of the construction documents and demonstrate coherent compliance.

**109.4.2.3.4.1 Drawings Format.** Drawings must be prepared in substantially the same format as for new construction, graphically distinguishing the existing legally constructed items and the illegally constructed items proposed for legalization. Drawings must include a Title Sheet presenting the permit scope, an Index of Sheets, Floor Plans, Elevations, and Sections, as well as Energy Code Compliance Forms.

**109.4.2.3.4.2 Structural analysis and drawings.** Structural drawings and analysis must be included. Structural drawings must include a graphical representation of the following items:

- Structural components observed and verified by the engineer.
- Questionable structural members and components that need to be verified. If questionable items exist, the construction documents must outline the verification and acceptance procedures prescribed by the engineer.
- If the analysis identifies structural deficiencies, the construction drawings must specify the new members, components, and connections that must be installed and inspected under this permit.

**109.4.2.3.4.3 Structural Observation.** Compliance with the minimum structural safety provisions of the code and conformance to the structural alterations (if any) must be ascertained in writing by the engineer of record and uploaded to the permit prior to scheduling final inspection. A note in that regard must be present on the drawings.

**109.4.2.4 Effective date.** This chapter shall become effective on the day adopted by the City Council. The program is not retroactive and does not allow the Building Official to refund the investigation fee collected under Section 109.4.1.

**109.4.2.5 Program expiration.** The program will expire on December 31<sup>st</sup>, 2031.

6. Section 109.6 is amended to read as follows:

**109.6 Refunds.** 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.

The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the 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 chapter.

The Building Official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan checking is done.

7. New Section 109.7 is added as follows:

**109.7 Reinspection fee.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section does not require reinspection fees the first time a job is rejected for failure to comply with the requirements of the codes. Subsequent inspections or the practice of calling for inspections before the job is ready for such inspection or reinspection may be subject to reinspection fees.

To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with the fee schedule adopted by the City.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

8. New Section 113.3.1 is added as follows:

**113.3.1 Appointment and Number of Members Appointed.** The City Manager or their designee is authorized by the governing body to appoint the Board of Appeals. The Board shall consist of 5 members with a quorum of 3 to conduct business.

9. New Section 103.4.1 is added to Appendix Q, Emergency Housing as follows:

**Q103.4.1 Fire & Life Safety Systems.** Whenever any existing buildings have any existing fire protection and life safety systems, i.e. fire sprinkler and/or fire alarm system, these systems are required to be maintained in operation or made to conform to the provisions of these regulations to the extent that reasonable and adequate life safety against the hazards of fire, panic, and explosion is substantially provided. Additional means of egress may be required to provide reasonable and adequate safety.

10. New Section 103.4.2 is added to Appendix Q, Emergency Housing as follows:

**Q103.4.2 Emergency Responder Radio Coverage in Existing Buildings.** Existing Buildings that do not have approved radio coverage for emergency responders, as required for new buildings under Section 510.1 of the Fire Code, shall be equipped with such coverage before permitting the facility as emergency housing.

Exception: When the fire code official determines that the building satisfies one or more of the exempt provisions of Section 510.1 of the Fire Code.

11. New Section 104.10 is added to Appendix Q as follows:

**Q104.10 Portable Fire Extinguishers.** Portable Fire extinguisher shall be selected, installed and maintained in accordance with California Fire Code Section 906.2 (General requirements) and California Code of Regulations, title 19, Division 1, Chapter 3 in any emergency housing and emergency housing facility.

12. New Section 109.3 is added to Appendix Q as follows:

**Q109.3 Emergency Vehicle Access.** Emergency vehicle access shall be maintained for any emergency housing facilities. The fire code official shall approve any temporary emergency vehicle access routes for any emergency housing facility.

13. New Section 111 with subsections is added to Appendix Q as follows:

**Q111 Fire Safety and Emergency Evacuation Plan.**

**Q111.1 Evacuation Diagram.** A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each of the emergency housing facility.

**Q111.2 Fire Safety and Emergency Evacuation Plan.** Where the fire code official determines that an emergency housing facility has an adverse impact on public safety through diminished access to buildings, structures, fire hydrants and fire apparatus access roads or where such facility adversely affect public safety services of any kind, the fire code official shall have the authority to order the development of or prescribe fire safety and emergency evacuation plan that provides an approved level of public safety and addresses the following items:

Fire Safety and Emergency Evacuation Plan shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be completed by selected floors or areas only or with a defend-in-place response.
2. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators complying with Section 3008 of the California Building Code are provided.
3. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
4. Procedures for accounting for employees and occupants after evacuation have been completed.
5. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
6. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
7. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.
8. Procedures for notifying occupants, including areas with a private mode alarm system.
9. Procedures for evacuating occupants, including those who need evacuation assistance.
10. The occupant assembly point(s).
11. The location of fire hydrants.
12. The normal routes of fire department vehicle access.

14. New Section 111.3 is added to Appendix Q as follows:

**Q111.3 Emergency Housing Facility Floor Plan.** Floor plans shall identify the locations of the following:

1. Exits
2. Primary evacuation routes
3. Secondary evacuation routes.
4. Accessible egress routes.
5. Areas of refuge.
6. Exterior areas for assisted rescue.
7. Refuge areas associated with smoke barriers and horizontal exits.
8. Manual fire alarm boxes.
9. Portable fire extinguishers
10. Fire alarm annunciators and control(s), if applicable.
11. Fire department connections and sprinkler riser location(s), if applicable.

**SECTION III.** Any provisions of the Richmond Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed. References to the Building Code of the City of Richmond are also hereby updated.

**SECTION IV. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

**SECTION V. Effective Date.** All building permit applications filed after the effective date of this Ordinance shall be subject to this Ordinance. This Ordinance becomes effective thirty (30) days after its final passage and adoption, however, no sooner than January 1, 2026, as mandated by the State.

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First introduced at a regular meeting of the City Council of the City of Richmond held \_\_\_\_\_, 2026. Passed and adopted on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

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Mayor

Approved as to form:

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City Attorney