

## ATTACHMENT II

### PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD;  
REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE  
OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION  
OF FEES; REPEALING CHAPTER 9 ARTICLE 1, AND ALL AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. In accordance with state law, effective January 1, 2023, Chapter 9 Article 1 and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

#### BUILDING CODE OF THE CITY OF HAYWARD

##### SECTION 1.00 2022 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE.

The *2022 California Building Code (Part 2 of C.C.R. Title 24, based on the 2021 International Building Code)*, the *2022 California Residential Code (Part 2.5 of C.C.R. Title 24 based on the 2021 International Residential Code)*, the *2022 California Electrical Code (Part 3 of C.C.R. Title 24 based on the 2020 National Electrical Code)*, the *2022 California Mechanical Code (Part 4 of C.C.R. Title 24 based on the 2021 Uniform Mechanical Code)*, the *2022 California Plumbing Code (Part 5 of C.C.R. Title 24 based on the 2021 Uniform Plumbing Code)*, the *2022 California Energy Code (Part 6 of C.C.R. Title 24)*, the *2022 California Historical Building Code (Part 8 of C.C.R. Title 24)*, the *2022 California Existing Building Code (Part 10 of C.C.R. Title 24 based on the 2021 International Existing Building Code)*, the *2022 California Green Building Standards Code (Part 11 of C.C.R. Title 24)*, published by the International Code Council, as amended by the State of California pursuant to Health and Safety Code section 17922, and as further modified by the amendments, additions, and deletions as set forth hereinafter, is hereby adopted by reference as the Building Code of the City of Hayward.

A printed copy of such *2022 California Building Codes* together with the State and local amendments thereto, is on file in the office of the Building Official, to which reference is hereby made for further particulars.

##### SECTION 2.00 SUMMARY OF LOCAL AMENDMENTS

##### SECTION 3.00 LOCAL AMENDMENTS TO THE CODE BY CHAPTER

**CALIFORNIA BUILDING CODE CHAPTER 1: SCOPE AND ADMINISTRATION**  
**LOCAL AMENDMENTS**

*The administrative local amendments in this chapter shall also apply to the corresponding requirements in the administration chapters of the California Mechanical Code, the California Plumbing Code and the California Electrical Code.*

**101.1 Title.** This section is revised.

**101.2.1 Appendices.** This section is revised.

**103.1 Creation of enforcement agency.** This section is revised.

**105.1.1 Annual permit.** This section is hereby deleted.

**105.1.2 Annual permit records.** This section is hereby deleted.

**105.3.1.1 Expedited Residential Solar Permitting.** A new section is added.

**105.3.1.2 Expedited Electric Vehicle Charging Station Permitting.** A new section is added.

**105.3.2 Time limitation of application.** This section is revised.

**105.5.2 Completion permits.** A new section, 105.5.2 is added.

**105.5.2.1 Fees for completion permits.** A new section, 105.5.2.1 is added.

**109.2 Schedule of permit fees.** This section is amended.

**109.4.1 Investigation fees for work without a permit.** New Section 109.4.1 is added.

**109.6 Refunds.** This section is revised.

**111.3 Temporary occupancy.** Two new paragraphs are added at the end of Section 111.3.

**CALIFORNIA BUILDING CODE CHAPTER 4: SPECIAL DETAILED**  
**REQUIREMENTS BASED ON USE AND OCCUPANCY LOCAL AMENDMENTS**

*See Hayward Fire Code Ordinance for Amendments*

**CALIFORNIA BUILDING CODE CHAPTER 9: FIRE PROTECTION SYSTEMS**  
**LOCAL AMENDMENTS**

*See Fire Hayward Code Ordinance for Amendments*

**CALIFORNIA BUILDING CODE CHAPTER 17: STRUCTURAL TESTS AND**  
**SPECIAL INSPECTIONS LOCAL AMENDMENTS**

**1705.3 Concrete construction.**

**CALIFORNIA BUILDING CODE CHAPTER 19: CONCRETE LOCAL**  
**AMENDMENTS**

**1905.1.7 ACI 318, section 14.1.4.** Delete ACI 318, Section 14.1.4, and replaced.

**CALIFORNIA BUILDING CODE APENDIX P: EMERGENCY HOUSING**

Adopt entire appendix as written and published in the 2022 California Building Code except as amended: Section P108 LOFTS IN EMERGENCY HOUSING shall not be adopted in this local ordinance.

**CALIFORNIA RESIDENTIAL CODE CHAPTER 6: WALL CONSTRUCTION LOCAL AMENDMENTS**

**Table R602.10.3(3)** Add a new footnote “i” to the end of the table.  
Add the “i” footnote notation in the title of Table R602.10.3(3).

**R602.10.4.3.1 Limits on methods GB and PCP.** Add a new subsection R602.10.4.3.1.

**CALIFORNIA RESIDENTIAL CODE APENDIX AZ: EMERGENCY HOUSING AS AMENDED**

Adopt entire appendix as written and published in the 2022 California Building Code except as amended: Section AZ108 LOFTS IN EMERGENCY HOUSING shall not be adopted in this local ordinance.

Section 2. Severability. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided the remainder of the ordinance, absent the excised portion, can be reasonably interpreted to give effect to intentions of the City Council.

Section 3. Effective Date. This ordinance shall become effective on January 1, 2023.

Introduced at a regular meeting of the City Council of the City of Hayward, held the 1st day of November, 2022, by Council Member Salinas.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on November 15, 2022, at 7:00 p.m. Please note the City Council will hold a hybrid meeting which will allow for participation in the Council Chamber and virtually via the Zoom platform. The full text of this Ordinance is available for examination by the public by contacting the City Clerk’s office at [cityclerk@hayward-ca.gov](mailto:cityclerk@hayward-ca.gov) or (510) 583-4400.

Dated: November 11, 2022  
Miriam Lens, City Clerk  
City of Hayward