

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF HUMBOLDT AMENDING SECTIONS 331-1 through 331-4, 331-11,
331-11.5, 331-14, AND 331-22; ADDING SECTION 331-22.1; AND
REPEALING SECTION 331-23 OF CHAPTER 1 OF DIVISION 3 OF TITLE III OF
THE HUMBOLDT COUNTY CODE RELATING TO BUILDING, PLUMBING,
ELECTRICAL AND OTHER CODES**

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Sections 331-1 through 331-4, 331-11, 331-11.5, 331-14, and 331-22 are hereby amended to Chapter 1 of Division 3 of Title III of the Humboldt County Code as shown on the attached pages.

SECTION 2. Section 331-22.1 of Chapter 1 of Division 3 of Title III of the Humboldt County Code is hereby added as shown on the attached pages.

SECTION 3. Section 331-23 of Chapter 1 of Division 3 of Title III of the Humboldt County Code is hereby repealed as shown on the attached pages.

SECTION 4. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this _____ day of _____,
2020.

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors—

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt

TITLE III – LAND USE AND DEVELOPMENT
DIVISION 3
BUILDING REGULATIONS
CHAPTER 1
CODES: BUILDING, PLUMBING, ELECTRICAL AND OTHERS

331-1. Short Title.

This ~~division~~ Chapter shall be known and cited as the "Building, Plumbing, Electrical, and Mechanical Code of the County of Humboldt." In any administrative action taken by any public official under the authority set forth in this Code, the use of the term "Building Code," unless further modified, shall also refer to and mean this division. (Ord. 777, § 2, 7/13/1971; Ord. 2275, § 1, 5/28/2002; Ord. ____, § __, __/__/2020)

331-2. Purpose.

The purpose of this ~~division~~ Chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling building, plumbing, electrical, mechanical, heating, comfort-cooling and sign details of certain buildings and structures within the unincorporated portion of the County. (Ord. 777, § 3, 7/13/1971; Ord. 2275, § 1, 5/28/2002; Ord. ____, § __, __/__/2020)

331-3. Scope of Application.

This ~~division~~ Chapter, including the building, plumbing, electrical, heating, comfort-cooling, accessibility, energy-compliance, and sign provisions thereof, shall be applicable to all buildings and structures or parts thereof or installations connected thereto. (Ord. 777, § 6, 7/13/1971; Ord. 2275, § 1, 5/28/2002; Ord. ____, § __, __/__/2020)

331-4. Definitions.

Whenever any of the following names or terms are used in any of said codes referred to herein, such name or term shall have the following meaning:

(a) *Building Department, Department Having Jurisdiction.* "Building department" and "department having jurisdiction" mean the Planning and Building Department ~~Community Development Services~~

~~Department.~~ (Ord. 2275, § 1, 5/28/2002; Ord. _____, § __, __/__/2020)

(b) *Building Official, Administrative Authority, Chief Electrical Inspector.* "Building official," "administrative authority" and "chief electrical inspector" mean the Chief Building Official. (Ord. 2275, § 1, 5/28/2002)

(c) *Assistants, Deputies.* "Assistants" and "deputies" meant the assistants or deputies of the Chief Building Official. (Ord. 2275, § 1, 5/28/2002)

(d) *Municipality, City, City Limits, Political Jurisdiction.* "Municipality," "city limits" and "political jurisdiction" mean the County.

(e) *City Council, Mayor.* "City council" and "mayor" mean the Board of Supervisors.

(f) *City Treasury.* "City treasury" means the County Treasury.

(g) *County Engineer.* "County engineer" means the Director of the Department of Public Works or duly registered designee. (Ord. 2275, § 1, 5/28/2002)

(h) *Board of Appeals, ~~Board of Plumber Examiners.~~* "Board of appeals" and ~~"board of plumber examiners"~~ means the Humboldt County Building Appeals Board. (Ord. 777, § 5, 7/13/1971; Ord. 2275, § 1, 5/28/2002; Ord. _____, § __, __/__/2020)

331-11. Incorporation of Uniform Codes by Reference.

Each of the following compilations, except as modified hereinafter, are hereby designated and adopted by reference as a part of this chapter with the same force and effect as if they were set out in full herein:

(a) California Building Code and Building Code Standards. (Ord. 2275, § 1, 05/28/2002)

~~1998~~ 2019 California Building Code, Volumes 1, and 2, ~~and 3, based on the 1997 UBC™, California Building Standards Commission~~ and their respective successor provisions. (Ord. 2275, § 1, 05/28/2002; Ord. _____, § __, __/__/2020)

(1) The following provisions of the California Building Code relating to administration are deleted: (Ord. 2275, § 1, 05/28/2002)

~~Sections 103, 104.1, 104.2.1, and 104.2.2~~ (Ord. 2275, § 1, 5/28/2002; Ord. _____, § __, __/__/2020)

(2) Section ~~405~~ 113, relating to administration, of the California Building Code is amended to read as follows: (Ord. 2275, § 1, 05/28/2002; Ord. _____, § __, __/__/2020)

Section ~~405~~ 113. BOARD OF APPEALS. (Ord. [2275](#), § 1, 05/28/2002; Ord. _____, § __)

___/___/2020)

Section ~~105.1~~ 113.1. GENERAL. Any person directly affected by a decision of the Building Official or a notice or order issued shall have the right to appeal to the board of appeals provided that a written application for appeal is filed within 10 days after the day the decision, notice or order was served. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, ~~there the Board of Supervisors shall be and is hereby created~~ a board of appeals consisting of the members ~~of the Planning Commission and~~ who are not employees of the jurisdiction. The Building Official shall be ex officio member of and shall act as secretary to said board, but shall have no vote on any matter before the board. The board shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. (Ord. [2275](#), § 1, 05/28/2002; Ord. ____, § __, ___/___/2020)

Section ~~105.2~~ 113.2. Limitations of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code. In addition, the board is limited to appeals filed pursuant to: (Ord. [2275](#), § 1, 05/28/2002; Ord. ____, § __, ___/___/2020)

1. Section 110. Administrative, California Mechanical Code

2. Section 203. Enforcement, Uniform Housing Code

3. Section 103.3. Title, Scope and Enforcement, Uniform Sign Code

4. Section 207. Enforcement and Permits, California Code for Building Conservation

(3) Appendix 33, Grading and Excavation is found as Section ~~331-12~~ 331-14 of the Humboldt County Code. (Ord. [2275](#), § 1, 5/28/2002; Ord. ____, § __, ___/___/2020)

(4) Section ~~106.2~~ 105.2, Work Exempt from Permit, of the California Building Code relating to administrative is amended to read as follows: (Ord. [2275](#), § 1, 05/28/2002; Ord. ____, § __, ___/___/2020)

Section ~~106.2~~ 105.2. PERMITS REQUIRED - EXCEPTIONS. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure in the County or cause the same to be done without first obtaining a separate building permit for each such building or structure from the Building Official except the following: (Ord. [2275](#), § 1, 05/28/2002; Ord. ____, § __, ___/___/2020)

1. Fences up to six feet (6') (1.8 m) and freestanding masonry walls up to forty-eight inches (48") (1.2 m) in height. (Ord. [2275](#), § 1, 05/28/2002)
2. Curbs, retaining walls and planter boxes that are not over 4 feet (1.2 m) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids. (Ord. [2275](#), § 1, 05/28/2002)
3. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²). (Ord. [2275](#), § 1, 05/28/2002)
4. Television and radio antennas supported on roofs of Group R, Division 3 and Group U occupancies. (Ord. [2275](#), § 1, 05/28/2002)
5. Window awnings supported by an exterior wall of Group R, Division 3, and Group U occupancies when projecting not more than 54 inches (1.3 m). (Ord. [2275](#), § 1, 05/28/2002)
6. Repairs which involve only the replacement of component parts of existing work with similar materials for the purpose of maintenance, and which do not aggregate over One Hundred Dollars (\$100.00) in valuation in any twelve (12) month period and do not affect any electrical, plumbing, or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. (Ord. [2275](#), § 1, 05/28/2002)
7. Specifically, excepted from permit requirements without limit to valuation are: (Ord. [2275](#), § 1, 05/28/2002)
 - a. Decorating. (Ord. [2275](#), § 1, 05/28/2002)
 - b. Painting, papering and similar finish work. (Ord. [2275](#), § 1, 05/28/2002)
 - c. Installation of floor covering. (Ord. [2275](#), § 1, 05/28/2002; Ord. _____, § __, __/__/2020)
 - d. Cabinet work. (Ord. [2275](#), § 1, 05/28/2002)
 - e. Moveable cases, counters and partitions not over 5 feet 9 inches (1.7 m) high. (Ord. [2275](#), § 1, 05/28/2002)

This section shall not be construed to require separate building permits for a dwelling and accessory buildings or structures on the same property which are described in the building permit application, plot plan and other drawings.

8. Agricultural buildings, other than milking barns, not intended for the use of the general public, on lands zoned Agriculture Exclusive, Agriculture General, or

Timberland Production, or on lands shown by the General Plan as Agricultural and zoned Unclassified or on any other land zoned to permit agricultural uses as a principal use. The Chief Building Inspector Official shall issue an exemption upon confirming that the subject parcel is so zoned, and that all set-backs or other requirements will be observed.

Agricultural buildings are defined by Section 202-A of the ~~Uniform~~ California Building Code as "a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public." (Ord. [2275](#), § 1, 05/28/2002; Ord. _____, § __, __/__/2020)

9. Detached patio covers which are less than 120 square feet in size and which are at least six feet (6') from any other structure. (Ord. [1101](#), § 1, 9/14/76; Ord. [1353](#), § 1, 9/18/79; Ord. [1876](#), § 16, 9/26/89; Ord. [2275](#), § 1, 05/28/2002)

10. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2:1. (Ord. [2275](#), § 1, 05/28/2002)

11. Platform and walks not more than 30 inches (762 mm) above grade and not over any basement or story below. (Ord. [2275](#), § 1, 05/28/2002)

12. Prefabricated swimming pools accessory to a Group R, Division 3 occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18927 L). (Ord. [2275](#), § 1, 05/28/2002)

(5) Any building or structure exempt from a building permit pursuant to subsection (a)(4) above shall comply with all applicable zoning requirements, including setbacks, height, lot coverage, and permitted uses. (Ord. 2275, § 1, 5/28/2002)

(6) *Section 3303, Protection of Pedestrians during Construction or Demolition.* The following paragraph is added as the last paragraph of Section 3303.1, General, of the Building Code:

ENCROACHMENT PERMITS. Pursuant to Chapter 1, Division 1, of Title 4 (commencing with Section [411-1](#)) of the Code of Humboldt County, an encroachment permit must be obtained prior to performing work in or placing materials on a County right of way. (Ord. [1101](#) § 4, 9/14/76; Ord. [2275](#), § 1, 05/28/2002)

(b) *California Mechanical Code.* ~~1998~~ [2019](#) California Mechanical Code, ~~based on the 1997 UMC™~~
(Ord. _____, § __, __/__/2020)

(1) The following sections, subsections, and paragraphs of the California Mechanical Code relating to administration are deleted:

Section ~~108.1, General, and Section 108.2, Deputies~~ 103.1, General (Ord. 2275, § 1, 5/28/2002; Ord. _____, § __, __/__/2020)

(c) *California Plumbing Code*. ~~1998~~ 2019 California Plumbing Code, based on the ~~1997~~ UPC™ (Ord. _____, § __, __/__/2020)

(1) The following provisions are hereby deleted from the ~~Uniform~~ California Plumbing Code which has been incorporated by reference herein-above:

Sections 308.1, 312.0, Part II - Building Sewers, Sections 713 - 716, 718, 719, and 721 - 723. (Ord. 2275, § 1, 05/28/2002; Ord. _____, § __, __/__/2020)

Building sewers shall comply with the County's water and sewer regulations. (Ord. 2275, § 1, 5/28/2002)

(d) *California Electrical Code*. ~~1998~~ 2019 California Electrical Code, based on ~~1996~~ 2017 National Electrical Code® (Ord. 2275, § 1, 5/28/2002; Ord. _____, § __, __/__/2020)

(e) *Uniform Housing Code*. Uniform Housing Code, 1997 Edition, adopted and published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 1101, § 1, 9/14/76; Ord. 2275, § 1, 05/28/2002)

~~(1) The following provisions of the Uniform Housing Code relating to enforcement are deleted: (Ord. 2275, § 1, 05/28/2002)~~

~~Sections 201.1, Authority. (Ord. 2275, § 1, 5/28/2002)~~ (Ord. _____, § __, __/__/2020)

~~(2)~~ 1) Section 202 relating to the enforcement of the Uniform Housing Code is amended to read as follows:

Section 202. SUBSTANDARD BUILDINGS. All buildings or portions thereof which are determined to be substandard as defined in this Code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures provided in Section ~~H~~-1101 et seq. of this Code or as otherwise provided by law. (Ord. [1101](#) § 4, 9/14/76; Ord. _____, § __, __/__/2020)

(f) *Uniform Sign Code*. Uniform Sign Code (including the appendices thereto), 1997 Edition, adopted and published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 1101, § 1, 9/14/76; Ord. 2275, § 1, 05/28/2002)

(1) The following provisions of the Uniform Sign Code are deleted:

Sections 103.1, Authority. (Ord. 2275, § 1, 5/28/2002)

(g) *California Building Conservation Code*. 1998 California Code for Building Construction, based on the 1997 UCBC™, California Building Standards Commission. (Ord. 2275, § 1, 5/28/2002; Ord. ____, § __, __/__/2020)

(h) *Historical Building Code*. ~~1998~~ 2019 California Historical Building Code, California Code of Regulations Title 24, Part 8~~Building Standards Commission~~. (Ord. 2275, § 1, 5/28/2002; Ord. ____, § __, __/__/2020)

(i) *Energy Code*. ~~1998~~ 2019 Energy Code, California Building Standards Commission (Ord. 2275, § 1, 5/28/2002; Ord. ____, § __, __/__/2020)

(j) *International Property Maintenance Code*. 2018 International Property Maintenance Code (Ord. ____, § __, __/__/2020)

(1) Section 111.1, relating to the application for appeal, of the International Property Maintenance Code is amended to read as follows: (Ord. ____, § __, __/__/2020)

Section 111.1. Application for appeal. Any person directly affected by a decision of the Building Official or a notice or order issued shall have the right to appeal to the board of appeals provided that a written application for appeal is filed within 10 days after the day the decision, notice or order was served. (Ord. ____, § __, __/__/2020)

(2) Section 111.2, relating to the membership of appeal board, of the International Property Maintenance Code is amended to read as follows: (Ord. ____, § __, __/__/2020)

Section 111.2. Membership of board. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the Board of Supervisors shall create a board of appeals consisting of the members who are not employees of the jurisdiction. The Building Official shall be ex officio member of and shall act as secretary to said board, but shall have no vote on any matter before the board. The board shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. (Ord. ____, § __, __/__/2020)

(3) Section 111.3, relating to the notice of appeal board meeting, of the International Property Maintenance Code is amended to read as follows: (Ord. ____, § __, __/__/2020)

Section 111.3. Notice of meeting. The board shall meet at stated periodic meetings. (Ord. ____, § __, __/__/2020)

(4) Section 202, relating to the definition of Code Official, of the International Property Maintenance Code is amended to read as follows: (Ord. ____, § __, __/__/2020)

Section 202. CODE OFFICIAL. The Building Official is charged with the administration and enforcement of this code, or any duly authorized representative. (Ord. _____, § __, ___/___/2020)

(jk) California Existing Building Code. 2019 California Existing Building Code (Ord. _____, § __, ___/___/2020)

(l) California Green Building Standards Code. 2019 California Green Building Standards Code (Ord. _____, § __, ___/___/2020)

(m) California Residential Code. 2019 California Residential Code (Ord. _____, § __, ___/___/2020)

(n) For all of the above cited codes, it is intended that the references include all of their respective successor provisions. (Ord. 2275, § 1, 5/28/2002; Ord. _____, § __, ___/___/2020)

331-11.5. Water Supply Requirements.

(a) An applicant for a building permit must provide proof acceptable to the Chief Building Official ~~Inspector~~ and Health Department that each dwelling unit will be served by an individual water supply which will supply at least 720 gallons of potable water per day or by a public water supply which conforms to the requirements of the State of California Waterworks Standards (22 California ~~Administrative Code~~ of Regulations § 64551.10 et seq.). (Ord. 2275, § 1, 5/28/2002; Ord. _____, § __, ___/___/2020)

(b) A "individual water supply" is a water system no required to conform with the California Safe Drinking Water Act (Health and Safety Code § [4010](#) et seq.).

(c) If the available water is not potable, the plans provided shall include the equipment needed to make the water potable.

(d) Violation of this section alone is not sufficient grounds for a building code abatement proceeding. (Ord. 1518, § 1, 3/30/1982)

331-14. Grading, Excavation, Erosion, and Sedimentation Control.

(a) *Purpose.* The purpose of this section is to safeguard life, limb, property and the public welfare, including the protection of water resources and their related habitats by regulating grading and related activities on private and public property, to control and reduce erosion, to reduce sediment delivered to drainages and streams, and to protect fishery habitat and other biological resources by providing best erosion control and sediment management practices. (Ord. 2275, 5/28/2002)

(b) *Scope.* This section sets forth rules and regulations to control excavation, grading and earthwork

construction, including fills and embankments and erosion and sedimentation controls. This section also establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction. (Ord. 2275, 5/28/2002)

(c) *Definitions.* Whenever the words listed below are used in the County Code, they shall have the following meaning: (Ord. 2275, 05/28/2002)

- (1) APPROVAL shall mean the building official has determined that the proposed work or completed work conforms to this chapter.
- (2) AS-GRADED is the extent of surface conditions on completion of grading.
- (3) BEDROCK is in-place solid rock.
- (4) BENCH is a relatively level step excavated into earth material on which fill is to be placed.
- (5) BEST MANAGEMENT PRACTICES (BMPs) are physical and managerial practices that, when used separately, or in combination, prevent or reduce erosion, sedimentation, or pollution of water. An example of a guide for BMPs is the State Water Resources Control Board Best Management Practices Construction Handbook.
- (6) BORROW is earth material acquired from an off-site location for use in grading on a site.
- (7) CIVIL ENGINEER is a professional engineer registered in the state to practice in the field of civil works and is qualified in accordance with Section [6730](#) et seq. of the Business and Professions Code, or successor provisions. (Ord. 2275, 5/28/2002)
- (8) CIVIL ENGINEERING is the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.
- (9) CLEARING is the destruction or removal of vegetation by manual, mechanical, or chemical methods resulting in exposed soils.
- (10) COMPACTION is the densification of a fill by mechanical means.
- (11) COUNTY ENGINEER means Director of Department of Public Works or duly licensed designee.
- (12) CONSTRUCTION ACTIVITIES; EXCAVATION AND EARTH MOVING means activities that are an integral and necessary part of a construction project that are undertaken to prepare a site for construction of structures, landscaping, or other land improvements, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments.

(13) EARTH MATERIAL is any rock, natural soil or fill or any combination thereof.

(14) ENGINEERING GEOLOGIST is a registered geologist experienced and knowledgeable in engineering geology and certified by the State of California to practice as a "Certified Engineering Geologist."

(15) ENGINEERING GEOLOGY is the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

(16) EROSION is the wearing away of the ground surface as a result of the movement of wind, water or ice.

(17) EXCAVATION is the mechanical removal of earth material.

(18) FILL is a deposit of earth material placed by mechanical means.

(19) *Geotechnical Engineer*. See "Registered Geotechnical Engineer."

(20) GRADE is the vertical location of the ground surface.

(A) Existing Grade is the grade prior to grading.

(B) Finish Grade is the final grade of the site which conforms to the approved plan.

(C) Rough Grade is the stage at which the grade approximately conforms to the approved plan.

(21) GRADING means all grading, filling, land contouring, clearing and grubbing, drainage activities, site preparation, and road building. (Ord. 2275, 5/28/2002)

(22) KEY is a designed compacted fill placed in a trench excavated in earth material beneath the toe of proposed fill slope.

(23) LAND DISTURBANCE ACTIVITY is any activity that results in a change in the soil cover or the soil topography.

(24) OTHER WET AREA as defined within the Streamside Management Area Ordinance Section [314-61.1](#) et seq. (Ord. 2275, 5/28/2002)

(25) PLANS, PRELIMINARY, are those drawings required which are: drawn to scale, and in sufficient detail to indicate the anticipated areas of impact owing to grading and related activities. The plans are to include the proposed methods of mitigating the impacts to a level of less than significant through the use of best management or equivalent techniques.

(26) PLANS, FINAL, are those drawings provided in sufficient detail for use in the control of construction or related activities and for use in the issuance of permits or approval of improvement plans. The plans are to be accompanied by supporting calculations.

(27) PROFESSIONAL INSPECTION is the inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include that performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

(28) REGISTERED GEOTECHNICAL ENGINEER is an engineer experienced and knowledgeable in the practice of geotechnical (soils) engineering and licensed by the State of California to practice. A Registered Civil Engineer may prepare the required geotechnical engineering (soils) report where the engineer has experience in preparing such reports for private or public projects which have been accepted for use by public agencies, and is qualified in accordance with Section [6736.1](#) of the Business and Professions Code, or successor provisions. (Ord. 2275, 5/28/2002)

REGISTERED GEOLOGIST is a registered geologist experienced and knowledgeable in geology and certified by the State of California to practice in the field of geology. (Ord. 2275, 5/28/2002)

(29) SEDIMENTATION is the process of deposition of fragmented rock, soils, or organic particles displaced, transported, and deposited by erosive processes.

(30) SITE is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

(31) SLOPE is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

(32) SLOPE, DETERMINATION OF CROSS SLOPE means the cross slope of a parcel shall be determined by measurement, at fifty-foot intervals, of the average slope perpendicular to the contour lines.

(33) SOIL is naturally occurring superficial deposits overlying bedrock.

(34) SOILS ENGINEER (GEOTECHNICAL ENGINEER) see Registered Geotechnical Engineer.

(35) SOILS ENGINEERING (GEOTECHNICAL ENGINEERING) is the application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.

(36) STORM WATER POLLUTION PREVENTION PLAN (SWPPP) is a plan required for various

construction and industrial activities pursuant to the Federal Clean Water Act and related State regulations.

(37) STREAMSIDE MANAGEMENT AREA as defined in the Streamside Management Area Ordinance, Section [314-61.1](#). (Ord. 2275, 5/28/2002)

(38) TERRACE is a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

(39) VEGETATION MAINTENANCE is lawn and yard maintenance, brush and tree pruning, home gardening, compliance with CDF defensible space requirements around structures and along roads and driveways, removal of exotic (non-native) plant species, and other land maintenance activities involving cutting, removal, or planting of non-exotic vegetation by manual, mechanical, or chemical methods.

(40) WINTER OPERATIONS are activities conducted pursuant to a grading permit during the period of 15 October through 15 April. (Ord. 2275, 5/28/2002)

(d) *Permit Required.*

(1) *Permit Required.* Except as specified in subsection (2) below of this section, no person shall do any grading without first having obtained a grading permit from the building official. (Ord. 2275, 5/28/2002)

(2) *Exempted Work.* Except as provided herein and in Section ~~331-12(D)(3)~~ [331-14\(d\)\(3\)](#) below, a grading permit is not required for the following: (Ord. 2275, 05/28/2002; Ord. _____, § ___, ___/___/2020)

(A) When approved by the building official, grading in a self-contained area if there is no danger to private or public property nor damage to the environment, to fisheries habitat or other aquatic resources or no runoff concerns or indications of wet areas. (Ord. 2275, 5/28/2002)

(B) An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than 5 feet (1.5 m) after the completion of such structure. (Ord. 2275, 5/28/2002)

(C) Cemetery graves. (Ord. 2275, 5/28/2002)

(D) Solid waste disposal sites regulated by the State Integrated Waste Management Act. (Ord. 2275, 5/28/2002)

(E) Excavations for wells, tunnels or utilities. (Ord. 2275, 5/28/2002)

(F) Surface mining in conformance with County and State Surface Mining and Reclamation Act regulations. (Ord. 2275, 5/28/2002)

(G) Exploratory excavations under the direction of soil engineers, geologists or engineering geologists. (Ord. 2275, 5/28/2002)

(H) An excavation which (1) is less than 2 feet (0.6 m) in depth, or (2) which does not create a cut slope greater than 5 feet (1.5 m) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope), and does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage course nor encroach upon a wetland. (Ord. 2275, 5/28/2002)

(I) A fill less than 1 foot (0.3 m) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (0.9 m) in depth, which is not intended to support structures, does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage course nor encroach upon a wetland. (Ord. 2275, 5/28/2002)

(J) Routine tilling and field preparation activities associated with agricultural operations and those activities involved in the production of crops or livestock for wholesale trade. (Ord. 2275, 5/28/2002)

(K) Routine vegetation maintenance. (Ord. 2275, 5/28/2002)

(L) Any grading or related activity conducted as a part of a County of Humboldt Public Works project, such as new road, bridge or trail construction, or landfill activities, or activities related to maintenance or repair of an existing County facility. (Ord. 2275, 5/28/2002)

(M) Timber harvest and management activities when approved and carried out consistent with the California Forest Practices Act. Activities which are not exempt from the local regulation pursuant to [Public Resources Code](#) Section 4516.54 are subject to these regulations. Permits are required for private roads within timber harvest areas where the proposed improvements are in excess of the minimum road standards required by the California Department of Forestry for timber harvesting activities. (Ord. 2275, 5/28/2002; Ord. ____, § __, __/__/2020)

(N) Routine road and drainage facility maintenance to include culverts. (Ord. 2275, 5/28/2002)

(3) *Exception to Exemption.*

(A) The above permit exemptions shall not apply to activities conducted: (Ord. 2275,

05/28/2002)

(i) ~~W~~Within a Streamside Management Area or other wet area unless exempted by the provisions of the Streamside Management Area Ordinance (see Zone Regulations Section ~~316-25~~[314-61.1](#)); (Ord. 2275, 5/28/2002; Ord. _____, § __, __/__/2020)

(ii) ~~N~~or to areas of moderate to high geologic instability as delineated upon the County Geologic Hazards Maps; (Ord. 2275, 5/28/2002; Ord. _____, § __, __/__/2020)

(iii) ~~N~~or to activities which require a floodplain development permit. (Ord. 2275, 5/28/2002; Ord. _____, § __, __/__/2020)

(B) Activities conducted by the County of Humboldt Public Works Department within a Streamside Management or other wet area when the activity is an activity allowed in the Streamside Management Area Ordinance Section ~~316-25(h)~~[314-61.1](#) et seq., or within areas of moderate to high geologic instability, are not required to obtain grading permits. (Ord. 2275, 5/28/2002; Ord. _____, § __, __/__/2020)

(C) Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in violation of the provisions of this chapter or any other laws or ordinances of this jurisdiction. (Ord. 2275, 5/28/2002)

(D) New development in hazard areas shall comply with the applicable hazard regulations of the County found within Chapter 6 of these regulations. (Ord. 2275, 5/28/2002)

(E) Whenever the building official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the building official, shall within the period specified therein repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this code. (Ord. 2275, 5/28/2002)

(e) *Grading Permit Requirements.*

(1) *Permits Required.* Except as exempted in Section [331-14\(d\)\(2\)](#) and [331-14\(c\)\(3\)](#) above of this code, no person shall do any grading without first obtaining a grading permit from the building official. A separate permit shall be obtained for each site, and may cover both excavations and fills. (Ord. 2275, 5/28/2002; Ord. _____, § __, __/__/2020)

(2) *Application.* The Submittal Documents application standards found in 2019 California

Building Code Section 107.1 through 107.2.7 ~~106.3.1~~ and their respective successor provisions are applicable to grading. In addition, the application shall state the estimated quantities of work involved. (Ord. 2275, 5/28/2002; Ord. _____, § __, __/__/2020)

(3) *Grading Designation.* Grading in excess of 5,000 cubic yards (3825 m³) shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading." Grading involving less than 5,000 cubic yards (3825 m³) shall be designated "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the building official determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading. (Ord. 2275, 5/28/2002)

(4) *Engineered Grading Application Requirements.* Application for a grading permit shall be accompanied by two sets of plans and specifications, and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications. (Ord. 2275, 05/28/2002)

(A) Specifications shall contain information covering construction and material requirements. (Ord. 2275, 5/28/2002)

(B) Plans shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give location of the work, the name and address of the owner and the person by whom they were prepared. (Ord. 2275, 5/28/2002)

(C) The plans shall include the following information:

1. General vicinity of the proposed site. (Ord. 2275, 5/28/2002)
2. Property limits and accurate contours of existing ground and details of area drainage. (Ord. 2275, 5/28/2002)
3. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction. (Ord. 2275, 5/28/2002)
4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage area and the estimated runoff of the area

served by any drains. The map shall show or provide by narrative the location of discharge points to the nearest natural area (creeks, ponds, rivers, etc.). (Ord. 2275, 5/28/2002)

5. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within 15 feet (4.6 m) of the property or which may be affected by the proposed grading operations. (Ord. 2275, 5/28/2002)

6. Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the building official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference. (Ord. 2275, 5/28/2002)

7. The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports. (Ord. 2275, 5/28/2002)

(5) *Soils Engineering Report*. When a soils engineering report is required, it shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes. (Ord. 2275, 5/28/2002)

(6) *Engineering Geology Report*. When an engineering geology report is required, it shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors. (Ord. 2275, 5/28/2002)

(7) *Liquefaction Study*. The building official shall require a geotechnical investigation in accordance with 2019 California Building Code Sections 1803.2 and 1803.6 and their respective successor provisions when, during the course of an investigation, all of the following conditions are discovered. The report shall address the potential for liquefaction: (Ord. 2275, 05/28/2002; Ord. _____, § __, __/__/2020)

(A) Shallow groundwater, 50 feet (15.24 m) or less. (Ord. 2275, 5/28/2002)

(B) Unconsolidated sandy alluvium. (Ord. 2275, 5/28/2002)

(8) *Regular Grading Requirements.* Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information: (Ord. 2275, 05/28/2002)

(A) General vicinity of the proposed site. (Ord. 2275, 5/28/2002)

(B) Dimensions, grade and depth of cut and fill, shown on a plot plan with typical cross-sections. (Ord. 2275, 5/28/2002)

(C) Method and standard for compaction. (Ord. 2275, 5/28/2002)

(D) Location of structures, utilities, existing and proposed drainageways, and major vegetation on the property. Show these features on adjacent property if they might be affected or are within 30 feet (9.14 m) of the proposed grading. A map shall show or provide by narrative the location of discharge points to the nearest natural area (creeks, ponds, rivers, etc.). (Ord. 2275, 5/28/2002)

(E) Description of erosion control methods. (Ord. 2275, 5/28/2002)

(F) If applicable, excess soil stockpile locations or disposal plans. (Ord. 2275, 5/28/2002)

(9) *Issuance.* The issuance provisions of 2019 California Building Code section 107.3 Section-106.4 and their respective successor provisions are applicable to grading permits. The building official may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

The building official may require professional inspection and testing by a soils engineer. When the building official has cause to believe that adverse geologic factors may be involved, the grading will be required to conform to engineered grading. (Ord. 2275, 5/28/2002; Ord. ____, § ____, __/__/2020)

(f) *Grading Fees.*

(1) *General.* Fees shall be assessed in accordance with the provisions of the fee schedule adopted by the County. (Ord. 2275, 5/28/2002)

(g) *Bonds.*

(1) The building official may require bonds in such form and amounts as may be deemed necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. (Ord. 2275, 5/28/2002)

(2) In lieu of a surety bond the applicant may file a cash bond or instrument of credit with the building official in an amount equal to that which would be required in the surety bond. (Ord. 2275, 5/28/2002)

(h) *Grading Standards.*

(1) *General.* Unless otherwise recommended in the approved soils engineering or engineering geology report, grading activities shall conform to the provisions of this section. (Ord. 2275, 05/28/2002)

(A) *Cut Slope.* The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope) unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to property or the environment. (Ord. 2275, 5/28/2002)

(B) *Fill Slope and Preparation.*

1. *Preparation of Ground.* Fill slopes shall not be constructed on natural slopes steeper than 1 unit vertical in 2 units horizontal (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials scarifying to provide a bond with the new fill and, where slopes are steeper than 1 unit vertical in 5 units horizontal (20% slope) and the height is greater than 5 feet (1.52 m), by benching, into sound bedrock or other competent material as determined by the Geotechnical Engineer or a Certified Engineering Geologist. The bench under the toe of a fill on a slope steeper than 1 unit vertical in 5 units horizontal (20% slope) shall be at least 10 feet (3.05 m) wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet (3.05 m) wide but the cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill. (Ord. 2275, 5/28/2002)

2. *Fill Material.* Amounts of organic material detrimental to structural integrity shall not be permitted in fills. Except as permitted by the building official, no rock or similar irreducible material with a maximum dimension greater than 12 inches (0.31 m) shall be buried or placed in fills. (Ord. 2275, 5/28/2002)

3. *Exception.* The building official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply: (Ord.

2275, 05/28/2002)

a. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.

b. Rock sizes greater than 12 inches (0.31 m) in maximum dimension shall be 10 feet (3.05 m) or more below grade, measured vertically. (Ord. 2275, 5/28/2002)

c. Rocks shall be placed so as to assure filling of all voids with well-graded soil. (Ord. 2275, 5/28/2002)

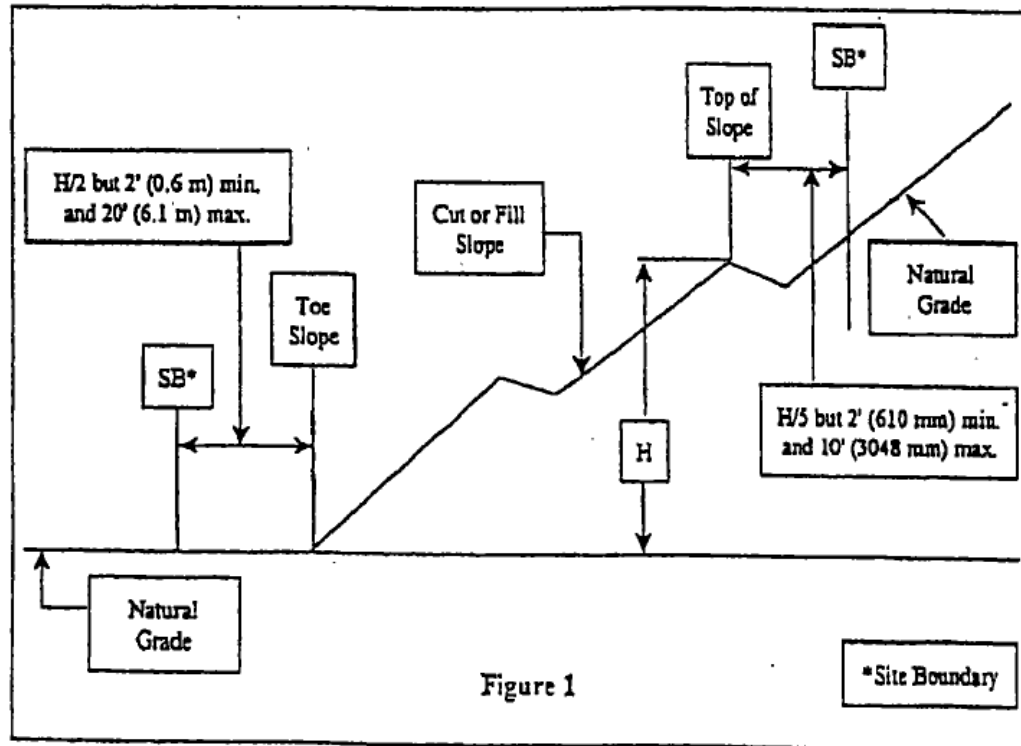
4. *Compaction.* All fills shall be compacted to a minimum of 90 percent of maximum dry density with sufficient testing for documentation of compliance with this standard. (Ord. 2275, 5/28/2002)

5. *Slope.* The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope). (Ord. 2275, 5/28/2002)

(2) *Setbacks.*

(A) *General.* Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as shown in Figure 1.

Figure 1.



(B) *Top of Cut Slope.* The top of cut slopes shall not be made nearer to a site boundary line than one fifth of the vertical height of cut with a minimum of 2 feet (0.61 m) and a maximum of 10 feet (3.05 m). The setback may need to be increased for any required interceptor drains. (Ord. 2275, 5/28/2002)

(C) *Toe of Fill Slope.* The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of 2 feet (0.6 m) and a maximum of 20 feet (6.1 m). Where a fill slope is to be located near the site boundary and the adjacent offsite property is developed, special precautions shall be incorporated in the work as the building official deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to: (Ord. 2275, 05/28/2002)

1. Additional setbacks.
2. Provision for retaining, or slough walls.
3. Mechanical or chemical treatment of the fill slope surface to minimize erosion. (Ord. 2275, 5/28/2002)
4. Provisions for the control of surface waters. (Ord. 2275, 5/28/2002)

(D) *Modification of Setbacks.* The building official may approve alternate setbacks. The building official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied. (Ord. 2275, 5/28/2002)

(3) *Drainage and Terracing for Slopes Steeper Than 33%.* (Ord. 2275, 05/28/2002)

(A) *General.* Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provisions of this section for cut or fill slopes steeper than 1 unit vertical in 3 units horizontal (33.3% slope). (Ord. 2275, 5/28/2002)

(B) *Hill Terrace.* Terraces at least 6 feet (1.83 m) in width shall be established at not more than 30-foot (9.14 m) vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than 60 feet (18.29 m) and up to 120 feet (36.58 m) in vertical height, one terrace at approximately mid-height shall be 12 feet (3.66 m) in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet (36.58 m) in height shall be designed by the civil engineer and approved by the building official. Suitable access shall be provided to permit proper cleaning and maintenance. (Ord. 2275, 05/28/2002)

Swales or ditches on terraces shall have a minimum gradient of 5 percent and must be paved with reinforced concrete not less than 3 inches (76 mm) in thickness or an approved equal paving as approved by the building official. They shall have a minimum depth at the deepest point of 12 inches (305 mm) and a minimum paved width of 5 feet (1.52 m). (Ord. 2275, 05/28/2002)

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1254.2 m²) (projected) without discharging into a down drain. (Ord. 2275, 5/28/2002)

(C) *Subsurface Drainage.* Cut and fill slopes shall be provided with subsurface drainage as necessary for stability. (Ord. 2275, 5/28/2002)

(D) *Surface Drainage Disposal.* All drainage facilities shall be designed to carry waters to the nearest practicable drainageway approved by the building official or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive downdrains or other devices. (Ord. 2275, 05/28/2002)

Building pads shall have a drainage gradient of 2 percent toward approved drainage facilities, unless waived by the building official. The gradient from the building pad may be

1 percent if all of the following conditions exist throughout the permit area: (Ord. 2275, 05/28/2002)

1. No proposed fills are greater than 10 feet (3.05 m) in maximum depth. (Ord. 2275, 5/28/2002)
2. No proposed finish cut or fill slope faces have a vertical height in excess of 10 feet (3.05 m). (Ord. 2275, 5/28/2002)
3. No existing slope faces, which have a slope face steeper than 1 unit vertical in 10 units horizontal (10% slope), have a vertical height in excess of 10 feet (3.05 m). (Ord. 2275, 5/28/2002)

(E) *Interceptor Drains.* Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet (12.19 m) measured horizontally. Interceptor drains shall be paved with a minimum of 3 inches (76 mm) of concrete or gunite and reinforced. They shall have a minimum depth of 12 inches (305 mm) and a minimum paved width of 30 inches (762 mm) measured horizontally across the drain. The slope of drain shall be approved by the building official. (Ord. 2275, 5/28/2002)

(4) *Maintenance Required.* The property owner shall be responsible for adequately maintaining all drainage facilities installed pursuant to this section. (Ord. 2275, 5/28/2002)

(5) *Grading Inspection.*

(A) *General.* Grading operations for which a permit is required shall be subject to inspection by the building official. Professional inspection of grading operations shall be provided by the civil engineer, soils engineer, or the engineering geologist, as applicable, retained to provide such services for engineered grading, and as required by the building official for regular grading. (Ord. 2275, 5/28/2002)

(B) *Civil Engineer.* The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work they shall be prepared by the civil engineer. (Ord. 2275, 5/28/2002)

(C) *Soils Engineer.* The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to

verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the building official and the civil engineer. (Ord. 2275, 5/28/2002)

(D) *Engineering Geologist*. The engineering geologist shall provide professional inspection within such professional's area of technical specialty, which shall include professional inspection of the excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer. (Ord. 2275, 5/28/2002)

(E) *Permittee*. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code, and the permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the building official. In the event of changed conditions, the permittee shall be responsible for informing the building official of such change and shall provide revised plans for approval. (Ord. 2275, 5/28/2002)

(F) *Building Official*. The building official shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants. (Ord. 2275, 5/28/2002)

(G) *Notification of Noncompliance*. If, in the course of fulfilling their respective duties under this chapter, the civil engineer, the soils engineer or the engineering geologist finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the building official. (Ord. 2275, 5/28/2002)

(H) *Transfer of Responsibility*. If the civil engineer, the soils engineer. or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the building official in writing of such change prior to the re-commencement of such grading. (Ord. 2275, 5/28/2002)

(6) *Erosion and Sedimentation Control*.

(A) *Administration*.

1. The erosion and sediment control provisions of this section shall be applicable to all facilities and activities under the supervision of the Director of the Department of Public Works. (Ord. 2275, 5/28/2002)
2. The administration of this section, as it affects County facilities and activities, is the responsibility of the Director of the Department of Public Works. (Ord. 2275, 5/28/2002)
3. The administration of this section as it affects other building, grading, and related activities is the responsibility of the Chief Building Official. (Ord. 2275, 5/28/2002)

(B) *Relationship to Other Regulations.*

1. The County's Subdivision Regulations (Title III, Land Use and Development, Division 2, Subdivision Regulations, Section [323-6\(a\)\(6\)](#), require the submission of a grading permit as a part of a tentative subdivision map application. The Director of the Department of Public Works shall be responsible for the administration of these regulations where a grading permit application is submitted as a part of a tentative subdivision map application. (Ord. 2275, 5/28/2002)
2. For any County project over 50 cubic yards in size which involves the use of private property outside of existing public easements or rights-of-way, the Department of Public Works shall provide copies of all preliminary or final project plans or information which affects the private property to the Building Division of the Planning and Building ~~Community Development Services~~ Department. (Ord. 2275, 5/28/2002; Ord. ____, § __, __/__/2020)
3. Any soils or geologic reports prepared for any project where a grading permit is submitted as a part of a tentative subdivision map application, or related environmental document, shall be placed in the records of the Chief Building Official. (Ord. 2275, 5/28/2002)

(C) *Erosion and Sedimentation Control.* These minimum erosion and sedimentation control standards shall apply to all projects requiring building, grading, and development permits, and County of Humboldt Public Works activities, to prevent sedimentation or damage to onsite and offsite property. These standards shall be incorporated into the project design and shall be adhered to during project construction: (Ord. 2275, 05/28/2002)

1. *General Guidelines.*

- a. Minimize soil exposure during the rainy season by proper timing of grading and construction. (Ord. 2275, 5/28/2002)

- b. Retain trees and natural vegetation to stabilize hillsides, retain moisture, reduce erosion, minimize siltation and nutrient runoff and preserve scenic qualities. (Ord. 2275, 5/28/2002)
- c. Vegetate and mulch denuded areas to protect them from winter rains. (Ord. 2275, 5/28/2002)
- d. Divert runoff away from steep, denuded slopes or other critical areas with barriers, berms, ditches or other facilities. (Ord. 2275, 5/28/2002)
- e. Design grading to be compatible with adjacent areas and result in minimal disturbance of the terrain and natural land features. (Ord. 2275, 5/28/2002)
- f. Limit construction, clearing of vegetation and disturbance of the soil to areas of proven stability. Mitigate geologic hazards and adverse soil conditions when they are encountered. (Ord. 2275, 5/28/2002)
- g. Reduce sediment transport off the site to the maximum extent feasible through the use of Best Management Practices (BMPs). (Ord. 2275, 5/28/2002)
- h. Propose a new or modified erosion and sediment control technique if the technique is preferred and meets the intent of these regulations. Obtain approval from the County prior to implementation. (Ord. 2275, 5/28/2002)
- i. Conduct frequent site inspections to ensure that control measures are working properly and to correct problems as needed. (Ord. 2275, 5/28/2002)
- j. Employ other means of erosion and sediment control as required by the Chief Building Official or Director of the Department of Public Works as applicable. (Ord. 2275, 5/28/2002)

2. *Sediment Control.*

- a. Use sediment basins, silt traps, or similar measure to retain sediment transported by runoff water onsite. (Ord. 2275, 5/28/2002)
- b. Collect and direct surface runoff at non-erosive velocities to the common natural watercourse of the drainage area. (Ord. 2275, 5/28/2002)
- c. Avoid concentrating surface water anywhere except swales or watercourses. (Ord. 2275, 5/28/2002)
- d. Prevent mud from being tracked onto the public roadway by traveling over a

temporary gravel construction entrance or washing off vehicle tires before entering a public or private driveway. (Ord. 2275, 5/28/2002)

3. *Slope Construction.*

- a. Minimize length and steepness of slopes by benching, terracing or constructing diversion structures. (Ord. 2275, 5/28/2002)
- b. Preserve, match, or blend cuts and fills with the natural contours and undulations of the land. (Ord. 2275, 5/28/2002)
- c. Round sharp angles at the top and sides of cut and fill slopes. (Ord. 2275, 5/28/2002)
- d. Maintain cut and fill slopes at less than two-to-one (2:1, run:rise) slope unless a geological and engineering analysis indicates that steeper slopes are safe and erosion and sediment control measures can successfully prevent erosion. (Ord. 2275, 5/28/2002)
- e. Where a cut or fill slope occurs between two lots, make the slope a part of the downhill lot if possible. (Ord. 2275, 5/28/2002)

4. *Protection of Watercourses and Drainage Inlets.*

- a. Prepare drainageways to handle concentrated or increased runoff from disturbed areas by using appropriate lining materials or energy absorbing devices to reduce the velocity of runoff water. (Ord. 2275, 5/28/2002)
- b. Trap sediment-laden runoff in basins to allow soil particles to settle out before flows are released to receiving waters, storm drains, streets or adjacent property. This standard is not mandatory for grading conducted between April 15 and October 15 when the site is fully winterized and stabilized prior to October 15. Remove trapped sediment to a suitable location on-site or at a disposal site approved by the County. (Ord. 2275, 5/28/2002)
- c. Do not grade or drive equipment in a Streamside Management or Other Wet Areas except as allowed through the County Streamside Management Area Ordinance. (Ord. 2275, 5/28/2002)
- d. Deposit or store excavated materials away from watercourses. (Ord. 2275, 5/28/2002)
- e. Protect all existing or newly installed storm drainage structures from sediment

clogging. (Ord. 2275, 5/28/2002)

f. Use straw bales, filter fabric wraps and drainage inlet protections in a manner that does not cause additional erosion or flooding of a roadway. (Ord. 2275, 5/28/2002)

5. *Disposal of Excavated Materials.*

a. Stockpile topsoil on the site for use on areas to be revegetated. (Ord. 2275, 5/28/2002)

b. Place stockpiled soil in locations, so that if erosion occurs, it will not contribute to offsite sediment discharge. (Ord. 2275, 5/28/2002)

c. Protect stockpiled soil promptly through the use of appropriate BMPs to reduce the risk of erosion and sediment transport. Apply mulch or other protective coverings on stockpiled material that will be exposed through the winter season. (Ord. 2275, 5/28/2002)

d. Dispose of excavated material not used at the site at a location approved by the County. (Ord. 2275, 5/28/2002)

6. *Dust Control.*

a. All construction areas, including disposal sites, shall be treated and maintained as necessary to minimize the emission of dust. Maintenance shall be conducted as necessary to prevent a nuisance to offsite properties. (Ord. 2275, 5/28/2002)

b. All construction sites, including driveways, shall be maintained as necessary to minimize the emission of dust and prevent the creation of a nuisance to adjacent properties. (Ord. 2275, 5/28/2002)

7. *Revegetation.*

a. Apply temporary seeding and mulching to denuded areas prior to October 15 unless the project is conditioned otherwise. (Ord. 2275, 5/28/2002)

b. *Establish a permanent vegetative cover on denuded areas not otherwise stabilized.* Permanent vegetation ground cover must control soil erosion satisfactorily and survive severe weather conditions. (Ord. 2275, 5/28/2002)

c. Retain a vegetative barrier whenever possible around property boundaries. (Ord. 2275, 5/28/2002)

- d. Use self-sustaining, non-invasive plants that require little or no maintenance and do not create an extreme fire hazard. (Ord. 2275, 5/28/2002)
- e. Use native plant species whenever feasible. (Ord. 2275, 5/28/2002)

(D) *Erosion and Sediment Control Plan Requirements.*

1. *Preparation.* A site-specific erosion and sediment control plan shall be prepared and submitted with any development application which involves grading or related activities which has any one of the following characteristics: (Ord. 2275, 05/28/2002)

- a. The total area of grading and related activities is one (1) acre or more. (Ord. 2275, 5/28/2002)
- b. The slope is 15% or steeper (of the area to be developed). (Ord. 2275, 5/28/2002)
- c. The grading is located within an area of moderate or high geologic instability. (Ord. 2275, 5/28/2002)
- d. The grading is within a Streamside Management or Other Wet Area. (Ord. 2275, 5/28/2002)
- e. The grading is within a floodplain. (Ord. 2275, 5/28/2002)
- f. The grading is for a driveway or road which exceeds 300 feet in length. (Ord. 2275, 5/28/2002)
- g. The grading is proposed to occur during winter land disturbing operations (15 October - 15 April).

In addition, the Chief Building Official may require, at any time during design or construction of any project, an erosion and sediment control plan prepared by a qualified professional at the owner's expense. (Ord. 2275, 05/28/2002)

The plan shall be prepared by a person or firm qualified by training and experience to have expert knowledge of erosion and sediment control methods. The professionally qualified person or firm may be a duly licensed or registered architect, civil engineer, engineering geologist, landscape architect, professional forester, professional soil erosion and sediment control specialist, or a soil conservation service employee working under the responsible charge of a qualified professional. When approved by the Chief Building Official, such plan shall be implemented by the owner. Costs incurred by the County for the checking of plans or calculations or for inspection as a result of preparation of an erosion

and sediment control plan shall be borne by the owner or permittee per the adopted County fee schedule. (Ord. 2275, 5/28/2002)

2. *Implementation Measures.* The proposed measures shall be based on recommendations contained in the latest edition of the State of California Erosion and Sediment Control Handbook or State Water Resources Control Board Best Management Practice Construction Handbook or equivalent Best Management Practice erosion and sediment control guides. (Ord. 2275, 5/28/2002)

3. *Contents.* The plan shall conform to the requirements found in this section. (Ord. 2275, 05/28/2002)

a. *General.*

1 Identify the owner, plan preparers, project location and activity. (Ord. 2275, 5/28/2002)

2 Include a declaration that the plan was prepared by a person or firm qualified by training and experience to have expert knowledge of erosion and sediment control methods. If the plan is not prepared by a licensed or registered professional, state the justification for the declaration. (Ord. 2275, 5/28/2002)

3 Identify BMP guide(s) used for plan preparation. (Ord. 2275, 5/28/2002)

4 Outline the construction schedule and provide specific deadlines for implementation of erosion control features, specific grading and erosion control activities that will occur subsequent to Final Map recordation. (Ord. 2275, 5/28/2002)

5 Include a schedule for inspection and maintenance of erosion control features by date, project milestone or rainfall event. Specify the individuals responsible for the inspection and their reporting requirements. (Ord. 2275, 5/28/2002)

For winter land disturbing operations (15 October - 15 April) include:

6 Necessity for working during the winter and efforts to minimize land disturbance. (Ord. 2275, 5/28/2002)

b. *Sediment Control, Slope Construction and Protection of Watercourses.* (Ord. 2275, 05/28/2002)

1 Identify existing and proposed drainage patterns, channels and facilities.
(Ord. 2275, 5/28/2002)

2 Calculate changes in flow quantities or velocities and specify necessary slope protection or drainage channel and facility improvements. (Ord. 2275, 5/28/2002)

For winter land disturbing operations (15 October - 15 April) identify:

3 Temporary slope stabilization measures such as mulching with protective coverings. Specify timing of application. (Ord. 2275, 5/28/2002)

4 Temporary channels, interceptors and diversions necessary to control surface water flow over cut and fill slopes. (Ord. 2275, 5/28/2002)

5 Measures to reduce drainage flow velocities such as, benches, vegetation filter strips and earth dams. (Ord. 2275, 5/28/2002)

6 Identify temporary sediment detention basins necessary to retain sediment transported by surface water onsite, including: (Ord. 2275, 05/28/2002)

i Location, dimensions and design. (Ord. 2275, 5/28/2002)

ii Design criteria and hydraulic sizing calculations. (Ord. 2275, 5/28/2002)

iii Construction method. (Ord. 2275, 5/28/2002)

iv Maintenance requirements and schedule. (Ord. 2275, 5/28/2002)

7 Methods to prevent vehicle tracking of mud onto public roadways. (Ord. 2275, 5/28/2002)

c. *Disposal of Excavated Materials.* (Ord. 2275, 05/28/2002)

1 Type and quantity of material. (Ord. 2275, 5/28/2002)

2 Location of disposal area. (Ord. 2275, 5/28/2002)

3 Methods to prevent erosion. (Ord. 2275, 5/28/2002)

For winter land disturbing operations (15 October - 15 April) include:

4 Methods to direct drainage away from stockpile. (Ord. 2275, 5/28/2002)

5 Methods to prevent erosion of stockpile during construction. (Ord. 2275, 5/28/2002)

d. *Dust Control.* (Ord. 2275, 05/28/2002)

1 Measures to keep dust to a minimum during the construction period. (Ord. 2275, 5/28/2002)

2 Measures to prevent wind erosion of exposed soil. (Ord. 2275, 5/28/2002)

e. *Removal of Vegetation and Revegetation.* (Ord. 2275, 05/28/2002)

1 Identify the area and type of vegetation to be removed and the necessity for removal. (Ord. 2275, 5/28/2002)

2 Identify methods for protecting existing vegetation. (Ord. 2275, 5/28/2002)

3 Specify area to be revegetated. (Ord. 2275, 5/28/2002)

4 Name the type, quantity and method of application of mulch, seed or plants. (Ord. 2275, 5/28/2002)

5 Describe plans for fertilization and irrigation. (Ord. 2275, 5/28/2002)

6 Comment on the ability of cut or fill surfaces to support permanent vegetation. (Ord. 2275, 5/28/2002)

For winter land disturbing operations (15 October - 15 April) include:

7 Identify temporary revegetation measures such as stage seeding and/or planting of fast germinating seeds. Describe seed protection and vegetation maintenance requirements. (Ord. 2275, 5/28/2002)

f. For winter land disturbing operations, the conditions identified above may be modified or deleted by the Chief Building Official ~~Director of Community Development Services~~ based upon weather reports, the proposed construction period, the type and size of the activity and site attributes such as location, slope and soil stability. (Ord. 2275, 5/28/2002; Ord. _____, § __, __/__/2020)

4. *Storm Water Pollution Prevention Plans (SWPPP).* For projects subject to the requirement to prepare a SWPPP, a preliminary SWPPP may be submitted in lieu of the erosion and sediment control plan required by these regulations, so long as the SWPPP addresses all the standards and conditions contained within these regulations. (Ord. 2275, 5/28/2002)

(E) *Samples of Best Management Practices.* Found within Attachment 1 to these regulations are schematic drawings which show various Best Management Practices. Specific drawings

may be cited for projects where they are proposed for use. Where included within a erosion and sediment control plan, the drawings are to be drawn to scale, with placement shown upon a site plan of the project area. Narrative may be included upon the grading and drainage plan sheet or may be contained in a separate report. (Ord. 2275, 5/28/2002)

(i) *Completion of Work.*

(1) *Final Reports.* Upon completion of the permitted rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading, or when professional inspection is performed for regular grading, as applicable. (Ord. 2275, 05/28/2002)

(A) A set of record drawings prepared by the civil engineer retained to provide such services shall show the original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer. (Ord. 2275, 5/28/2002)

(B) Civil engineers shall submit a written statement that to the best of their knowledge the work within their area of responsibility was done in accordance with the final approved grading plan. (Ord. 2275, 5/28/2002)

(C) A report prepared by the soils engineer retained to provide such services shall include the locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. Soils engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter. (Ord. 2275, 5/28/2002)

(D) A report prepared by the engineering geologist retained to provide such services shall include a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. Engineering geologists shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this chapter. (Ord. 2275, 5/28/2002)

(E) The grading contractor shall submit in a form prescribed by the building official a statement of conformance to said as-built plan and the specifications. (Ord. 2275, 5/28/2002)

(2) *Notification of Completion.* The permittee shall notify the building official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted. (Ord. 2275, 5/28/2002)

Attachment 1 to Section 331-14. Grading, Excavation, Erosion and Sedimentation
Control Standard Drawings.

Figure 1. Typical Interceptor Swale / Outfall Detail

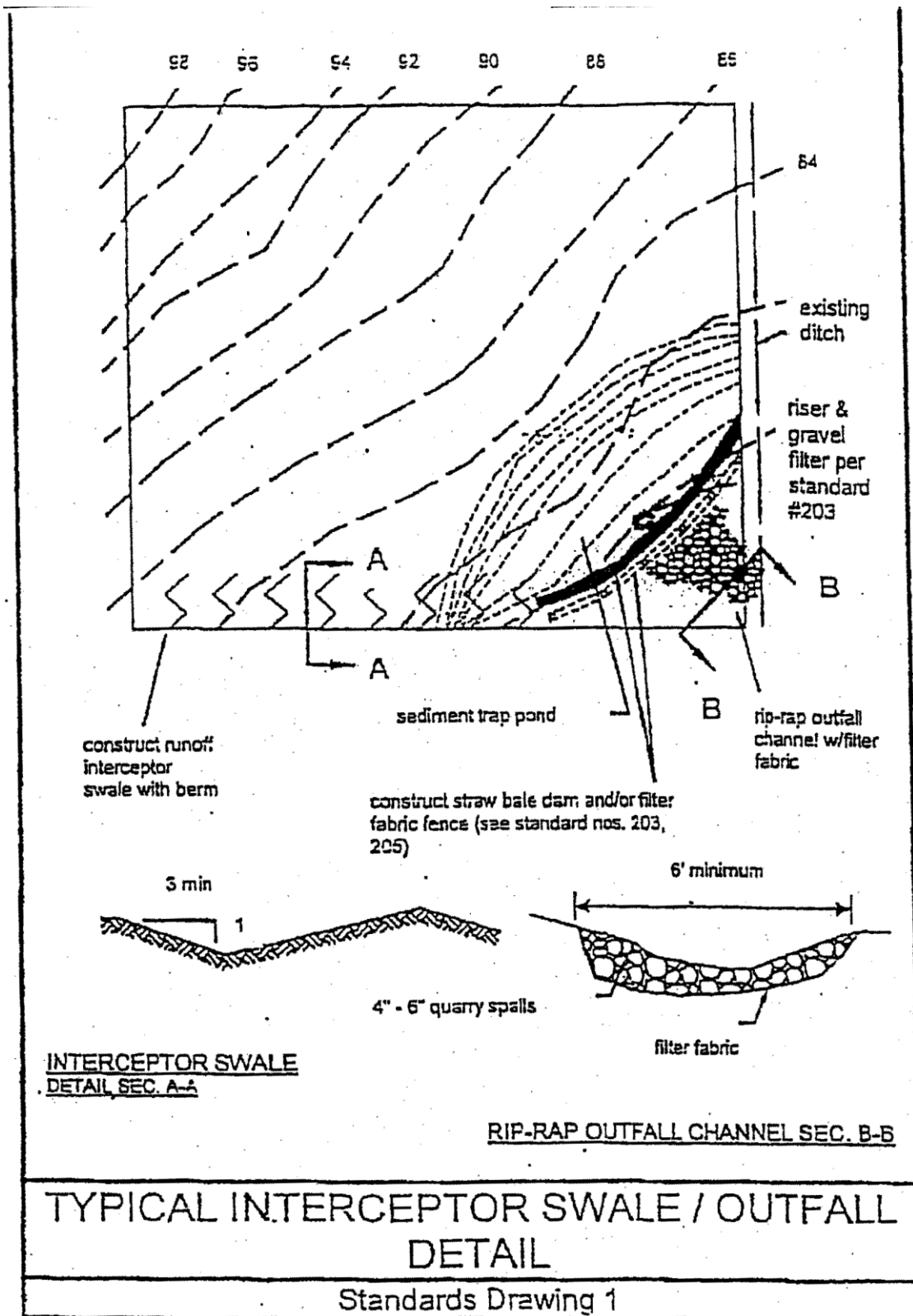


Figure 2. Soil Stabilization

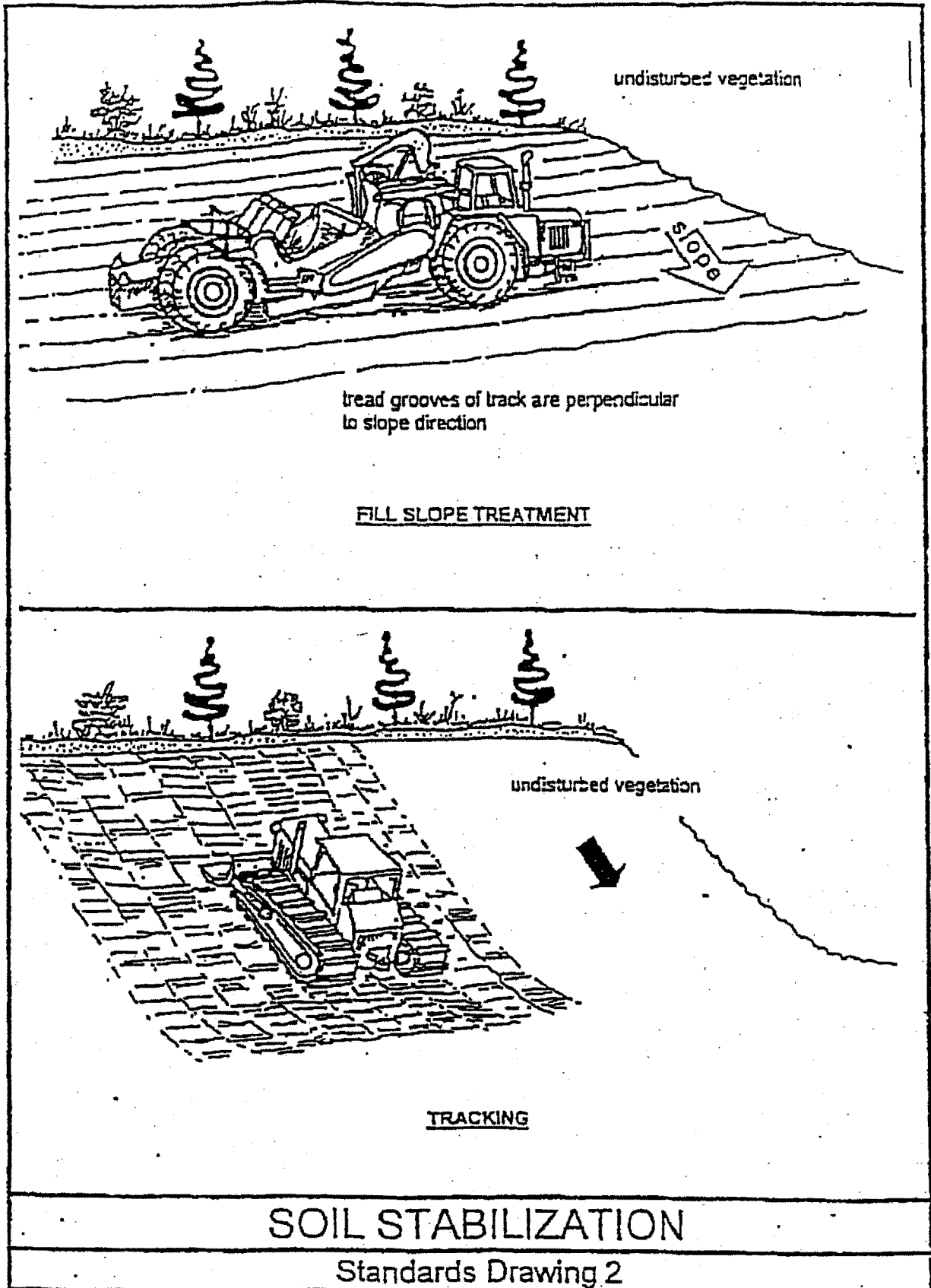


Figure 3. Silt Fence

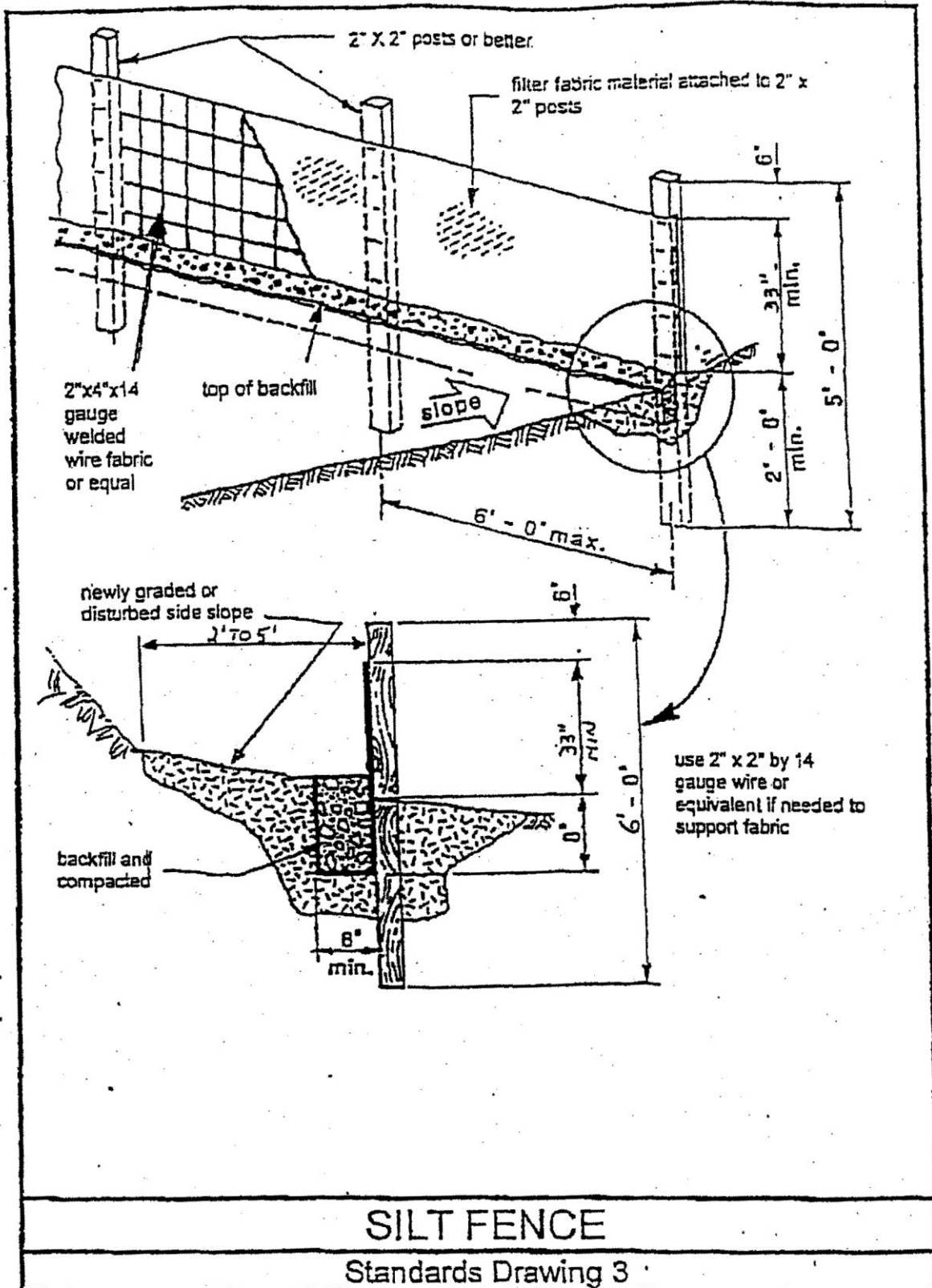


Figure 4. Straw Bale Barrier

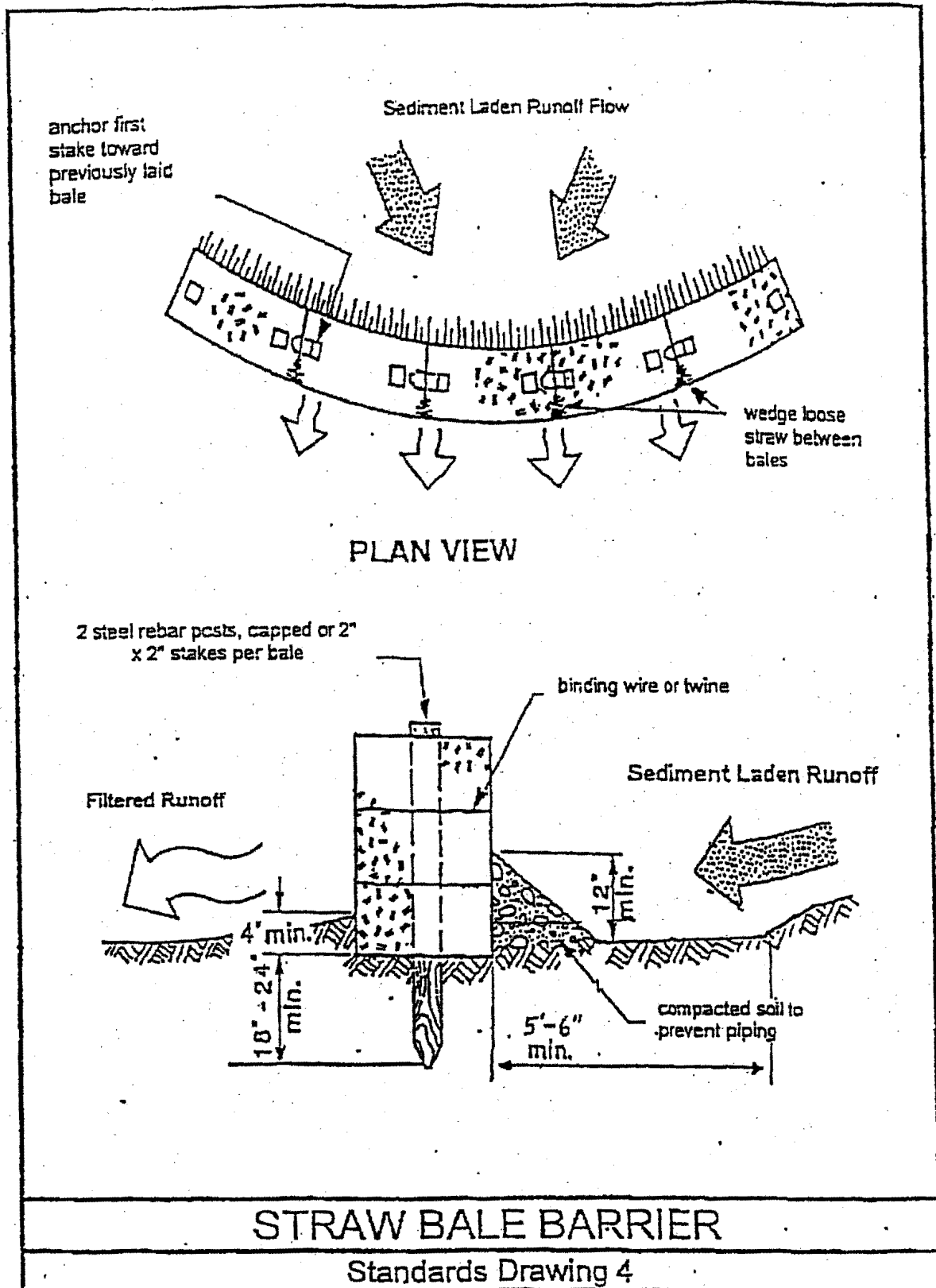


Figure 5. Dikes and Swales

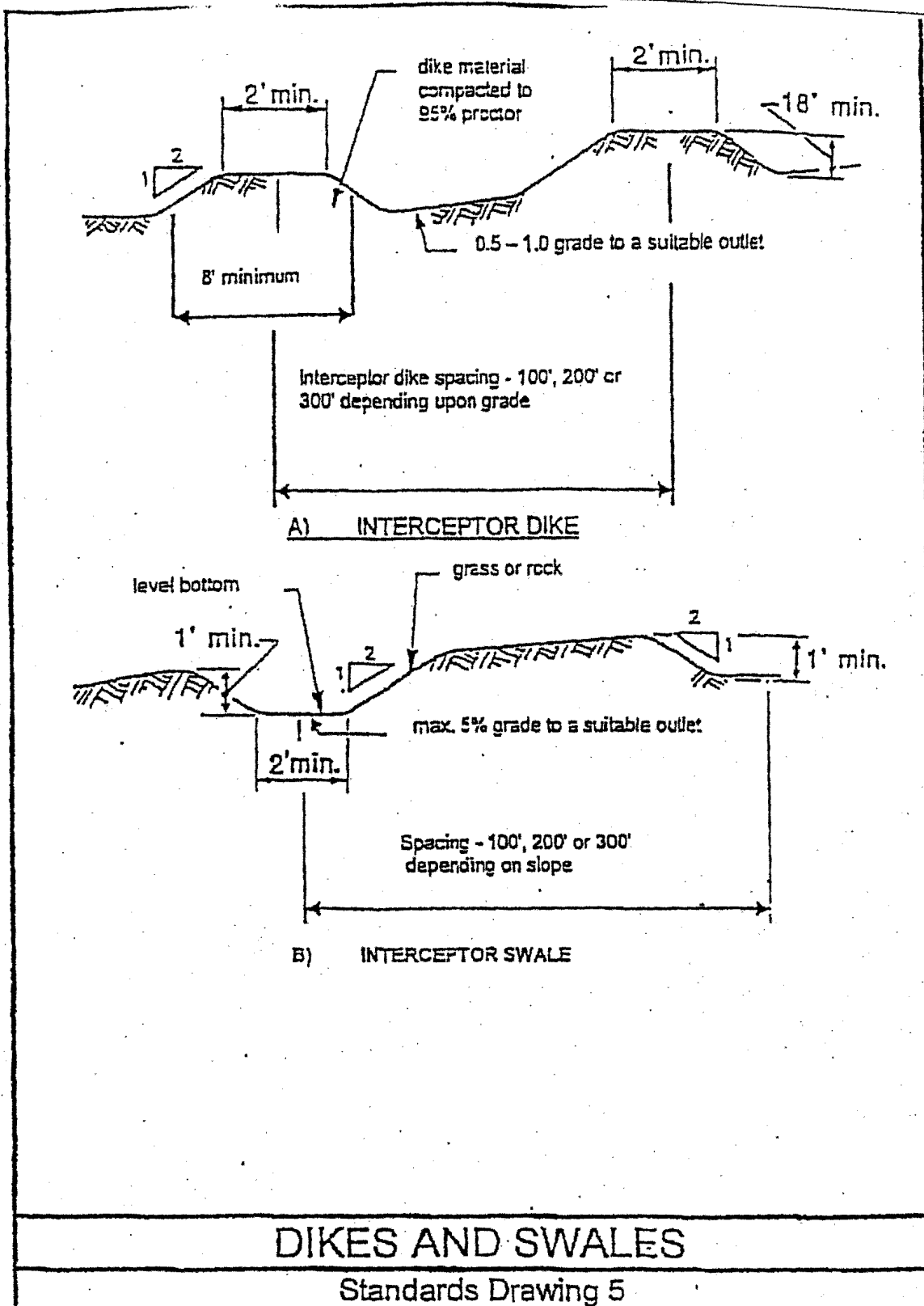


Figure 6. Erosion Control Blankets

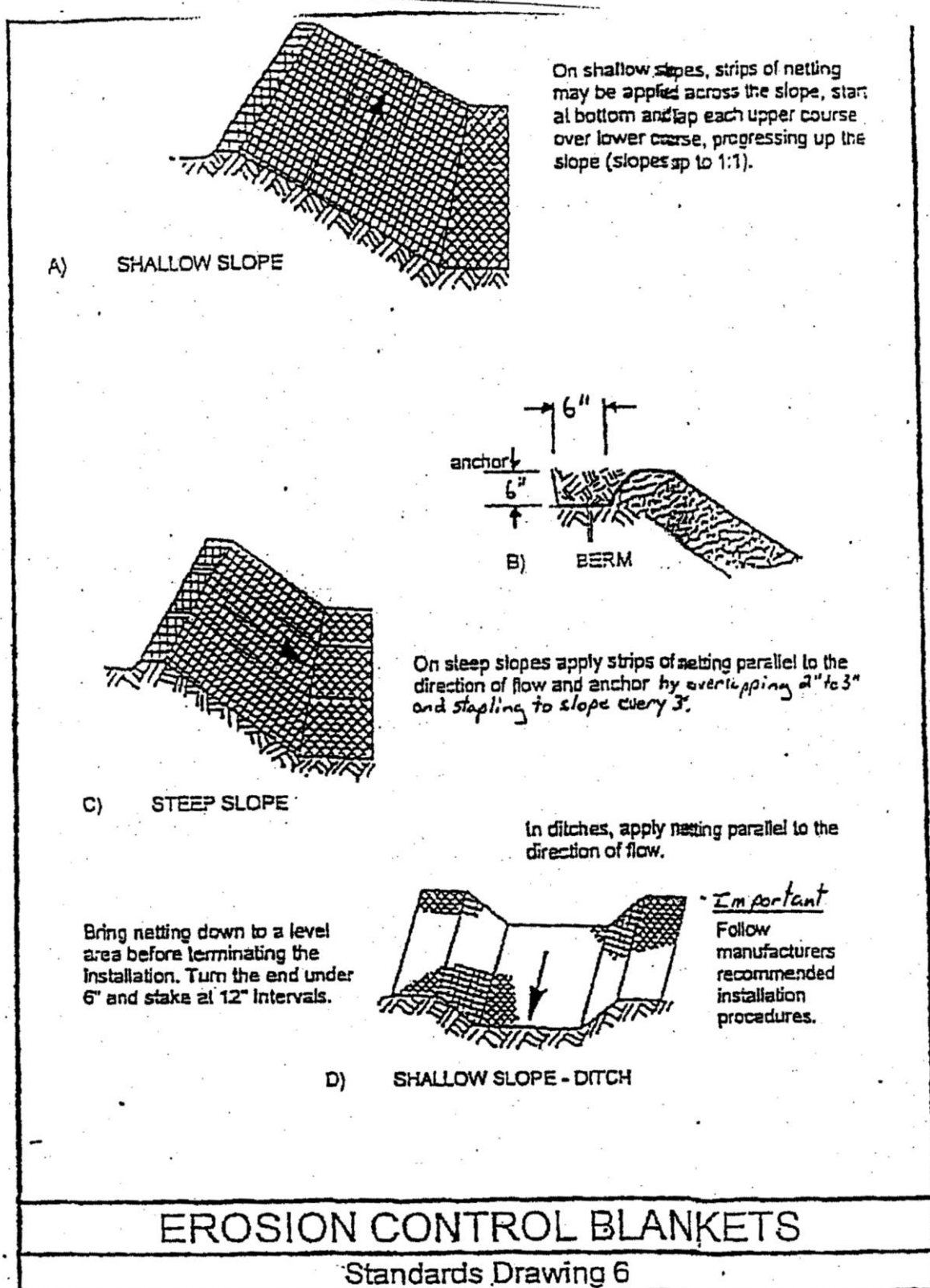


Figure 7. Brush Barrier

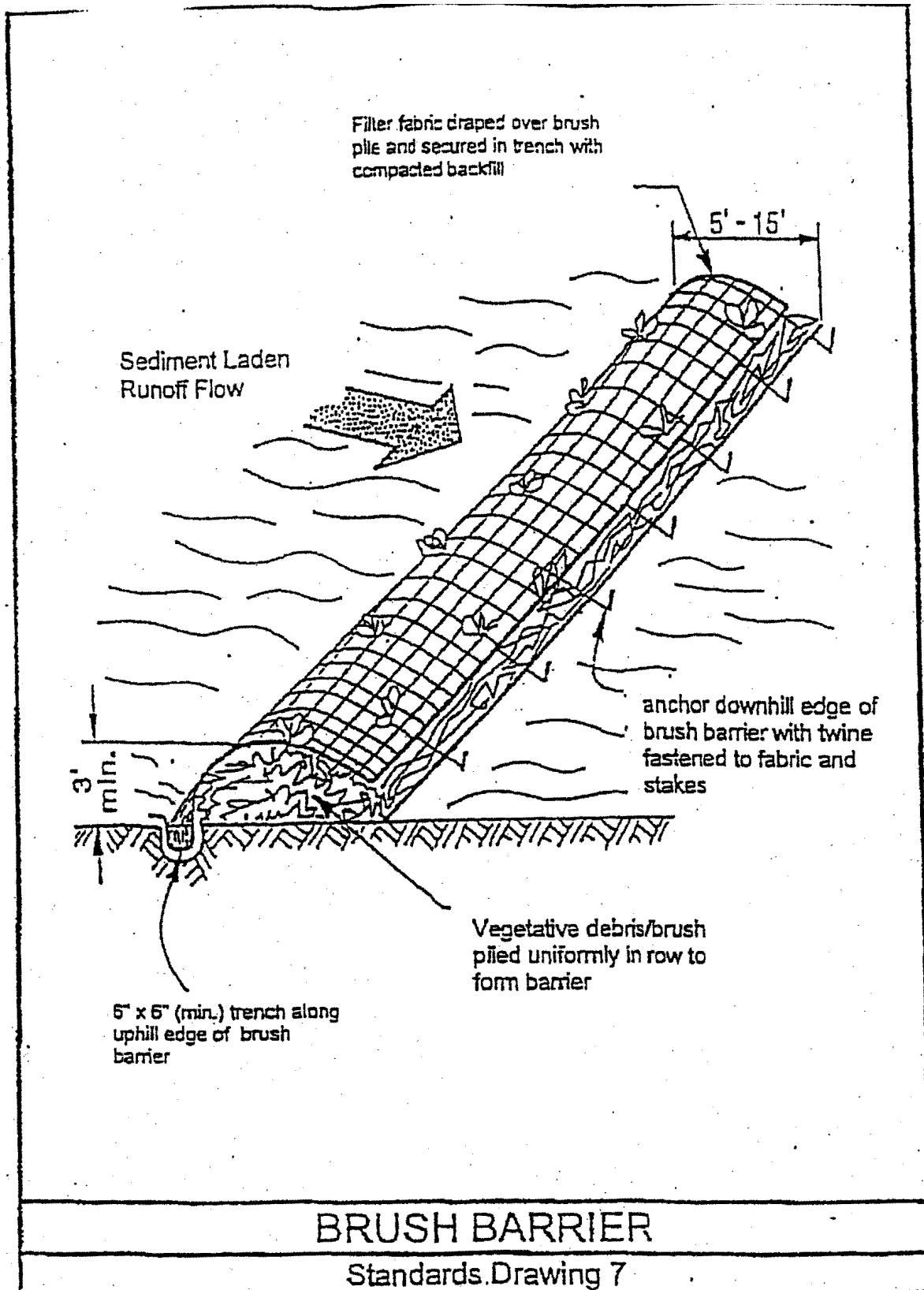
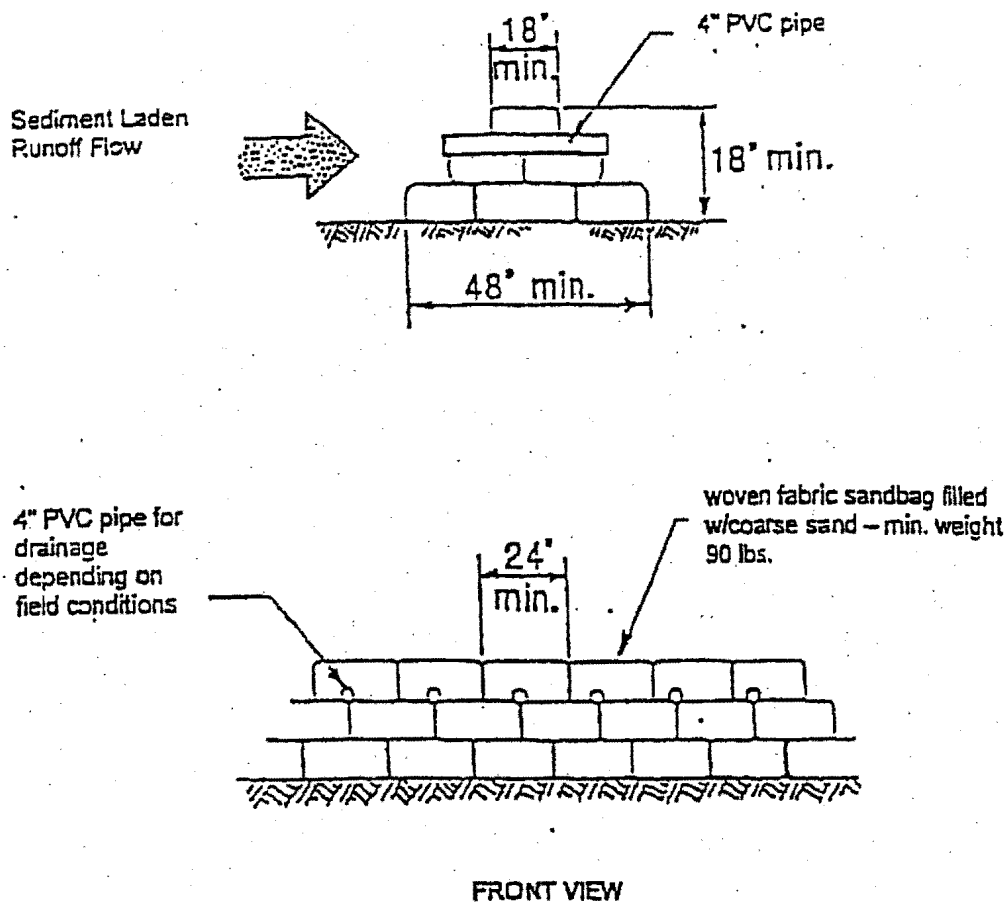


Figure 8. Sandbag Berm



- 1) When sandbag is filled with material, the open end should be stapled or tied with nylon or poly cord.
- 2) Sandbags should be stacked in at least three (3) rows abutting each other, and in staggered arrangement.
- 3) The base of the berm should have at least three (3) sandbags and can be reduced to two (2) and one (1) bag in the second and third rows.

SANDBAG BERM

Standards Drawing 8

Figure 9. Sedimentation Pond Baffles

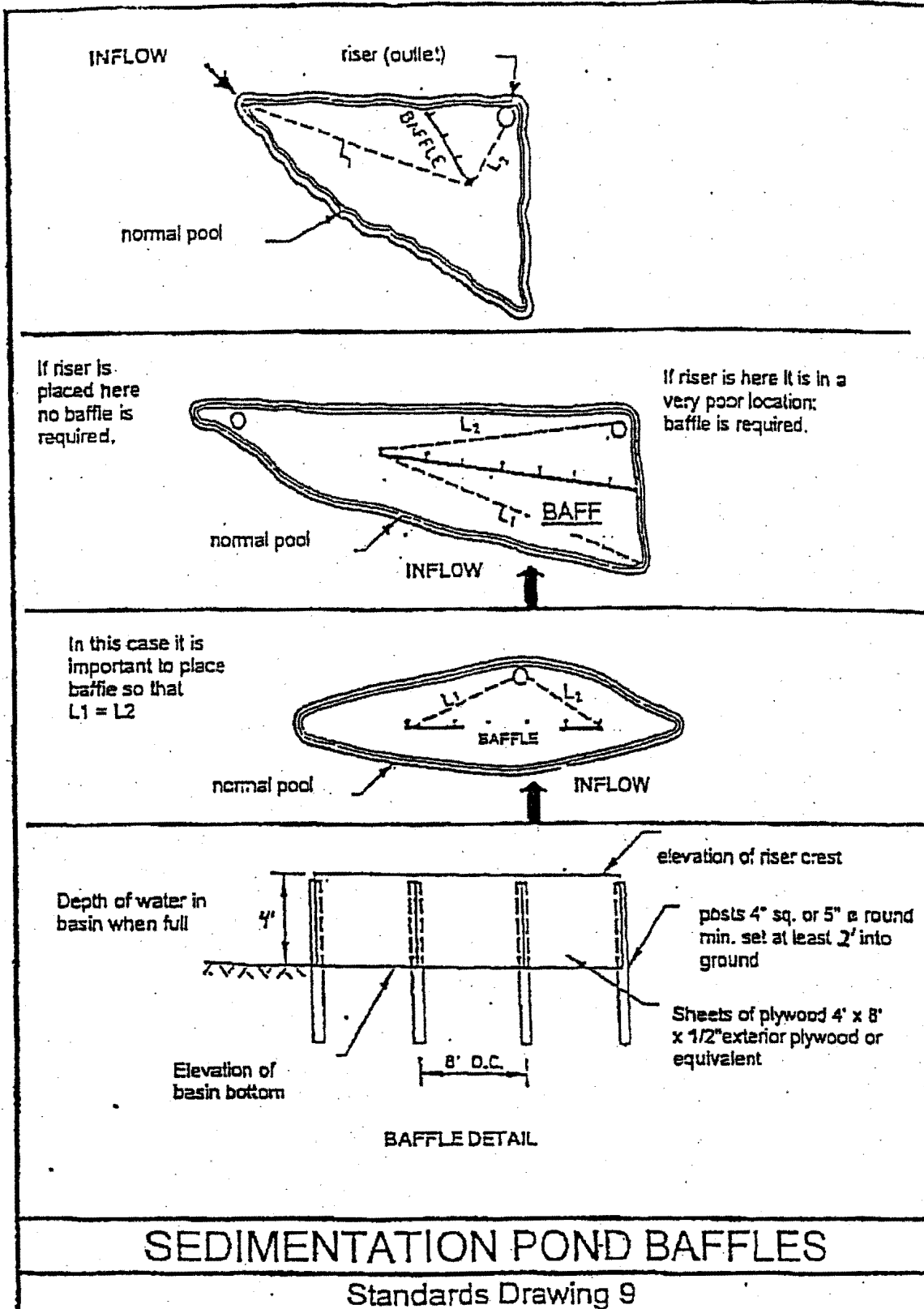


Figure 10. Rock Check Dams

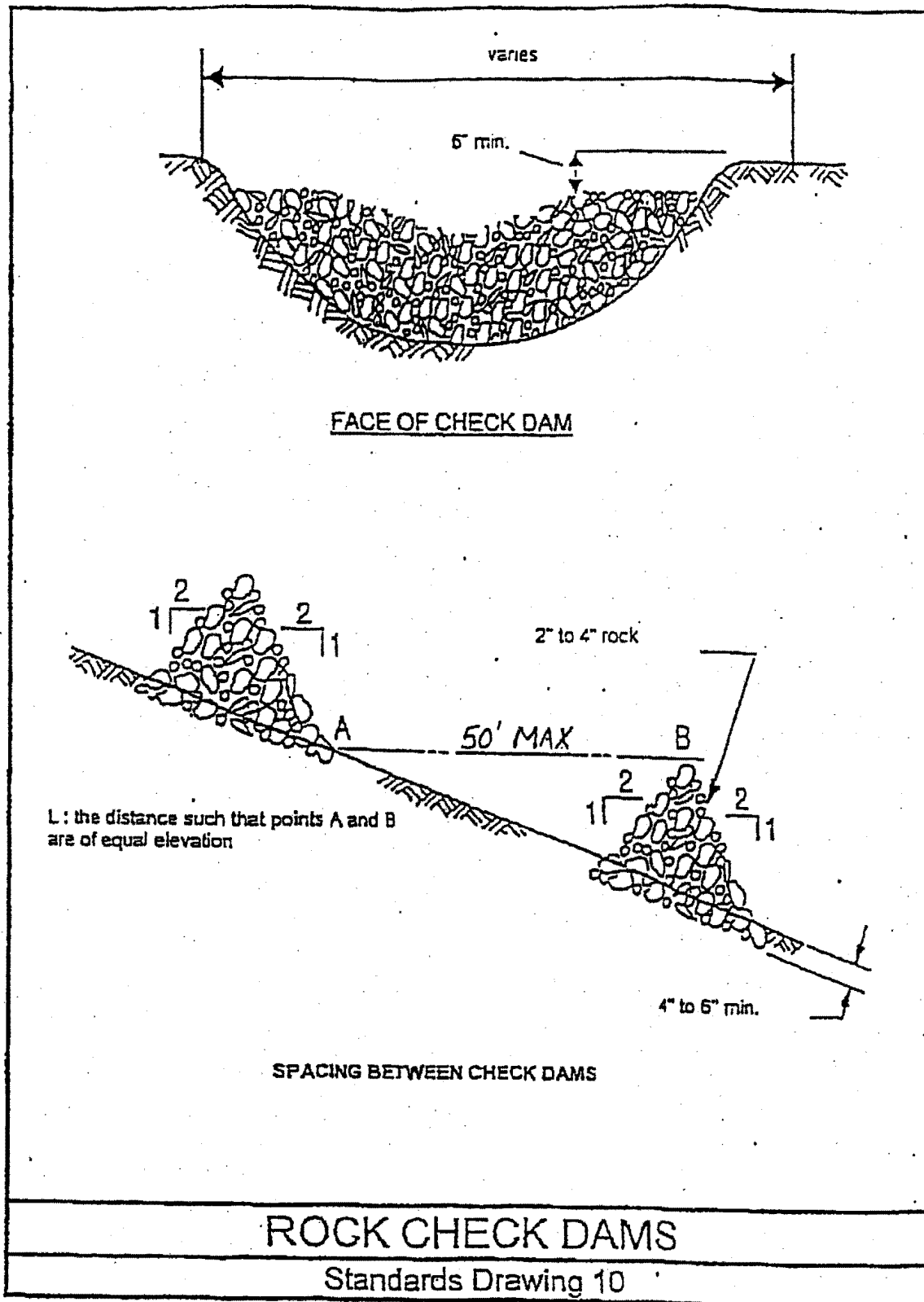


Figure 11. Sediment Trap Outlet

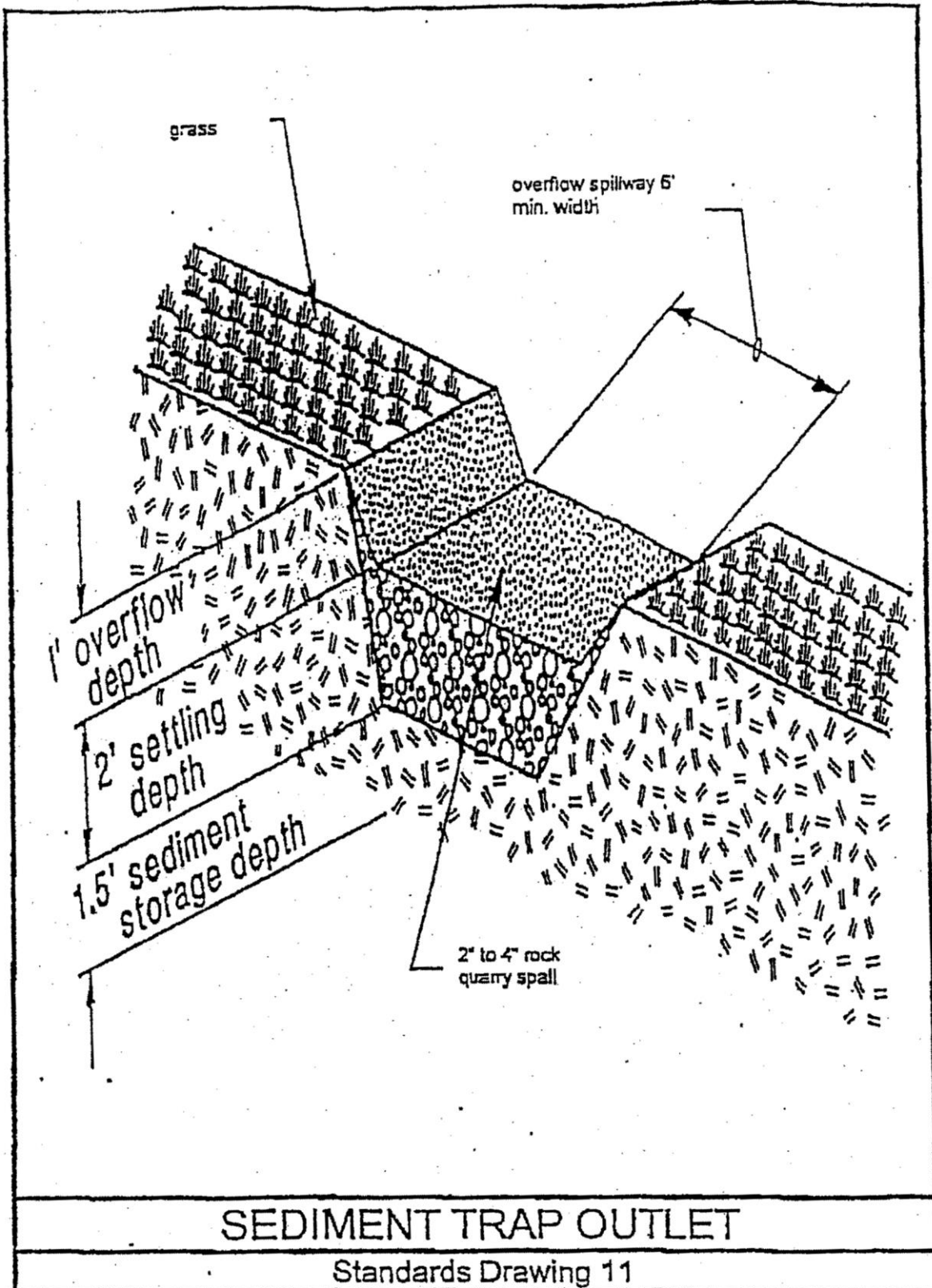


Figure 12. Shallow Water Settling Pond

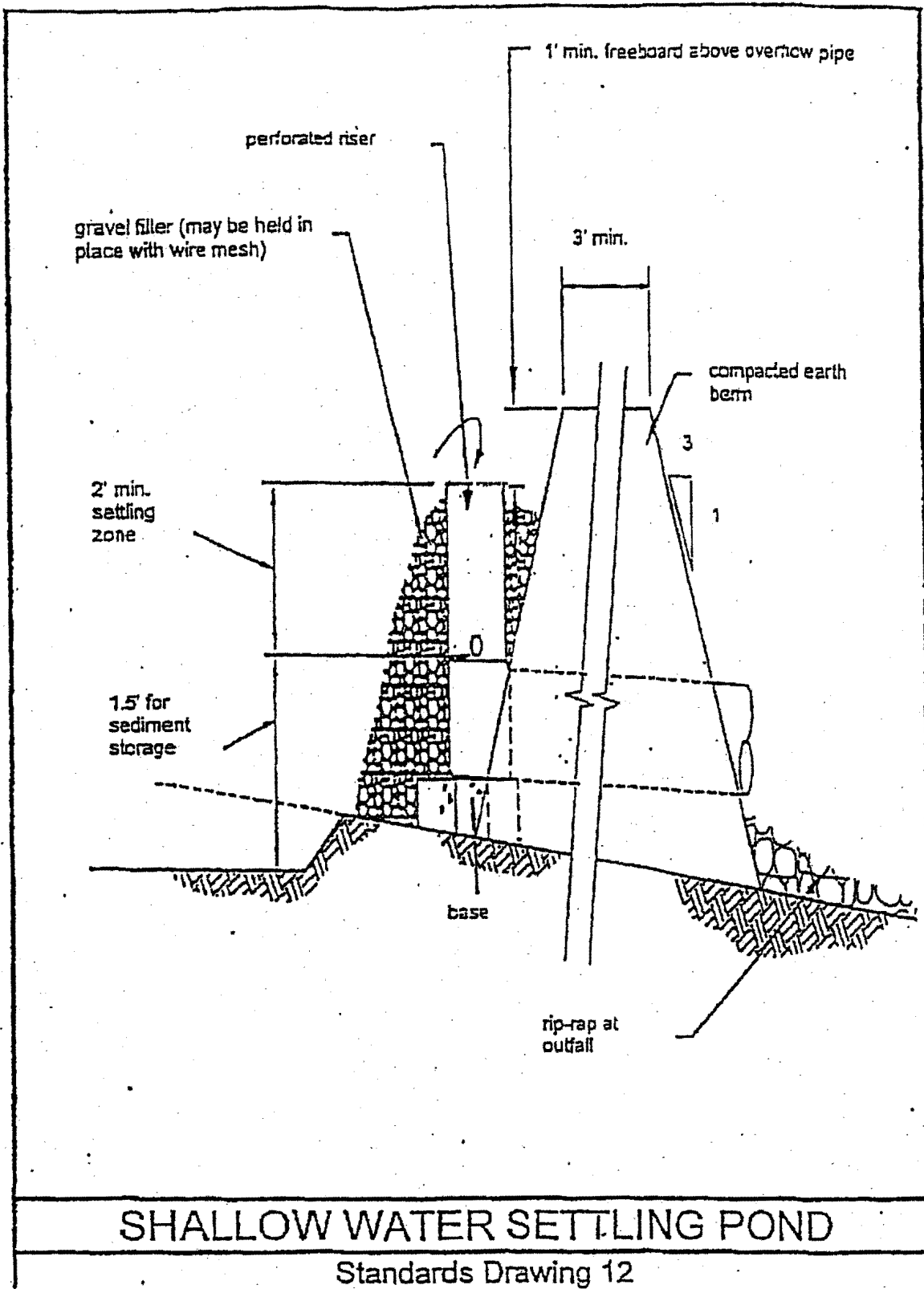


Figure 13. Deep Water Settling Pond

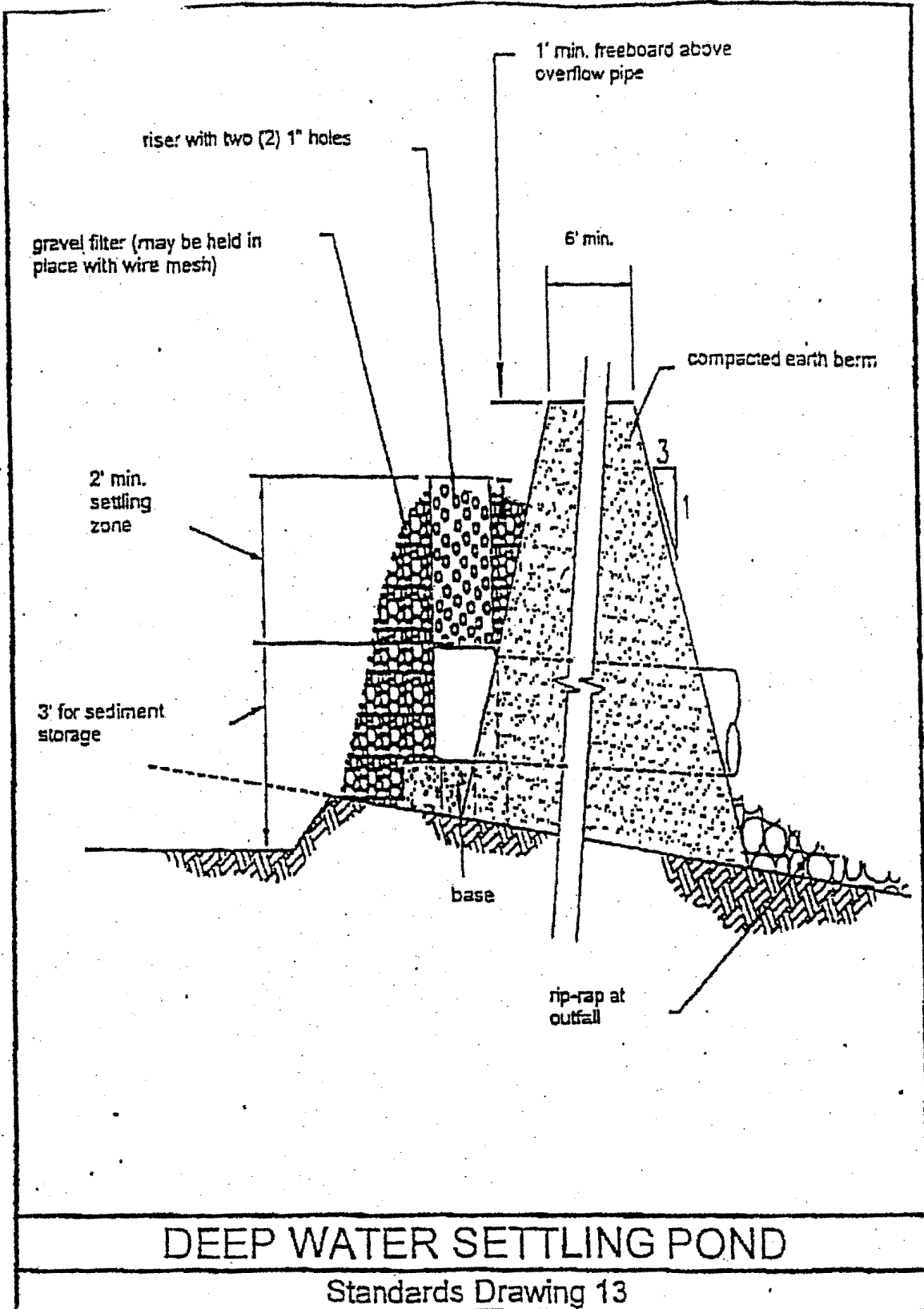


Figure 14. Stepping Slopes

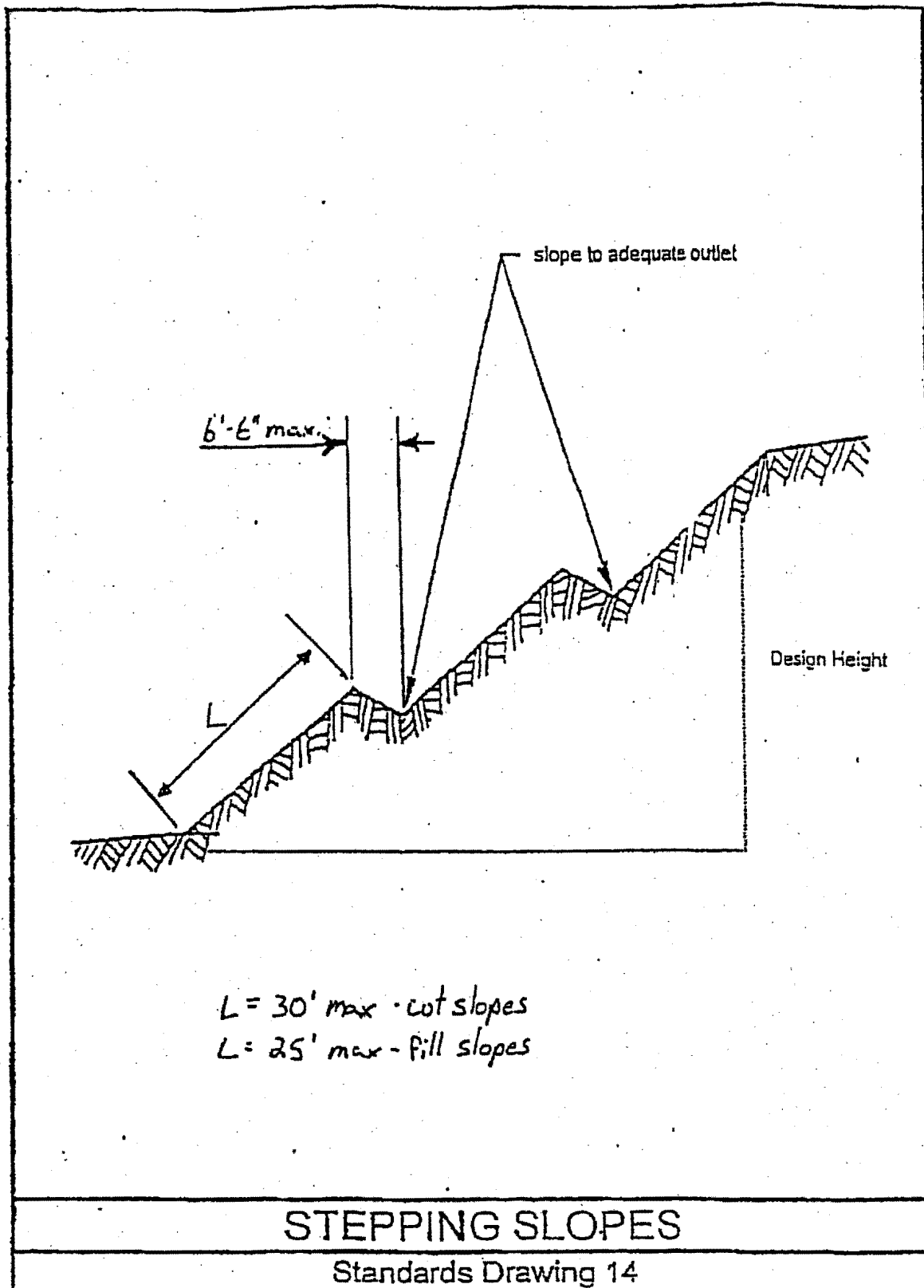


Figure 15. Urban Construction Route

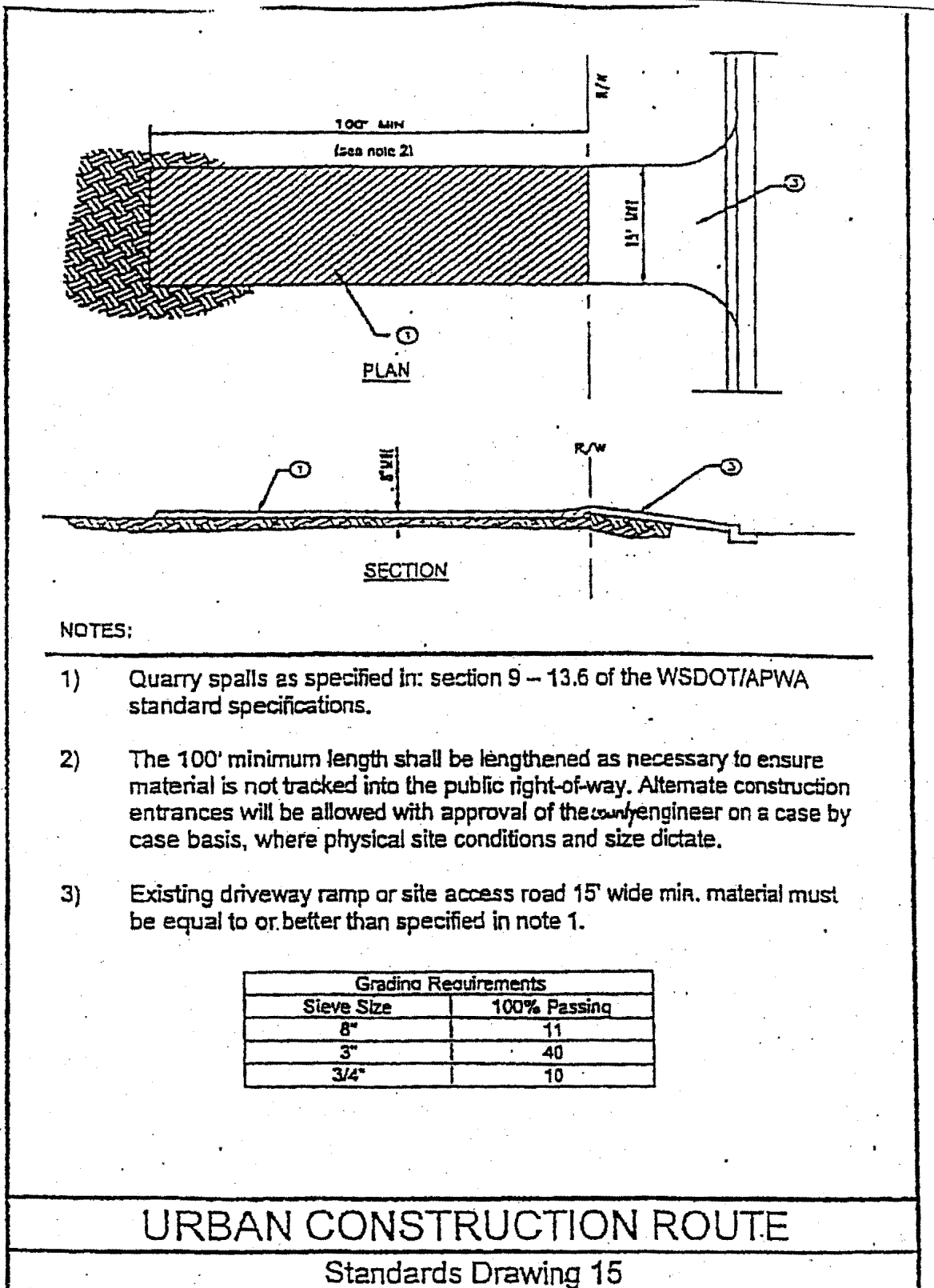


Figure 16. Rural Construction Access Route

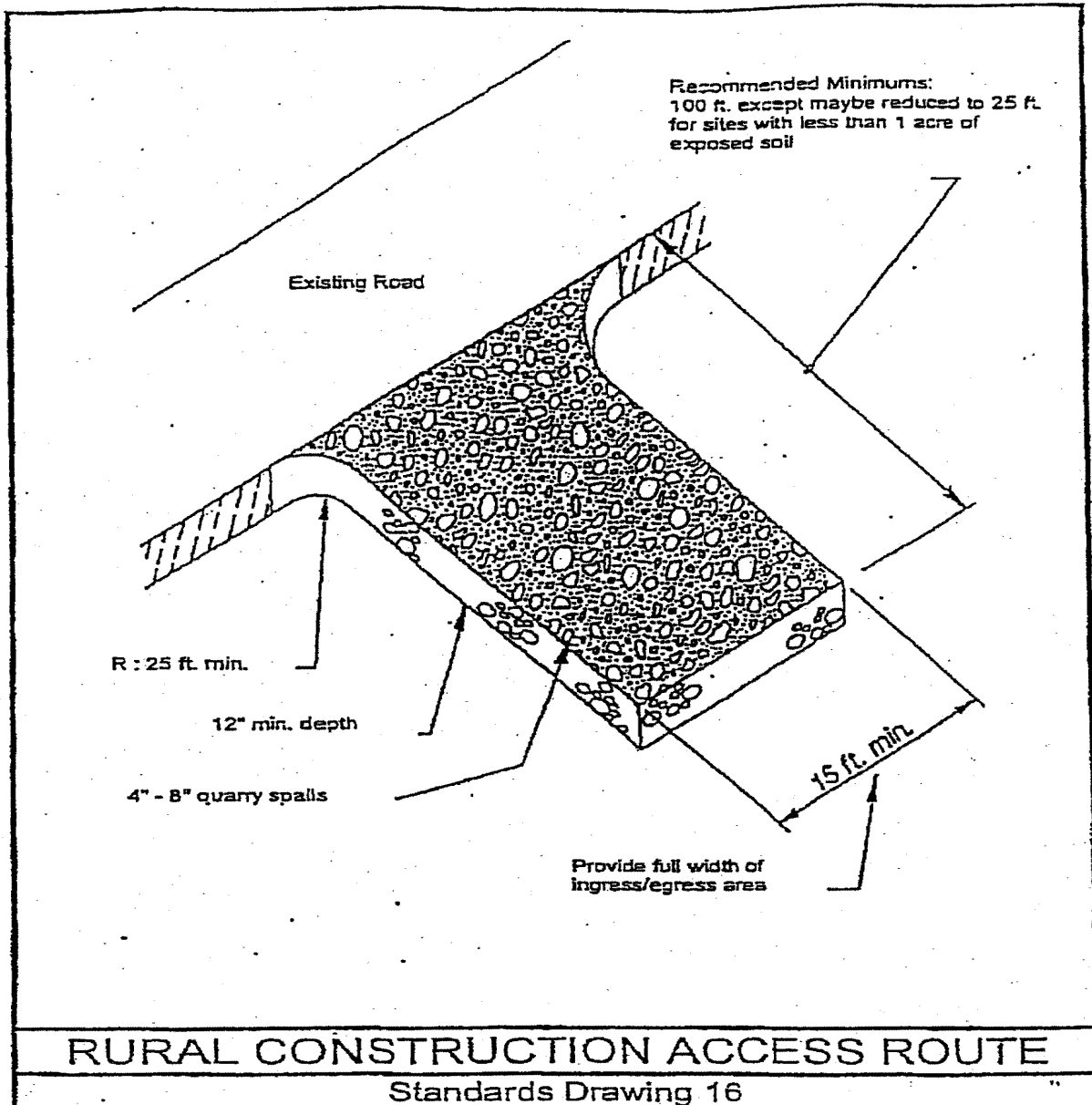


Figure 17. Pipe Slope Drains

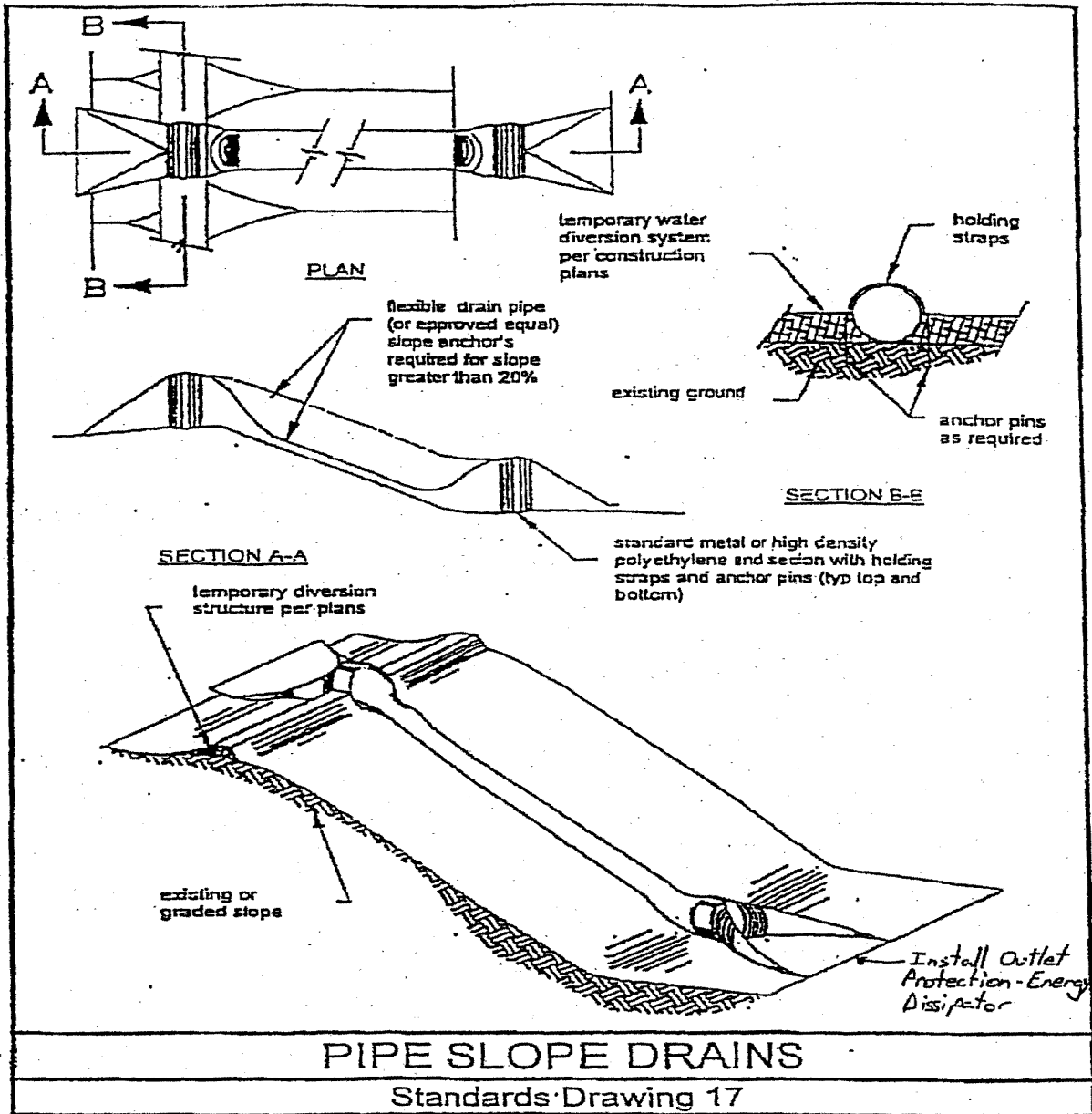
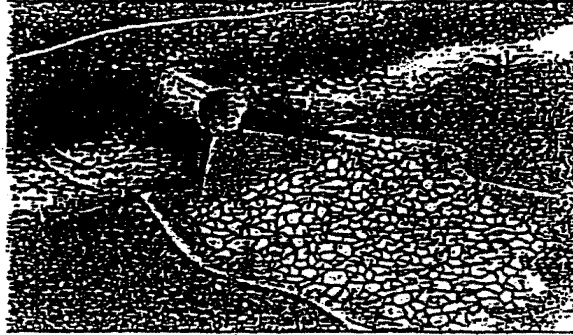


Figure 18. Energy Dissipator



ENERGY DISSIPATOR

- Purpose:* Physical devices placed at pipe outlets and in channels reduce the velocity and energy of concentrated storm water flows. Outlet protection helps to prevent scour and to minimize the potential for downstream erosion.
- Application:*
- ▶ Outlets of pipes, drains, culverts, conduits, or channels.
 - ▶ Outlets located at the bottom of mild to steep slopes.
 - ▶ Outlets of channels that carry continuous flows of water.
 - ▶ Outlets subject to short, intense flows of water, such as from flash floods.
 - ▶ Where lined conveyances discharge to unlined conveyances.
- Limitations:*
- ❖ Loose rocks or stones may wash away during high flows. Grouted riprap may breakup from hydrostatic pressure without adequate drainage.

ENERGY DISSIPATOR

Standards Drawing 18

331-22. Duties of Chief Building Inspector Official.

There shall be a Chief Building Inspector Official who shall be charge of the Building Department and who shall serve at the pleasure and under the direction and control of the Board of Supervisors. The Board of Supervisors may allow such additional personnel for the Building Department as it deems advisable, including assistants and deputies. The Chief Building Inspector Official shall have the duty of advising members of the public concerning the application of this ~~division~~ Chapter to their building problems, and ~~he~~ the Chief Building Official shall be charged with the enforcement and administration of the provisions of this ~~division~~ Chapter pertaining to the erection, construction, reconstruction, movement, enlargement, conversion, alternation, repair, removal, demolition, vacation, or arrangement of apartment houses, hotels, dwellings or other structures. The Chief

Building Official shall be charged with the enforcement and administration of provisions of the Uniform Housing Code including, but not limited to the issuance of notices and order for the repair, rehabilitation, vacation or demolition of apartment houses, hotels, dwellings or other structures. He The Chief Building Official shall have the right, subject to provisions of the budget and approval of the Board of Supervisors, to prescribe and obtain forms and other printed matter to be used in the carrying out of his their duties. Other officials and employees of the County shall give their assistance to the Chief Building Inspector Official when such assistance is necessary for the enforcement of this division Chapter. (Ord. 1101, § 2, 9/14/1976; Ord. ____, § __, __/__/2020)

331-22.1. Stop Work Order

- (a) Authority. Whenever the Chief Building Official finds any work regulated by the codes being performed in a manner either contrary to the provisions of the codes or dangerous or unsafe, the Chief Building Official is authorized to issue a Stop Work Order. (Ord. ____, § __, __/__/2020)
- (b) Issuance. The Stop Work Order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a Stop Work Order, the cited work shall immediately cease. The Stop Work Order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. (Ord. ____, § __, __/__/2020)
- (c) Unlawful continuance. Any person who shall continue any work after having been served with a Stop Work Order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law. (Ord. ____, § __, __/__/2020)

331-23. Duties of County Health Officer.

The County Health Officer shall be charged with the enforcement and administration of the provisions of the Uniform Housing Code. (Ord. 1101, § 2, 9/14/1976) (Ord. ____, § __, __/__/2020)