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ORDINANCE NO.4501

An ordinance of San Bernardino County, State of California, to repeal Chapters 1, 1.5, 2, 3, 4, 5, 13, 14, 15, 18, 19, 20 and 21 of Division 3 of Title 6 of the San Bernardino County Code, and to add Chapters 1, 1.5, 2, 3, 4, 5, 6, 13, 14, 15, 18, 19, 20 and 21 to Division 3 of Title 6 of the San Bernardino County Code, relating to adoption and amendment of the codes set forth in the 2025 California Building Standards Code and the adoption of the 2024 International Property Maintenance Code, and the 2024 International Swimming Pool and Spa Code.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. The Board of Supervisors of San Bernardino County finds as follows:

(a) The purpose of this ordinance is to repeal current applicable chapters of Division 3 of Title 6 of the San Bernardino County Code, which adopt by reference certain codes and appendices set forth in the 2022 California Building Standards Code, and to adopt by reference updated editions of these codes and appendices set forth in the 2025 California Building Standards Code (Title 24 of the California Code of Regulations), including the California Wildland-Urban Interface Code, 2025 Edition, contained in Part 7 of Title 24 of the California Code of Regulations.

(b) The purpose of this ordinance is also to repeal current applicable chapters of Division 3 of Title 6 of the San Bernardino County Code, which adopt by reference the 2021 International Property Maintenance Code and the 2021 International Swimming Pool and Spa Code, and to adopt by reference updated 2024 Editions of these codes.

(c) Only those appendices of the respective codes that are expressly identified and adopted by reference are adopted by San Bernardino County (County) pursuant to this ordinance.

(d) The adoption of amendments to some of these codes are reasonably necessary due to local climatic, geological, or topographical conditions, including, when

1 applicable, environmental conditions. Where the Board of Supervisors (Board) finds that
2 amendments are necessary, this ordinance makes express findings supporting the
3 amendment, identifies the section of the applicable code being amended, and
4 distinguishes the amended text from the text of the code not otherwise being amended.

5 (e) Adoption of such codes provide minimum requirements and standards for
6 the protection of the public safety, health, property, and welfare in the unincorporated
7 area of the County.

8 (f) This ordinance is adopted under the authority of Government Code section
9 50022.2 and Health and Safety Code sections 17958, 17958.5, 17958.7 and 18941.5,
10 and is exempt from the California Environmental Quality Act (CEQA) in that, pursuant to
11 CEQA Guidelines section 15061(b)(3), it can be seen with certainty that there is no
12 possibility that the ordinance may have a significant effect on the environment.

13
14 SECTION 2. Chapters 1, 1.5, 2, 3, 4, 5, 13, 14, 15, 18, 19, 20 and 21 of Division 3
15 of Title 6 of the San Bernardino County Code are repealed.

16
17 SECTION 3. Chapter 1 is added to Division 3 of Title 6 of the San Bernardino
18 County Code, to read:

19 **CHAPTER 1: CALIFORNIA BUILDING CODE**

20 **Sections:**

- 21 63.0101 Adoption of California Building Code.
22 63.0102 Express Findings.
23 63.0103 Adoption of Code Appendices.
24 63.0104 Changes in the Appendices.
25 63.0105 Relocation Permits.
26 63.0106 Appeals Boards.

27 **63.0101 Adoption of California Building Code.**

28 A copy of the 2024 Edition of the International Building Code, volumes 1 and 2,

1 prepared and published by the International Code Council, with state amendments, also
2 known as the 2025 California Building Code, contained in Part 2 of Title 24 of the
3 California Code of Regulations, having been filed in the Office of the Clerk of the Board
4 of Supervisors of San Bernardino County, is hereby designated and adopted by reference
5 as the Building Code for the unincorporated area of San Bernardino County, State of
6 California, subject to those amendments and limitations as set forth in this Chapter 1.

7 **63.0102 Express Findings.**

8 It is expressly found and determined that a less restrictive amendment to Appendix
9 J in the 2025 California Building Code and as reflected in County Code section 63.0104
10 is reasonably necessary due to local conditions, including administrative and
11 topographical conditions as they relate to grading in the unincorporated region of San
12 Bernardino County.

13 **63.0103 Adoption of Code Appendices.**

14 Appendix C - "Group U - Agricultural Buildings," Appendix I - "Patio Covers," and
15 Appendix J - "Grading" of the 2025 California Building Code are hereby adopted by
16 reference as part of the Building Code for the unincorporated area of San Bernardino
17 County, State of California, with Appendix J being subject to those amendments and
18 limitations as set forth in this Chapter 1.

19 **63.0104 Changes in the Appendices.**

20 (a) Appendix J - "Grading" is hereby amended by adding exemption 8 to
21 Section J103.2 entitled "Exemptions" to read:

22 8. The sum of the total excavation and fill not exceeding 100 cubic
23 yards.

24 **63.0105 Relocation Permits.**

25 (a) *Relocation Building Permit Required.* A person shall not move onto any
26 premises, other than a commercial storage yard authorized for such use, any building or
27 structure, except a contractor's tool shed, storage building or similar structure which is
28 moved as construction requires, until he or she first secures a relocation building permit

1 as hereinafter provided.

2 (b) *Application.* An applicant for a relocation permit shall submit photographs
3 of at least two separate elevations, one of which shall be the front, and a certificate from
4 a pest control agency or operator licensed under the Structural Pest Control Act of
5 California, showing freedom from termite infestation, for each building or structure to be
6 moved, when application for a relocation permit is filed.

7 (c) *Structural Observation Report Fee.* An applicant for a relocation permit
8 shall pay a structural observation report fee at the time of submittal. The fee shall be in
9 accordance with Chapter 2 of Division 6 of Title 1 of the San Bernardino County Code
10 (Schedule of Fees).

11 (d) *Building and Relocation Site Inspection Report.* Upon receipt of an
12 application for permit to relocate a building or structure, a detailed structural observation
13 report by a civil or structural engineer, or an architect licensed by the State of California
14 to practice as such, shall be submitted. The report shall describe any structural
15 deficiencies and all non-structural code-related deficiencies and be stamped and signed
16 by the reporting engineer or architect. This report shall be approved or disapproved by
17 the Building Official. If approved for moving, the report shall contain the requirements
18 necessary to make the building or structure comply with Chapter 14 of the 2025 California
19 Existing Building Code and any additional requirements necessary to assure that such
20 relocation shall not have detrimental effect by size, design, or age on the living
21 environment and property values in the area into which the building or structure is to be
22 moved.

23 (e) *Report Validity.* Additional corrections may be added to the report
24 whenever the structure has been vandalized, damaged during transportation, or altered
25 in any manner after the structural observation report has been submitted for review.

26 (f) *Changes.* The applicant shall make all required changes within 180 days
27 and shall agree in writing to do so. This time limitation may be extended by the Building
28 Official upon receipt of evidence of just and proper cause; provided, however, that no

1 such extension shall be granted when, in his or her judgment, such an extension would
2 be detrimental to the public welfare for any cause or reason.

3 (g) *Declaration of Public Nuisance.* When any relocated building or structure
4 or portion thereof remains unfinished or unfit for occupancy after expiration of the time
5 limit herein specified, any and all permits pertaining thereto shall expire by limitation and
6 such building or structure or portion thereof is hereby declared a public nuisance and shall
7 be abated as authorized by the County Code and as provided by law.

8 **63.0106 Appeals Boards.**

9 (a) *Building and Safety Appeals Board.* In order to hear and decide appeals of
10 orders, decisions or determinations made by the Building Official relative to the
11 application and interpretation of the California Building Standards Code, and its
12 amendments, the County Code and the building requirements of the County, or other
13 applicable law, the Building and Safety Appeals Board is hereby established pursuant to
14 Section 1.8.8 of the California Building Standards Code, as adopted herein.

15 (1) *Membership.* The Building and Safety Appeals Board shall include
16 five regular members and three alternate members. Members shall be appointed at large.
17 No County employees shall be members of this board. All members - regular and
18 alternate - must have knowledge, experience and training to review and reach decisions
19 on matters pertaining to building construction and applicable building codes, regulations,
20 and ordinances. Members shall serve a term of four years. In addition to the board
21 members and the alternate members, the Building Official shall be an ex-officio member
22 and shall act as secretary to the board. The members of the appeals board shall be
23 appointed by the Board of Supervisors and shall hold office at its pleasure. Terms of
24 office shall be staggered. Three of the initial appointments for regular members and one
25 of the initial appointments for alternate members to the board shall be for two-year terms.
26 A member whose term has expired shall continue to serve in that capacity until a new
27 appointment is made by the Board of Supervisors. Upon recommendation of the County
28 Chief Executive Officer or his or her designee, members may be removed by a majority

1 vote of the Board of Supervisors.

2 (2) *Meetings.* A quorum shall be a meeting of at least three members.
3 Alternate members may sit on the board in the absence of any regular members and shall
4 be counted towards the quorum of three if there is an insufficient number of regular
5 members available. A regular meeting shall be held at least once annually at a date and
6 time established by a resolution of the Board of Supervisors. Rules for notice and conduct
7 of the Building and Safety Appeals Board meetings, including without limitation all regular,
8 adjourned regular and special meetings, shall be pursuant to the terms of this section and
9 shall be in accordance with the provisions of the Ralph M. Brown Act (Government Code
10 section 54950 et seq.). The members shall be reimbursed as provided by County Code
11 section 13.0618(b).

12 (3) *Responsibilities and Authority.* The Building and Safety Appeals
13 Board shall conduct hearings on appeals of orders, decisions, and determinations made
14 by the Building Official relative to the applications and interpretation of the California
15 Building Standards Code, and other regulations governing the use, maintenance, and
16 change of occupancy. The Building and Safety Appeals Board shall have no authority to
17 waive requirements of the California Building Standards Code or the County Code. All
18 decisions of the Building and Safety Appeals Board shall be rendered in writing. The
19 Building and Safety Appeals Board shall meet as necessary in order to abide by the
20 scheduling provisions of County Code section 63.0106(c)(4). An application for appeal
21 shall be based on a claim that the Building Code, as adopted herein, or the County Code,
22 or the rules legally adopted thereunder, have been incorrectly interpreted, or do not fully
23 apply, or that an equally good or better form of construction is proposed. The Building
24 and Safety Appeals Board shall also function as the "local appeals board" and the
25 "housing appeals board" specified in the California Health and Safety Code sections
26 17920.5 and 17920.6.

27 (b) *Physically Disabled Access Appeals Board.* For the purpose of considering
28 written appeals to the actions taken by the Building Official in the exercise of its or his or

1 her responsibility and authority as specified herein and to ratify certain exemption actions
2 of the Building Official in enforcing the accessibility requirements of Title 24 of the
3 California Code of Regulations for privately funded construction, and to serve as an
4 advisor to the Building Official on disabled access matters, there is hereby established
5 the Physically Disabled Access Appeals Board.

6 (1) *Membership.* The Physically Disabled Access Appeals Board shall
7 consist of five regular members as follows: a minimum of two physically disabled
8 members; two members experienced in the professions or disciplines of construction; and
9 one member of the public. The Building Official shall be an ex officio member and shall
10 act as secretary to the board. The two members experienced in the professions or
11 disciplines of construction shall be regular or alternate board members from the Building
12 and Safety Appeals Board, and shall be so designated by majority vote of that board. The
13 two physically disabled members and the one public member may, but are not required
14 to be, members of the Building and Safety Appeals Board. The Physically Disabled
15 Access Appeals Board shall also have a panel of three alternate members. Said alternate
16 panel must consist of one physically disabled member, one member experienced in the
17 professions or disciplines of construction as designated by the Building and Safety
18 Appeals Board, and one member of the public. A regular member may only be substituted
19 by an alternate member of the same classification. The members of the Physically
20 Disabled Access Appeals Board shall be appointed by the Board of Supervisors and shall
21 hold office at its pleasure. Terms of office shall be for four years, and for members
22 appointed to both the Building and Safety Appeals Board and the Physically Disabled
23 Access Appeals Board said terms shall be served concurrently. However, as to one of
24 the initial appointments for an individual with a disability, the initial appointment shall be
25 for two years to allow for the terms of office to be staggered. A member whose term has
26 expired shall continue to serve in that capacity until a new appointment is made by the
27 Board of Supervisors. Upon recommendation of the County Chief Executive Officer or
28 his or her designee, members may be removed by majority vote of the Board of

1 Supervisors.

2 (2) *Meetings.* All meetings of the Physically Disabled Access Appeals
3 Board, including without limitation, regular, adjourned regular and special meetings, shall
4 be conducted pursuant to the terms of this section and called, noticed, held and
5 conducted in accordance with the provisions of the Ralph M. Brown Act (Government
6 Code section 54950 et seq.). The members shall be reimbursed as provided by County
7 Code section 13.0618(b).

8 (3) *Responsibilities and Authority.* The Physically Disabled Access
9 Appeals Board shall serve as the "local appeals board" specified in Section 19957.5 of
10 the California Health and Safety Code in appeals relating to accommodations for the
11 physically disabled. The authority of the Physically Disabled Access Appeals Board shall
12 consist of the conducting of appeals for the purpose limited to that expressed in California
13 Health and Safety Code sections 19955 through 19959. All decisions of the Physically
14 Disabled Access Appeals Board shall be rendered in writing.

15 (c) *Appeal.* Unless otherwise provided, reference to "Appeals Board" shall
16 refer to the Building and Safety Appeals Board or Physically Disabled Access Appeals
17 Board, whichever is applicable.

18 (1) *Timing and Form of Appeal.* The Building Official shall have the right
19 to appeal to the Appeals Board, provided that a written application for appeal is filed within
20 20 days after the decision, determination, or notice and order was served. An application
21 for appeal shall be based on a claim that the true intent of the applicable code or rules
22 legally adopted thereunder have been incorrectly interpreted, or that the provisions of the
23 applicable code or rules legally adopted thereunder do not fully apply or that the
24 requirements of the applicable code or the rules legally adopted thereunder are
25 adequately satisfied by other means. The appeal shall be made in writing and filed along
26 with the appeal fee with the appropriate County office. The written appeal shall contain:

27 (A) A heading containing the words "Before the Building and
28 Safety Appeals Board of San Bernardino County" or "Before the Physically Disabled

1 Access Appeals Board of San Bernardino County," whichever is applicable.

2 (B) A caption reading: "Appeal of ... " giving the names of all
3 appellants participating in the appeal;

4 (C) A brief statement setting forth the legal interest of each of the
5 appellants;

6 (D) A brief statement in ordinary and concise language of the
7 specific order or action protested, together with any material facts claimed to support the
8 contentions of the appellant;

9 (E) A brief statement in ordinary and concise language of the
10 relief sought and the reasons why it is claimed the protested order or action should be
11 reversed, modified, or otherwise set aside;

12 (F) The signatures of all parties named as appellants and their
13 official mailing addresses; and

14 (G) The verification (by declaration under penalty of perjury) of at
15 least one appellant as to the truth of the matters stated in the appeal.

16 (2) *Processing of Appeal.* Upon receipt of any appeal and the applicable
17 fee filed pursuant to this section, the Building Official shall present it at the next regular
18 or special meeting of the Appeals Board.

19 (3) *Limitation to Appeal.* Limit of one appeal hearing per property or
20 parcel relative to the same notice and order or action of the Building Official may be heard
21 by an Appeals Board. If appellants consist of both property owners and any interested
22 parties of record, appellants must jointly file an appeal, and the appeal hearing must be
23 conducted jointly amongst all appellants.

24 (4) *Scheduling and Noticing of Appeal Hearing.* As soon as practicable
25 after receiving the written appeal and appeal fee, the Appeals Board shall fix a date, time,
26 and place for the hearing of the appeal by the board. Such date shall not be less than 10
27 days nor more than 60 days from the date the appeal was filed with the Building Official,
28 subject to any stay pending a decision to grant or deny an appeal fee hardship waiver

1 request. Written notice of the time and place of the hearing shall be given at least 10
2 days prior to the date of the hearing to each appellant and any interested parties of record
3 discovered through reasonable diligence, through either personal service or first class
4 mail, each appellant at the address shown on the appeal, and to the interested party of
5 record at the party's last known address. Notice by mail shall be deemed effective on the
6 date of deposit.

7 (5) *Open Hearing.* Hearings before the Appeals Board shall be open to
8 the public. The appellant, the appellant's representative, the Code Official and any
9 person whose interests are affected shall be given an opportunity to be heard.

10 (6) *Waiver of Appeal Fee for Financial Hardship.* Any appellant who is
11 financially unable to pay the required appeal fee may file a written request for an appeal
12 fee hardship waiver. The written request must be filed prior to or contemporaneous with
13 the filing of the appeal. The written request shall be filed with the Building Official. The
14 appellant requesting the appeal fee hardship waiver shall indicate on the written appeal
15 that an appeal fee hardship waiver request has been filed.

16 (7) *Appeal Fee Hardship Waiver Evaluation Procedures.* Hardship
17 waivers shall be granted based on the grounds provided by County Code section 16.0231
18 or other applicable authority in the County Code or law. Requests will only be considered
19 if the appellant requesting the waiver submits a sworn affidavit, together with any
20 supporting documents or materials, reasonably demonstrating the appellant's actual
21 financial inability to submit the appeal fee. A written decision to grant or deny the request
22 shall be made not less than 10 days nor more than 60 days after submission of the
23 request. If the request is denied, the written decision shall explain the reason for denial
24 and shall state the due date - not less than 10 days nor more than 60 days from the date
25 of the decision - for payment of the appeal fee. The written decision shall be sent via first
26 class mail to the appellant and shall be final. An appeal hearing shall not be scheduled
27 until the appeal fee is received. If the request is denied and the appeal fee is not remitted
28 within the time indicated in the written decision, the right to an appeal shall be deemed

1 waived and the notice and order or the action of the Building Official shall become final.

2 (8) *Effect of Failure to Appeal.* Failure of any person or entity to file an
3 appeal in accordance with the provisions of Section 63.0106(c)(1) shall constitute a
4 waiver of the right to an appeal hearing and the Building Official or the Code Official's
5 notice and order or action shall become final.

6 (9) *Scope of Hearing on Appeal.* Only those matters or issues
7 specifically raised by the appellant shall be considered in the hearing of the appeal.

8 (10) *Stay Pending Appeal.* Except for vacation orders issued by the
9 Building Official because of conditions that represent an immediate threat to life, limb,
10 property, or safety of the public or adjacent properties, enforcement of any notice and
11 order of the Building Official shall be stayed during the pendency of an appeal therefrom
12 which is properly and timely filed.

13 (11) *Hearing and Decision.* The decision of the Appeals Board shall be
14 final; there is no further administrative appeal.

15 (d) *Procedures for Conduct of Hearing of Appeals.*

16 (1) *Hearing Examiners.* The Appeals Board may designate one or more
17 of its members to serve as a hearing examiner to conduct the hearing of an appeal to the
18 board. The examiner hearing the case shall exercise all powers relating to the conduct
19 of hearings until it is submitted to the Appeals Board for decision. Decisions and actions
20 of the Building Official regarding the enforcement of the requirements of Health and
21 Safety Code sections 19955 through 19959 shall be appealed to the Physically Disabled
22 Access Appeals Board. Appeals to the Physically Disabled Access Appeals Board must
23 be heard in front of that board as a whole.

24 (2) *Record.* A record of the entire proceedings shall be made by
25 electronic recording or by any other means of tangible recording determined to be
26 appropriate by the Appeals Board. A transcript of the recording will be made available to
27 any party that requests a transcript in writing accompanied with the transcription fee
28 established by the County Fee Ordinance. If no transcription fee has been established

1 by the County Fee Ordinance, then the fee shall be the full actual cost of transcribing the
2 requested recordings into print form as established by a transcription service, and shall
3 be paid prior to transcription services being rendered.

4 (3) *Continuances and Postponements.* The Appeals Board may grant a
5 continuance for good cause shown. If a hearing examiner has been assigned to a
6 hearing, the examiner may grant a continuance for good cause shown so long as the
7 matter remains before the examiner.

8 (4) *Oaths—Certification.* In any proceedings under this chapter, the
9 Appeals Board, any board member, or the hearing examiner has the power to administer
10 oaths and affirmations and to certify official acts.

11 (5) *Reasonable Dispatch.* The Appeals Board and its representatives
12 shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall
13 be shown for the convenience and necessity of any parties and/or their representatives.

14 (6) *Form of Notice of Hearing.* The notice to appellant shall be
15 substantially in the following form, but may include other information:

16 "You are hereby notified that a hearing will be held before (the Building and
17 Safety Appeals Board, Physically Disabled Access Appeals Board or name
18 of hearing examiner, whichever is applicable) at _____ on the day
19 _____ of _____, 20____, at the hour of _____. You may be present at the
20 hearing. The hearing will proceed as noticed in absentia if you elect not to
21 be present. You may be, but need not be, represented by counsel, even if
22 you elect not to be present. You may present any relevant evidence and
23 will be given full opportunity to cross-examine all witnesses testifying
24 against you. You may request the issuance of subpoenas to compel the
25 attendance of witnesses and the production of books, documents, or other
26 things by filing an affidavit therefore with (Building and Safety Appeals
27 Board, Physically Disabled Access Appeals Board or name of hearing
28 examiner, whichever is applicable)."

1 (7) *Subpoenas.*

2 (A) *Filing of Affidavit.* A subpoena may be issued for the
3 attendance of witnesses or the production of other evidence at a hearing upon the request
4 of a member of the Appeals Board or a hearing examiner, or upon the written demand of
5 any party. The subpoena must be accompanied by an affidavit that states the name and
6 address of the proposed witness and/or specifies the exact things sought to be produced
7 and the materiality thereof, and states that the witness has the desired things in
8 possession or under control. A subpoena need not be issued when the affidavit is
9 defective.

10 (B) *Cases Referred to Hearing Examiner.* In cases where a
11 hearing is referred to an examiner, all subpoenas shall be obtained through the examiner.

12 (C) *Penalties.* Any person who refuses without lawful excuse to
13 attend any hearing or produce material evidence which the person possesses or controls,
14 as required by any subpoena served upon such person as provided herein, shall be guilty
15 of a misdemeanor.

16 (8) *Conduct of Hearing.*

17 (A) *Rules.* Hearings need not be conducted according to the
18 technical rules of evidence. The following rules shall apply:

19 (I) *Oral Evidence.* Oral evidence shall be taken only on
20 oath or affirmation.

21 (II) *Hearsay Evidence.* Hearsay evidence may be used for
22 the purpose of supplementing or explaining any direct evidence, but shall not be sufficient
23 in itself to support a finding unless it would be admissible over objection in civil actions in
24 a court of competent jurisdiction in this state.

25 (III) *Admissibility of Evidence.* Any relevant evidence shall
26 be admitted if it is the type of evidence that responsible persons are accustomed to relying
27 on in the conduct of serious affairs, regardless of the existence of any common law or
28 statutory rule which might make improper the admission of such evidence over objection

1 in civil actions in courts of competent jurisdiction in this state.

2 (IV) *Exclusion of Evidence.* Irrelevant and unduly
3 repetitious evidence shall be excluded.

4 (B) *Rights of Parties.* Each party shall have these rights, among
5 others:

6 (I) To call and examine witnesses on any matter relevant
7 to the issues of hearing;

8 (II) To introduce documentary and physical evidence;

9 (III) To cross-examine opposing witnesses on any matter
10 relevant to the issues of the hearing;

11 (IV) To impeach any witness regardless of which party first
12 called the witness to testify;

13 (V) To rebut evidence; and

14 (VI) To be represented by anyone who is lawfully permitted
15 to do so.

16 (9) *Official Notice.*

17 (A) *What may be noticed.* The Appeals Board or hearing
18 examiner may take official notice of any matter that may be judicially noticed by the courts
19 of this state or any official records of the County or any department and ordinances of the
20 County or rules and regulations of the County.

21 (B) *Parties to be notified.* Parties present at the hearing shall be
22 informed of the matters to be noticed, and these matters shall be noted in the record,
23 referred to therein, or appended thereto.

24 (C) *Opportunity to refute.* Parties present at the hearing shall be
25 given a reasonable opportunity, upon the request of a party, to refute any officially noticed
26 matters with the manner of such refutation to be determined by the Appeals Board or
27 hearing examiner.

28 (10) *Inspection of the premises.* The Appeals Board or the hearing

1 examiner may inspect any building or premises involved in the appeal during the course
2 of the hearing, provided that:

3 (A) Notice of such inspection shall be given to the parties before
4 the inspection is made;

5 (B) The parties are given an opportunity to be present during the
6 inspection; and

7 (C) The Appeals Board or the hearing examiner shall state for the
8 record upon completion of the inspection, the material facts observed and the conclusions
9 drawn therefrom. Each party then shall have a right to rebut or explain the matters so
10 stated by the Appeals Board or hearing examiner.

11 (11) *Method and Form of Decision.*

12 (A) *Hearing before the Board itself.* When the Appeals Board
13 hears an appeal, a member thereof who did not hear the evidence or has not read the
14 entire record of the proceedings shall not vote on or take part in the decision.

15 (B) *Hearing before the Examiner.* If a contested case is heard by
16 a hearing examiner alone, the examiner shall within a reasonable time (not to exceed 90
17 days from the date the hearing is closed) submit a written report to the Appeals Board.
18 Such report shall contain a brief summary of the evidence considered and state the
19 examiner's findings, conclusions and recommendations. The report also shall contain a
20 proposed decision in such a form that it may be adopted by the Appeals Board as its
21 decision in the case. The examiner's report filed with the Appeals Board shall be a public
22 record. A copy of the report shall be mailed to each party on the date it is filed with the
23 Appeals Board.

24 (C) *Consideration of Report by Board — Notice.* The Appeals
25 Board shall fix the time, date, and place to consider the examiner's report. Notice thereof
26 shall be mailed to each interested party not less than five days prior to the date fixed,
27 unless it is otherwise stipulated by all of the parties.

28 (D) *Exceptions to Report.* Not later than two days before the date

1 set to consider the report, any party may file written exceptions to any part or all of the
2 examiner's report and may attach thereto a proposed decision together with written
3 argument in support of such decision. By leave of the board, any party may present oral
4 argument to the Appeals Board.

5 (E) *Disposition by the board.* By a concurring vote of the majority
6 of the total number board members who heard the appeal, the Appeals Board may adopt
7 or reject the proposed decision in its entirety, or may modify the proposed decision.

8 (F) *Proposed Decision Not Adopted.* If the proposed decision is
9 not adopted, the Appeals Board may decide the case upon the entire record before it,
10 with or without taking additional evidence, or may refer the case to the same or another
11 hearing examiner to take additional evidence. If the case is reassigned to a hearing
12 examiner, the examiner shall prepare a report and proposed decision as provided in
13 subdivision (11)(B) hereof after any additional evidence is submitted. Consideration of
14 such proposed decision by the board shall comply with the provisions of this section.

15 (G) *Form of Decision.* The decision shall be in writing and shall
16 contain findings of fact and a determination of the issues presented. The decision shall
17 be recorded with the County Recorder's Office. A copy of the decision shall be delivered
18 to the appellant(s) personally or sent by certified mail, postage prepaid, return receipt
19 requested, and a copy of the decision shall be sent to any interested parties of record
20 discovered through reasonable diligence, by certified mail, postage prepaid, return receipt
21 requested.

22 (H) *Effective Date of Decision.* The effective date of the decision
23 shall be the date the decision is served upon the parties, including the date of deposit if
24 service is by mail, or otherwise as stated therein.

25 (I) *Administration.* Unless there are exigent circumstances
26 justifying immediate abatement action, upon expiration of the court review process, the
27 Building Official shall take action in accordance with the decision of the Appeals Board or
28 judge reviewing the board's decision.

1 (e) *Court Review.* Any person, whether or not a previous party of the appeal,
2 shall have the right to apply to the appropriate court for a writ of certiorari to correct errors
3 of the law. Application for review shall be made in the manner and time required by law.
4

5 SECTION 4. Chapter 1.5 is added to Division 3 of Title 6 of the San Bernardino
6 County Code, to read:

7 **CHAPTER 1.5: CALIFORNIA RESIDENTIAL CODE**

8 **Sections:**

9 63.0151 Adoption of California Residential Code.

10 63.0152 Adoption of Code Appendices.

11 **63.0151 Adoption of California Residential Code.**

12 A copy of the International Residential Code, 2024 Edition, prepared and published
13 by the International Code Council, with state amendments, also known as the 2025
14 California Residential Code, contained in Part 2.5 of Title 24 of the California Code of
15 Regulations, having been filed in the Office of the Clerk of the Board of Supervisors of
16 San Bernardino County, is hereby designated and adopted by reference as the
17 Residential Code for the unincorporated area of San Bernardino County, State of
18 California.

19 **63.0152 Adoption of Code Appendices.**

20 Appendix BF - "Patio Covers" and Appendix CI - "Swimming Pool Safety Act" of
21 the 2025 California Residential Code are hereby adopted by reference as part of the
22 Residential Code for the unincorporated area of San Bernardino County, State of
23 California.
24

25 SECTION 5. Chapter 2 is added to Division 3 of Title 6 of the San Bernardino
26 County Code, to read:

27 **CHAPTER 2: CALIFORNIA ELECTRICAL CODE**

28 **Sections:**

1 63.0201 Adoption of California Electrical Code.

2 63.0202 Adoption of Code Annexes.

3 **63.0201 Adoption of California Electrical Code.**

4 A copy of the National Electrical Code, 2023 Edition, prepared and published by
5 the National Fire Protection Association, with state amendments, also known as the 2025
6 California Electrical Code, contained in Part 3 of Title 24 of the California Code of
7 Regulations, having been filed in the Office of the Clerk of the Board of Supervisors of
8 San Bernardino County, is hereby designated and adopted by reference as the Electrical
9 Code for the unincorporated area of San Bernardino County, State of California.

10 **63.0202 Adoption of Code Annexes.**

11 Annexes A, B, C, D, E, F, G, H, and I of the 2025 California Electrical Code are
12 hereby adopted by reference as part of the Electrical Code for the unincorporated area of
13 San Bernardino County, State of California.

14
15 SECTION 6. Chapter 3 is added to Division 3 of Title 6 of the San Bernardino
16 County Code, to read:

17 **CHAPTER 3: CALIFORNIA PLUMBING CODE**

18 **Sections:**

19 63.0301 Adoption of California Plumbing Code.

20 63.0302 Express Findings.

21 63.0303 Changes in the Code.

22 63.0304 Adoption of Code Appendices.

23 63.0305 Changes in the Appendices.

24 **63.0301 Adoption of California Plumbing Code.**

25 A copy of the Uniform Plumbing Code, 2024 Edition, prepared and published by
26 the International Association of Plumbing and Mechanical Officials, with state
27 amendments, also known as the 2025 California Plumbing Code, contained in Part 5 of
28 Title 24 of the California Code of Regulations, having been filed in the Office of the Clerk

of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Plumbing Code for the unincorporated area of San Bernardino County, State of California, subject to those amendments and limitations as set forth in this Chapter 3.

63.0302 Express Findings.

It is expressly found and determined that more restrictive amendments to the 2025 California Plumbing Code adopted in Section 63.0301 and its appendices adopted in Section 63.0304 are reasonably necessary because of local climatic, geological, and topographical conditions existing in the County which are more specifically described as follows:

(a) The buildup of nitrate in groundwater poses a threat to public health and is one of the potentially significant long-term consequences of on-site sewage disposal practices; on-site private sewage disposal systems contribute to the discharge of nitrates and other pollutants into the groundwater table within the planning areas for the spheres of influence of the Cities of Chino and Montclair; the failure of private sewage disposal systems is a threat to the health of the public; and the orderly development of these areas is promoted by requiring development to connect to public sewers in order to obtain the maximum benefit from existing infrastructure.

(b) The mountain areas of the County are generally unsuitable for the installation of private sewage disposal system seepage pits due to thin soils over bedrock, steep slopes and/or locally high groundwater.

(c) Geologic conditions within the County make increasing the minimum separation between a well and a septic tank from 50 feet to 100 feet reasonably necessary for the protection of water quality in water supply wells. Soils are generally sufficiently porous so that should a septic tank have structural failure due to corrosion, earthquake damage, or by other means, 50 feet does not provide sufficient separation to prevent contamination of nearby wells from the leaking contents.

(d) Geologic conditions within the County make increasing the minimum

1 separation between a well and a soil absorption portion of a sewage disposal system
2 discharging 5,000 gallons per day or more from 100 feet to 200 feet reasonably necessary
3 for the protection of water quality in water supply wells. Local soils are generally porous
4 so that where large volumes of sewage effluent are discharged closer than 200 feet, the
5 cone of depression created by pumping a well may intercept significant amounts of
6 sewage effluent, thereby contaminating the water produced by the well.

7 (e) Geologic conditions within the County in the vicinities of the Colorado and
8 Mojave Rivers make increasing the minimum separation from the soil absorption portion
9 of a sewage disposal system from 100 feet to 200 feet reasonably necessary to protect
10 the beneficial uses of these rivers as drinking water supplies. Both rivers flow through
11 highly porous material and both rivers either directly or by nearby wells provide the
12 primary sources of drinking water to residents and communities along their courses.

13 **63.0303 Changes in the Code.**

14 The following changes are hereby made to the 2025 California Plumbing Code, as
15 adopted herein.

16 Section 713.3 is amended by adding the following sentence at the end of that
17 section to read as follows:

18 Within the sphere of influence boundaries for the Cities of Chino and Montclair, as
19 adopted by the Local Agency Formation Commission for San Bernardino County, the
20 installation of building sewers shall connect to a public sewer.

21 **63.0304 Adoption of Code Appendices**

22 Appendices A, B, D, G, H, and I of the 2025 California Plumbing Code are hereby
23 adopted by reference as part of the Plumbing Code for the unincorporated area of San
24 Bernardino County, State of California, subject to those amendments and limitations as
25 set forth in this Chapter 3.

26 **63.0305 Changes in the Appendices**

27 (a) Table H – 101.8 of Appendix H is amended in its entirety to read as follows:
28

TABLE H-101.8
LOCATION OF SEWAGE DISPOSAL SYSTEM

MINIMUM SETBACK REQUIREMENTS CHART	SEPTIC TANK/SEWAGE HOLDING TANK	DISPOSAL FIELD	SEEPAGE PIT
Private Water Supply Well ^{1,8}	100'	100' ²	150' ²
Public Water Supply Well ¹	100'	150' ²	200' ¹²
Buildings or Structures ³	5'	8'	8'
Property Line	5'	5'	8'
Streams and Other Flowing Bodies of Water ^{9,11}	100'	100'	150'
Drainage Course	50'	50'	50'
Perennial Stream ¹³	100'	100'	150'
Ephemeral Stream ¹⁴	50'	100'	100'
Lakes, Ponds, and Other Surface Water Bodies ^{10,11}	200'	200'	200'
River	50'	200'	200'
Large Trees ⁴	10'	10'	10'
Joshua Trees	40'	40'	40'
Seepage Pits	5'	5'	12'
Disposal Field	5'	4' ⁶	5'
Onsite Domestic Water Lines	5'	5'	5'
Pressure Public Domestic Water Lines	25'	25'	25'
Distribution Box	n/a	5'	5'
Ground Surface on Sloping Ground	n/a	15'	15'
Groundwater ⁵	5'	5' ⁷	10'

1. Drainage piping will clear Domestic Water supply wells by no less than 50 feet. This distance will be permitted to be reduced to no less than 25 feet where the drainage piping is constructed of materials approved for use within a building.
2. For any system discharging 5,000 Gallons Per Day, or more, the required setback will be increased to 200 feet.
3. Includes porches and steps whether covered or uncovered, breezeways, roofed porte cocheres, roofed patios, carports, covered walls, covered driveway, and similar structures or appurtenances.
4. Any tree within 5 feet of the system that will not be removed during construction, or at the professional discretion of the contractor.
5. The highest known level is based on current or historical data to which groundwater is known to have occurred.
6. Plus 2 feet for each additional foot or depth more than 1 foot below the bottom of the drain line.
7. For any system utilizing advanced treatment, this minimum separation may be reduced to 2 feet with approval under the Advanced Protection Management Program (refer to Chapter 7 of the Local Agency Management Program for more information regarding the Advanced Protection Management Program) and the Regional Water Quality Control Board.
8. Unless regulatory requirements necessitate that monitoring wells be located closer.
9. Where the edge of the water body is the natural or levied bank for creeks and rivers or may be less where site conditions prevent mitigation of wastewater to the water body.

10. Where the edge of the water body is the high-water mark for lakes and reservoirs and the mean high tide line for tidally influenced water bodies.
11. Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake point, within the catchment of the drainage, and located such that it may impact water quality at the intake point (such as upstream of the intake point for flowing water bodies), the dispersal system will be no less than 400 feet from the high-water mark of the reservoir, lake or flowing water body. Where the effluent dispersal system is located more than 1,200 feet but less than 2,500 feet from a public water systems' surface water intake point, the dispersal system will be no less than 200 feet from the high-water mark of the reservoir, lake or flowing water body.
12. Dispersal Systems which exceed 20 feet in depth and are located within 600 feet of a public water supply well will be required to have the qualified professional evaluate the two-year travel time for microbial contaminants to determine required setback. In no case will the setback be less than 200 feet.
13. As measured from the high-water mark which would result from a 100-year flood
14. As measured from the apparent edge of the channel

SECTION 7. Chapter 4 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 4: CALIFORNIA MECHANICAL CODE

Sections:

63.0401 Adoption of California Mechanical Code.

63.0402 Adoption of Code Appendices.

63.0401. Adoption of California Mechanical Code.

A copy of the Uniform Mechanical Code, 2024 Edition, prepared and published by the International Association of Plumbing and Mechanical Officials, with state amendments, also known as the 2025 California Mechanical Code, contained in Part 4 of Title 24 of the California Code of Regulations, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Mechanical Code for the unincorporated area of San Bernardino County, State of California.

63.0402 Adoption of Code Appendices.

Appendices B, C, and G of the 2025 California Mechanical Code are hereby adopted by reference as part of the Mechanical Code for the unincorporated area of San Bernardino County, State of California.

SECTION 8. Chapter 5 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 5: CALIFORNIA ENERGY CODE

Sections:

63.0501 Adoption of California Energy Code.

63.0501 Adoption of California Energy Code.

A copy of the California Energy Code, 2025 Edition, contained in Part 6 of Title 24 of the California Code of Regulations, prepared and published by the California Building Standards Commission, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Energy Code for the unincorporated area of San Bernardino County, State of California.

SECTION 9. Chapter 6 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 6: CALIFORNIA WILDLAND-URBAN INTERFACE CODE

Sections:

63.0601 Adoption of California Wildland-Urban Interface Code.

63.0601 Adoption of California Wildland-Urban Interface Code.

A copy of the California Wildland-Urban Interface Code, 2025 Edition, contained in Part 7 of Title 24 of the California Code of Regulations, prepared and published by the California Building Standards Commission, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Wildland-Urban Interface Code for the unincorporated area of San Bernardino County, State of California.

SECTION 10. Chapter 13 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 13: CALIFORNIA HISTORICAL BUILDING CODE

Sections:

63.1301 Adoption of California Historical Building Code.

1 63.1302 Adoption of Code Appendix.

2 **63.1301 Adoption of California Historical Building Code.**

3 A copy of the California Historical Building Code, 2025 Edition, contained in Part 8
4 of Title 24 of the California Code of Regulations, prepared and published by the California
5 Building Standards Commission, having been filed in the Office of the Clerk of the Board
6 of Supervisors of San Bernardino County, is hereby designated and adopted by reference
7 as the Historical Building Code for the unincorporated area of San Bernardino County,
8 State of California.

9 **63.1302 Adoption of Code Appendix.**

10 Appendix A of the 2025 California Historical Building Code is hereby adopted by
11 reference as part of the Historical Building Code for the unincorporated area of San
12 Bernardino County, State of California.

13

14 SECTION 11. Chapter 14 is added to Division 3 of Title 6 of the San Bernardino
15 County Code, to read:

16 **CHAPTER 14: CALIFORNIA EXISTING BUILDING CODE**

17 **Sections:**

18 63.1401 Adoption of California Existing Building Code.

19 63.1402 Adoption of Code Appendix.

20 **63.1401 Adoption of California Existing Building Code.**

21 A copy of the International Existing Building Code, 2024 Edition, prepared and
22 published by the International Code Council, with state amendments, also known as the
23 2025 California Existing Building Code, contained in Part 10 of Title 24 of the California
24 Code of Regulations, having been filed in the Office of the Clerk of the Board of
25 Supervisors of San Bernardino County, is hereby designated and adopted by reference
26 as the Existing Building Code for the unincorporated area of San Bernardino County,
27 State of California.

28 **63.1402 Adoption of Code Appendix.**

Appendix A, Chapter A1 "Seismic Strengthening Provisions For Unreinforced Masonry Bearing Wall Buildings" of the 2025 California Existing Building Code is hereby adopted by reference as part of the Existing Building Code for the unincorporated area of San Bernardino County, State of California.

SECTION 12. Chapter 15 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 15: CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

63.1501 Adoption of California Green Building Standards Code.

63.1501 Adoption of California Green Building Standards Code.

A copy of the California Green Building Standards Code, 2025 Edition, contained in Chapters 1-8 of Part 11 of Title 24 of the California Code of Regulations, prepared and published by the California Building Standards Commission, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Green Building Standards Code for the unincorporated area of San Bernardino County, State of California.

SECTION 13. Chapter 18 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 18: INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

63.1801 Adoption of International Property Maintenance Code.

63.1801 Adoption of International Property Maintenance Code.

A copy of the International Property Maintenance Code, 2024 Edition, prepared and published by the International Code Council, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the International Property Maintenance Code for the

unincorporated area of San Bernardino County, State of California.

SECTION 14. Chapter 19 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 19: CALIFORNIA ADMINISTRATIVE CODE

Sections:

63.1901 Adoption of California Administrative Code.

63.1901 Adoption of California Administrative Code.

A copy of the California Administrative Code, 2025 Edition, contained in Part 1 of Title 24 of the California Code of Regulations, prepared and published by the California Building Standards Commission, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Administrative Code for the unincorporated area of San Bernardino County, State of California.

SECTION 15. Chapter 20 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 20: CALIFORNIA REFERENCED STANDARDS CODE

Sections:

63.2001 Adoption of California Referenced Standards Code.

63.2001 Adoption of California Referenced Standards Code.

A copy of the California Referenced Standards Code, 2025 Edition, contained in Part 12 of Title 24 of the California Code of Regulations, prepared and published by the California Building Standards Commission, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Referenced Standards Code for the unincorporated area of San Bernardino County, State of California.

SECTION 16. Chapter 21 is added to Division 3 of Title 6 of the San Bernardino County Code, to read:

CHAPTER 21: INTERNATIONAL SWIMMING POOL AND SPA CODE

Sections:

63.2101 Adoption of the International Swimming Pool and Spa Code.

63.2102 Changes in the Code.

63.2101 Adoption of International Swimming Pool and Spa Code.

A copy of the International Swimming Pool and Spa Code, 2024 Edition, prepared and published by the International Code Council, having been filed in the Office of the Clerk of the Board of Supervisors of San Bernardino County, is hereby designated and adopted by reference as the Swimming Pool and Spa Code for the unincorporated area of San Bernardino County, State of California, subject to those amendments and limitations as set forth in this Chapter 21.

63.2102 Changes in the Code.

The following changes are hereby made to the 2024 International Swimming Pool and Spa Code, as adopted herein. Chapters 4 through 6 of the 2024 International Swimming Pool and Spa Code is hereby deleted in its entirety, and Chapters 1 through 3 and Chapters 7 through 11 of the 2024 International Swimming Pool and Spa Code is hereby amended, deleted, or added to as follows:

Amend Section 101.1 as follows:

101.1 Title. These regulations shall be known as the International Swimming Pool and Spa Code for the unincorporated area of San Bernardino County, State of California, hereinafter referred to as "this code."

Delete Sections 101.2 through 102.10 of Part 1-Scope and Application.

Amend Section 103.1 in its entirety to read as follows:

103.1 Administration. For administrative issues please reference the 2025

1 California Administrative Code adopted herein.

2
3 **Delete Sections 103.2 through 108 of Part 2-Administrative and Enforcement.**

4
5 **Add Section 301.1.2 as follows:**

6 301.1.2 In the event of a conflict between the provisions of the Swimming Pool
7 Safety Act, the International Swimming Pool and Spa Code, 2024 Edition, the 2025
8 California Building Code, or the 2025 California Residential Code, the Building Official
9 shall implement the most restrictive measures cited.

10
11 SECTION 17. References in County forms, documents, and regulations to the
12 former 2022 California Building Standards Code adopted in Title 6 of the San Bernardino
13 County Code, shall be construed to apply to the most current and adopted corresponding
14 provisions contained within Title 6 of the San Bernardino County Code. San Bernardino
15 County Ordinance No. 4452 and all other ordinances or parts of ordinances in conflict
16 herewith are hereby superseded and expressly repealed.

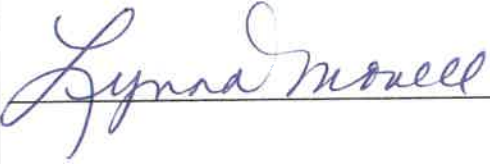
17
18 SECTION 18. The Board of Supervisors declares that it would have adopted this
19 ordinance and each section, sentence, clause, phrase, or portion of it irrespective of the
20 fact that any one or more sections, subsections, clauses, phrases or portions of it be
21 declared invalid or unconstitutional. If for any reason any portion of this ordinance is
22 declared invalid or unconstitutional, then all other provisions of it shall remain valid and
23 enforceable.

24
25 SECTION 19. This ordinance shall take effect January 1, 2026.

26
27 
28 DAWN ROWE, Chair
Board of Supervisors

1 SIGNED AND CERTIFIED THAT A COPY
2 OF THIS DOCUMENT HAS BEEN DELIVERED
3 TO THE CHAIRMAN OF THE BOARD

4 LYNNA MONELL, Clerk of the
5 Board of Supervisors

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1 STATE OF CALIFORNIA)
2) ss.
3 SAN BERNARDINO COUNTY)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of San Bernardino County,
5 State of California, hereby certify that at a regular meeting of the Board of Supervisors of
6 said County and State, held on the 4th day of November, 2025, at which meeting were
7 present Supervisors: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt
8 Hagman, Joe Baca, Jr., and the Clerk, the foregoing ordinance was passed and adopted
9 by the following vote, to wit:

10 AYES: SUPERVISORS: Col. Paul Cook (Ret.), Jesse Armendarez,
11 Dawn Rowe, Curt Hagman, Joe Baca, Jr.

12 NOES: SUPERVISORS: None

13 ABSENT: SUPERVISORS: None

14 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
15 of the Board of Supervisors this 4th day of November, 2025.

16 LYNNA MONELL, Clerk of the
17 Board of Supervisors of San Bernardino County,
18 State of California



19 Deputy

20 Approved as to Form:

21 LAURA FEINGOLD
22 County Counsel

23 By: Jolena E. Grider
24 JOLENA E. GRIDER
25 Deputy County Counsel

26 Date: 11/5/25
27
28