

**CHAPTER 6.3**  
**BUILDING STANDARDS AND CODES**

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## **ARTICLE I. PERMITS--CALIFORNIA CODES**

### **Sec. 6.3-01. Purpose**

This chapter is enacted for the purpose of adopting rules and regulations pursuant to the State Housing Law and the Health and Safety Code, for the protection of the public health, safety and general welfare of the occupant and the public governing the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, ventilation and maintenance of any building used for human habitation; provided however, that nothing in the codes adopted in this chapter shall be construed to prevent any person from performing his own building, mechanical, plumbing or electrical work when performed with the permits in compliance with this chapter, and the California Business and Professions Code.

### **Sec. 6.3-02. Definitions**

Whenever any of the following names and terms is used in this chapter or in any of the codes adopted by reference in this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section.

- (a) Bedroom means any room which can be used for sleeping purposes.
- (b) Building Official, Plumbing Official, Chief, Electrical Inspector, Fire Official, Fire Marshall, Administrative Authority, and similar references to a chief administrative position shall mean the Building Official of the County of Solano provided, however, that where such terms are used in connection with those duties imposed by statute or ordinance upon the County Health Officer said terms shall include the County Health Officer;
- (c) Building Department, Electrical Department, Plumbing Department, Fire Official, Fire Marshal or Housing Department means the "Building Division" of the County of Solano.
- (d) Fire Official, Fire Marshall, Fire Inspector, or similar reference to a County Fire Official, charged with enforcing the California Fire Code, as adopted, means the Building Official of Solano County.

(Ord. No. 1521, §1, Ord. No. 1601 §3; Ord. No. 1715, §2)

### **Sec. 6.3-03. Uniform Codes adopted**

Subject to the modifications and amendments contained in this chapter, the following primary and secondary codes are adopted and incorporated into the

Solano County Code by this reference as if fully set forth, and which may be amended from time to time:

(a) The California Building Standards Code, 2010 Edition, known as The California Code of Regulations, Title 24(CCR, T-24) as adopted by the State of California Legislature, is adopted by reference as the Building Code of the County of Solano, incorporating parts 1, 2, 2.5, 3, 4, 5, 6, 9, and 11, known collectively as the California Building Standards Code and respectively as the California Administrative Code, California Building Code, California Residential Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, California Energy Code, the California Fire Code, and the California Green Building Standards Code (CalGreen); adopting by reference Title 25, Division 1, Chapter 1, Subchapter 1 of the California Code of Regulations, known as the State Housing Law Regulations; and adopting by reference the Uniform Code for the Abatement of Dangerous Buildings.

(1) The California Administration Code, 2010 Edition together with the appendices as published by the International Code Council.

(2) The California Building Code, 2010 Edition, together with the appendices, and the non-building and administrative regulations as published by the International Conference of Building Officials.

(3) The California Residential Code, 2010 Edition together with the appendices, and non-building and administrative regulations as published by the International Code Council.

(4) The California Electrical Code, 2010 Edition together with the Administrative Regulations for the 2010 edition and the non-building regulations published by the National Fire Protection Association and the International Code Council.

(5) The California Mechanical Code, 2010 Edition, together with the Appendices, and the non-building administrative regulations as published by the International Association of Plumbing and Mechanical Officials and the International Code Council.

(6) The California Plumbing Code, 2010 Edition, together with the Appendices, and the non-building administrative regulations published by the International Association of Plumbing and Mechanical Officials and the International Code Council.

(7) The California Energy Code, 2010 Edition, together with the Appendices, and non-building administrative regulations as published by the International Code Council.

(8) The California Fire Code, 2010 Edition, and Appendices, and the non-building administrative regulations as published by the Western Fire Chiefs Association and the International Code Council.

(b) Adopting administrative and non-building regulations contained in the above referenced Model Codes, and further adopting by reference;

(1) The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Conference of Building Officials.

(2) The Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials as referenced by the California Department of Housing and Community Development, pursuant to provisions of the California Health and Safety Code.

(3) The Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition, as published by the International Association of Plumbing and Mechanical Officials.

(4) The Uniform Sign Code, 1997 Edition, as published by the International Conference of Building Officials.

(Ord. No. 1581, §2; Ord. No. 1609, §3; Ord. No. 1622, §2; Ord. No. 1715, §3)

**Sec. 6.3-04. Copies of adopted codes**

The Department of Resource Management of the County shall maintain on file copies of the codes referred to in this chapter.

(Ord. No. 1521, §1; Ord. No. 1715, §4)

**Sec. 6.3-05. Utility connections**

It is unlawful for any person, including utilities companies, to connect electric power lines or liquefied petroleum gas or natural gas sources to any building or structure for which a permit is required by this chapter until the final inspection has been made and the approval signed by the building inspector. This section shall not prohibit the erection and use of temporary power poles approved by the power company during the course of construction, when approved by the building official.

**Sec. 6.3-06. Encroachment or grading**

No building permit shall be issued for which an encroachment or grading permit is required, unless and until the requirements prerequisite to the encroachment or grading permit have been met.

**Sec. 6.3-07. Conformance of construction to law**

No building permit shall be issued unless and until the Building Official is satisfied that the construction authorized by the permit will not violate any existing law or

ordinance.

**Sec. 6.3-08. Adoption or amendment procedures**

The building official shall review all codes newly adopted by the state pursuant to the State Housing Law, Section 17910 et seq. of the Health and Safety Code and shall:

- (a) Report such newly adopted codes to the Board of Supervisors and advise the board to schedule a hearing not less than ninety days from the date of the report; and
- (b) Place copies of the codes to be considered by the board in the office of the building official for review by the general public.
- (c) The Board of Supervisors shall hold public hearing at the date and time scheduled, and shall then adopt the codes with amendments, if any.

**Sec. 6.3-09. Violations and penalties**

(a) It is unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter.

(b) The ordinance codified in this chapter, nor its superseding of any portion of any other ordinance of the county shall in any manner be construed to affect prosecution for violation of any other ordinance committed prior to the effective date of the ordinance codified in this chapter, nor be construed as a waiver of any license or any penal provision applicable to any such violation, and all rights and obligations thereunto appertaining shall continue in full force and effect.

(c) All remedies prescribed under this chapter shall be cumulative and the use of one or more remedies by the county shall not bar the use of any other remedy for the purpose of enforcing this chapter.

(d) For the purpose of this chapter, the building official, his deputies and authorized agents are authorized to issue citations.

(e) Any person, firm, corporation or other entity violating any provisions of this title shall be guilty of an infraction. Any failure to obtain the proper permits and licenses for a period of one day after being cited under this chapter, including each additional one-day period thereafter, shall be an additional violation subject to the same penalties set forth in this section.

(f) In addition to the punishment set forth in this section, any person guilty of a violation of this chapter shall be liable for such costs, expenses and disbursements paid or incurred by the county in correction abatement and prosecution of the violation.

**Sec. 6.3-10. Enforcement duty and inspections**

(a) Pursuant to section 836.5 of the California Penal Code, the building official or his designated deputies is authorized to enforce the provisions of this title and to arrest or issue citations to violators thereof.

(b) The collector, in the exercise of the duties imposed upon him under this chapter shall require inspections, made by various county departments, for all places in the county to ascertain if all provisions of this chapter and all other applicable ordinances of the county have been complied with prior to the issuance of such a permit.

**Sec. 6.3-12. Building permit application and plans and specifications**

Applications are to be signed by the property owner or a duly licensed contractor, engineer, or architect.

**Sec. 6.3-13. Building permits--professional designs required**

All structures or buildings classified in Occupancy Groups A, B, E, F, H, I, L, M, R-1, S and U be designed in accordance with the Building and Professional Codes of the State of California.

(Ord. No. 1715, §5)

**Sec. 6.3-14. Building permits—term--retention of plans**

(a) The permits for occupancy groups A, B, E, F, H, I, L, M, R-1, R-2 and S will expire twenty-four months after issuance. The permit records, microfilm or other copies of such, will be retained as a permanent document; for the life of the structure.

(b) Permits for R-3 and U occupancy groups shall be valid for two years from the date of their issuance, provided that the time limits of starting work or work stoppage are met. Residential plans may be destroyed one hundred and eighty days after final inspection or revocation or expiration of permit.

(c) Permits currently issued and older than two years old will expire one year from the adoption date of this ordinance. Permits currently issued and issued within the last two years will expire based on the time frames above or one year from adoption of this ordinance, whichever is later.

(Ord. No. 1521, §1; Ord. No. 1581, §4; Ord. No. 1715, §6)

**Sec. 6.3-15. Fees for building permits, plan checking, inspections**

**and related permits**

The fees for all building permits, plan reviews, appeals, inspection services and permit issuances charged by the Building and Safety Division are those set forth in the department's fee schedule, Exhibit III-C to section 11-110.4(c).

(Ord. No. 1644, §42.)

**Sec. 6.3-16. Repealed.**

(Ord. No. 1715, §7)

**Sec. 6.3-16.010. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16.020. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16-030. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16.040. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16.050. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16.060. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16.070. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16.80. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-16.90. Repealed**

(Ord. No. 1693, §3; Ord. No. 1715, §7)

**Sec. 6.3-17. Certificate of occupancy required**

No building or structure shall be used or occupied without a certificate of occupancy. Such a certificate shall not be issued until compliance with all County requirements has been met. Occupying or using a structure without this approval constitutes a public nuisance, and will be abated.

**Sec. 6.3-18. California Building Code section 110.3.10 amended--final inspection**

Final Inspection shall be made after final grading and the building is completed and ready for occupancy. This shall mean all work required by the building



permit, all electrical, plumbing and mechanical complete and ready for occupancy, as well as all floor covering installed and painting completed, as well as any required exterior landscaping complete with house, sidewalks, and streets cleaned.

(Ord. No. 1521, §1; Ord. No. 1715, §8)

**Sec. 6.3-19. California Building Code section 1505, 704 and 603.1(3) amended--roofing**

Sections 1505, 704, and 603.193) of the California Building Code are amended as follows:

(a) CBC Sec 1505. All materials applied as roof covering shall have a fire rating of class "B" or better, treated in accordance with CBC Standard 15-2, 15-3, or 15-4 and tested in accordance with ASTM E 108, ASTM D 2898 or UL 790. Except those roofs located in Very High Fire hazard Severity Zones or in Wildland-Urban Interface Fire Areas shall be a Class "A" roof as per Section 1505.1.1 and 1505.1.4.

(b) CBC Sec. 704. All roof materials applied as exterior wall coverings shall have a fire rating of class "B" or better, treated in accordance with CBC Standard 15-2, 15-3, or 15-4 and tested in accordance with ASTM E 108, ASTM D 2898 or UL 790, unless otherwise specified in section 704 for a greater fire-resistance rating. Except those roofs located in Very High Fire Hazard Severity Zones or in Wildland-Urban Interface Fire Areas shall be a Class "A" roof as per Section 1505.1.1 and 1505.1.4.

(c) CBC Sec. 1505 and CBC Section 603.1(3). All materials applied as roof covering for re-roofing shall have a fire rating of class "B" or better, treated in accordance with CBC Standard 15-2, 15-3, or 15-4 and tested in accordance with ASTM E 108, ASTM D 2898 or UL790, when fifty (50%) percent or more of the existing roof is replaced. Except those roofs in very High Fire Hazard Severity Zones or in Wildland-Urban Interface Fire Areas shall be a Class "A" roof as per Section 1505.1.1 and 1505.1.4.

(Ord. No. 1521, §1; Ord. No. 1715, §9)

**Sec. 6.3-20. California Building Code section 105.2 amended exemptions from building permit**

Section 105.2 of the California Building Code is amended to add the following exemptions from a building permit:

(a) Satellite dish antennas, unless attached to a structure or mounted more than 15 feet above the ground

(b) Purely agricultural, nonresidential buildings and/or structures not

exceeding 500 square feet and with no structural span exceeding 14 feet. The family residing on the premises shall use the buildings and structures exclusively for agricultural operations, such as the housing of livestock and poultry, and for storage on the property. The property must consist of at least 20 acres and the exempted buildings or structures must be at least 60 feet from any property line. This exemption confers no right to an exemption from the requirement to obtain any electrical, plumbing or mechanical permits.

(c) All fencing, unless the fencing height exceeds six (6) feet and is solid. A livestock corral or loading shoot is not considered solid fencing.

(Ord. No. 1521, §1; 1546, §1; Ord. No. 1715, §10)

**Sec. 6.3-21. California Building Code section 107 added--standard plans**

Section 107 of the California Building Code is amended to add:

(a) The Building Official may approve a set of plans for a building or structure as a "standard plan" provided; the applicant has made proper application, submitted complete sets of plans, and paid the Plan Review Fee as required by Section 109.

(b) When it is desired to use an approved "standard plan" for an identical structure, two plot plans and one duplicate plan shall be submitted, and Plan Review Fee equal to one-half of the full Plan Review Fee required in Section 109 shall be paid at the time application is made for such identical structure. Such duplicate plans shall be compared, stamped, and kept on the job as required by Section 105 and 107. In case of any deviation whatsoever from this standard plan, complete plans, together with a full Plan Review Fee, shall be submitted for the proposed work, as required by Section 105 and 107 respectively.

(c) Standard plans shall be valid for a period of one (1) year from the date of approval. This period may be extended by the Building Official when there is evidence that the plan may be used again.

(Ord. No. 1521, §1; Ord. No. 1715, §11)

**Sec. 6.3-22. Commercial buildings--conduit required**

All electrical conductors in commercial buildings or structures shall be in rigid conduit, EMT or where permitted flex or PVC.

**Sec. 6.3-23. Service panels**

All new single family dwellings in excess of fifteen hundred square feet of living area will be equipped with minimum two hundred amp main service panels.

**Sec. 6.3-24. California Fire Code--section 110.4 added--hazard abatement**

Section 110.4 is added to the California Fire Code, as follows:

In situations where immediate abatement of a fire hazard is required, the County Fire Marshal shall have authority to order such abatement and shall cause the expense of such abatement or action to become a lien upon the property affected.

(Ord. No. 1715, §12)

**Sec. 6.3-25. California Fire Code--section 901.4.1**

Section 901.4.1 of the California Fire Code, 2010 Edition, is added as follows:

All buildings in excess of three stories or 35 feet in height, or that require a fire flow in excess of 2,000 gallon per minute shall be equipped throughout with an approved automatic fire sprinkler system.

(Ord. No. 1715, §13)

**Sec. 6.3-26. California Fire Code--section 905.7 added--hose cabinets**

Section 905.7 is added to the California Fire Code as follows:

All buildings having areas more than 100 feet travel distance from the nearest point accessible to fire apparatus shall be equipped with one or more hose cabinets, Potter Roemer Series 2300 or equivalent, with a hose rack and 100 feet of approved 1.5 inch fire hose with adjustable stream hose nozzle. Water supply pipe sizes to be approved by the County Fire Marshal. Where adequate water suppliers are not available the County Fire Marshal may require fire department connections or other additions to the system. Exact number and location of fire cabinets to be determined by the County Fire Marshal.

(Ord. No. 1715, §14)

**Sec. 6.3-50. California Plumbing Code section 601 added**

Water transported to a building site shall be deemed adequate only if approved as to source, transportation method, and on-site storage by the County Environmental Health Division.

(Ord. No. 1715, §15)

**Sec. 6.3-51. California Plumbing Code--minimum water supply--single-family dwellings**

(a) All single-family dwellings shall be provided a potable water supply system as required by this section. Such system shall also satisfy all applicable

requirements of the California Plumbing Code and the Solano County Department of Resource Management, Division of Environmental Health.

(b) Public water system or on-site source. Subject to the approval of the building official, a dwelling may be supplied potable water from either:

(1) A public water service provided and managed by a public agency; or

(2) An on-site (i.e., located within the perimeter boundaries of the property upon which the dwelling is to be located), well, spring or surface supply, water storage and delivery system in accordance with this section.

(c) On-site wells. When an on-site well is the proposed potable water supply, a building permit may be issued only where the well, together with any on-site water storage, satisfies all the following requirements:

(1) Environmental Health Division approval. All water wells shall be designed, constructed and shall obtain Environmental Health Division approval as required by Chapter 13.10 of the Solano County Code.

(2) Minimum capacity. An on-site well shall provide to each connection a minimum capacity of three (3) gallons-per-minute (GPM) for a four (4) hour period, at a minimum of 10 lbs per square-inch pressure, in order to be approved for use as a source of potable water for a single-family dwelling. (Note: additional on-site water storage for fire protection may also be required by Chapter 26, Sections 26-24 (a)(6) and 26-25 (a)(5) of the County Code regardless of the requirements of this section.)

(A) Wells producing at least three (3) gallons-per-minute but less than five (5) gallons-per-minute shall be required to be augmented by a minimum storage capacity of five-hundred (500) gallons, pursuant to Chapter 26, Section 26-61(a)(3) of the County Code.

(B) Wells producing less than three (3) gallons-per-minute shall not be accepted as an adequate water supply for the purposes of this section except for parcels legally created prior to September 28, 1993, which shall be required to produce a minimum of one (1) gallon per minute with a minimum of five (5) gallons per minute deliverable at 10 lbs per square inch pressure in combination of well and storage.

(d) Springs: Springs which are to be used as the primary domestic water source shall be constructed to the standards as specified by the Division of Environmental Health and shall be meet the same minimum requirements established for wells.

(e) Testing of capacity: The capacity required by this section for a domestic

well or spring shall be verified in conformance with Section 26-61 - Well Test - of the Solano County Code and shall have been established within two years of application for building permit.

(f) Surface supplies: Surface supplies shall be provided with continuous disinfection treatment prior to entry to the distribution system and shall meet the same minimum requirements established for wells.

(Ord. No. 1715, §16)

**Sec. 6.3-52. California Plumbing Code--verification of water supply required**

(a) No grading, building or plumbing permit application or plans for a project which will require new service with potable water shall be issued unless:

(1) The building official is provided a written statement from the operator of an approved public water agency that the purveyor will provide potable water service to the dwelling and that the water purveyor has sufficient water resource and system capacity to provide such service; or

(2) The building official is provided evidence that a permit or other authorization has been granted by the water purveyor for the proposed project to connect to and use the domestic water system; or

(3) An on-site well, spring or surface supply is installed, tested and is certified to satisfy the requirement of Section 6.30.510b or the building official is provided evidence showing that potable water adequate to satisfy the standards of Section 6.30.510b is available on-site; and

(4) All on-site water sources shall be analyzed for the presence of total coliform bacteria by a laboratory certified by the State of California, Department of Health Services for bacteriological analyses pursuant to Section 4025 of the California Health and Safety Code. If any sample is total coliform positive, a repeat sample shall be collected from the same location. If the repeat sample is also total coliform positive, the sample shall be analyzed for the presence of fecal coliform or Escherichia coli (E.Coli). If the repeat sample is positive, corrective action shall be taken to eliminate the cause of the positive samples.

(b) No final building inspection for a dwelling shall be approved until the dwelling is connected to an operating water supply approved pursuant to this section.

(Ord. No. 1501, §1; Ord. No. 1715, §17)

## **ARTICLE IV. SCHOOL FACILITIES DEDICATION<sup>1</sup>**

### **Sec. 6.3-60. Authority**

This article is enacted pursuant to Government Code section 65970 et seq.

(Ord. No. 1026, § 2; Ord. No. 1103, §3.)

### **Sec. 6.3-61. Definitions**

(a) Affected district. A school district exercising jurisdiction within the county which has notified the board of supervisors of the existence of conditions of overcrowding pursuant to section 6-33.

(b) Applicant. A person, corporation, organization, or entity applying for the approval of an ordinance rezoning property to a residential use, a use permit or other discretionary permit for residential use, or the approval of a tentative subdivision map for residential purposes.

(c) Attendance area. The attendance area for a school within an affected school district.

(d) Bedroom. A room with a dwelling unit other than a living room adjacent to the main entry, a dining room adjacent to the kitchen, a family room adjacent to a kitchen or dining room, a kitchen, halls, dining rooms, closets, and bathrooms.

(e) Conditions of overcrowding. Reasonable methods for mitigating conditions of overcrowding, and residential development have the meanings set forth in Government Code ' 65973.

(f) Discretionary permit for residential use. Includes a zoning-building permit issued pursuant to chapter 28 of this Code.

(g) Dwelling unit. A house, apartment or condominium unit, mobile home, or other unit of residential development.

(Ord. No. 1026, §2; Ord. No. 1103, §3)

### **Sec. 6.3-62. Determination of overcrowding**

A school district with jurisdiction in the unincorporated county may make a finding, supported by clear and convincing evidence, that:

(a) Conditions of overcrowding exist in one or more attendance areas within the district which will impair the normal functioning of educational programs, including the reason for the existence of such conditions of overcrowding; and

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<sup>1</sup>For prior history, see Ordinance No. 976.

(b) That all reasonable methods of mitigating the conditions of overcrowding have been evaluated, but that no feasible methods for reducing such conditions exist.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-63. Notification of city**

A school district making the findings set forth in section 6-32 may notify the board of supervisors of such findings by filing a copy thereof with the county clerk, together with a specification of the mitigation measures considered by the district.

(Ord. No. 1026, § 2; Ord. No. 1103, § 3.)

**Sec. 6.3-64. Foundation--bolted to plates or sills**

Wood plates or sills shall be bolted to the foundation or foundation wall. Steel bolts with a minimum nominal diameter of 5/8 inch shall be used.

(Ord. No. 1581; §7.)

**Sec. 6.3-65. Hearing by board of supervisors**

Following such filing pursuant to section 6-33, the board of supervisors may, in its discretion, concur in or disapprove the findings as set forth in section 6-32. A noticed public hearing shall be conducted by the board of supervisors on the matter prior to such concurrence or disapproval.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-66. Effect of concurrence**

If the board of supervisors concurs with the findings set forth in section 6-32, neither the county nor any of its planning or zoning agencies or officers shall approve an ordinance rezoning property to a residential use, grant a use permit or other discretionary permit for residential use, or approve a tentative subdivision map for residential purposes, except as provided in section 6-36 through 6-39 of this article.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-67. Approval based upon overriding factors**

Notwithstanding section 6-35, an ordinance rezoning property to a residential use, a grant of a use permit or other discretionary permit for residential use, or an approval of a tentative subdivision map for residential purposes may be approved or granted if the board of supervisors determines that there exist specific overriding fiscal, economic, social or environmental factors which would benefit the county and which justify such approval or grant.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-68. Approval based on dedication of land or payment of fees**

Notwithstanding section 6-35, an ordinance rezoning property to a residential use, a grant of a use permit or other discretionary permit for a residential use, or an approval of a tentative subdivision map for residential purposes may be approved or granted if the applicant for the rezoning ordinance, use or other discretionary permit, or tentative subdivision map approval has complied with, or has entered into binding agreements or furnished other suitable guarantees or security which will ensure compliance with the provisions of section 6-38 or 6-39.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-69. Payment of fees**

A fee shall be paid to the affected school district for each dwelling unit to be constructed by reason of an ordinance rezoning property to residential use, a grant of a discretionary permit for residential use, or an approval of a tentative subdivision map for residential purposes. The amount of the fee shall be set by agreement between the affected school district and the applicant, shall not exceed in total amount the total fees calculated by use of the table of fees set forth in this section, shall bear a reasonable relationship to and shall be limited to the needs of the community for interim elementary or high school facilities, and shall be reasonably related and limited to the need for schools caused by the development. In the event the affected school district and the applicant do not reach agreement as to the amount of the fee, the amount of the fee shall be determined in accordance with the following table:

<u>Number of bedrooms in dwelling unit</u>	<u>Fee</u>
1	\$ 0
2	400
3	600
4	800
5 or more	900

If the payment of fees is required pursuant to this section, such payment shall be made at or immediately prior to the time the building permit is issued to an applicant.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-70. Dedication of land**

In lieu of payment of fees as set forth in section 6-38, an applicant may propose a dedication of land to the affected school district. The board of supervisors may approve of such dedication, on a case by case basis, provided that the proposed



dedication is reasonably related to the needs of the affected school district and is of a value equal to or in excess of the amount of the fees which would otherwise be required under section 6-38. The value of the proposed dedication shall be determined by the board of supervisors, based on the fair market value of the land prior to the approval or grant of the ordinance rezoning the property to a residential use, the use permit or other discretionary permit for a residential use, or the tentative subdivision map for residential purposes.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-71. Consistency with general plan**

The approval provided for in section 6-37 may be made only if the board of supervisors finds that the facilities to be constructed by the affected school district with the fees required by section 6-38 or the land donated pursuant to section 6-39, or both, are consistent with the general plan of the county.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-72. School district reports**

(a) Following the decision of the board of supervisors to require the payment of fees or the dedication of land pursuant to sections 6-30838 or 6-30939, the governing board of the school district shall submit a schedule specifying how it will use the fees or land, or both, to solve the conditions of overcrowding. The schedule shall include the school sites to be used, the classroom facilities to be made available, and the times when such facilities will be available. In the event that the school district cannot meet the schedule, it shall submit an appropriate amendment to the board of supervisors, to include the reasons for the amendment.

(b) Any school district receiving funds pursuant to this article shall maintain a separate account for any fees so received and shall file a report with the board of supervisors on the balance in the account at the end of each fiscal year. The report shall state the facilities leased, purchased, or constructed during the fiscal year covered by the report, and shall specify which attendance areas will continue to be overcrowded when the fall term begins and where conditions of overcrowding no longer exist. Such report shall be filed by August 1st of each year.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**Sec. 6.3-73. Correction of overcrowded conditions**

A report submitted by a school district pursuant to section 6-41(b) that conditions of overcrowding no longer exist within the district shall constitute a withdrawal of the notification of overcrowding submitted by the district pursuant to section 6-02.

(Ord. No. 1026, §2; Ord. No. 1103, §3.)

**ARTICLE V. SOLAR SHADE CONTROL**

**Sec. 6.3-80. Solar shade control exemption**

The unincorporated areas of Solano County shall be exempt from the provisions of Chapter 12 of Division 15 of Public Resources Code Section 25980 et seq., commonly known as the Solar Shade Control Act.

(Ord. No. 1057, §1.)