

ORDINANCE NO. 9043 (NEW SERIES)

AN ORDINANCE REPEALING AND REENACTING
THE COUNTY ELECTRICAL CODE

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Chapters 1 through 10 of Division 2 of Title 5 of the San Diego County Code of Regulatory Ordinances are hereby repealed and reenacted to read as follows:

TITLE 5

BUILDING AND BUILDING REGULATIONS

DIVISION 2

COUNTY ELECTRICAL CODE

CHAPTER 1

ADOPTION OF COUNTY AMENDMENTS TO
THE CALIFORNIA BUILDING STANDARDS CODE

SEC. 52.101. ADOPTION OF THE ELECTRICAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE AND COUNTY AMENDMENTS TO THE ELECTRICAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the County hereby adopts the Electrical Code portion of the California Building Standards Code (Part 3 of Title 24 of the California Code of Regulations) with the County Amendments as specified in this Division. Amendments are made by specific reference to corresponding section numbers of the Electrical Code portion of the California Building Standards Code in the provisions of this Division.

The Electrical Code portion of the California Building Standards Code together with the County of San Diego amendments shall be the County Electrical Code, for the purpose of prescribing regulations in the unincorporated territory of the County of San Diego for the protection of the public health and safety, requiring a permit and inspection for the installation or alteration of electrical systems, defining certain terms, and establishing minimum regulations for the installation, alteration or repair of electrical systems and the inspection thereof, and providing penalties for the violation thereof.

The provisions of this Code shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this Code.

SEC. 52.102. SIGNIFICANCE OF WORDS.

Whenever in this Division the following terms are used, they shall have the following meanings:

(a) "This Code" and "National Electrical Code." Notwithstanding the provisions of Section 12.110 of the San Diego County Code, the terms "this Code" and "National Electrical Code" shall mean the Electrical Code portion of the California Building Standards Code, referred to in Section 52.101 as modified by the deletions, revisions and additions thereto hereafter set forth in this Division.

(b) "Administrative Authority" and "Administrative Authority and Assistants". The terms "Administrative Authority" and "Administrative Authority and Assistants" shall mean the Director of the Department of Planning and Land Use or the Director's duly authorized representatives.

(c) "Building Inspector and "Building Official." The terms "Building Inspector" and "Building Official" shall mean the Director of the Department of Planning and Land Use or the Director's duly authorized representatives.

(d) "Person" and "person, firm, or corporation." The terms "person" and "person, firm or corporation" shall mean any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust receiver syndicate, county (other than the County of San Diego), city and county, city, municipal corporation, district or other political subdivision, or any other group or combination acting as a unit.

(e) "This Division." The term "this Division" shall mean Division 2 of Title 5 of the San Diego County Code.

(f) "Commission." "Commission" shall mean the State of California Commission of Housing and Community Development.

CHAPTER 2

ADMINISTRATIVE AUTHORITY

SEC. 52.201. DUTIES OF THE ADMINISTRATIVE AUTHORITY.

The Administrative Authority shall perform the following duties:

(1) Require submission of, examine and check plans and specifications, drawings, descriptions, and/or diagrams necessary to show clearly the character, kind and extent of electrical work covered by application for a permit and upon approval thereof issue the permit applied for. Nothing herein shall prevent the

Administrative Authority from making copies of said plans, specifications and permits and retaining said copies in lieu of the plans, specifications and permits. Plans, submitted for checking, for which no permit is issued and on which no action is taken by the applicant for one year shall be destroyed.

- (2) Collect all fees for permits issued as provided by this Code and issued receipts therefor in duplicate, the duplicate copy of which shall be maintained as an office record.
- (3) Administer and enforce the provisions of this Code in a manner consistent with the intent thereof and inspect all electrical work authorized by any permit to assure compliance with provisions of this Code or amendments thereto, approving or condemning said work in whole or in part as conditions require.
- (4) Issue upon request a Certificate of Approval for any work approved by the Administrative Authority.
- (5) Disapprove and reject all work done or being done or materials used or being used which do not in all respects comply with the provisions of this Code and amendments thereto.
- (6) Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Code.
- (7) Investigate any construction or work regulated by this Code and issue such notices and orders as required.
- (8) Suspend or revoke any permit issued under the provisions of this Code and order in writing the disconnection of the pertinent consuming installation, whenever the permit is issued in error or on the basis of incorrect information furnished by the applicant, or in violation of any law or regulation or any of the provisions of this Code.

SEC. 52.202. AUTHORITY OF ADMINISTRATIVE AUTHORITY.

The Administrative Authority and assistants shall carry proper credentials and have the right during reasonable hours, or at any time when they have reason to believe that extreme danger exists, to enter any building or enter upon any parcel of land in the discharge of their official duties or for the purpose of making an inspection, reinspection, or test of the electrical installations, devices, fixtures, appliances or equipment contained therein or thereon. The Administrative Authority shall have the authority to cut or disconnect any such installation, in case of emergency, where necessary for safety of life or property, or where such installations may interfere with the work of fire-fighting forces. The Administrative Authority is hereby authorized to order discontinuance or removal by the responsible party of electrical installations, fixtures, devices, appliances

or equipment found to be defective or defectively installed or to be used in violation of this Code or the provisions of Title 5, Divisions 1, 3 or 8 of the County Code or of not complying in all respects in conformance with provisions of The Zoning Ordinance (Ord. No. 5281 (N.S.)) as heretofore or hereafter amended.

The Administrative Authority will order, in writing, discontinuance of electrical service by the serving utility when it has been determined that the electrical facilities or use of electricity is unsafe.

CHAPTER 3

PERMITS REQUIRED

SEC. 52.301. PERMITS REQUIRED.

(a) It shall be unlawful for any person to install, remove, alter, repair, or replace, or cause to be installed, removed, altered, repaired or replaced any electrical wiring, devices, appliances, or equipment without first obtaining a permit to do such work from the Administrative Authority.

EXCEPTION: Emergency work may commence prior to obtaining a permit when necessary for protection of life and/or property. A permit must be obtained as soon as practical to do so.

(b) A separate permit shall be required for each building or structure which stands alone.

EXCEPTION: Detached subordinate buildings do not require a separate permit when electrical work is being preformed as a single project concurrently with a main residential building of less than three dwelling units.

(c) A separate permit is required for temporary electric service connection for testing equipment, temporary electric service connection for construction purposes, temporary electrical service connection for carnivals, conventions, festivals and fairs, and temporary electrical service connection where a valid trailer coach installation permit exists.

(d) Permits for privately owned conduits or other materials in public places and in and across streets and alleys may be issued only after approval has been granted for the installation by the agency having jurisdiction over such public place, street or alley. All work shall be done, in accordance with law and special regulations applicable thereto.

(e) A commercial meter installation requires a permit for service meter clearance release to the serving utility.

EXCEPTION: A electrical permit will not be required upon issuance of a building permit and no electrical work is required.

SEC. 52.302. ELECTRICAL INSTALLATION WITHOUT PERMIT.

Every electrical installation identified in Section 52.301 of this Division shall have a valid electrical permit, unless specifically exempted by Section 52.303. Electrical installations without proper permits will be considered hazardous or potentially hazardous to life and property. The Administrative Authority will notify the serving utility that the electrical installation is in violation of this Code and is likely to pose a hazard to life and property and will request removal of the electrical service by the serving utility.

EXCEPTION: Installations determined by the Administrative Authority to not represent imminent life threatening hazards will be permitted to retain the electrical service while obtaining all permits and inspections in a timely manner acceptable to the Administrative Authority.

SEC. 52.303. PERMITS - EXCEPTIONS. (a) No permit shall be required for minor repair work such as repairing snap switches, replacing fuses, repairing lamp sockets and receptacles, when such work is done in accordance with the provisions of this Code.

(b) No permit shall be required for the replacement of lamps or the connection of portable appliances to suitable receptacles which have been permanently installed.

(c) No permit shall be required for the installation, alteration or repair of wiring, devices, appliances or equipment for the operation of signals or the transmission of intelligence (not including the control of lighting or appliance circuits) where such wiring, devices, appliances or equipment operate at voltage not exceeding 25 volts between conductors and do not include generating or transforming equipment capable of supplying more than 50 watts of energy.

(d) No permit shall be required for the installation, alteration, or repair of electric wiring, devices, appliances and equipment installed by the United States, State of California, school districts, counties, cities, and "local agencies" as defined in California Government Code Section 53090, whose facilities are exclusively for the production, generation, storage, or transmission of water, wastewater, or electrical energy.

(e) No permit shall be required for repair, installation, or removal of any appliance used for household purposes in a residential building; provided, however, that a permit shall be required for connection of such an appliance to the source of electrical energy, unless such connection is made to a suitable receptacle which has been permanently installed.

SEC. 52.304. TO WHOM PERMITS MAY BE ISSUED.

A permit may be issued to any person not acting in violation of any current contractor licensing law or any other relevant laws, ordinances, rules and regulations.

SEC. 52.305. APPLICATION FOR PERMIT.

Application for a permit, describing the work to be done, shall be made in writing to the Administrative Authority. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this Division. If it is found that the installation as described will conform with the requirements of this Division, and if the applicant has complied with all provisions of this Division, a permit for such installation shall be issued upon payment of the appropriate fee. Application for any installation of more than 200 amperes shall be accompanied by two copies of a single line electrical diagram showing layout, equipment location, load calculations, feeder sizing, and grounding and bonding connections.

The issuance or granting of a permit or approval of plans shall not prevent the Administrative Authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code, or of any other ordinance, or from revoking any Certificate of Approval when issued in error.

SEC. 52.306. EXPIRATION OF PERMIT.

Every permit issued by the Administrative Authority under the provisions of this code shall expire in accordance with the provisions of Section 51.0106.4.4 of the County Building Code.

SEC. 52.308. STOP ORDERS.

Whenever any work is being done contrary to the provisions of this Code, the Administrative Authority or authorized representative may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done and any such person shall forthwith stop such work until authorized by the Administrative Authority to proceed with the work.

SEC. 52.309. SUSPENSION OR REVOCATION.

The Administrative Authority may, in writing, suspend or revoke a permit issued under provisions of this Code, whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of any ordinance, regulation or any provisions of this Code.

SEC. 52.310. BUILDING CONSTRUCTION APPEALS ADVISORY BOARD.

The Building Construction Appeals Advisory Board shall be the Board established by Section 51.0105 of the San Diego County Code. Upon the filing of an appeal, or when requested by the Director of the Department of Planning and Land Use, the Building Construction Appeals Advisory Board shall investigate and advise as to the suitability of alternate materials and types of construction and shall recommend reasonable interpretations of the provisions of this Code, except that the requirements of this Code relating to access by physically handicapped persons shall not be subject to appeal.

CHAPTER 4

TEMPORARY PERMITS

SEC. 52.401. TEMPORARY ELECTRICAL SERVICE CONNECTION FOR TESTING EQUIPMENT PERMIT.

The Administrative Authority may authorize and issue a Temporary Electrical Service Connection for Testing Equipment Permit when, in the opinion of the Administrative Authority, the temporary connection is necessary to allow testing and adjusting of complex commercial equipment prior to the approval of a permanent service connection.

A Temporary Electrical Service Connection for Testing Equipment Permit may be approved prior to the approval of permanent power where it is desired to test water quality for water wells prior to approval of permanent power for the installation.

A Temporary Electrical Service Connection for Testing Equipment Permit shall not be issued for the testing and adjusting of equipment located in temporary buildings, accessory buildings, trailers, agricultural building, sheds or similar structures.

A Temporary Electrical Service Connection for Testing Equipment Permit shall expire 30 calendar days from the date of issuance.

SEC. 52.402. TEMPORARY ELECTRIC SERVICE CONNECTION FOR CONSTRUCTION PURPOSES PERMIT.

The Administrative Authority may authorize and issue a Temporary Electric Service Connection for Construction Purposes Permit prior to the final inspection of a dwelling, industrial or commercial building authorized by a valid building permit when, in the opinion of the Administrative Authority, the temporary service is necessary to provide electrical power for actual construction purposes only.

A Temporary Electric Service Connection for Construction Purposes Permit shall expire 180 days from the date of issuance or upon expiration or final approval of the Building permit.

SEC. 52.403. TEMPORARY ELECTRICAL SERVICE CONNECTION PERMIT FOR CARNIVALS, CONVENTIONS, FESTIVALS OR FAIRS.

The Administrative Authority may authorize and issue a Temporary Electrical Service Connection Permit for Carnivals, Conventions, Festivals and Fairs when, in the opinion of the Administrative Authority, the temporary connection is necessary to provide electrical power for such carnival, convention, festival or fair.

A Temporary Electrical Service Connection Permit for Carnivals, Conventions, Festivals and Fairs shall be valid until the date specified on the permit, but not in excess of 90 calendar days from the date of issuance.

SEC. 52.404. TEMPORARY ELECTRICAL SERVICE CONNECTION PERMIT WHERE A TRAILER COACH INSTALLATION PERMIT EXISTS.

The Administrative Authority may issue a permit for a temporary power connection where a Trailer Coach Installation Permit has been issued pursuant to Article 3 of Chapter 2 of Division 6 (commencing with Sec. 56.221) of the San Diego County Code and Section 6118 (b) 2, of The San Diego County Zoning Ordinance. Such Temporary Electrical Service Connection Permit may authorize the connection of electrical energy for construction purposes as well as for electrical service to a trailer coach. In no circumstances will the permit authorize the use of electrical power within the permanent dwelling under construction except for actual construction purposes.

Permits for temporary electrical service connection to a trailer coach for which an Installation Permit has been issued pursuant to Article 3 of Chapter 2 of Division 6 (commencing with Section 56.221) of the San Diego County Code shall automatically expire at the earliest expiration date appearing on any of the following: (a) the Building Permit; (b) the Electrical permit for the electrical work within the building; or (c) the Trailer Coach Installation Permit.

CHAPTER 5

FEES

SEC. 52.501. COST OF PERMIT.

(a) Every applicant for a permit to do work regulated by this Code shall state in writing on the application form provided for that purpose, the character of work proposed to be done and the amount and kind in connection therewith, together with such information, pertinent thereto as may be required.

Applicants shall pay a permit fee for each permit issued. Said fees shall be that fee prescribed in a resolution or ordinance duly adopted by the Board of Supervisors.

EXCEPTIONS: The United States, The State of California, school districts, counties, and cities, and "local agencies" as defined in California Government Code Section 53090, whose facilities are used exclusively for the production, generation, storage or transmission of water, wastewater, or electrical energy shall not be required to pay any fees for filing an application for a building permit pursuant to this Code unless County inspection services are requested. If so requested, the regular fee schedules in this Code would apply.

(b) **BUILDING CONSTRUCTION APPEALS ADVISORY BOARD APPEAL FEE.** The fee for an appeal shall be that fee prescribed by the Board of Supervisors.

SEC. 52.502. REINSPECTION FEES.

Reinspection fees - Reinspection fees will be assessed by the Administrative Authority pursuant to Section 108.8 of the Building Code portion of the California Building Standards Code. The reinspection fees will be as prescribed by the Board of Supervisors.

SEC. 52.503. FEE REFUNDS.

(a) The Administrative Authority may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

(b) The Administrative Authority may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Administrative Authority will withhold 20 percent of the fee paid but not less than \$10 to offset the administrative costs.

(c) The Administrative Authority shall not authorize the refunding of any fee paid except upon written applications filed by the original permittee no later than one year after the date of fee payment. A refund will not be authorized if the total refundable amount, after deduction of County administrative cost as herein above provided, is less than \$10.

SEC. 52.504. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the permit fees specified in Section 52.501, and the reinspection fees specified in Section 52.502 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and

October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or any farm employee housing or farm labor camp project for which a complete application for a Building Permit or Minor Use Permit was filed between May 14 ,1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.) and (ii) the application was approved; or

(2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of The Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14 ,1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.).

SEC. 52.505. WAIVER OF SPECIFIED FEES FOR UNREINFORCED MASONRY SEISMIC RETROFIT.

Notwithstanding any other provision of this chapter, the permit fees specified in Section 52.501.(a); and the reinspection fees specified in Sec. 52.502. shall be waived for any unreinforced masonry building seismic retrofit required by Chapter 6 of Division 1 of Title 5 (commencing at Section 51.601) of the San Diego County Code of Regulatory Ordinances.

SEC. 52.506. FEES WHERE WORK HAS COMMENCED.

Any person who shall commence any work for which a permit is required by this Code without first having obtained a permit therefore shall, if subsequently permitted to obtain a permit, pay the fees prescribed by Section 51.0107.5 of the County Building Code, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefore before the commencement of the work. In all such cases a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

CHAPTER 6

INSPECTIONS REQUIRED

SEC. 52.601. ALL WORK TO BE INSPECTED.

All electrical systems shall be inspected by the Administrative Authority to ensure compliance with all the requirements of this Code. It shall be unlawful for any person, firm or corporation not to obtain inspections required by this Code to ensure compliance with all the provisions of this Code.

SEC. 52.602. NOTIFICATION.

It shall be the duty of the person doing the work authorized by the permit to notify the Administrative Authority orally or in writing, that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected.

SEC. 52.603. CONCEALED WIRING -- INSPECTION.

When any part of a wiring installation is to be hidden from view by the permanent placement of parts of the building, the person installing the wiring shall notify the Administrative Authority and such parts of the wiring installation shall not be concealed until they have been inspected and approved by the Administrative Authority, provided that on large installations, where the concealment of parts of the wiring proceeds continuously, the person installing the wiring shall give the Administrative Authority due notice and inspections shall be made periodically during the progress of the work. The Administrative Authority shall have the power to require the removal of any obstruction that prevents proper inspection of any electrical equipment.

CHAPTER 7

REGULATION OF INSTALLATIONS

SEC. 52.701. EXISTING CONNECTIONS TO THE SOURCE OF ELECTRICAL ENERGY.

Where approval to connect an electrical installation to a source of electrical energy that has been previously granted and the Administrative Authority detects an illegal or dangerous use of the electrical energy, the Administrative Authority shall order the person illegally using the electrical energy to disconnect the installation from the source of electrical energy and not to reconnect until the authority to reconnect has been given in writing by the Administrative Authority. In addition, the Administrative

Authority may notify the public utility furnishing the electrical energy that the use of the electrical energy is unauthorized and may represent a danger to life or property. The owner of the electrical installation shall disconnect such installation from the source of electrical energy immediately upon receipt of said order to do so and shall not reconnect such installation unless authorized to do so.

SEC. 52.702. CONNECTIONS TO THE SOURCE OF ELECTRICAL ENERGY.

No person shall connect any new electrical installation to a source of electrical energy without first obtaining from the Administrative Authority a certification that all wiring, devices, appliances, or equipment to be served by the electrical service are in conformance with all provisions of this Division and all provisions in all respects of Title 5, Division 1, 3 and 8 of the County Code, and (b) in all respects in conformance with all provisions of the Zoning Ordinance (Ordinance No. 5281 (New Series)) as heretofore or hereafter amended.

SEC. 52.703. TEMPORARY INSTALLATIONS.

Prior to the expiration date of any temporary permit, the permittee shall either (1) secure a permanent permit, (2) secure a new temporary permit, or (3) disconnect the installation from the source of electrical energy. If at the time the permit expires, the permittee has not presented satisfactory evidence of compliance with this section, the Administrative Authority will notify the public utility that is supplying the electrical energy that the temporary permit has expired, that the connection to use the energy source is unauthorized and that use of the electrical energy after the expiration date may represent a danger to life and property.

CHAPTER 8

VIOLATIONS, PENALTIES, AND RESPONSIBILITY FOR COMPLIANCE WITH
THE COUNTY ELECTRICAL CODE

**SEC. 52.801. VIOLATIONS, PENALTIES, AND RESPONSIBILITY FOR
COMPLIANCE WITH THE COUNTY ELECTRICAL CODE.**

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Division. No permit presuming to give authority to violate or cancel the provisions of this Division shall be valid except insofar as the work or use which it authorizes is lawful.

It shall be unlawful for any person, firm or corporation to use any property or erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy or maintain any building or structure, or cause the same to be done, contrary to or in violation of any of the provisions of this Ordinance. Any violation of

this Ordinance shall be a misdemeanor unless, in the discretion of the prosecutor, it is charged as an infraction.

(a) Each day or portion of a day that any person violates or continues to violate this ordinance constitutes a separate offense and may be charged and punished separately without awaiting conviction on any prior offense.

(b) Any person convicted of a misdemeanor under this ordinance shall be punished by imprisonment in the County jail not exceeding six months, or by a fine not exceeding \$1,000, or by both.

(c) Any person convicted of an infraction under this ordinance shall be punished by a fine not exceeding \$100 for the first violation; by a fine not exceeding \$200 for a second violation of the same ordinance within one year; and by a fine not exceeding \$500 for each additional violation of the same provision of this ordinance committed by that person on the same site within one year.

(d) Paying a fine or serving a jail sentence shall not relieve any person from responsibility for correcting any condition which violates any provisions of this ordinance.

A property owner shall be considered to have allowed any use or improvement of property occupied by, or under the dominion and control of, the owner, and shall be responsible for the discontinuance and removal of any violation of the County Electrical Code. Said responsibility shall include property leased to other parties. A property owner shall also be responsible for the discontinuance and removal of any violation of the County Electrical Code that existed on the property prior to the current owners purchase of the property.

SEC. 52.803. VIOLATIONS CONSTITUTE PUBLIC NUISANCE.

Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished, equipped, used, occupied, or maintained contrary to the provisions of this Division shall be and the same is hereby declared to be unlawful and a public nuisance. The County Counsel or District Attorney shall, as appropriate, upon order of the Board of Supervisors or Building Official, respectively, commence necessary proceedings for the abatement, removal and/or enjoyment [enjoinment] of any such public nuisance in the manner provided by law. Alternatively, the Building Official may commence proceedings in accordance with the Uniform Public Nuisance Abatement Procedure contained in Chapter 2, Division 6, Title 1 (commencing with Section 16.201) of this Code or any other procedure permitted by law.

Any failure, refusal or neglect to obtain a permit as required by this Division shall be prima facie evidence of the fact that a public nuisance has been committed in

connection with the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion or demolition, equipment, use, occupation, or maintenance of a building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, used, occupied, or maintained contrary to the provisions of this Code.

SEC. 52.804. CITATION AUTHORITY.

Pursuant to the provisions of California Penal Code Section 836.5, the Director of the Department of Planning and Land Use or specific individuals deputized by the Director, may arrest a person without a warrant whenever the Director or the authorized deputy has reasonable cause to believe that the person arrested has committed an infraction or misdemeanor which is a violation of an ordinance, code, or statute which he or she has the duty to enforce. An officer or employee making an arrest under the authority of this section shall follow the citation-release procedures prescribed by the Penal Code, or such procedures hereinafter enacted by the State of California. No agent or deputy shall exercise the power to issue citations authorized above unless such agent or deputy shall first have completed a course of training that meets the minimum standards prescribed by the Commission or [on] Peace Officers Standards and Training and [as] established in Section 832(a) of the Penal Code.

SEC. 52.805. PARTIAL CORRECTNESS OF CODE SECTION.

If any section, subsection, sentence, clause or phrase of this Code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code. The Board of Supervisors hereby declares that it would have passed this Code, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SEC. 52.806. REFUSAL TO ISSUE OR SUSPENSION OF BUILDING PERMIT.

The Administrative Authority may suspend or refuse to issue any building permit, including plumbing, electrical, mechanical and structural permits, if the Administrative Authority determines that there is a violation of this ordinance or any other ordinance or regulation involving the property upon which the permit was applied for or was issued or involving signs advertising the subdivision or development within which the property is located.

Written notice of the suspension or refusal to issue shall be mailed to the applicant for the building permit and to the property owner, if different from the applicant. Such written notice shall include information regarding the specific violation(s) and the action(s) necessary to abate such violations.

The Administrative Authority shall rescind the suspension or refusal to issue the permit upon submission of evidence satisfactory to the Administrative Authority that the violations have been abated.

CHAPTER 9

DELETIONS, REVISIONS, AND ADDITIONS TO THE ELECTRICAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

SEC. 52.901. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

The following deletions, revisions and additions are hereby made to the Electrical Code portion of the California Building Standards Code. To provide ready reference to such changes, where made possible by the format of the Electrical Code portion of the California Building Standards Code, the last four digits in parentheses of the section numbers in this chapter refer to the affected section of the Electrical Code, e.g., Sec. 52.902 (90-4(a)) refers to the appropriate change in Section 90-4(a) of the Electrical Code portion of the California Building Standards Code.

SEC. 52.902 (90-4-(a)). [ALTERNATE METHODS AND MATERIALS.]

Section 90-4 of the Electrical Code portion of the California Building Standards Code is hereby revised by adding section 90-4-(a) as follows:

90-4-(a). ALTERNATE METHODS AND MATERIALS. The provisions of this Code are not intended to prevent the use or arrangement of any material or method of electrical installation not specifically described by this Code provided such alternate has been approved. The Director of the Department of Planning and Land Use, may approve electrical installations containing alternate methods or materials not specifically prescribed by this Code provided the Director finds that the proposed installation will provide equal safety, capacity, longevity, and fire protection as those methods prescribed in this Code. Any alternate installation not complying with the regulations of this Code must be approved by the Director of the Department of Planning and Land Use prior to its installation. The Director shall require that sufficient evidence or proof be submitted to substantiate that the proposed installation is in every way equivalent to an installation fully complying with this Code.

Section 2. Effective date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

Section 3. Operative Date. This ordinance shall be operative on July 1, 1999.

PASSED, APPROVED AND ADOPTED this 18th day of May 1999.

Chairwoman of the Board of Supervisors
of the County of San Diego,
State of California