

## Class K Ordinance

### Purpose.

The purpose of this ordinance is to provide minimum requirements for the protection of life, limb, and welfare of the general public, and the owners and occupants of limited density owner-built rural dwellings and appurtenant structures.

### Intent and Application

The provisions of this chapter shall apply to the construction, enlargement, conversion, alteration, repair, use, maintenance, and occupancy of limited density owner-built rural dwellings and appurtenant structures.

It is the intent of this chapter that the requirements contained herein shall apply to seasonally or permanently occupied dwellings, hunting shelters, guest homes, vacation homes, recreational shelters, and detached bedrooms located in rural areas.

### Definition of Owner-Built

1. Owner-built shall mean constructed by any person of family who acts as the general contractor for, or provider of, part or all of the labor necessary to build housing to be occupied as the principal residence of that person or family, and not intended for sale, lease, or rent or employee occupancy.
2. For the purpose of this article, the sale, lease, renting or employee occupancy of owner-built structures within one year shall be presumptive evidence that the structure was built for the purpose of sale, lease, or renting.
3. Owner-built shall also mean constructed by a licensed contractor for occupancy by the person or persons owning the property at the time of construction.

### Abatement of Substandard Buildings

All structures or portions thereof which are determined by the enforcing agency to be a threat to the health and welfare of the occupants shall be declared a public nuisance and shall be abated by repair, rehabilitation, or removal. In cases of extreme hardship to owner-occupants, the enforcing department should provide for deferral of the effective date of orders of abatement.

### Existing Structures

Existing structures shall be eligible for permits under this chapter without penalty for a period of three years after adoption of this ordinance. Previously constructed dwellings with existing septic systems must submit a plot plan showing the location of septic tank and leach field showing that said septic system is in compliance with setback requirements.

### Permits

Permits shall be required for the construction of rural dwellings.

### Issuance

The application, plans, and other data filed by an applicant shall be reviewed by the appropriate enforcement agency to verify compliance with the provisions of this chapter. Where the enforcement agency determines that the permit application and other data indicate that the structure(s) will comply with the provisions of this chapter, the agency shall issue a permit to the applicant.

#### Application

To obtain a permit, the applicant shall first file an application therefore with the designated enforcement agency. Permit applications shall contain the following information:

1. Name and mailing address of the applicant
2. Address and location of proposed structure(s)
3. A general description of the structure(s) which shall include mechanical installations with all clearances and venting procedures detailed, electrical installations, foundation, structural, and construction details
4. A plot plan indicating the location of the dwelling in relation to property lines, other structures, sanitation and bathing facilities, water resources, and water courses
5. Approval for the installation of a private sewage disposal system or alternate waste disposal means from the local health enforcement agency
6. Signature of the owner or authorized agent
7. The use or occupancy for which the work is intended
8. A stipulation by the applicant that the structure is to be owner-built, or built for the occupancy of the owner by a licensed contractor.
9. And any other information as may be required by statute or regulation.

#### Plans

Plans shall consist of a general description of the Structure(s), including all necessary information to facilitate a reasonable judgment of conformance by the enforcing agency. This may include a simplified diagram of the floor plan and site elevation in order to determine the appropriate dimensions of structural members. Architectural drawings and structural analyses shall not be required except for structures of complex design or unusual conditions for which the enforcement agency cannot make a reasonable judgment of conformance to this chapter based upon the general description and simplified plan(s).

#### Waiver of Plans

The enforcement agency may waive the submission of any plans if the agency finds that the nature of the work applied for is such that the reviewing of plans is not necessary to obtain compliance with this chapter.

#### Modifications

Modifications to the design, materials, and methods of construction are permitted, provided that the structural integrity of the structure is maintained, the building continues to conform to the provisions of this chapter, and the enforcement agency is notified in writing of the intended modification.

### Permit Validity

Permits shall be valid, without renewal, for a maximum period of three years;

### Inspection

All construction or work for which a permit is required may be subject to inspection by the designated enforcement agency.

### Issuance of Inspections

An inspection of the structure(s) shall be conducted after the structure(s) is (are) completed and ready for occupancy, in order to determine compliance with the provisions of this chapter. Structures of conventional or simple construction shall be inspected at a single inspection.

### Special Inspections

Additional inspections may be conducted under the following circumstances.

An inspection may be conducted where there is a reasonable expectation that the footing will be subjected to serious vertical or lateral movement due to unstable soil conditions.

Inspections may be conducted where the application indicates that interior wall coverings, or construction elements will conceal underlying construction, electrical or mechanical systems, or where an unconventional construction method is indicated which would preclude examination at a single inspection.

### Inspection Waivers

Inspections may be waived by the enforcement agency for structures which do not contain electrical or mechanical installations or for alterations, additions, or modifications that do not involve electrical or mechanical installations; or where the applicant stipulates in writing that the work has been conducted in compliance with the permit application and the provisions of this chapter.

### Inspection Requests and Notice

It shall be the duty of the applicant to notify the enforcement agency that the construction is ready for inspection and to provide access to the premises. Inspections shall be requested by the applicant, at least 72 hours in advance of the intended inspection. It shall be the duty of the enforcement agency to notify the applicant of the day during which the inspection is to be conducted.

### Certificate of Occupancy

After the structure(s) is (are) completed for occupancy and any inspections which have been required by the enforcing agency have been conducted, and work approved, the enforcing agency shall issue a certificate of occupancy for such dwelling(s) which comply with the provisions of this chapter.

### Temporary Occupancy

The use and occupancy of a portion or portions of a dwelling prior to the completion of the entire structure shall be allowed, provided that approved sanitation facilities are available at the site, and that the completed work does not create a condition that endangers the life or health of the occupants or public. The occupants of any uncompleted structure shall assume responsibility for the occupancy of the structure or any portion thereof.

#### Detached bedroom

A detached bedroom is a separate accessory structure without kitchen or sanitation facilities, designed for and intended to be used as a sleeping or living facility for one family to be employed in conjunction with a main structure, which includes kitchen and sanitation facilities.

#### Limited Density rural dwelling

A "limited density rural dwelling" is any structure consisting of one or more habitable rooms, not exceeding two and one half stories, intended and designed to be occupied by one family, with facilities for living and sleeping, with use restricted to rural areas.

#### Rural

For the purpose of this chapter "rural" shall mean those unincorporated areas of the county designated and zoned for one acre or larger minimums.

#### Sound Structural Condition

A structure shall be considered to be in sound structural condition when it is constructed and maintained in substantial conformance with accepted construction principals, technical codes, or accepted performance criteria which provide minimum standards for stressing of structural members; footing sizes when related to major load-bearing points; proper support of load-bearing members; nailing schedules where essential to general structural integrity; and provisions for adequate egress, ventilation, and sanitation. Conditions that would not render a structure unsound are the minor deflections or elasticity of structural members, ceiling heights, size or arrangement of rooms, heating, plumbing, and electrification requirements, alternative materials, appliances or facilities, or methods of construction.

#### Substandard Building

A substandard building is a structure or portion thereof in which there exists any condition to an extent that endangers the life, health, or safety of the occupants.

#### General Requirements

Each structure shall be constructed and maintained in a sound structural condition to be safe, sanitary, and to shelter the occupants from the elements.

#### Intent of General Requirements

It shall be the purpose and intent of this chapter to permit the use of ingenuity and preferences of the builder, and to allow and facilitate the use of alternatives to the

specifications prescribed by the uniform technical codes to the extent that a reasonable degree of health and safety is provided by such alternatives, and that the materials, methods of construction, and structural integrity of the structure shall perform in application for the intended purpose. To provide for the application of this chapter it shall be necessary for the enforcing agency to exercise reasonable judgment in determining the compliance of structures with the general and specific requirements of this chapter.

#### Technical Codes as the Basis of Approval

Except as otherwise required by this chapter, dwellings and appurtenant structures constructed pursuant to this part need not conform with the construction requirements prescribed by the latest applicable editions of the Uniform Building, Plumbing, and Mechanical Codes, the National Electrical Code, or other applicable technical codes; however it is not the intent of this section to disregard nationally accepted technical and scientific principles relating to design, materials, methods of construction, and structural requirements for the erection and construction of dwellings and appurtenant structures as are contained in the uniform technical codes. Such codes shall be the basis for approval.

#### Structural Requirements

Buildings or structures constructed pursuant to this chapter may be of any type construction which will provide for a sound structural condition. Structural hazards which result in an unsound condition and which may constitute a substandard building are delineated by Section Uniform Housing Code.

#### Foundations

Pier foundations, stone masonry footings and foundations, pressure treated lumber, poles, or equivalent foundation materials or designs may be used, provided that the bearing is sufficient for the intended purpose.

#### Roofing

Buildings or structures constructed pursuant to this chapter shall be roofed with metal roofing at a pitch sufficient for snow to slide to reduce the possibility of overloading the roof.

#### Materials

Owner-produced or used materials and appliances may be utilized unless found not to be of sufficient strength or durability to perform the intended function; owner-produced or used lumber may be utilized unless found to contain dry rot, excessive splitting, or other defects obviously rendering the material unfit in strength or durability for the intended purpose.

## Mechanical Requirements

Fireplaces, heating and cooking appliances, and gas piping installed in buildings constructed pursuant to this chapter shall be installed and vented in accordance with manufacturers recommendations. Alternate materials and methods of venting may be permitted if substantially equivalent in safety and durability.

## Heating Capacity

A heating facility or appliance shall be installed in each dwelling subject to the provisions of this chapter, however, there shall be no specified requirement for heating capacity or temperature maintenance. The use of solid fuel or solar heating devices shall be deemed as complying with the requirements of this section. If non-renewable fuel is used in these dwellings, rooms so heated shall meet current insulation standards.

## Electrical requirements

No dwelling or appurtenant structure constructed pursuant to this chapter shall be required to be connected to a source or electrical power, or wired, or otherwise fitted for electrification.

## Installation Requirements

Where electrical wiring or appliances are installed, the installation shall be in accordance with the provisions of the National Electrical Code adopted by the Commission for single family homes.

## Exceptions to installation requirements

In structures where electrical usage is confined to one or more rooms of a structure, the remainder of the structure shall not be required to be wired or otherwise fitted for electrification unless the enforcing agency determines that electrical demands will exceed the confinement and capacity of that room(s). In such instances, the enforcement agency may require further electrification of the structure.

It is the intent of this subsection to apply to buildings in which there exists a workshop, kitchen, or other single room which may require electrification, and where there is no expectation of further electrical demand. The enforcement agency shall, at the time of a permit application or other appropriate point, advise the applicant of the potential hazards of violating this section.

## Room Requirements

There shall be no requirements for room dimensions provided that there is adequate light and ventilation and adequate means of egress. In single family dwellings not exceeding two stories in height where, due to the location or the surrounding terrain, emergency rescue from the exterior is not feasible, egress windows from sleeping spaces

may be omitted when an additional doorway or an approved exit escape hatch is provided. The doorway provided shall open directly to the exterior of the building or shall open onto corridors or passageways which lead to individual exterior exits. The corridors or passageways provided shall not cross nor shall they follow the same route in all or in part to the buildings exterior. Approved exit escape hatches shall be installed in accordance with the terms of their approval.

#### Sanitation Requirements

Sanitation facilities, including the type, design, and number of facilities, as required and approved by the county health official, shall be provided to the dwelling site. It shall not be required that such facilities be located within the dwelling.

#### Plumbing Specifications

Where conventional plumbing, in all or part, is installed within the structure, it shall be installed in accordance with the uniform plumbing code. Alternative materials and methods shall be permitted provided that the design complies with the intent of the code, and that such alternatives shall perform to protect the health and safety for the intended purpose.

#### Sanitation Facilities

A water closet shall not be required when an alternate system is provided and has been approved by the local health official. Where an alternative to the water closet is installed, a system for the disposal or treatment of greywater shall be provided to the dwelling. Greywater systems shall be designed according to water availability, use, and discharge. The design, use, and maintenance standards of such systems shall be the prerogative of the local health official, and shall comply with the requirements of Trinity County Code.

#### Water Supply

Potable water shall be available to the dwelling site, although such water need not be pressurized. Where water is not piped from a well, spring, cistern, or other source, there shall be a minimum reserve of 250 gallons of potable water available.

#### Connection to Water and Sewer

“Limited Density Rural Dwellings” which are constructed within an area for which public water or sewer is provided, shall be connected to the public water system and/or the public sewer system which is available.

Findings in Support of Adoption of Regulations for Limited Density Rural Dwellings.

1. The citizens of trinity county have through public hearings around the housing element of the general plan, expressed their desire to legalize the construction of limited density rural dwelling.
2. Trinity County is a rural county. The distance and terrain of the county create a certain degree of isolation for many parts of the county, creating a difficulty for both the builder and the inspector in any construction.
3. The adoption of regulations for limited density rural dwellings will not constitute a danger to the health and safety of Trinity County as long as standards for electrical, mechanical, and sanitation facilities are maintained.
4. Low cost housing is hard to find in Trinity County and the adoption of regulations for limited density rural dwellings will allow the construction of such housing.
5. Building codes are complex, and in many cases designed for high density areas of the state, and may increase the price of a dwelling as to put it out of reach for the owner-builder.
6. Having these regulations apply to homes built by a contractor for an owner will enable owner-builders to obtain skilled help from licensed contractors.
7. By requiring sloped a metal roof with a slope great enough to facilitate snow slide the concern of snow loading can be alleviated.