



AGENCY: City Council
MEETING DATE: December 9, 2019
DEPARTMENT: City Manager
PRESENTED BY: Tabatha Miller
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AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 956-2019 Repealing and Replacing Chapter 15.04 (Construction Codes – Adopted by Reference) and Chapter 15.05 (California Fire Code) of Title 15 (Buildings and Construction) of the Fort Bragg Municipal Code

ISSUE:

The State of California updates the California Building Standards Code (Building Code) every three years. The Building Code provides a uniform standard for the construction and maintenance of buildings, electric systems, plumbing systems, mechanical systems and fire safety systems. The California Building Standards Commission adopted the 2019 edition of the Building Code on July 1, 2019. The new edition becomes effective at the local level on January 1, 2020 and replaces the 2016 edition.

Local jurisdictions may amend the Building Code, under certain circumstances. Sections 17958.5 and 17958.7 of the California Health and Safety Code allow amendments when an express finding and determination is made that the amendments are reasonably necessary because of local climatic, geological, or topographical conditions in the local jurisdiction. Additionally, amendments that clarify local administration of the Building Code and that do not change the Building Standards may be enacted without the required findings and determinations.

The proposed amendments to the Building Code are consistent with those proposed by the Mendocino County Chief Building Official. The City contracts with the County to provide building inspection services.

ANALYSIS:

Government Code Section 50022 *et seq.* provides a procedure for the adoption of codes by reference. Unlike the typical Ordinance adoption process, after first reading of the title of the adopting ordinance and the title of the code to be adopted and the title of the secondary codes therein adopted by reference, the City Council sets the time and date of the public hearing. That hearing must be advertised at least fourteen (14) days prior to consideration and at least fifteen (15) days must lapse between the first and second reading or waiver of the full reading. After the hearing, and at that same meeting the City Council may amend, adopt or reject the adoption by reference ordinance. If introduced this evening, a public hearing can be set for January 13, 2020 and adoption considered immediately after that by the Council.

State law permits jurisdictions to amend the codes in certain circumstances. The proposed Ordinance provides mostly administrative amendments relating to plan check, issuance of

permits, fees, time limits for application and expiration of permits. The administrative amendments track with those proposed by the Mendocino County Chief Building Official, so that administration of those permits is consistent with the County. Life and safety amendments relate to signs, sidewalks and curbs, and defined fire zones and carry forward amendments from the prior City and/or County Code.

The proposed Ordinance adopts the Building Code with amendments and other codes related to the construction and maintenance of buildings. These include:

- A. **CALIFORNIA ADMINISTRATIVE CODE**, 2019 Edition, Part 1, as published by the International Code Council.
- B. **CALIFORNIA BUILDING CODE**, 2019 Edition, Part 2, Volumes I and II, together with Appendix C (Agricultural Buildings); Appendix G (Flood Resistant Construction); Appendix H (Signs); and Appendix I (Patio Covers).
- C. **CALIFORNIA RESIDENTIAL CODE**, 2019 Edition, Part 2.5, together with Appendix H (Patio Covers); Appendix J (Existing Building and Structures); Appendix K (Sound Transmission); Appendix R (Light Straw-Clay Construction); Appendix S (Strawbale Construction); and Appendix V (Swimming Pool Safety Act).
- D. **CALIFORNIA ELECTRICAL CODE**, 2019 Edition, Part 3, together with Annex H (Administration and Enforcement).
- E. **CALIFORNIA MECHANICAL CODE**, 2019 Edition, Part 4, as published by the International Association of Plumbing and Mechanical Officials.
- F. **CALIFORNIA PLUMBING CODE**, 2019 Edition, Part 5, together with Appendix A (Recommended Rules for Sizing the Water Supply System); Appendix B (Explanatory Notes on Combination Waste and Vent Systems); Appendix D (Sizing Storm Water Drainage Systems); Appendix I (Installation Standard); Appendix J (Combination of Indoor and Outdoor Combustion and Ventilation Opening Design).
- G. **CALIFORNIA ENERGY CODE**, 2019 Edition, Part 6.
- H. **CALIFORNIA HISTORICAL BUILDING CODE**, 2019 Edition, Part 8.
- I. **CALIFORNIA EXISTING BUILDING CODE**, 2019 Edition, Part 10.
- J. **CALIFORNIA GREEN BUILDING STANDARDS CODE**, 2019 Edition, Part 11, as published by International Code Council.
- K. **CALIFORNIA REFERENCED STANDARDS CODE**, 2019 Edition, Part 12, as published by the International Code Council.

RECOMMENDED ACTION:

Introduce by title only and waive the first reading of Ordinance No. 956-2019 and direct staff to schedule a public hearing for January 13, 2020, for the purpose of providing second reading and adopting the ordinance.

ALTERNATIVE ACTION(S):

1. Provide staff alternative direction on the text of the proposed change to the City Code.
2. Do not introduce the Ordinance.
3. The Building Code is effective January 1, 2020, whether the City Council adopts the codes by reference or not.

FISCAL IMPACT:

Adoption of the 2019 Building Code will not directly impact the City's budget. However, on average the California Energy Commission estimates that the cost to construct a new home will increase by \$9,500 but will save \$19,000 in energy and maintenance costs.

GREENHOUSE GAS EMISSIONS IMPACT:

In 2008 the State started working on a net zero emissions standard for houses by 2020 and for non-residential buildings by 2030. To further that goal, some of the state mandated changes include:

- All new residential projects of three or less stories must have Photovoltaic panels (solar panels) as required by 2019 Title 24, Part 6, Energy Code.
- Windows must be more energy efficient – U factor went from .32 to .30, Solar Heat Gain Coefficient (SHGC) from .25 to .23.
- Added insulation and quality installation inspections for better building envelope performance.

According to the California Energy Commission, a single family home built with the 2019 energy efficiency standards will use about 7% less energy and when you figure in the rooftop solar generation, that figure is 53% less energy than the 2016 standards. Nonresidential buildings will use about 30% less due primarily to lighting upgrades.

CONSISTENCY:

N/A

IMPLEMENTATION/TIMEFRAMES:

Assuming the Ordinance is introduced on December 9, 2019 and adopted on January 13, 2020, it will become effective February 12, 2020.

ATTACHMENTS:

1. Proposed Ordinance

NOTIFICATION:

N/A