

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: DECEMBER 10, 2007

FROM: CITY ATTORNEY

TITLE OF PROPOSED ORDINANCE.

AN ORDINANCE OF THE CITY OF PASADENA ADOPTING THE CALIFORNIA CODE OF REGULATIONS TITLE 24 INCORPORATING THE 2007 CALIFORNIA BUILDING CODE CHAPTERS 1-35 AND APPENDIX CHAPTERS 1, C, I, J; THE 2007 CALIFORNIA ELECTRICAL CODE; THE 2007 CALIFORNIA MECHANICAL CODE; THE 2007 CALIFORNIA PLUMBING CODE, AND THE 2007 CALIFORNIA FIRE CODE ALL AS PUBLISHED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION.

PURPOSE OF ORDINANCE:

State law mandates local jurisdictions to enforce the building codes published by the State Building Standards Commission 180 days after their adoption by the State. In the absence of a local ordinance which amends the state's version of the code, all current local amendments will cease to be enforceable until readopted by the City. The codes adopted by the California Building Standards Commission will come into effect on January 1, 2008. In addition to reinstating existing amendments, the proposed ordinance will also include some minor amendments which are consistent with the jurisdictions in the Los Angeles region. All these amendments to the state codes will be set forth in the body of the ordinance and, as required by law, must be supported by findings based upon local topographic, geologic and climatic conditions.

REASONS WHY LEGISLATION IS NEEDED:

Every three years, the State adopts the new set of building codes that govern construction practices. The State reviews these codes, amends them based on code change submittals from various state code promulgating agencies and adopts them in

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the California Code of Regulations, Title 24. After the State Code is published, every City and County in California has an opportunity to adopt the codes with local amendments. In the absence of local adoption, the newest State Codes are effective without local input and must be enforced without amendments. An ordinance is required to adopt the local amendments.

FINDINGS.

The governing body of the local government must make an express finding that amendments to either the building standards for residential construction contained into the California Building Standards Code, California Code of Regulation, Title 24 (CCR, T-24), or the regulations of the Department of Housing and Community Development contained in CCR, T-25, are necessary because of local climatic, geologic, or topographical conditions. (California health and Safety Code, Sections 17958, 17958.5, and 17958.7.)

In order to appropriately accommodate special topographic, geologic and climatic conditions found in Pasadena, the listed amendments and additions to the State Code are hereby found to be necessary. The State of California has adopted the 2007 version of the codes based on the 2006 International Building Code. The adoption of the updated codes will allow Pasadena to utilize the same regulations as the State of California and neighboring cities.

The city's amendments to the California Building Code are codified in Title 14 Chapter 14.04 and 14.05. The following are the reasons and justification for the amendments:

For subsections 1-3 and 30 of Section 14.04.020 and Chapter 14.05:

Justification: Topographic and Climatic. Pasadena's hillside areas have narrow and winding access roads, which makes timely response by large fire suppression vehicles difficult. Additionally, long periods of dry, hot weather, combined with unpredictable seasonal winds (Santa Ana wind conditions) result in increased exposure to fire risk. This amendment prohibits the use of wood as exterior wall and roof covering material in very high, high and moderate fire hazard areas and requires other exterior wall finishes and roofing materials to have a class A assembly. This will reduce the potential for rapid spread of fire throughout the city during periods of strong seasonal winds.

For Subsections 27-29 of section 14.04.020:

Justification Climatic: Because of the risk of delays in fire rescue response time due to traffic congestion and due to the high number of swimming pools within close proximity to small children because of local climate which makes pool ownership desirable, pool barriers are necessary. Additionally, the amendments correct an administrative error in the State's adoption which intended to provide pool barriers. The amendments are consistent with barrier requirements previously in force in the City of Pasadena.

For subsections 4-26 of section 14.04.020 and Chapter 14.05:

Justification: Geologic. Pasadena is situated primarily on the Sierra Madre fault near the base of the San Gabriel Mountains. Other faults near or in the city are the Eagle Rock fault (originally termed the San Rafael fault), Verdugo Hills fault, and Elysian Park fault. Said faults are generally considered major Southern California earthquake faults which may experience rupture at any time. Review of damage resulting from the January 17, 1994 Northridge Earthquake revealed significant damage to many buildings throughout the Southern California region. The referenced amendments are necessary to implement improved design standards, to use current recognized standards and referenced recently published, and to reduce the risk of personal injury, loss of life and property damage within structures.

For sections not specified above, no express findings are required under the requirements established by sections 17958, 17958.5, and 17958.7 of the California Health and Safety Code as these amendments are administrative in nature, merely provide clarification of existing California Code requirement, or address matters outside the scope of the above sections.

The City's amendments to the California Fire Code are codified in Title 14 Chapter 14.28

For subsections 7-9 and 11-12 of section 14.28.020:

Justification: Topographic. Pasadena has many narrow and/or winding fire access roads, which makes timely response by large fire suppression vehicles difficult. Pasadena is being developed with increasing building density and decreasing building separation increasing the risk of conflagration by fire spread from one adjacent building to the next. The referenced amendments are necessary to implement improved design standards, to use current recognized standards and referenced recently published, and to reduce the risk of personal injury, loss of life and property damage within structures.

For subsection 23 of section 14.28.020:

Justification: Topographic. Pasadena is being developed with increasing building density and decreasing building separation increasing the risk from a release of hazardous materials from an overfilled tank impacting adjacent properties or the public before adequate fire department resources can mitigate the release. The referenced amendments are necessary to implement improved design standards, to use current recognized standards and references recently published, and to reduce the risk of personal injury, loss of life and property damage within structures.

Justification: Geologic. Pasadena is situated primarily on the Sierra Madre fault near the base of the San Gabriel Mountains. Other faults near or in the city are the Eagle Rock fault (originally termed the San Rafael fault), Verdugo Hills fault, and Elysian Park fault. Said faults are generally considered major Southern California earthquake faults which may experience rupture at any time. Review of damage resulting from the January 17, 1994 Northridge Earthquake revealed significant damage to many buildings throughout

the Southern California region. The referenced amendments are necessary to implement improved design standards, to use current recognized standards and referenced recently published, and to reduce the risk of personal injury, loss of life and property damage within structures.

For subsection 28 of section 14.28.020:

Justification: Topographic. Pasadena is being developed with increasing building density and decreasing building separation increasing the risk that an emergency involving a large propane tank will impact adjacent properties or the public way before adequate fire department resources can mitigate the release. Additionally, the density of building development dramatically increases the number of potential property and persons that would be damaged, injured, killed. The referenced amendments are necessary to implement improved design standards, to use current recognized standards and referenced recently published, and to reduce the risk of personal injury, loss of life and property damage within structures.

Justification: Geologic. Pasadena is situated primarily on the Sierra Madre fault near the base of the San Gabriel Mountains. Other faults near or in the city are the Eagle Rock fault (originally termed the San Rafael fault), Verdugo Hills fault, and Elysian Park fault. Said faults are generally considered major Southern California earthquake faults which may experience rupture at any time. Review of damage resulting from the January 17, 1994 Northridge Earthquake revealed significant damage to many buildings throughout the Southern California region. The referenced amendments are necessary to implement improved design standards, to use current recognized standards and referenced recently published, and to reduce the risk of personal injury, loss of life and property damage within structures.

For subsections 1-6, 10, 15-16, 18-22, 24-27, 29-30, 32-40, and 42 of section 14.28.020:

No express findings are required under the requirements established by sections 17958, 17958.5, and 17958.7 of the California Health and Safety Code as these amendments are administrative in nature, merely provide clarification of existing California Code requirement, or address matters outside the scope of the above sections.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

Planning and Development currently processes building permits, and the Fire Department reviews the Fire Code related matters on their behalf prior to the issuance of a building permit. By adopting this ordinance, current programs can be updated to the latest editions of building safety regulations. The ordinance is streamlined for easier compliance and enforcement. These changes will affect all new construction, including alterations and additions to existing buildings.

FISCAL IMPACT:

The fiscal implications are negligible.

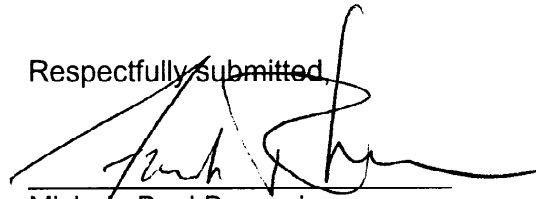
POLICY CHANGES

There are no significant policy changes embodied in this ordinance.

ENVIRONMENTAL

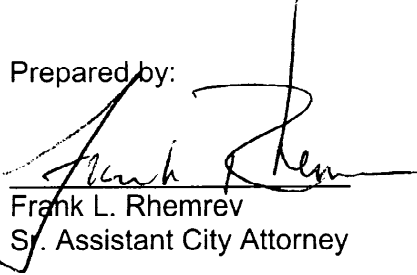
This item is not a "project" pursuant to the California Environmental Quality Act, and is therefore exempt from environmental review. (Public Resources Code, § 2106; State CEQA Guidelines § 15060 (c).)

Respectfully submitted,



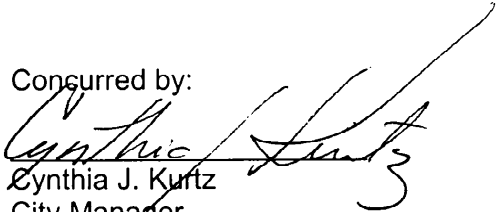
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