

# Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: September 23, 2002

FROM: CITY ATTORNEY

## TITLE OF PROPOSED ORDINANCE.

AN ORDINANCE OF THE CITY OF PASADENA ADOPTING THE CALIFORNIA BUILDING CODE, 2001 EDITION, CHAPTERS 1-35 AND APPENDIX CHAPTERS 3 -DIVISION II, 9, 12, 15, 16, 18, 31, 33, AND 34-DIVISION III; THE 2001 CALIFORNIA BUILDING STANDARDS CODE PARTS 8, 10, AND 12; THE 2001 CALIFORNIA ELECTRICAL CODE; THE 2001 CALIFORNIA MECHANICAL CODE; THE 2001 CALIFORNIA PLUMBING CODE, AND THE 2001 CALIFORNIA ENERGY CODE ALL AS PUBLISHED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION AND AS AMENDED BY THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD), THE DIVISION OF THE STATE ARCHITECT/ACCESS AND COMPLIANCE (DSA/AC); AND THE OFFICE STATEWIDE HEALTH PLANNING AND DEVELOPMENT (OSHPD); THE 1997 UNIFORM HOUSING CODE; THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, ALL AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS; THE CALIFORNIA FIRE CODE, 2001 EDITION; THE URBAN-WILD LAND INTERFACE CODE, 2000 EDITION; MODIFICATIONS OF SUCH CODES AS NECESSARY TO MEET LOCAL CONDITIONS.

## PURPOSE OF ORDINANCE:

State mandates local jurisdictions upon 180 days after publication and adoption by the Building Standards Commission to enforce the set of codes which are adopted by the State. In the absence of a local ordinance, which amends the state's version of the code, all current local amendments will

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ccase to be enforceable until adopted locally by the governing body of the City. This means that, by 30 days prior to the effective date of the current set of state codes which is November 1, 2002, it is incumbent upon the City that an ordinance have a second reading and be adopted by October 1, 2002, in order to comply with state statutes. In addition to reinstating existing amendments, we will be adding minimal amendments which are consistent with the jurisdictions in the Los Angeles region. These amendments will be stipulated in the body of the ordinance as required based upon local topographic, geologic and climatic conditions. Such findings are mandatory under state statutes.

#### 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 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.

A copy of the aforementioned codes has been deposited in the office of the Building Official for use and examination by the public.

#### FINDINGS.

The governing body of the local government must make an express finding that amendments to either the building standards for residential construction contained in 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. As stated in the 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 2001 version of the codes based on the 1997 Uniform 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, Section 14.04.020. The following are the reasons and justifications for the amendments:

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For subsections 2 and 6 of Section 14.04.020:

Justification: Topographic and climatic. Pasadena's topography includes significant hillside areas, which are developed with structures constructed partially below grade. Due to the definition of a basement and the definition of a story, many such structures are constructed on sloping lots in which substantial usable space is located below grade, on a level which is technically classified as the first story. This amendment will require that the sub-grade foundation walls of such levels be properly waterproofed or dampproofed as they would be if such levels were technically classified as basements. Due to heavy seasonal rains which have historically saturated hillside slopes, as evidenced by mud slides and other storm water induced slope failures. Such saturation of slopes adjacent to sub-grade foundation walls necessitates proper waterproofing or dampproofing to mitigate exposure to the damaging affects of water intrusion into a structure. For item #6, 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 roof covering material in high fire hazard areas and requires other 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. Amendment of item 4 and 5 also requires an increase of the side lap requirement for roofing felt and established corrosion resistance characteristics for nails to mitigate water intrusion and water accelerated corrosion of fastening material which results from heavy rains which occurs throughout the local region.

For subsections 3-5 and subsections 7-43 of Section 140.04.020:

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 references recently published, and to reduce the risk of personal injury, loss of life and property damage within structures.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

This does not represent a new program. 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.

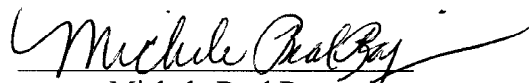
FISCAL IMPACT:

The fiscal implications are negligible.

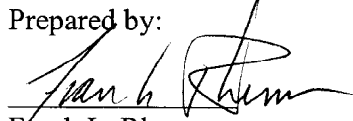
POLICY CHANGES

There are no significant policy changes embodied in this ordinance.

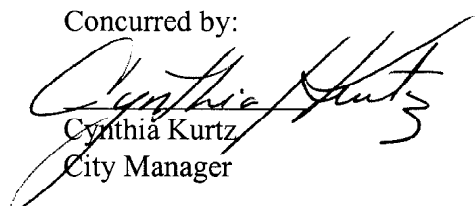
Respectfully submitted,

  
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