

Agenda Report

TO: CITY COUNCIL

April 12, 1999

FROM: City Manager

SUBJECT: Opposition of Assembly Bill 1626 (Migden/
Torlakson)-An Act to Amend Sections 17922, 18916,
18931, and 18938 of the Health and Safety Code,
Relating to Building Standards.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution and authorize the Mayor to send a letter to the appropriate officials **opposing** Assembly Bill 1626 (Migden/Torlakson) to be presented to the Housing and Community Development Committee on April 14, 1999.

BACKGROUND

Building Codes have traditionally been developed in a democratic fashion through the umbrella of city government organizations. Cities are responsible for enforcing the codes to protect our citizens in the most efficient way possible. Cities have created Model-Code Organizations to develop and maintain responsible regulations for the benefit of everyone. Assembly Bill 1626 will allow a special interest group to dictate to the cities all the provisions in our building codes.

The entire country has been cooperating to create a single set of model building regulations that would allow the maximum protection at the least amount of cost. The International Code Council, (ICC) is the title of the organization that was created by the city governments. The ICC was encouraged and supported by such groups as the American Institute of Architects, the International Conference of Building Officials, the Southern Building Code Congress, and the Building Officials and Code Administrators International. Groups such as the International Association of Plumbing and Mechanical

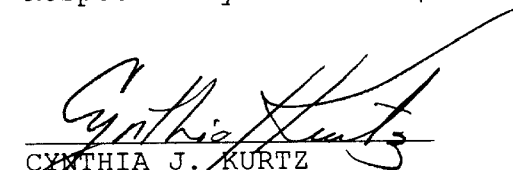
Officials (IAPMO), has been repeatedly invited to become a part of this effort. They have chosen not to participate but choose instead to perpetuate codes that favor their special interest and unnecessarily add cost to building construction. AB 1626 unnecessarily inhibits technological innovation in construction. It also references codes that are no longer published. It strips the States Building Standards Commission of its appropriate authority to determine the code for California. It also proposes an unconstitutional delegation of legislative authority to a private, special interest group.

California has traditionally been a national leader in progressive codes. If AB 1626 is passed it will move California backwards and take us out of this leadership role in producing responsive legislative protection for our citizens. **It will damage the State's economy by increasing the cost of construction and retarding the development of innovative construction techniques.** Staff strongly urges the defeat of this Bill.


FISCAL IMPACT

As stated previously, if passed AB 1626 would negatively impact the State's economy.

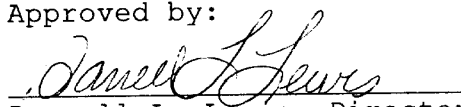
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

Prepared by:


Bob J. Fowler, Chief
Building Official

Approved by:


Darrell L. Lewis, Director
Planning and Permitting Department