

**STAFF REPORT**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: BRUCE BUCKINGHAM, COMMUNITY DEVELOPMENT DIRECTOR *BAB***  
**JACK LEONARD, JAS PACIFIC**

**SUBJECT: SECOND READING AND ADOPTION OF 2010 CALIFORNIA BUILDING CODES**

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**BACKGROUND**

The State mandates that every three years the building and construction codes are updated for all cities and counties throughout the State. The State adopted the 2010 California Building Standards Code on July 1, 2010 which will become effective statewide on January 1, 2011. At the last meeting City Council introduced and conducted a first reading, by title only, of an Ordinance which would amend the Grover Beach Municipal Code to incorporate and adopt the 2010 California Building Standards Code and the 2009 International Property Maintenance Code.

**DISCUSSION**

Ordinance No. 10-06 (reference Attachment 1) has been prepared for second reading, by title only, and adoption. Prior to adoption, the Council will need to conduct a public hearing as required by State law for adopting codes by reference.

**ALTERNATIVES**

The City Council has the following alternatives:

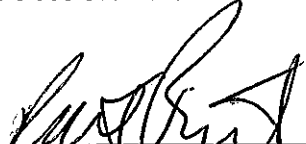
1. Conduct a public hearing and second reading of the Ordinance by title only and adopt the Ordinance amending Article VIII of the Municipal Code to adopt the 2010 California Building Standards Code and the 2009 International Property Maintenance Code; or
2. Provide other direction to staff.

**RECOMMENDED ACTION**

It is recommended that the City Council conduct a public hearing and a second reading of the Ordinance, by title only, and adopt the Ordinance amending Article VIII of the Municipal Code to adopt the 2010 California Building Standards Code and the 2009 International Property Maintenance Code.

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**APPROVED FOR FORWARDING**

  
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**ROBERT PERRAULT**  
**CITY MANAGER**

**Please Review for the Possibility of a Potential Conflict of Interest:**

- |  |                                   |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> None Identified by Staff | <input type="checkbox"/> Bright   |
| <input type="checkbox"/> Shoals                              | <input type="checkbox"/> Mires    |
| <input type="checkbox"/> Nicolls                             | <input type="checkbox"/> Peterson |

Meeting Date: November 15, 2010

Agenda Item No. 5

### **FISCAL IMPACT**

Adoption of the 2010 California Building Codes will not have a fiscal impact to the City's General Fund or the Building Enterprise Fund. The cost to administer the Codes is recovered through permit fees. The Code adoption does not amend the City's building or development impact fees.

### **PUBLIC NOTIFICATION**

Legal ads were published in The Tribune on Friday November 5, 2010 and Thursday, November 11, 2010 pursuant to GC Sections 5022.3 and 6066. The agenda was posted in accordance with the Brown Act.

### **ATTACHMENTS**

1. Ordinance No. 10-06

**ORDINANCE NO. 10-06**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH AMENDING ARTICLE VIII OF THE GROVER BEACH MUNICIPAL CODE ADOPTING BY REFERENCE THE 2010 CALIFORNIA ADMINISTRATIVE CODE, 2010 CALIFORNIA BUILDING CODE, 2010 CALIFORNIA RESIDENTIAL CODE, 2010 CALIFORNIA ELECTRICAL CODE, 2010 CALIFORNIA MECHANICAL CODE, 2010 CALIFORNIA PLUMBING CODE, 2010 CALIFORNIA ENERGY CODE, 2010 CALIFORNIA HISTORICAL BUILDING CODE, 2010 CALIFORNIA EXISTING BUILDING CODE, 2010 CALIFORNIA GREEN STANDARDS BUILDING CODE, AND THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE**

**WHEREAS**, the City of Grover Beach ("City") is a municipal corporation organized under the laws of the State of California; and

**WHEREAS**, every three years the State of California adopts updated building codes referred to as the California Building Standards Code for the protection of the public; and

**WHEREAS**, the State-adopted 2010 California Building Standards Code become effective on January 1, 2011; and

**WHEREAS**, the City desires to amend its Municipal Code to adopt the 2010 California Building Standards Code and the 2009 International Property Maintenance Code by reference.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Grover Beach as follows:

**PART 1.** Chapter 1 of Article VIII is hereby repealed and a new Chapter 1 is hereby adopted as follows:

**ARTICLE VIII – BUILDING REGULATIONS**

**CHAPTER 1 – BUILDING CODE**

**Sec. 8100. Building Official. Appointment and Duties.**

The Building Official shall be appointed by the City Manager of the City of Grover Beach and shall hold office at the pleasure of said City Manager. The Building Official or his authorized representative shall work under the direction of the Community Development Director. The Building Official is authorized and directed to administer and enforce all provisions and codes adopted by this Chapter and for such purpose shall have the powers of a police officer.

**Sec. 8101. Adoption of the California Building Standards Administrative Code.** The 2010 edition of the California Building Standards Administrative Code, published by the International Code Council, Washington D.C., and as held by the California Building Standards Commission, Sacramento CA, is hereby adopted as the Building Standards Administrative Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

**Sec. 8102. Adoption of the California Building Code.** The 2010 edition of the California Building Code, including Appendix I and J, as published by the International Code Council, Washington, D.C., and as held by the California Building Standards Commission, Sacramento

CA, is hereby adopted as the Building Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8103. Adoption of the California Residential Code. The 2010 edition of the California Residential Code, including Appendix H, as published by the International Code Council, Washington, D.C., and as held by the California Building Standards Commission, Sacramento CA, is hereby adopted as the Residential Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8104. Adoption of the California Electrical Code. The 2010 edition of the California Electrical Code, including Annex A, B, C, D, E, F, G and H as published by BNI Publications, Inc, and as held by the National Fire Protection Association, Quincy, MA, and as held by the California Building Standards Commission, Sacramento, CA, is hereby adopted as the Electrical Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8105. Adoption of the California Mechanical Code. The 2010 edition of the California Mechanical Code, including Appendix B, C and D, and excluding Mechanical Permit Fee Table 1-1, and substituting "Grover Beach Master Fee Schedule" where "Table 1-1" is referenced in this code, as published by the International Association of Plumbing and Mechanical Officials, Ontario, CA, and as held by the California Building Standards Commission, Sacramento, CA, is hereby adopted as the Mechanical Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8106. Adoption of the California Plumbing Code. The 2010 edition of the California Plumbing Code, including Appendix A, B, D, G, I and K, and excluding Plumbing Permit Fee Table 1-1, and substituting "Grover Beach Master Fee Schedule" where "Table 1-1" is referenced in this code, as published by the International Association of Plumbing and Mechanical Officials, Ontario, CA, and as held by the California Building Standards Commission, Sacramento, CA, is hereby adopted as the Plumbing Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8107. Adoption of California Energy Code. The 2010 edition of the California Energy Code, including Appendix A, as published by the International Code Council, Washington, D.C., and as held by the California Building Standards Commission, Sacramento, CA, is hereby adopted as the Energy Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8108. Adoption of the California Historical Building Code. The 2010 edition of the California Historical Building Code, including Appendix 1A, as published by the International Code Council, Washington, D.C., and as held by the California Building Standards Commission, Sacramento, CA, is hereby adopted as the Historical Building Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8109. Adoption of the California Existing Building Code. The 2010 edition of the California Existing Building Code, including Appendix A1, as published by the International Code Council, Washington D.C., and as held by the California Building Standards Commission, Sacramento, CA, is hereby adopted as the Existing Building Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8110. Adoption of the California Green Building Standards Code. The 2010 edition of the California Green Building Standards Code, as held by the California Building Standards Commission, Sacramento, CA, is hereby adopted as the Green Building Standards Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8111. Adoption of the California Reference Standards Code. The 2010 edition of the California Reference Code Standards Code, as published by the International Code Council, Washington, D.C., is hereby adopted as the Reference Standards Code of the City of Grover Beach, excluding any references to fees. The fees as set forth in the City of Grover Beach Master Fee Schedule, as may be amended by the City Council from time to time, shall apply.

Sec. 8112. Adoption of the International Property Maintenance Code. The 2009 edition of the International Property Maintenance Code, as published by the International Code Council, Washington D.C., is hereby adopted as the Property Maintenance Code of the City of Grover Beach, with the following revisions:

- (A) The following Sections of the 2009 International Property Maintenance Code shall be revised to delete and insert the following:
- Section 101.1 Title. Delete "Name of Jurisdiction" and insert "The City of Grover Beach".
  - Section 103.5 Fees. Delete "Jurisdiction to insert appropriate schedule" and insert "The Grover Beach Master Fee Schedule".
  - Section 112.4 Failure to comply. Delete the first "Amount" and insert "triple the amount charged for the original permit fee(s)" and delete the second "Amount" and insert "\$1000.00".
  - Section 302.4 Weeds. Delete "jurisdiction to insert height in inches" and insert "four (4) inches".
  - Section 304.14 Insect screens. Delete "during the period from [Date] to [Date]" and insert "year-round".
  - Section 602.3 Heat supply. Delete "during the period from [Date] to [Date]" and insert "year-round".
  - Section 602.4 Occupiable work spaces. Delete "during the period from [Date] to [Date]" and insert "year-round".

**PART 2:** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be in violation of the law, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared in violation of the law.

**PART 3:** This Ordinance shall take effect January 1, 2011. Within fifteen (15) days after its adoption, it shall be published in full, together with the names of the Council Members voting in favor, in a newspaper of general circulation within the City.

**INTRODUCED** at a regular meeting of the City Council held November 1, 2010 and **PASSED, APPROVED and ADOPTED** by the City Council on November 15, 2010 on the following roll call vote, to wit:

AYES: Council Members -  
NOES: Council Members -  
ABSENT: Council Members -  
ABSTAIN: Council Members -

**DRAFT**  
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JOHN P. SHOALS, MAYOR

ATTEST:

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DONNA L. McMAHON, CITY CLERK

APPROVED AS TO FORM:

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MARTIN D. KOCZANOWICZ, CITY ATTORNEY