

ORDINANCE NO. 267-2023

AN ORDINANCE AMENDING SECTION 9-1.4, SUBSECTIONS (A); (B); (C); (D); (E); AND (F) OF CHAPTER 9 OF THE CLEARLAKE MUNICIPAL CODE ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODES; AND BY REFERENCE THE 2021 INTERNATIONAL BUILDING CODES (IBC); 2021 INTERNATIONAL RESIDENTIAL CODES (IRC); THE 2021 UNIFORM SWIMMING POOL, SPA/HOT TUB CODES AND THE 2021 UNIFORM SOLAR, HYDRONICS AND GEOTHERMAL CODES.

WHEREAS, the State of California revises its building standards on a triennial basis. The building standards are intended to regulate and govern the conditions and maintenance of all property, buildings, and structures by providing standards for supplied utilities, facilities, and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and;

WHEREAS, the construction of residential, commercial, and other buildings in California is regulated by Title 24 of the California Code of Regulations, also known as the California Building Standards Code (“CBSC”). These regulations establish construction standards to protect the public welfare and provide uniformity in building laws. State law requires that the Building Codes be updated every three years, and;

WHEREAS, the City desires to update its Municipal Code Chapter IX, Section 9-1.4, Subsections (A); (B); (C); (D); (E); and (F) to adopt by reference the most recent versions of the codes and;

WHEREAS, this Ordinance is exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the proposed amendments to the Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment.

The City Council of the City of Clearlake, State of California does hereby ordain as follows:

SECTION ONE. FINDINGS

- A. The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the City by ensuring proper building and related codes are adopted and enforced by the City.
- B. CEQA COMPLIANCE: The proposed amendments in this Ordinance are exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the proposed amendments to the Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment.

SECTION TWO.

Subsections (A); (B); (C); (D); (E); and (F) of Section 9-1.4 of Chapter 9 of the Clearlake Municipal is hereby amended to read as follows: Items “G” and “H” remain.

"9-1.4 California Building Standards Code-Adopted.

- A. The 2022 California Building Standard Codes is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code, as amended by this chapter. The 2019 California Building Standards Code includes, but is not limited to, the following:
 1. 2022 California Building Standards Codes -Volumes 1 and 2 of the California Code of Regulations Title 24 Part 2.
 2. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 3.
 3. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 4.
 4. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 5.
 5. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 6.
 6. 2022 California Fire Code of the California Code of Regulations Title 24 Part 9.
 7. 2022 California Existing Building Code of the California Code of Regulations Title 24 Part

- B. The City hereby adopts and enforces Chapter I Division II and Section 3412.2 of the 2022 California Building Code. There is at least one copy of said code on file in the office of the building official for use and examination by the public.

- C. The City hereby adopts and enforces the 2021 Uniform Swimming Pool, Spa and Hot Tub Codes as published by the International Association of Plumbing and Mechanical Officials incorporated by reference into the City of Clearlake Municipal Code.

- D. The City hereby adopts and enforces the 2021 International Existing Building Codes as published by the International Code Council incorporated by reference into the City of Clearlake Municipal Code.

- E. The City hereby adopts and enforces the 2021 International Fire Codes as published by the International Code Council incorporated by reference into the City of Clearlake Municipal Code.

- F. The City hereby adopts and enforces the 2021 Uniform Solar, Hydronics and Geothermal Codes published by the International Association of Plumbing and Mechanical Officials incorporated by reference into the City of Clearlake Municipal Code.

SECTION THREE. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION FOUR. EXECUTION.

The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

Passed and adopted this 1st day of December 2022 by the following vote:

AYES:

NOES

ABSENT:

Dirk Slooten – Mayor City of Clearlake

ATTEST:

Clerk – City of Clearlake