



STAFF REPORT

MEETING DATE: December 14, 2022

PRESENTER: Jesus R. Orozco, Community Development Director

SUBJECT: Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2022 California Building Standards Code By Reference (JRO)

RECOMMENDATION: City Council conduct public hearing, waive full reading, and introduce Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2022 California Building Standards Code by reference.

EXECUTIVE SUMMARY:

Every three years, the California Building Standards Commission (CBSC), a State agency, adopts updated building and fire standards and codes for new construction in the state, known as the California Title 24 Building Standards Code, also referred to as the “California Building Standards Code,” “Building Code,” and simply Title 24. The California Health and Safety Code requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code (CBSC). Adoption of the 2022 CBSC by reference allows future amendments to the State Code to be included by reference rather than bringing each change through each jurisdiction within California. All construction and development projects submitted to the City on or after January 1, 2023 will be required to comply with the new CBSC.

DISCUSSION:

As an operating practice, every three years (during the triennial cycle) the BSC reviews the newest model codes published by various independent code-developing bodies. On July 1, 2022, the State adopted the 2022 CBSC, which will become effective January 1, 2023. The 2022 CBSC includes the following:

Title 24, California Code of Regulations (2022 CBSC) includes the following parts which are further summarized in Attachment 1:

- Part 1 – California Administrative Code
- Part 2 – California Building Code
- Part 2.5 – California Residential Building Code
- Part 3 – California Electrical Code
- Part 4 – California Mechanical Code
- Part 5 – California Plumbing Code
- Part 6 – California Energy Code
- Part 8 – California Historical Building Code
- Part 9 – California Fire Code
- Part 10 – California Existing Building Code
- Part 11 – California Green Building Standards Code

- Part 12 – California Reference Standards Code

As a result of the BSC action, each city and county agency may adopt this new code with local amendments by January 1, 2023. If no local action is taken by this date, then the State's Code in its entirety is applicable to the agency when processing building and grading permit application. The 2022 CBSC can be accessed via the following link: <https://www.dgs.ca.gov/BSC/Codes>.

Below are a few noteworthy updates to the Building Code:

- Permit expiration has been extended from 6-months to 12-months. Every permit shall remain valid if the work on the site is commenced within 12-months after its issuance.
- Aging-in-place design and fall prevention has been added for new residential construction. This was added to address specific design elements to facilitate access to operational features and to allow people to stay longer in their homes as they age.
- Expanding Electric Vehicle Charging requirements to install EV charging receptacles and chargers to new multifamily dwellings, hotels, and motels.

FISCAL IMPACT:

Adoption of the Ordinance specific to Building Codes generally entails that a copy of the most recent Building Code cycle be furnished in the Building Division for staff and public review. Costs associated with paper copies of the Building Code have already been accounted for as part of the 2022-2023 Fiscal Year General Fund Budget.

ENVIRONMENTAL REVIEW:

The adoption of this ordinance is exempt from further CEQA review under the common sense rule (Section 15061(b)(3)) and the exemption for actions by regulatory agencies to protect the environment (Section 15308).

ATTACHMENTS:

- A. Title 24 Summaries
- B. Proposed Ordinance