



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/05/2019

ITEM NO: 11

DATE: October 30, 2019
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Town Code Application Amendment A-19-009. Project Location: **Town Wide**. Consider an ordinance repealing and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the New 2019 California Building and Fire Codes, as amended.

RECOMMENDATION:

Introduce an Ordinance (Attachment 1), by title only, effecting amendments repealing and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the New 2019 California Building and Fire Codes, as amended.

BACKGROUND:

Historically, the State of California adopts a set of International Model Codes including the International Building Code (IBC) with California specific amendments which form the basis of the regulatory environment for building. The California Building Standards Code, CCR Title 24, is published in its entirety every three years by order of the California legislature, with supplements published in intervening years. The California legislature delegated authority to various State agencies, boards, commissions, and departments to create building regulations to implement the State's statutes. These building regulations and standards have the force of law. California's current adopted version of the 2015 IBC is the 2016 California Building Code (CBC).

For 2019, the State of California Building Standards Commission adopted 12 new parts for the California Code of Regulations (CCR), commonly known as Title 24, and also referred to as the 2019 California Building Standards Code. Local jurisdictions are required to enforce these new codes as written by January 1, 2020 or adopt a local ordinance that enacts these Codes with local or regional amendments based on climatic, geological, and topographical conditions, with findings that support the local amendments.

PREPARED BY: Robert Gray
Building Official

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

BACKGROUND (continued):

The Town must take action to incorporate this new set of Codes with any recommended amendments into the Town Code. In cooperation with Code Officials around the region, the Town has developed local amendments to the California Codes that are uniform across multiple jurisdictions throughout the Santa Clara Valley, Peninsula, East Bay, and Monterey Bay regions to enhance regional consistency.

DISCUSSION:

The new 2019 California Building Standards Code, CCR Title 24, will go into effect on January 1, 2020. The Town of Los Gatos must adopt these new State Codes by deleting and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town Code. The new 2019 CBC and 2019 California Fire Code (CFC) are somewhat different from the current 2016 CBC and CFC so deleting and replacing the Town Code Chapters in their entirety and incorporating our local amendments is the cleanest process for adoption.

Fourteen State agencies review and propose amendments to the International Model Codes to reflect California fire and building requirements. California amendments to the International Model Codes enhance the public health and safety standards for all occupancies throughout the state. Energy efficiency standards, Wildland-Urban Interface standards, seismic standards, and accessibility standards are among the amendments which increase the building and fire standards for buildings within the State. The State has significantly amended the IBC and International Fire Code (IFC) to meet State building requirements. The Town will be adopting these new codes with amendments that will create clarity and increased safety due to our seismically sensitive area and other unique conditions.

The 2019 California Building Standards Code has 12 Parts which the Town needs to adopt:

- Part 1 California Administrative Code
- Part 2 California Building Code, Volumes 1 & 2
- Part 2.5 California Residential 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 – CALGreen
- Part 12 California Referenced Standards Code

DISCUSSION (continued):

In addition to adoption of the twelve (12) parts of the California Building Standards Code, the Town is proposing to adopt the 2018 International Property Maintenance Code and portions of the 2018 International Existing Building Code as published by the International Code Council. These Codes provide minimum construction requirements and standards for existing buildings and also contain provisions regarding unsafe structures, seismic strengthening of existing structures, and construction safeguards. They also provide procedures for the maintenance, repair, and demolition of existing buildings and will assist with the implementation of the Town's Neighborhood Preservation Ordinance.

The draft Ordinance adopting the revisions to Chapter 6 and Chapter 9 is included as Attachment 1. California Health and Safety Code Sections 17958 and 17958.5 allow the Town to make modifications or changes to the State Building Standards Codes based on findings that the changes are reasonably necessary because of local climatic, geological, geographical, or topographical conditions. The Resolution included as Attachment 2 has the required findings.

CONCLUSION:

Staff recommends that the Town Council:

1. Introduce the Ordinance repealing and replacing Chapter 6 and Chapter 9 of the Town Code (Attachment 1); and
2. Adopt a resolution making findings for modifying the 2019 California Building and Fire Codes (Attachment 2).

FISCAL IMPACT:

None.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Ordinance adopting new Building and Fire Codes
2. Resolution making Findings for modifying California Codes