

TOWN OF TRUCKEE
California

ORDINANCE 2022-07

**AN ORDINANCE AMENDING TITLE 15 OF THE TRUCKEE MUNICIPAL
CODE, TO ADOPT BY REFERENCE THE 2022 EDITION OF THE
CALIFORNIA BUILDING STANDARDS CODE, WITH CERTAIN ADDITIONS,
INSERTIONS, DELETIONS AND CHANGES THERETO**

WHEREAS, Health & Safety Code Section 17958 mandates that the Town of Truckee shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922 and Government Code Section 50022.2; and

WHEREAS, the State of California is mandated by the Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the Uniform Housing Code of the International Conference of Building Officials, the Uniform Building Code of the International Conference of Building Officials, the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials, the Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials, and the National Electrical Code of the National Fire Protection Association (hereinafter referred to collectively as "Codes"); and

WHEREAS, the Health and Safety Code Sections 18941.5 and 17958.5 permits the Town to make such changes or modifications to the Codes as are reasonably necessary because of local conditions; and

WHEREAS, Health and Safety Code Sections 18941.5, 17958.5 and 17958.7 require express findings that such changes or modifications are needed due to climatic, geographic or topographic conditions; and

WHEREAS, the Town Building Official has recommended that changes and modifications be made to the Codes and has advised that certain of said changes and modifications to the Codes are reasonably necessary due to local conditions in the Town of Truckee and has further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Codes or are reasonably necessary to safeguard life and property within the Town of Truckee; and

WHEREAS, the Town Council of the Town of Truckee makes the following express findings that said changes to the Codes are necessary because:

The provisions contained in Town of Truckee Municipal Code Sections 15.01.010 Purpose, 15.02.010 Utility Connections, 15.02.020 Final Inspection Enforcement, 15.02.040 Severability, 15.02.050 Penalties, 15.02.060 Fees, 15.02.070 Board of Appeals, are reasonably necessary to administratively adopt and enforce the codes and collect fees due to local conditions.

Due to local climatic conditions of cold, rain and snow that shorten the building season, Section 15.03.010 Permit Expiration, provides an increased permit duration that is reasonably necessary to allow completion of construction projects.

Due to the local topographical conditions of the Town of Truckee being located in a mountainous region and to assure that buildings are properly situated on parcels of land, Section 15.03.030 Topographic Survey and Boundary Survey Requirements is determined to be reasonably necessary.

Due to the local climatic condition of the Town of Truckee being declared a snow area and the associated high snow conditions, the following Sections are reasonably necessary to protect the life safety of the community and assure functional buildings. 15.02.030 Mobile Home Ramadas, 15.03.020 Engineering Requirement, 15.03.070 Sheet Metal Roofing Underlayment, 15.03.080 Declaration as High Snow Area, 15.03.090 Metal Valley Flashing Underlayment, 15.03.100 Ice Barriers, 15.03.110 Snow Loads, 15.03.120 Snow Load Design, 15.03.140 Chimneys, Protection from Sliding Snow, 15.03.190 Protection of Exterior Wood Members against Decay, 15.04.030 Liquefied Petroleum Gas Facilities and Piping, 15.05.010 Exit Terminals, and 15.05.020 Sidewall Venting.

Due to the geographic condition of the Town of Truckee being surrounded by National Forest and the need to reasonably protect buildings from wildland fires, the Town determines the following Sections to be reasonably necessary; 15.03.040 Fire Hazard Severity Zone Classification, 15.03.050 Roof Fire Rating, and 15.03.060 Wood Shake and Wood Shingle Roofs.

Due to the geographic condition of the Town being located in an active seismic area and the need to provide engineering requirements for timber framed structures to resist seismic loading, the Town determines Section 15.03.130 Earthquake Design is reasonably necessary.

Due to the local cold climate condition of the Town of Truckee and the need to reasonably protect foundations from frost heave and pipes from freezing, the Town determines the following Sections to be reasonably necessary: 15.03.150 Foundation Depth, 15.04.010 Protection of Piping from Freezing, 15.04.020 Valves, and 15.04.030 Liquefied Petroleum Gas Facilities and Piping Requirements.

Because the Town of Truckee is located in a geographically mountainous region and due to the need to protect sensitive local waterways and satisfy the state requirements for pollutant discharge, Sections 15.03.160 Grading Permit Exceptions and 15.03.170 Erosion Prevention Standard for One and Two Family Dwelling Construction Projects are reasonably necessary; and

WHEREAS, the Town held a public hearing on December 13, 2022 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the California Building Standards Code as amended herein; and

WHEREAS, the Town published notice of the aforementioned public hearing pursuant to California Government Code Section 6066; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

* * * * *

The Town Council of the Town of Truckee Does Ordain as Follows:

Section 1. Enactment. Title 15, of the Truckee Municipal Code is hereby amended as designated in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2. Effective Date. This Ordinance will take effect upon the later of thirty days after its adoption or January 1, 2023.

Section 3. Summary Publication. The Town Clerk shall certify to the adoption of this Ordinance and shall cause a summary thereof to be published in a newspaper of general circulation, printed and published in the Town, at least five (5) days prior to the meeting at which the proposed Ordinance is to be adopted and shall post a certified copy of the proposed Ordinance in the office of the Town Clerk, and within fifteen (15) days of its adoption, shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted Ordinance in the office of the Town Clerk, in accordance with California Government Code Section 36933.

Section 4. CEQA. The Town Council finds that it can be seen with certainty that adoption of this Ordinance will not have a significant adverse effect on the environment and is therefore exempt from California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. Staff is directed to file a notice of exemption within five (5) days of the adoption of this Ordinance.

Section 5. Repeal of Conflicting Ordinances. All former ordinances or portions of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Town 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 subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

The foregoing ordinance was introduced at a regular meeting of the Truckee Town Council held on the 8th day of November 2022, and adopted at a regular meeting of the Truckee Town Council, on the 13th day of December 2022, moved for the adoption, the motion was seconded by _____ and was carried by the following vote:

AYES:

NOES:

ABSENT:

Courtney Henderson, Mayor

ATTEST:

APPROVED AS TO FORM:

Judy Price, MMC, Town Clerk

Andy Morris, Town Attorney