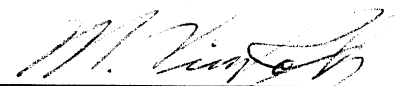





City of Carson Report to Mayor and City Council

February 1, 2011
Special Orders of the Day

**SUBJECT: PUBLIC HEARING TO ADOPT URGENCY ORDINANCE NO. 11-1464U AMENDING
THE CARSON MUNICIPAL CODE**


Submitted by M. Victor-Rollinger
Development Services General Manager


Approved by Clifford W. Graves
Interim City Manager

I. SUMMARY

California State law requires that the city of Carson's Building Codes contain the standards that are published in the current California Building Standards Code.

II. RECOMMENDATION

TAKE the following actions:

1. OPEN the Public Hearing, TAKE public testimony, CLOSE the Public Hearing.
2. WAIVE further reading and ADOPT Urgency Ordinance No. 11-1464U, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, MAKING AMENDMENTS TO THE CARSON MUNICIPAL CODE BY ADOPTING BY REFERENCE – TITLES 26, 27, 28, 29 AND 30 OF THE LOS ANGELES COUNTY CODE, AS AMENDED, INCORPORATING THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, AND RESIDENTIAL CODES, RESPECTIVELY."

III. ALTERNATIVES

If no action is taken, the California Building Standards Code would become the operative codes in the city of Carson; previous local County amendments would no longer be in effect.

IV. BACKGROUND

The California Building Standards Commission has established January 1, 2011, as the effective date for the 2010 edition of the California Building Standards Code, which is based on the 2009 edition of the International Building Code; the 2008 National Electrical Code; the 2009 editions of the Uniform Plumbing and Mechanical Codes, and the 2010 California Residential Code.

Failure to adopt the local codes would result in the state code becoming the operational code within the jurisdiction by default.

The city of Carson has traditionally met this requirement by adopting the Los Angeles County Code, which is based on state code. County codes based on the

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The city of Carson has traditionally met this requirement by adopting the Los Angeles County Code, which is based on state code. County codes based on the 2010 California Building Standards Code are available for adoption by reference. These codes include local amendments to minimize differences in code language and interpretation within the region, thereby assisting the local construction industry by unifying and streamlining the permitting process. In adopting the Los Angeles County code, the city of Carson will comply with state requirements, while retaining jurisdictional code amendments that reflect local conditions.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Urgency Ordinance No. 11-1464U. (pgs. 3-7)

Prepared by: Debbie Torres, A/Administrative Analyst

TO:Rev122210

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

Action taken by City Council

Date_____ Action_____

ORDINANCE NO. 11-1464U

AN URGENCY ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, MAKING AMENDMENTS TO THE CARSON MUNICIPAL CODE BY ADOPTING BY REFERENCE – TITLES 26, 27, 28, 29 AND 30 OF THE LOS ANGELES COUNTY CODE, AS AMENDED, INCORPORATING THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, AND RESIDENTIAL CODES, RESPECTIVELY

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 1 (Building Code) of Article VIII (Building Regulations) of the Carson Municipal Code is amended to read as follows:

CHAPTER 1 – BUILDING CODE

8100 Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 2011, adopting the California Building Code, 2010 Edition (Part 2 of Title 24 of the California Code of Regulations), is hereby adopted by reference, and shall be known and may be cited as the Building Code of the city of Carson.

The provisions of the Building Code applying to dwellings, lodging houses, congregate residences, motels, apartment houses, or other uses classified by the Building Code as a Group R Occupancy and including Chapters 1, 2, 98 and 99 shall constitute and may be cited as the Housing Code of the city of Carson.

In the event of any conflict between a provision of the California Building Code, 2010 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Carson Municipal Code, the provision contained in the latter listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2010 Edition, have been deposited in the office of the City Clerk of the city of Carson and shall be at all times maintained by the City Clerk for use and examination by the public.

8150 Adoption of Residential Code.

Except as hereinafter provided, Title 30, Residential Code, of the Los Angeles County Code, as amended and in effect on January 1, 2011, adopting the California Residential Code, 2010 Edition (Part 2.5 of Title 24 of the California Code of Regulations), is hereby adopted by reference, and shall be known and may be cited as the Residential Code of the city of Carson.

[MORE]

The provisions of the Building Code and Residential code applying to dwellings, lodging houses, congregate residences, motels, apartment houses, or other uses classified by the Building Code as a Group R Occupancy and including Chapters 1, 2, 98 and 99 of the Building Code shall constitute and may be cited as the Housing Code of the city of Carson.

In the event of any conflict between a provision of the California Residential Code, 2010 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Carson Municipal Code, the provision contained in the latter listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2010 Edition, have been deposited in the office of the City Clerk of the city of Carson and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 2. Chapter 2 (Electrical Code) of Article VIII (Building Regulations) of the Carson Municipal Code is hereby amended to read as follows:

CHAPTER 2 — ELECTRICAL CODE

8200 Adoption of Electrical Code

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2011, adopting the California Electrical Code, 2010 Edition (Part 3 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Electrical Code of the city of Carson.

In the event of any conflict between provisions of the California Electrical Code, 2010 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Carson Municipal Code, the provisions contained in the latter listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2010 Edition, have been deposited in the office of the City Clerk of the city of Carson and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 3. Chapter 3 (Plumbing Code) of Article VIII (Building Regulations) of the Carson Municipal Code is hereby amended to read as follows:

CHAPTER 3 — PLUMBING CODE

8300 Adoption of Plumbing Code

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2011, adopting the California Plumbing Code, 2010 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Plumbing Code of the city of Carson.

[MORE]



In the event of any conflict between a provision of the California Plumbing Code, 2010 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Carson Municipal Code, the provision contained in the latter listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2010 Edition, have been deposited in the office of the City Clerk of the city of Carson and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 4. Chapter 4 (Mechanical Code) of Article VIII (Building Regulations) of the Carson Municipal Code is amended to read as follows:

CHAPTER 4 — MECHANICAL CODE

8400 Adoption of Mechanical Code

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2011, adopting the California Mechanical Code, 2010 Edition (Part 4 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Mechanical Code of the city of Carson.

In the event of any conflict between a provision of the California Mechanical Code, 2010 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Carson Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2010 Edition, have been deposited in the office of the City Clerk of the city of Carson and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 6. All inconsistencies between the Building Code, Residential Code, Electrical Code, Plumbing Code and Mechanical Code as adopted by this Urgency Ordinance and Parts 2, 2.5, 3, 4 and 5 of Title 24 of the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 7. The changes and modifications to the California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, and California Residential Code that have been enacted by this Urgency Ordinance are merely a continuation of similar changes and modifications made to earlier editions of such uniform codes, and all of such changes and modifications, whether previously enacted or enacted in this Urgency Ordinance, are reasonably necessary because of local climatic, geologic, and topographic conditions. In particular, the modifications to these codes are reasonably necessary because of the local climate which is characterized by hot dry summers, followed by strong Santa Ana winds and heavy winter rains which make structures particularly vulnerable to rapidly spreading, wind-driven fires and earth movement.

[MORE]

Furthermore, the city is located near and over historic and active earthquake faults that require that special safety precautions be taken. Finally, the city's zoning ordinances and General Plan promote the preservation of natural shrubbery in addition to a great deal of landscaping. Canyon fires and other brush fires are a frequent and natural part of the Southern California ecosystem. Structures located in the city require additional protection against ignition from flying embers.

Section 8. The City Council hereby finds that the modifications to the State Building Codes in Titles 26, 27, 28, 29 and 30 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions.

The City Council hereby further finds that the modifications to the State Building, Electrical, Plumbing, Mechanical and Residential Codes in Titles 26, 27, 28, 29 and 30 of the Los Angeles County Code provisions are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the city's staff and administrative agencies by means suited to the city's experience with local climatic, geological, and topographical conditions and to provide sufficient staff support for the time-consuming inspections and analysis required by the city's fire and geological hazards.

Accordingly, the City Council finds the modifications adopted in this Urgency Ordinance, to the State Building, Electrical, Plumbing, Mechanical and Residential Codes, are necessary for the protection of the public health, safety, and welfare.

Section 9. To the extent the provisions of this Urgency Ordinance are substantially the same as previous provisions of the Carson Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

Section 10. Severability. If any section, subsection, sentence, clause, portion, or phrase of this Urgency Ordinance is for any reason held to be invalid or unconstitutional by a decision of any competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, portions, or phrases of this Urgency Ordinance. The City Council hereby declares that it would have passed this Urgency Ordinance and each and every section, subsection, sentence, clause, portion, or phrase without regard to whether such section, subsection, sentence, clause, portion, or phrase of the Urgency Ordinance would be subsequently declared invalid or unconstitutional.

[MORE]



Section 11. The City Clerk shall certify to the adoption of this Urgency Ordinance.

PASSED, APPROVED and ADOPTED this 1st day of February, 2011.

ATTEST:

Mayor Jim Dear

City Clerk Helen S. Kawagoe

APPROVED AS TO FORM:

City Attorney

