



# STAFF REPORT

## SAUSALITO CITY COUNCIL

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**MEETING DATE:** November 19, 2019

**AGENDA TITLE:** Ordinance amending Chapters 8.06 through 8.28 and Chapter 8.40 of Title 8 (Buildings and Construction) of the Sausalito Municipal Code and Adopting the 2019 Edition of the Title 24 Code of Regulations and the 2018 International Property Maintenance Code with local amendments.

**LEAD DEPARTMENT:** Community Development

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### RECOMMENDED ACTIONS

Conduct a public hearing, take public testimony, and adopt the 2019 Title 24 California Construction Codes and the 2018 International Property Maintenance Code, with local amendment by adopting the attached ordinance.

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### SUMMARY

By State law, local jurisdictions are required to adopt the most recent edition of the California Building Standards Code and adoption of this Ordinance allows the City to include amendments to the building codes that are specific and important to the community. Prior to adoption of the Ordinance amending the code, the City Council is required to hold a public hearing.

The attached Ordinance (**Attachment 1**) adopts the 2019 Editions of the California Building Standards Code and the 2018 International Property Maintenance Code with some local amendments. The codes to be adopted prescribe regulations governing site preparation and construction, alteration, moving, demolition, repair, maintenance, use and occupancy of all buildings and structures within the City of Sausalito and are designed to protect the health, safety and welfare of individuals in the community.

### BACKGROUND

The State of California Title 24 construction codes are typically updated and published on a three-year cycle. The International Code Council publishes the base codes in 2018, titled the 2018 International Building Code, the 2018 International Residential, code, etc. Then the various California regulating agencies such as the State Fire

Marshal's office, OSHPD, DSA, and HCD review and amend these base codes and republish them as the California Building Codes, Parts 1 through 12. The California Building Standards Commission then publishes these tri-annual code updates, typically on July 1<sup>st</sup>, and State law mandates that these codes become effective throughout California 180 days after that publication date. For this latest cycle, the publication date was July 1, 2019, meaning that the current cycle of State construction codes become effective on January 1, 2020. This is done in order to foster uniformity in fire prevention, life/safety and construction standards statewide. Local jurisdictions are permitted to use that ensuing 180 days after publication to review and amend the California published codes based on local climatic, geological, or topographical conditions, for which we must make findings.

This proposed Ordinance adopts selected parts of the California Title 24 construction codes which we desire to amend; specifically, the 2019 California Building Code, 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Energy Code and the 2019 California Existing Building Code. The 2018 International Property Maintenance Code is not adopted by the State in Title 24 but is a good companion code to the other suite of codes and provides tools for dealing with dilapidated buildings and rental properties. The remaining parts of Title 24 will become effective on January 1<sup>st</sup>, without any action on the part of the Town, and we have not identified any need to amend these other parts locally.

## **ANALYSIS**

Most of the proposed local amendments are carried over from previous years.

Examples of provisions that were added or amended include:

- provisions requiring a building permit for freestanding masonry walls or fences over 3' in height;
- requiring the posting of a City provided placard at locations where a building permit has been issued;
- adding a provision to allow other jurisdictions to provide assistance when needed;
- increasing the penalty for performing work without a permit when required;
- providing wording to allow City Council to act as an appeals board;
- incorporating recommended changes from the Fire Department regarding fire protection systems and WUI regulations;
- requiring roof coverings throughout the City to be a Class A, ignition-resistant coverings only;
- restricting the use of wooden retaining walls for critical applications;
- and clarifying private swimming pool testing and safety requirements.

We have also included the required findings per Health & Safety Code section 17958.7 in SECTION 3 of the adoptive ordinance. These will be filed with the California Building Standards commission, along with a copy of the ordinance, after approval by Council.

**PUBLIC NOTICE**

A notice of the proposed Ordinance was published in the *Marin Independent Journal* newspaper on November 5<sup>th</sup> and November 11<sup>th</sup> 2019. Due to the length of the Ordinance, the City Council has been asked to authorize a summary of the Ordinance be published within 15 days after its adoption.

**FISCAL IMPACT**

No additional fiscal impacts to the City with this adoption.

**STAFF RECOMMENDATION**

1. Conduct a public hearing, take public testimony.
2. Adopt the attached ordinance.
3. Authorize a summary of the Ordinance to be published within 15 days after its adoption.

**ATTACHMENTS**

1. Ordinance
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PREPARED BY: Thomas Ahrens, Building Official  
REVIEWED BY: Mary Wagner, City Attorney  
REVIEWED BY: Kevin McGowan, Public Works Director  
SUBMITTED BY: Adam W. Politzer, City Manager

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