

REPORT TO CITY COUNCIL

DATE: DECEMBER 12, 2007

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: AMIR HAMIDZADEH, BUILDING OFFICIAL

SUBJECT: ADOPTION OF URGENCY ORDINANCE AND INTRODUCTION OF NON-URGENCY ORDINANCE TO REPEAL AND REPLACE CHAPTERS 1, 2, 3, AND 4 OF ARTICLE VIII AND CHAPTER 1 OF ARTICLE III OF THE MUNICIPAL CODE ADOPTING THE 2007 EDITION OF THE CALIFORNIA BUILDING, MECHANICAL, PLUMBING, ELECTRICAL, FIRE CODES AND 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH THE STATE AND LOCAL AMENDMENTS

The California Health and Safety Code authorizes the City to amend provisions of the California Building Standards Code and amend necessary provisions based on local climatic, geological, or topographical conditions. Every three years, the model construction and fire codes are republished to incorporate all code changes. The State of California adopts and amends the most recent edition of the codes, which are subsequently published by the Building Standards Commission. The Commission completed the adoption process for the current triennial edition of the California Building Standards Code during the spring of 2007. As a result, the new codes (2007 California Building, Mechanical, Plumbing, Electrical, and Fire Codes) will become effective statewide on January 1, 2008.

This proposal provides the opportunity to include amendments to codes that address unusual local conditions in the City of Agoura Hills. The proposed ordinance contains the findings required to justify the proposed code modifications. Without this action, the Building & Safety Division and the Fire Department will have no authority to enforce the City's existing local amendments, since they are tied to the 2001 California Building, Plumbing, Mechanical and Fire Codes or the 2004 California Electrical Code. These editions will no longer be valid when the 2007 editions automatically become effective January 1, 2008. The proposed urgency ordinance, followed by the adoption of a non-urgency ordinance, will allow local amendments to coincide with the State requirements and be enforceable effective January 1, 2008.

This ordinance will repeal and replace Chapters 1 through 4 of Article VIII and Chapter 1 of Article III adopting the appropriate 2007 California Codes and the 2006 International Property Maintenance Code.

New to this code adoption is the 2006 International Property Maintenance Code (IPMC), which replaces the Uniform Housing Code and the Uniform Code for Abatement of Dangerous Buildings. The Uniform codes, last published in 1997, are the primary tools for the City's code enforcement program. The IPMC together with the current chapter 6 of Article V of the City of Agoura Hills Municipal Code will provide the necessary technical provisions and administrative authority for code enforcement officers to pursue unsafe building conditions.

Additionally, past code adoptions by the City of Agoura Hills have included administrative and technical amendments to the construction and fire codes to address special situations or conditions unique to our city. Staff has determined that the amendments previously adopted have not become part of the new edition of the codes through the code change process of the model code organization or by State of California amendment. Since there have been no changes in special "climatic, geologic, or topographic" conditions in Agoura Hills, staff recommends that previous amendments be carried over to the new codes. This recommendation is also highly supported by County of Los Angeles Fire Department. There are new amendments that facilitate the administration of the codes by reinstating previous code provisions that are inadvertently left out of the newest codes.

Amended sections include continuation of violation penalties in the Municipal Code, fire-resistive roof coverings and exterior construction requirements due to fire zone four designation, including prohibition of wood roofing materials. Further amended sections continue prescriptive foundation requirements for residential construction due to expansive soil, excavation and grading requirements found in the current code, also structural requirements for signs. As well as clarifying the relationship between the International Plumbing and Mechanical codes and the California Building, Mechanical, Electrical and Fire codes.

Other amended sections encompass limitations on water softeners discharge, requirement for earthquake activated gas shutoff valves, minor modifications to requirements for private sewage disposal systems, further restrictions on projects that are exempt from permit requirements. An amended section clarifies the time limit and expiration of a permit application and issued permits. Further amendments include establishment of an investigative fee for work started without a permit and plan check fees adjusted to the fees schedule adopted by council in August of 2007. Included is a clarification of the Board of Appeals function and membership, including the formation of one board for all construction, fire and disability issues. (There is inclusion of a required two disabled members for disability board issues.)

Added sections include the declaration that the entire City of Agoura Hills is a "Very High Fire Danger Severity Zone", this term matches code language establishing new code guidelines we are adopting. Other sections include a continuation of cost recovery provisions for code enforcement activities related to unsafe buildings, and an amended section establishing additional structural requirements for earthquakes resistant construction as recommended by the Los Angeles Regional Unified Code Program. A new section clarifies the relative hazard between different occupancies where there is a change in occupancy in an existing building. A new chapter in the Municipal Code establishes post-disaster regulations that allow the building official to post placards on buildings upon completion of a safety assessment. Two other new

sections are as follows, one establishes conditions constituting a dangerous building, the other section references the building code for fire sprinklers system requirements.

RECOMMENDATION

Staff respectfully recommends the City Council adopt (urgency) Ordinance No. 07-350U (Attachment A) and introduce, read by title only, and waive further reading of (non-urgency) Ordinance 07-350 (Attachment B) by the following actions:

1. **URGENCY:** Motion to read by title only and adopt urgency Ordinance No. 07-350U effective January 1, 2008.
2. **NON-URGENCY:** Motion to introduce, read by title only, and waive further reading of Ordinance No. 07-350.

Attachment: Ordinance No. 07-350U and 07-350