



## Legislation Text

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**File #: 22-643, Version: 1**

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Report regarding an ordinance repealing current Building Code regulations under Title 15 of the South San Francisco Municipal Code, and adopting by reference the 2022 California Building Standards Codes with certain local amendments. (*Phillip Perry, Chief Building Official*)

### **RECOMMENDATION**

**It is recommended that the City Council:**

- (1) Conduct a public hearing; and**
- (2) Waive reading and introduce an ordinance repealing and replacing Chapters 15.06, 15.08, 15.10, 15.12, 15.14, 15.16, 15.20, 15.22, 15.24, 15.26, 15.32, 15.34 and 15.36 of the South San Francisco Municipal Code. Adding Chapters 15.06, 15.08, 15.10, 15.12, 15.14, 15.16, 15.20, 15.22, 15.24, 15.26, 15.32, 15.34, 15.36, and making findings and adopting by Reference the 2022 Editions of the California Administrative, Building Code with Appendix G, H, I, Residential Code with Appendix AK, Electrical, Mechanical, Plumbing Appendix I, Energy, Historical Building, Fire with Appendices 4, B, BB, C, CC, D, E, F, G, H, I, N and O, Existing Building, Green Building Code, Referenced Standards Codes, 2022 Editions, respectively, and the International Property Maintenance Code, 2021 Edition, with certain local amendments.**

### **BACKGROUND**

Every three years the International Code Council (ICC) publishes the model codes. From these model codes, the California Building Standards Commission along with the State Fire Marshall and other state agencies amend and adopt these model codes to create the California Code of Regulations Title 24. Title 24 contains several parts such as the:

- California Administrative Code (Part 1),
- California Building Code (Part 2, Volumes 1 and 2),
- California Residential Code (Part 2.5),
- California Electrical Code (Part 3),
- California Mechanical Code (Part 4),
- California Plumbing Code (Part 5),
- California Energy Code (Part 6),
- California Historical Building Code (Part 8),
- California Fire Code,
- California Existing Building Code (Part 10),
- California Green Building Standards Code (Part 11), and
- California Referenced Standards Code (Part 12) and the International Property Maintenance Code.

The most recent State mandated adoption of the California "Building" Codes was on January 1, 2020. The California Building Standards Codes for 2022 are to be enforced at the local level and thus must be adopted by January 1, 2023. Local jurisdictions may also adopt additional amendments to the California "Building" Codes

as necessitated by local climatic, geographical, or topographical conditions. Any amendments by the City must be at least as stringent as those outlined in Title 24. In addition to these amendments, Cities have the authority to adopt Reach Codes that require efficiency standards that are above the minimum state code requirements.

## DISCUSSION

On June 9, 2021, the City of South San Francisco Council adopted the first Reach Code Ordinance for all electric residential construction and expanded Electric Vehicle (EV) charging requirements. The City currently adopts the California Building and Energy Codes by reference under Title 15 of the South San Francisco Municipal Code, with additional local amendments tailored to the City's particular local characteristics and Reach Code amendments. The new 2022 California Green Code Electric Vehicle Charging (EVC) requirements surpass the requirements of the City's currently adopted EV Reach Code requirements. Therefore, staff proposes redacting the City's currently adopted EV Reach Code and adopt by reference the 2022 California Green Code. Attachment A is included with this staff report to illustrate the City's current Reach Code and the 2022 California Green Code's more stringent standards.

The purpose of the City Council's action on November 9, 2022, is to introduce the ordinance that repeals the previously adopted Title 24 and adopts by reference the 2022 edition of the California Code of Regulations Title 24 with local amendments including residential Reach Codes. If City Council introduces the ordinance on November 9<sup>th</sup> and adopts the ordinance on December 14<sup>th</sup>, the 2022 California Code of Regulations Title 24 will be effective January 1, 2023 and local amendments and Reach Code will be effective January 14, 2023 (30 days after adoption).

## **Proposed Local Amendments**

The proposed amendments to each respective code are described below. The accompanying proposed ordinance includes a set of findings of particular climatic, geographical, and topographical conditions for the City in support of these local amendments. Said findings are included as Exhibit A to the proposed ordinance.

### Amendments to the 2022 California Building Code

Staff proposes that the 2022 California Building Code be adopted as the code regulating site preparation and construction, alteration, moving, demolition, repair, maintenance, use and occupancy of all buildings and structures within this jurisdiction. Staff proposes to adopt amendments to the California Building Code as follows:

1. Section 3410.2, Moved Structures:  
This section is added to establish the minimum requirements for maintaining public ways during the moving of structures within the city, and the length of time a structure can remain on temporary blocking. In addition to creating specific requirements for hours of grading operations, transportation routes, fees, and restrictions during season.
2. Section 1511.10, Spark Arresters:  
This section is added to require that all new roofing installations and all reroofing installations shall include the installation of an approved spark arrester on all chimneys.
3. Appendix G, Flood-Resistant Construction:  
The purpose of this appendix is to provide the additional flood-plain management and administrative requirements of the National Flood Insurance Program that are not included in the code.
4. Appendix H, Signs:

The purpose of this appendix is to gather in one place the various standards that regulate the construction and protection of outdoor signs.

5. Appendix I, Patio Covers:

The purpose of this appendix is to provide standards applicable to the construction and use of Residential patio covers.

Amendments to the 2022 California Residential Code

1. Section 1.8.10.3, Moved Structures and Temporary Structures:

This section is added to establish the minimum requirements for maintaining public ways during the moving of structures within the city and the length of time a structure can remain on temporary blocking. In addition to creating specific requirements for hours of grading operations, transportation routes, fees, and restrictions during season.

2. Section 1.8.10.4 Work Hours:

This section is added to regulate construction, delivery, servicing, and operation hours.

3. Section R506.3, Concrete Slab Design:

This section is added to establish the minimum reinforcing requirements for concrete slabs on grade.

4. Section R903.5, Weather Protection:

This section is added to establish specific weather protection for metal hardware such as: bolts, nails, hinges, locks, and other similar hardware exposed to the weather and used on the exterior of residential buildings located west of Interstate Highway 280.

5. Section R907.7, Spark Arresters:

This section is added to require that all new roofing, and reroofing installations shall include the installation of an approved spark arrester on all chimneys.

6. Excavation and Grading:

See 2016 California Building Code, Volume 2

7. Appendix AK, Sound Transmission:

This appendix is amended to establish requirements for air-borne sound transmission in residential structures.

8. Section 202, Definitions:

\*Newly constructed residential buildings:

Newly constructed residential buildings as defined shall include a construction project where an alteration includes “renovations” to residential buildings where either:

1. replacement of over 50% of the existing foundation for purposes other than a repair or reinforcement as defined in California Existing Building Code Section 202 or
2. when over 50% of the existing framing above the sill plate is removed or replaced for purposes other than repair.

If either of these criteria are met within a 3-year period, measured from the date of the most recent previously obtained permit final date, that structure is considered new construction

Amendments to the 2022 California Energy Code

15.26.020 Amendments to the Energy Code/Building Energy Efficiency Standards.

Amendments to the 2022 California Fire Code:

It is proposed that the 2022 California Fire Code, with Appendices 4, B, BB, C, CC, D, E, F, G, H, I, N, and O be adopted with the proposed local amendments as follows:

1. Scope and Administration (Chapter 1), amendments include those that establish the regulations of the City of South San Francisco including local policy manuals. This chapter is also where the code identifies appropriate agencies for the implementation, administration, and enforcement of state and local code provisions. In this chapter we adopt local operational permits to regulate local hazardous operations and facilities.
2. Definitions (Chapter 2), amendments include the addition of “all-weather, hard surface” and modify existing defined terms to meet local needs, such as “nuisance alarm” and “substantial improvement”.
3. Emergency Planning and Preparedness (Chapter 4), amendments establish timeframes and possible corrective actions for failing fire alarm system. Other amendments eliminate existing code sections not adopted by the state that conflict with other state statutes.
4. Fire Service Features (Chapter 5), amendments include requirements to illuminate addressing, establish clear dimensions for fire service appurtenances, general requirements for fire command centers, and identify county wide requirements for emergency responder radio communication coverage systems.
5. Fire Protection and Life Safety Systems (Chapter 9), amendments retain existing local thresholds for minimum fire protection systems such as fire sprinklers, enhances fire alarm monitoring requirements to reduce nuisance alarms, adds lacking fire protection design criteria for building with lithium-ion batteries in vehicles to support local and state energy initiatives, establishes the ability to accept electronic system maintenance reporting for fire protection systems and codify local building standards that were not appropriately adopted previously.
6. Stationary Fuel Cell Power Systems (Chapter 12), amendment codifies a previous and long-standing operational permit not appropriately adopted previously.
7. Plant Processing and Extraction Facilities (Chapter 39), amendment brings in nationally recognized building standards that will enhance the safety of these facilities.
8. Explosives and Fireworks (Chapter 56), amendments established financial responsibility appropriate to our region of the country and established limitations based on and in support of current zoning districts.
9. Flammable and Combustible Liquids (Chapter 57), amendments establish appropriate limitations in support of current zoning districts.
10. Flammable Gases and Flammable Cryogenic Fluids (Chapter 58), amendment establishes appropriate limitations in support of current zoning districts.
11. Liquified Petroleum Gases (Chapter 61), amendment establishes appropriate limitations in support of

current zoning districts.

12. Reference Standards (Chapter 80), amendments enhance fire and life safety of special hazards, improve emergency response and maintenance of fire protection systems with consistent practices.
13. Fire Flow Requirements for Buildings (Appendix B), amendment codifies a previous and long-standing construction practice limiting the maximum reduction that improves our effectiveness during emergency response that was not appropriately adopted previously.

### **Noticing Requirements**

A public hearing notice was published ahead of the November 9, 2022 meeting for at least two consecutive weeks. Under Government Code section 50020 et seq., municipalities are permitted to adopt state codes by reference following certain procedures. Gov. Code section 50022.2 further authorizes the City to adopt a code by reference without complying with specific procedures if the adoption is expressly required or permitted as a condition of compliance with a state statute. As the City is required to comply with State Building Standards Code, it is authorized to proceed with adoption by reference.

### **CONCLUSION**

Staff recommends that the City Council introduce the ordinance which will amend the Municipal Code and adopt by reference the 2022 Editions of the California Administrative, Building Code with Appendix G, H, I, Residential with Appendix AK, Electrical, Mechanical, Plumbing with Appendix I, Energy, Historical Building, Fire with Appendices 4, B, BB, C, CC, D, E, F, G, H, I, N and O, Existing Building, Green Building, and Referenced Standards, 2022 Editions respectively, and adopt by reference the International Property Maintenance Code, 2021 Edition, and waive further readings.

### **Attachments:**

Attachment A - City Reach Codes and Green Building Code Comparison