

City of Culver City, California
Agenda Item Report

Meeting Date: 05/27/14		Item Number: <u>PH-1</u>	
CITY COUNCIL AGENDA ITEM: PUBLIC HEARING - (1) Introduction of an Ordinance Repealing and Replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting by Reference the 2013 California Fire Code with Local Amendments; and (2) Adoption of a Resolution Making Express Findings for the Modification of the Fire Code Based on Local Climatic, Geological, and Topographical Conditions.			
Contact Person/Dept.: Michael Bowden, Fire Prevention		Phone Number: (310) 253-5926	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: Publication in the Culver City News on 5/15/14; Meetings and Agendas – City Council (05/21/14)			
Department Approval: Chris Sellers (by M. Bowden 5/14/14)		City Attorney Approval: Carol Schwab (by L. Vidra) (05/14/14)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (05/21/14)		City Manager Approval: John M. Nachbar (05/21/14)	
<u>RECOMMENDATION:</u> Staff recommends the City Council conduct a Public Hearing and (1) introduce a proposed ordinance repealing and replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code (CCMC) and adopting by reference the 2013 California Fire Code (CFC) with local amendments; and (2) adopt a proposed resolution making express findings for modification to the Fire Code based on local climatic, geological, and topographical conditions. <u>PROCEDURE:</u> 1. Mayor requests a motion to receive and file the affidavit of publication and posting of notice of the public hearing; 2. Mayor calls for a staff report; 3. The City Council poses questions to staff as desired; 4. Mayor seeks a motion to open the public hearing and invites public comments; 5. Mayor seeks a motion to close the public hearing; 6. The City Council discusses the matter and takes desired actions.			

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BACKGROUND:

In California, the State Fire Marshal has adopted the 2013 CFC based upon the 2012 International Fire Code (IFC) as Part 9 of Title 24 of the California Code of Regulations. Title 24 is commonly referred to as the California Building Standards Code.

The IFC is a model code developed by the International Code Council which combined three of the major model code groups into one council with the intent to create one universal code for the entire United States.

During 2012, the State Fire Marshal amended the 2012 IFC and adopted it as the 2013 CFC. The 2013 CFC became state law on January 1, 2014. Local jurisdictions may amend and adopt the CFC to fit local requirements. If no action is taken, the local jurisdiction is required to operate solely under State regulations.

DISCUSSION

The Fire Department is requesting the current Culver City Fire Code, contained in CCMC Chapter 9.02, be repealed, and a new ordinance adopting the 2013 CFC with local amendments be adopted in its place. There are minor changes based on text for reorganization, text adjustments, and amendments to Chapters 1 through 80, and various appendix sections being proposed. Several of the proposed changes to Chapter 9.02 of the CCMC involve section number changes due to numbering revisions in the 2013 CFC.

California Health and Safety Code Sections 17921 and 17922, as well as the City's Charter Section 618, permit adoption of the CFC by reference. California Health and Safety Code Section 13143.5 allows the City, by ordinance, to make changes or modifications that are more restrictive than the requirements set by the State.

Pursuant to California Health and Safety Code Sections 17958.5 and 17958.7, whenever a jurisdiction adopts regulations that are more restrictive than the State standards, certain findings of fact must be made. These findings are presented in a proposed resolution along with the introduction of the proposed ordinance. This adoption cycle, there are only minor new local requirements; the majority of this process will simply reaffirm existing local amendments. Should the City Council adopt the proposed resolution and ordinance, a copy of these findings will be filed with the State of California, Building Standards Commission.

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Pursuant to California Government Code Section 50022.3, the City must hold a public hearing, and notice of the hearing date, time and location must be published in a local newspaper. The public notice was published in the Culver City News on May 15, 2014. Per California Government Code Section 50022.6, and Section 618 of the City Charter a copy of the 2013 CFC was filed with the Office of the City Clerk and will be kept there for public inspection. A copy will also be kept in the Office of the Culver City Fire Marshal in the Fire Prevention Division.

FISCAL ANALYSIS:

There is no direct fiscal impact related to the proposed actions.

ATTACHMENTS:

1. Proposed Ordinance
2. Proposed Resolution making express findings for the modification of the Fire Code based on local climatic, topographic, and geological conditions.
3. Culver City Municipal Code Chapter 9.02 (Current Version)
4. Public Notice

MOTION:

That the City Council:

1. Introduce an Ordinance Repealing and Replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting by Reference the 2013 California Fire Code, with Local Amendments; and,
2. Adopt a Resolution making express findings for modification to the Fire Code based on local climatic, geological, and topographical conditions.