

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 01/14/2008		Item Number: <u>PH-2</u>	
AGENDA ITEM: A Public Hearing (1) Introducing an Ordinance Repealing and Replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code Adopting by Reference the "2007 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.: Richard Gallagher		Phone Number: (310) 253-5926	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: Publication in the Culver City News on December 27, 2007; Master Notification List (01/09/08)			
Department Approval: Chris Sellers, 1/3/08		City Attorney Approval: Carol Schwab (by H. Baker) (01/08/08)	
Fiscal Impact Review: Jeff Muir (by M. Noller) (01/08/08)		City Manager Approval: Jerry B. Fulwood (01/09/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council conduct a Public Hearing and (1) introduce an ordinance adopting by reference the 2007 California Fire Code (CFC) with local amendments, and repealing and replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code and (2) adopt a 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 public hearing. 2. Mayor calls for a staff report 3. The City Council poses questions to staff as desired. 4. Mayor opens public hearing, invites public comments. 5. Mayor requests 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 2007 California Fire Code based upon the 2006 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 (CFC).

The CFC 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 2006 the State Fire Marshal amended the 2006 IFC which became the 2007 CFC. It became State Law on January 1, 2008. Local jurisdictions can 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. Culver City is currently using the 2001 California Fire Code, with local amendments.

The Fire Department is requesting existing Chapter 9.02 be repealed and replaced with a new Chapter 9.02, adopting by reference the 2007 California Fire Code with local amendments. There are minor changes based on text for re-organization, text adjustments, and amendments to Chapter 1 through 46, and various appendix sections being proposed. Most of the changes to Chapter 9.02 of the Culver City Municipal Code involve section number changes due to numbering revisions in the 2007 California Fire Code, or deleted items due to the new code meeting or exceeding the local amendment.

Health and Safety Code Sections 17921 and 17922 permit adoption of the Code by reference.

Health and Safety Code Section 13143.5 allows the City, by ordinance, to make changes or modifications that are more stringent than the requirements set by the State.

Pursuant to 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 new ordinance (this adoption cycle, there are no new local requirements; this process will simply reaffirm existing local amendments). A copy of these findings will be filed with the State of California, Building Standards Commission.

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The public notice was published in the Culver City News on December 27, 2007. Per Government Code section 50022.6, a copy of the 2007 California Fire Code was filed with the office of the City Clerk and will be kept there for public inspection until after adoption of the 2007 California Fire Code by reference, at which time it will be kept in the offices of the Culver City Fire Marshal, in Fire Prevention.

FISCAL ANALYSIS:

There are no significant costs associated with the adoption of the ordinance repealing and replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code adopting by reference the "2007 California Fire Code". Printing and clerical-related costs are limited to the replacement of approximately five pages of the Municipal Code and the revision and replenishment of Fire Department forms with updated Fire Code references. These costs can be absorbed within the Fire Department's fiscal year 2007-08 adopted budget.

ATTACHMENTS:

1. Proposed Ordinance
2. Proposed Resolution

MOTION:

That the City Council:

1. Introduce an Ordinance repealing and replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code adopting by reference the "2007 California Fire Code," with local amendments; and
2. Adopt a Resolution making the findings for modification of the Fire Code based on local climatic, geological and topographical conditions.