



# City of Culver City

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## Staff Report

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**File #:** 20-308, **Version:** 1

**Item #:** PH-2.

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**CC - PUBLIC HEARING:** (1) Introduction of an Ordinance Repealing and Replacing Sections 9.02.005-9.02.075 ("Fire Code Adoption and Amendments") of Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting By Reference the 2019 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.

**Meeting Date:** October 14, 2019

**Contact Person/Dept:** Jeremy De Bie/Fire Dept.

**Phone Number:** (310) 253-5926

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☐

**Public Hearing:** ☒

**Action Item:** ☐

**Attachments:** ☒

**Commission Action Required:** Yes ☐ No ☒

**Public Notification:** Publication in the Culver City News (09/26/19 and 10/03/19); (E-Mail) Meetings and Agendas - City Council (10/09/19);

**Department Approval:** David L. White (09/26/19)

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### **RECOMMENDATION**

Staff recommends the City Council (1) conduct a public hearing and introduce a proposed ordinance repealing and replacing Chapter 9.02, Sections 005-075 of Title 9 of the Culver City Municipal Code (CCMC); and (2) adopt a proposed resolution making express findings for modification to the Fire Code based on local climatic, geological, and topographical conditions.

### **PROCEDURE**

1. Mayor seeks a motion from the City Council to receive and file the affidavits of publication and posting of notices, and correspondence received in response to the public hearing notices; and,
2. Mayor calls for a staff report, and the City Council Members may pose questions to staff as desired; and,
3. Mayor seeks a motion to open the public hearing; and,

4. Mayor seeks motion to close the public hearing after all public testimony has been presented; and,
5. The City Council discusses the item and arrives at its decision.

## **BACKGROUND/DISCUSSION**

In California, the State Fire Marshal amended the 2018 International Fire Code (IFC) and adopted it as the 2019 California Fire Code (CFC). The 2019 CFC will become state law on January 1, 2020. 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.

The Fire Department is requesting the current Culver City Fire Code, contained in Culver City Municipal Code (CCMC) Chapter 9.02, Sections 005-075 be repealed, and a new ordinance adopting the 2019 California Fire Code 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 changes to Chapter 9.02 of the CCMC involve section number changes due to numbering revisions in the 2019 California Fire Code.

California Health and Safety Code Sections 17921 and 17922, as well as the City's Charter Section 618, permit adoption of the Code 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 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 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.

Pursuant to 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 September 26, 2019 and October 3, 2019. Per Government Code section 50022.6, a copy of the 2019 California Fire Code 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 offices of the Culver City Fire Marshal, in Community Risk Reduction.

## **FISCAL ANALYSIS**

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

## **ATTACHMENTS**

1. 2019-10-14\_ATT\_Proposed Ordinance
2. 2019-10-14\_ATT\_Proposed Resolution
3. 2019-10-14\_ATT\_Culver City Municipal Code Chapter 9.02 (Current Version)
4. 2019-10-14\_ATT\_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 2019 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.