

TOWN COUNCIL STAFF REPORT

Title: Consideration of an Ordinance Adopting and Amending the 2022 California Building Standards Code and making minor changes to Chapters 15.04, 15.12, 15.16, 15.24, 15.40 of the Mammoth Lakes Municipal Code and consideration of a resolution ratifying the Mamm

Meeting Date: November 16, 2022

Prepared by: Tom Perry, Building Official

RECOMMENDATION:

Staff recommends the following to the Town Council: Approve Option 1 and waive the full reading and introduce by title only an ordinance amending Municipal Code Chapters 15.04, 15.12, 15.16, 15.24, and 15.40 to reflect adoption of the 2022 Edition of the California Building Standards Codes, including the California Building, Plumbing, Mechanical, Electrical, Residential, Energy, Historical Building, Existing Building, Referenced Standards, Administrative, and Green Building Standards Codes, minor changes to Chapters 15.12, 15.16, 15.24, and 15.40, adoption of the 2016 Edition of the American Concrete Institute 306R Guide to Cold Weather Concreting, and the 2021 Edition of the International Property Maintenance Code, with certain local amendments, additions and deletions and set a public hearing for December 7, 2022 to adopt the ordinance; and adopt a resolution ratifying the Mammoth Lakes Fire Protection District ordinance adopting the 2016 Fire Code.

BACKGROUND:

The California Building Standards Commission adopts and publishes the California Building Standards Code (Title 24 California Code of Regulations). These codes are revised annually and reprinted every three years. The 2022 Edition of the California Building Standards Code, which incorporates the model codes listed below, will become effective statewide on January 1, 2023. Section 15.04.030 of the Municipal Code as amended by the attached ordinance adopts these updated codes.

- 2022 California Administrative Code,
- 2022 California Building Code,
- 2022 California Electrical Code,
- 2022 California Mechanical Code,
- 2022 California Plumbing Code,
- 2022 California Energy Code,
- 2022 California Residential Code,
- 2022 California Green Building Standards Code,
- 2022 California Referenced Standards Code,

- 2022 California Existing Building Code,
- 2022 California Historical Building Code,
- 2021 International Property Maintenance Code, and
- 2016 American Concrete Institute 306R Guide to Cold Weather Concreting.

In addition to the California Building Standards Code, cities and towns can adopt other model codes not included within the California Building Standards Code to assist in its implementation. For example, the Town has historically adopted the International Property Maintenance Code.

The proposed changes to Municipal Code Chapter 15.04 have been reviewed and approved by the Mammoth Lakes Contractor's Association, and the Town of Mammoth Lakes Building Advisory Committee/Board of Appeals. The proposed changes to the Mammoth Lakes Fire Protection District's ordinance have been reviewed and approved by the Mammoth Lakes Contractor's Association and the Mammoth Lakes Board of Fire Commissioners.

ANALYSIS:

Local jurisdictions are required to enforce the 2022 California Building Standards Codes, effective January 1, 2023. The Town may adopt an altered code or different version of the State amended code; however, any changes to the California State amended Code must be filed with and approved by the California Building Standards Commission. The Commission will approve local amendments if the changes are stricter than the State amended code and the local jurisdiction can justify the changes as necessary based on local climatic, geographic or topographical conditions.

The California Building Standards Code traditionally is on a three-year cycle for changes to update the codes. The latest edition of the Code reflects changes in technology and lessons learned during the previous code cycle. Historically, the Town has included changes to the California Building Standards Code related to snow loads and wind design. Adoption of the 2022 Building Standards Code will carry forward all previous alterations to the Code and will not include modifications beyond those that are currently in effect. The new codes will make buildings safer, more efficient and will help to preserve California's resources.

In addition to the 2022 Building Standards Code Update, staff has included minor changes as follows:

- 15.04.050 – Minor changes to clarify what should be included in plans and specifications.
- 15.04.140 – Woodstove Inserts – Removed the compliance deadline of October 31, 2022 as compliance is being achieved as properties are being sold.
- 15.12.020 – Building permit fees – Removed “finish work and painting” from the fee calculations.
- 15.16.020 – Strong Motion Indicator Program Fee – Removed minor permits from this section as the State requires SMIP fees for all building projects.

15.16.030 – New Development Fees – Removed the specific fee from the code and changed the language to rely on the Town Council resolution in order to determine the fee.

15.16.050 – Major thoroughfare fees – Deleted this section as the fee is not applicable and has been incorporated into Development Impact Fees. The Town has not been collecting this fee.

15.24.010 – Wind Design – Updated the minimum wind speeds for R-3 occupancies from 110 miles per hour to 95 miles per hour based upon new criteria in the 2022 Residential Code.

15.40.010 – Definitions – Deleted “LNG” since there is no liquefied natural gas (LNG) service in the region and it is anticipated that no LNG service will be available in the foreseeable future.

15.40.030 – Included a reference to NFPA 58 as that is the state code for liquefied petroleum gas (LPG) and have included existing NFPA 58 and local requirements for LPG facilities.

The MLFPD has requested that the Town Council ratify the local amendments to the 2022 Fire Code that were approved by the Board of Fire Commissioners in November 2022. The District ordinance will not be effective until it is ratified by the Town and filed with the California Department of Housing and Community Development. The attached resolution ratifies the District ordinance. Ales Tomaier from the Mammoth Lakes Fire Protection District is available to address questions regarding the District ordinance adopting and amending the 2022 Fire Code.

OPTIONS ANALYSIS

Option 1: Waive the full reading and introduce by title only an ordinance amending Municipal Code Chapter 15.04 to reflect adoption of the 2022 Edition of the California Building Standards Codes, including the California Building, Plumbing, Mechanical, Electrical, Residential, Fire, Energy, Historical Building, and Green Building Standards Codes, making minor changes to Municipal Code Chapters 15.12, 15.16, 15.24, 15.40, adoption of the 2016 Edition of the American Concrete Institute 306R Guide to Cold Weather Concreting, and the 2021 Edition of the International Property Maintenance Code, with certain local amendments, additions and deletions and set a public hearing for December 7, 2022 to adopt the ordinance; and adopt a resolution ratifying the Mammoth Lakes Fire Protection District ordinance adopting the 2022 Fire Code.

Option 2: The Town Council could take no action. Under this scenario, the Town is still mandated to enforce the 2022 California Building Standards Code without local amendments, and the Mammoth Lakes Fire Protection District is mandated to enforce the 2022 California Fire Code without local amendments.

ENVIRONMENTAL CONSIDERATIONS:

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

Attachments:

1. Town Council Ordinance for adoption of the 2022 California Building Standards Code
Exhibit A: Amended sections of Municipal Code Chapters 15.04, 15.12, 15.16, 15.24, 15.40
Exhibit B: Findings in Support
2. Town Council Resolution Ratifying MLFPD Ordinance 2022-01
3. MLFPD Ordinance 2022-01