



Legislation Details (With Board Report)

File #: 13-1242 **Name:** BSD Code Adoption Ord

Type: General Agenda Item **Status:** Passed

File created: 11/25/2013 **In control:** Board of Supervisors

On agenda: 12/3/2013 **Final action:** 12/3/2013

Title: Introduce, waive reading and set December 17, 2013, at 10:30 a.m. as the date and time to consider adoption of an ordinance:
a. Making express findings regarding amendments to the 2013 California Building Standards Code that are reasonably necessary due to local climatic, geological or topographic conditions pursuant to Sections 17958.7 and 18941.5 of the Health And Safety Code;
b. Amending Chapter 1.22 relating to code enforcement and repealing Chapters 18.01, 18.02, 18.03, 18.04, 18.05, 18.06, 18.07, 18.08, 18.09, 18.10, 18.11, 18.12, 18.13, 18.16, 18.17, and 18.52; and adding chapters 18.00, 18.01, 18.02, 18.02.5, 18.03, 18.04, 18.05, 18.06, 18.08, 18.09, 18.10, 18.11, 18.12, 18.13 and 18.16 of the Monterey County Code relating to adoption of the 2013 edition of the California Building Standards Code with local amendments with related administrative and enforcement provisions; and
c. Establishing the Building Standards Appeals Board (Board) and requesting the Board of Supervisors to make appointments of members to the Board to hear matters and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the County's Building Codes.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Completed Board Order

Date	Ver.	Action By	Action	Result
12/3/2013	1	Board of Supervisors	approved	

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c. Establishing the Building Standards Appeals Board (Board) and requesting the Board of Supervisors to make appointments of members to the Board to hear matters and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the County's Building Codes.

RECOMMENDATION:

Introduce, waive reading and set December 17, 2013, at 10:30 as the date and time to consider adoption of an ordinance:

- a. Making express findings regarding amendments to the 2013 California Building Standards Code that are reasonably necessary due to local climatic, geological or topographic conditions pursuant to Sections 17958.7 and 18941.5 of the Health And Safety Code;
- b. Amending Chapter 1.22 relating to code enforcement and repealing Chapters 18.01, 18.02, 18.03, 18.04, 18.05, 18.06, 18.07, 18.08, 18.09, 18.10, 18.11, 18.12, 18.13, 18.16, 18.17, and 18.52; and adding chapters 18.00, 18.01, 18.02, 18.02.5, 18.03, 18.04, 18.05, 18.06, 18.08, 18.09, 18.10, 18.11, 18.12, 18.13 and 18.16 of the Monterey County Code relating to adoption of the 2013 edition of the California Building Standards Code with local amendments with related administrative and enforcement provisions;
- c. Establishing the Building Standards Appeals Board (Board) and requesting the Board of Supervisors to make appointments of members to the Board to hear matters and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the County's Building Codes.

SUMMARY / DISCUSSION:

The Building Services Department of the Resource Management Agency is proposing to repeal and amend the building and related codes previously adopted in the Monterey County Code.

The following publications will be adopted by reference and incorporated in Title 18, except as expressly amended or superseded. The 2013 edition of Title 24, California Code of Regulations (CCR) consists of the following parts: Part 2 - California Building Code, Part 2.5 - California Residential Building Code, Part 3 - California Electrical Code, Part 4 - California Mechanical Code, Part 5 - California Plumbing Code, Part 6 - California Energy Code, Part 8 - California Historical Building Code, Part 9 - California Fire Code, Part 10 - California Existing Building Code, Part 11 - California Green Building Standards Code (*CALGreen Code*), and Part 12 - Reference Standards Code.

By statute, the triennial edition of the California Building Standards Code and other regulations adopted pursuant to Health and Safety Code Section 17922, known as the model building codes, become effective in each local jurisdiction throughout California on January 1, 2014. State law requires that local amendments be based on local climatic, topographic, or geographic conditions of the jurisdiction, and which are necessary for the preservation of the public health, safety, and welfare due to its unique circumstances. The proposed ordinance adopts the entirety of the 2013 California Building Standards Code into the Monterey County Code, including the local amendments based on Monterey County's unique local climate, geography, and topography and also certain administrative and enforcement provisions.

One of the key elements included in the attached ordinance are provisions for establishing a Building Standards Appeals Board to hear matters and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the County's Building Codes. As the Building Standards Appeals Board has not convened in many years and the appointments of past members have expired, the Board of Supervisors is being asked to make appointments of new Appeals Board members consistent with the adoption of this ordinance.

Additionally, amendments to Chapter 1.22 are included to clarify administrative procedures that govern the enforcement of Monterey County Code violations, and to provide for recordation of notices of violation for violations of the County Code to increase the availability of this enforcement tool.

FINANCING:

Adoption of the ordinance will have no net impact on the General Fund.

Prepared by: Mark Setterland, Deputy Building Official, RMA - Building Services
Approved by: Michael A. Rodriguez, Chief Building Official, RMA Building Services
Benny J. Young, Resource Management Agency Director

The following attachments are on file with the Clerk of the Board:

Attachments: Ordinance