Agenda Item 53

AGENDA STAFF REPORT

ASR Control 10-001565

3643

MEETING DATE:	12/14/10
LEGAL ENTITY TAKING ACTION:	Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S):	All Districts
SUBMITTING AGENCY/DEPARTMENT:	OC Public Works (Approved)
DEPARTMENT CONTACT PERSON(S):	Rick LeFeuvre (714) 955-0124
	Michael Balsamo (714) 667-8854

2010 DEC -3 PM 1:46

SUBJECT: 2010 County Building Code Amendments

CEO CONCUR	COUNTY COUNSEL REVIEW	CLERK OF THE BOARD
Concur	Approved Resolution(s) and Ordinance(s)	Discussion 3 Votes Board Majority

Budgeted: N/A **Current Year Cost:** N/A **Annual Cost:** N/A

Staffing Impact: No **# of Positions:** **Sole Source:** N/A
Current Fiscal Year Revenue: N/A
Funding Source: N/A

Prior Board Action: May 18, 1999; December 17, 2002; April 15, 2008

RECOMMENDED ACTION(S):

1. Read the title of Ordinances.
2. Order further reading of Ordinances be waived.
3. Consider the matter.
4. Direct the Ordinances be placed on the January 25, 2011 Board meeting as a public hearing for adoption.
5. At the January 25, 2011 Board meeting, conduct public hearing, consider and adopt the new Ordinances and Resolutions.

SUMMARY:

Adoption of proposed Ordinances and Resolutions amending Title 7 (Construction Regulations) of the County's Codified Ordinances will meet the State mandate and support the construction of safe private and public structures and facilities.

BACKGROUND INFORMATION:

The State Health and Safety Code Section 17958 mandates that the California Building Standards Commission adopt and publish the California Code of Regulations, Title 24, also referred to as the California Building Standard Codes, every three years. The same section of the Health and Safety Code also allows local governments to amend the most recent editions of the California Construction Codes with more restrictive requirements based on local climatic, topographical, and geological conditions. The California Construction Codes include the Building Code; Residential Code; Green Building Standards Code; and Plumbing, Mechanical, Electrical, and Fire Codes. The County is required by the State to adopt the latest editions of the California Building Standards Codes after the State adopts the codes. These codes will become effective January 1, 2011 as mandated by State law. The proposed ordinances and the most recent editions of the Construction Codes, with the applicable County amendments, will apply to all unincorporated areas of Orange County and County-owned facilities.

The 2010 Edition of the California Code of Regulations, Title 24, which incorporates the Construction Codes and Model Codes listed below has been adopted by the California Building Standards Commission. Model Codes are developed and published by non-profit organizations such as International Code Councils (ICC), International Association of Plumbing and Mechanical Officials (IAPMO), and National Fire Protection Association (NFPA).

California Building Construction Codes	**Referenced Model Codes**
2010 California Building Code	2009 International Building Code (ICC)
2010 California Residential Code	2009 International Residential Code (ICC)
2010 California Green Building Standards Code	
2010 California Plumbing Code	2009 Uniform Plumbing Code (IAPMO)
2010 California Mechanical Code	2009 Uniform Mechanical Code (IAPMO)
2010 California Electrical Code	2008 National Electrical Code (NFPA)
2010 California Fire Code	2009 International Fire Code (ICC)

On May 18, 1999, your Board adopted by reference the 1998 editions of California Building, Plumbing, Mechanical, Housing and Electrical Codes; the 1997 editions of the Uniform Building, Plumbing, Mechanical and Housing Codes; and the 1996 National Electrical Code. Similarly, on December 17, 2002, your Board adopted the 2001 California Building Code and the 1997 Uniform Building Code with County amendments. On April 15, 2008, your Board adopted the 2007 Construction Codes and related Model Codes with County amendments.

The above listed Construction Codes and related Model Codes are proposed for adoption with amendments that are necessary due to local climatic, topographical, and geological conditions. Findings are required to justify the code modifications. Resolutions containing summary of the code amendments and required findings are attached.

When approved, the proposed ordinances would amend Title 7 (Construction Regulations) of the County's Codified Ordinances. The proposed ordinances differ from the State Code in that they would include the continuation of existing County amendments that are currently in effect including certain existing administrative amendments. These existing administrative amendments allow for local administration of building regulations such as permit issuance, permit appeal process, underground utilities, permit expiration/renewal, and special inspection and violation/penalty provisions. Local fire protection provisions are based on recommendations from the OCFA with one exception: staff proposes that the current County fire sprinkler requirements for additions to existing residential dwellings be continued,

while the Orange County Fire Authority (OCFA) has recommended more stringent requirements. The Building Industry Association of Orange County (BIA/OC) is opposed to OCFA's proposed requirements (Exhibit A).

The proposed ordinances would also include new amendments as follows:

a. seismic repair/reconstruction standards for damaged buildings after a major earthquake;
b. specific design criteria related to wind speed, seismic design category, flood hazard zones, etc.;
c. steel reinforcement requirements in footings of residential dwellings to resist earthquakes;
d. placement of drainage devices at retaining walls to reduce water pressure on the walls;
e. clarification of the term "Sustainability" in the Green Building Standards Code; and
f. clarification of water conservation inspection procedures for automatic outdoor irrigation system as required in the Green Building Standards Code.

The proposed amendments would provide additional protection for residents of the unincorporated areas of Orange County related to building and fire requirements. The proposed amendments are consistent with those endorsed by the ICC Chapter of Orange County's Code Uniformity Group and have the support of the BIA/OC. Most cities in Orange County are adopting requirements with local amendments similar to those proposed by County staff.

Compliance with CEQA: The subject activity is not a project as defined by CEQA pursuant to Section 15378(b)(2) of the CEQA Guidelines.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

EXHIBIT(S):

Exhibit A - Building Industry Association Letter
Exhibit B - 2007 Building Code Ordinance Strikethrough Version
Exhibit C - 2007 Plumbing Code Ordinance Strikethrough Version
Exhibit D - 2007 Mechanical Code Ordinance Strikethrough Version
Exhibit E - 2007 Electrical Code Ordinance Strikethrough Version
Exhibit F - 2007 Fire Code Ordinance Strikethrough Version
Exhibit G - BIA Letter of Support

ATTACHMENT(S):

Attachment A - Proposed Building, Residential and Green Building Standards Code Ordinance
Attachment B - Resolution including findings justifying Building, Residential and Green Building Standards Code amendments
Attachment C - Proposed Plumbing Code Ordinance
Attachment D - Resolution including findings justifying Plumbing Code amendments
Attachment E - Proposed Mechanical Code Ordinance
Attachment F - Resolution including findings justifying Mechanical Code amendments

Attachment G - Proposed Electrical Code Ordinance
Attachment H - Resolution including findings justifying Electrical Code amendments
Attachment I - Proposed Fire Code Ordinance
Attachment J - Resolution including findings justifying Fire Code amendments