

ORDINANCE NO. 04-1242

1
2 **AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA,**
3 **ADOPTING BY REFERENCE PART 2 OF TITLE 24 OF THE CALIFORNIA**
4 **CODE OF REGULATIONS WITH UPDATED STRUCTURAL AMENDMENTS,**
5 **COMPRIING THE 2001 CALIFORNIA BUILDING CODE; PART 3 OF TITLE 24**
6 **OF THE CALIFORNIA CODE OF REGULATIONS, COMPRIING THE 2001**
7 **CALIFORNIA ELECTRICAL CODE; PART 4 OF TITLE 24 OF THE**
8 **CALIFORNIA CODE OF REGULATIONS, COMPRIING THE 2001**
9 **CALIFORNIA MECHANICAL CODE; PART 5 OF TITLE 24 OF THE**
10 **CALIFORNIA CODE OF REGULATIONS, COMPRIING THE 2001**
11 **CALIFORNIA PLUMBING CODE; PART 9 OF TITLE 24 OF THE CALIFORNIA**
12 **CODE OF REGULATIONS, COMPRIING THE 2001 CALIFORNIA FIRE CODE;**
13 **PART 10 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS,**
14 **COMPRIING THE 2001 CALIFORNIA CODE FOR BUILDING**
15 **CONSERVATION; THE 1997 EDITION OF THE UNIFORM HOUSING CODE;**
16 **AND THE 1997 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF**
17 **DANGEROUS BUILDINGS; AMENDING SAID CODES; AND AMENDING**
18 **TITLE 15 OF THE HERMOSA BEACH MUNICIPAL CODE.**

19 **WHEREAS,** the State of California has adopted the California Building Standard Codes
20 that must in turn be adopted or utilized by each city or county;

21 **WHEREAS,** the State Building Standards Commission has recently adopted new updated
22 structural standards to provide a uniform level of public safety throughout the State;

23 **WHEREAS,** recent major earthquakes have revealed shortcomings in current building
24 standards;

25 **WHEREAS,** current published standards do not include new advancements in seismic
26 design;

27 **WHEREAS,** the proposed standards will reduce loss of life and economic hardship after a
28 major earthquake;

WHEREAS, the standard four year code adoption cycle may be extended due to the
proposed adoption of new model codes (NFPA 5000 or 2003 IBC) and the delay will cause the
current California Building Code to be out of step in its reference standards and engineering
principles with the most current model building codes;

1 **WHEREAS**, this project will not have a significant effect on the environment, and is
2 therefore exempt from the provisions of the California Environmental Quality Act (CEQA)
3 pursuant to Section 15061 (b)(3) of the CEQA Guidelines.

4 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA**
5 **BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

6 **SECTION 1.** Section 15.04.010 of Title 15, the California Building Code, 2001 Edition
7 (Part 2 of Title 24 of the California Code of Regulations), as amended on July 18, 2003 and March
8 18, 2004, incorporating structural updates and amending the Uniform Building Code, 1997
9 Edition, published by the International Conference of Building Officials, including appendices,
10 excepting Chapters 3, Division III and IV, 4, Division II, 11, 13, 21, 23, and 31 of said
11 appendices, is hereby adopted by reference and made a part of this chapter as though set forth in
12 this chapter in full. Said code shall comprise the Building Code of the City of Hermosa Beach. A
13 copy of the Building Code shall be maintained in the office of the City Clerk, and shall be made
14 available for public inspection while the Code is in force. Whenever the word "jurisdiction"
15 appears in said code, it shall mean and refer to the City of Hermosa Beach. Whenever the term
16 "building official" appears in said code, it shall mean and refer to the Director of Community
17 Development of the City of Hermosa Beach.

18 **SECTION 2.** All inconsistencies between the Building Code, Electrical Code,
19 Mechanical Code, Plumbing Code, and Fire Code, as adopted by this Ordinance, and the 2001
20 edition of the California Building Code, Electrical Code, Mechanical Code, Plumbing Code, and
21 Fire Code, as set forth in Parts 2, 3, 4, 5 and 9, respectively, of Title 24 of the California Code of
22 Regulations, are changes, modifications, amendments, additions or deletions thereto authorized by
23 California Health and Safety Sections 17958.5 and 17958.7.

24 **SECTION 3.** To the extent the provisions of this Ordinance are substantially the same as
25 previous provisions of the Hermosa Beach Municipal Code, these provisions shall be construed as
26 continuations of those provisions and not as new enactments.

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1 **SECTION 4.** If any section, subsection, subdivision, paragraph, sentence, clause or
2 phrase of this Ordinance or any part hereof or exhibit hereto is for any reason held to be invalid,
3 such invalidity shall not affect the validity of the remaining portions of this Ordinance or any part
4 thereof or exhibit thereto. The City Council of the City of Hermosa Beach hereby declares that it
5 would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
6 hereof, irrespective of the fact that any one or more sections, subsections, subdivisions,
7 paragraphs, sentences, clauses or phrases be declared invalid.

8 **SECTION 5.** The City Council does hereby designate the City Attorney to prepare a
9 summary of this ordinance to be published pursuant to Government Code Section 36933(c)(1) in
10 lieu of the full text of said ordinance. That prior to the expiration of fifteen (15) days after the
11 date of its adoption, the City Clerk shall cause the summary to be published in the Easy Reader, a
12 weekly newspaper of general circulation, published and circulated in the City of Hermosa Beach.

13 **SECTION 6.** The City Clerk shall certify to the passage and adoption of this ordinance;
14 shall enter the same in the book of original ordinances of said city; shall make minutes of the
15 passage and adoption thereof in the records of the proceedings of the City Council at which the
16 same is passed and adopted.

17 **SECTION 7.** State law requires that localities adopt the California Building Standards
18 Code and modifications thereto that comport with state law and contain those modifications
19 necessitated by unique topographic, geologic and climatic conditions. In the absence of
20 immediate effectiveness, the provisions of the Building, Electrical, Mechanical, Plumbing and
21 Fire Codes unique to the City's special circumstances will not be in place and this will have a
22 detrimental effect on the public, health, safety and welfare. The modification to the Codes contain
23 vital provisions regarding administrative procedures, roofing materials, sprinkling requirements,
24 and other similar matters necessitated by the City's exposure to Santa Ana winds and its limited
25 rainfall in summer and fall months. For these reasons, the public health, safety and welfare
26 require that this ordinance take effect immediately.

1 **SECTION 8.** This ordinance shall become effective and be in full force and effect from
2 and after thirty (30) days of its final passage and adoption.

3 **SECTION 9.** Prior to the expiration of fifteen (15) days after the date of its adoption, the
4 City Clerk shall cause the summary to be published in the Easy Reader, a weekly newspaper of
5 general circulation, published and circulated in the City of Hermosa Beach.

6 **SECTION 10.** The City Clerk shall certify to the passage and adoption of this ordinance,
7 shall enter the same in the book of original ordinances of said city; shall make minutes of the
8 passage and adoption thereof in the records of the proceedings of the City Council at which the
9 same is passed and adopted.

10 **PASSED, APPROVED and ADOPTED** this 27th day of July, 2004, by the following
11 vote:

12 AYES: Keegan, Reviczky, Tucker, Mayor Yoon
13 NOES: None
14 ABSENT: Edgerton
15 ABSTAIN: None

16 _____
17 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

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19 ATTEST:
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21 _____
22 City Clerk

18 APPROVED AS TO FORM:
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21 _____
22 City Attorney