



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Bill Belvin, Building & Safety Manager  
Steve Payne, Fire Marshal

**Date:** October 25, 2022

**Subject:** Adoption of 2022 California Codes

### **Recommendation**

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, SETTING FORTH FINDINGS FOR AMENDMENTS TO THE 2022 CALIFORNIA BUILDING STANDARDS CODE; and
2. Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING CHAPTERS 15.02, 15.04, 15.20, 15.24, 15.38, 15.40, AND 15.56 AND ADDING CHAPTERS 15.06, 15.32, 15.42 AND 15.48 TO LAKE ELSINORE MUNICIPAL CODE ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODE SUBJECT TO SUCH MODIFICATIONS AS REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOGRAPHIC OR TOPOGRAPHIC CONDITIONS.

### **Background**

The State's Health and Safety Code requires local governments to adopt the most recent editions related to construction model codes. The construction codes include the California Building, Residential, Plumbing, Mechanical, Energy, Green Building Standards, Electrical Codes, and other related codes. If the City Council approves this Ordinance, the most recent editions of the construction codes with the applicable amendments will be in effect within the City of Lake Elsinore as required by State law.

### **Discussion**

The State's Health and Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations) every three years. The 2022 Edition of the California Code of Regulations Title 24, which incorporates the below-listed model codes, becomes effective statewide on January 1, 2023. If approved, this Ordinance would amend Section 15.02.010 by repealing references to some of the prior editions of the Construction Codes.

The list below identifies the model codes upon which the 2022 Title 24 is based:

California Building Standards Code	Reference Model Code
2022 California Building Code	2021 International Building Code (ICC)
2022 California Residential Code	2021 International Residential Code (ICC)
2022 California Green Building Standards Code	
2022 California Plumbing Code	2021 Uniform Plumbing Code (IAPMO)
2022 California Mechanical Code	2021 Uniform Mechanical Code (IAPMO)
2022 California Electrical Code	2020 National Electrical Code (NFPA)
2022 California Energy Code	

The Construction Codes proposed for adoption by reference with amendments include the following:

- 2022 California Building Code
- 2022 California Residential Code
- 2022 California Green Building Standards Code
- 2022 California Plumbing Code
- 2022 California Mechanical Code
- 2022 California Electrical Code

The Community Development Department, Division of Building & Safety, is recommending changes and modifications be made to the Codes and advising that specific changes and modifications are reasonably necessary due to local conditions in the City of Lake Elsinore. Other modifications are of an administrative or procedural nature and concern themselves with subjects not covered by the Codes or reasonably necessary to safeguard life and property within the City of Lake Elsinore.

The attached Resolution sets forth several findings, summarized below, necessary to enable the City to amend the new codes to meet our local conditions. The attached Ordinance updates Sections 15.02, 15.04, 15.06, 15.20, 15.24, 15.32, 15.38, 15.42, and 15.56 of the City of Lake Elsinore Municipal Code by amending the 2019 edition of the California Building Code.

Title 15 of the City of Lake Elsinore Municipal Code was last updated in 2019. At that time, the City Council approved ten amendments to the California Building Code and eight amendments to the California Residential Code as follows to address local conditions:

1. Modifications to Building Code Sections 109.2, 113.3, and 114.4 are of an administrative or procedural nature and concern themselves with subjects that are not covered by the Codes or are reasonably necessary to safeguard life and property within the City of Lake Elsinore.
2. Building Code Sections 403, 403.1, and 403.1.1 – Due to Fire Department logistical limitations and local high winds, the requirement of high-rise buildings is amended to apply to buildings over 55 feet high instead of over 75 feet high. This provision already exists from the previous code adoption cycle.
3. Building Code Sections 403.4.7.2 and 403.4.8.1 – Due to Fire Department logistical limitation, local traffic, and seismic condition, the requirement of high-rise buildings for standby and emergency power loads are revised to place smoke-proof enclosures in the emergency power category. This provision already exists from the previous code adoption cycle.

4. Building Code Sections 412.2 and 412.7.5 – Due to Fire Department logistical limitations, the requirement for emergency helicopter landing facilities on high-rises (over 75 feet high) is added for additional protection. This provision already exists from the previous code adoption cycle.
5. Building Code Section 1505.1.3 and Table 1505.1, and Residential Code Sections R902.1, R902.1.3, and R902.2 – Due to the serious hazard of rapid fire spread in local high winds, minimum class A roof covering is specified, and the use of untreated wood roof is prohibited for new buildings and re-roofing of existing buildings. This provision already exists from the previous code adoption cycle.
6. Building Code Section 3109.4.4.3 will keep the City's current regulations for swimming pools. The current ICC regulations are less restrictive and only require one safety barrier, whereas our current regulation has five safety barriers, decreasing the chance of drowning victims. This provision already exists from the previous code adoption cycle.
7. Modifications to Residential Code Sections R108.2, R112.3, and R113.4 are of an administrative or procedural nature and concern themselves with subjects that are not covered by the Codes or are reasonably necessary to safeguard life and property within the City of Lake Elsinore. This provision already exists from the previous code adoption cycle.
8. Residential Code Section R403.1.3 – The exception to allow ungrouted and unreinforced masonry walls is deleted. The performance of ungrouted masonry has been observed to be inadequate during significant earthquakes. A lack of steel reinforcement and grout results in the very brittle wall and foundation elements that do not have the tensile capacity to resist the cyclic loading of substantial ground movement. This provision already exists from the previous code adoption cycle.
9. Residential Code Section R405.1 – The exception to not provide a foundation drainage system in Group 1 soils is deleted. The Orange County area's natural soils are at least moderately expansive. Group 1 soils, by definition, have a low volume change potential expansion and should not be assumed to exist without the recommendations of a geotechnical engineer. This provision already exists from the previous code adoption cycle.

These related codes are based upon and are consistent with the provisions found in the California Building Code. The benefit of adopting these additional codes is to provide building and fire inspectors/officials and plan examiners with further clarification of the California Building Code's intent and applicability when presented with various construction issues.

### **Fiscal Impact**

There is no fiscal impact as the existing fee schedule will be retained.

### **Exhibits**

- A – Resolution
- B – Ordinance