



## Agenda Report

22-1021

Agenda Date: 11/1/2022

### REPORT TO COUNCIL

#### SUBJECT

Public Hearing: Action to Waive Second Reading and Adopt Ordinance No. 2054 Amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to Adopt the 2022 California Fire Code, as Amended

#### COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

#### BACKGROUND

At the October 18, 2022 City Council meeting, proposed Ordinance No. 2054 was introduced and passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812 and Government Code Section 50022.3, applicable to adoption of codes by reference, a Summary and Notice of a Public Hearing for Ordinance No. 2054 was published twice by The Santa Clara Weekly, once on October 19, 2022 and again on October 26, 2022. Copies were posted in three public places and made available for public inspection at the City Clerk's Office and two city libraries. The Ordinance now comes to Council for final adoption.

#### DISCUSSION

The International Fire Code (IFC) is a model fire code that regulates minimum fire and life safety requirements for new and existing buildings, facilities, storage, and processes. In California, the California Building Standards Commission adopts the IFC with new statewide amendments every three years. This adopted code is known as the California Fire Code (CFC) and is found in Part 9 of Title 24 of the California Code of Regulations. Title 24 is commonly referred to as the California Building Standards Code. The State of California published the CFC on July 1, 2022, with an effective date of January 1, 2023. If a City wishes to adopt the CFC with amendments, then action must be taken to make certain findings and adopt the code amendments, prior to January 1st. The City made the required factual findings by Resolution at the October 18, 2022 City Council meeting.

All Santa Clara County Fire Departments, through the Santa Clara County Fire Marshal's Fire Code Work Group, (a subcommittee of the Santa Clara County Fire Chiefs' Association), have worked cooperatively to develop the proposed amendments to the CFC, in order to provide regulatory consistency throughout the County. Except for the administrative sections of the Code, many of the amendments presented are proposed for adoption by most fire agencies in the County of Santa Clara.

#### ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes

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in the environment.

**FISCAL IMPACT**

There are no economic or fiscal impacts anticipated. Council has previously approved a cost recovery mechanism for the development and inspection mandates in the form of inspection fees, as allowed by the Health and Safety Code.

**COORDINATION**

This report has been coordinated with the Finance Department, City Attorney's Office, and City Manager's Office.

**PUBLIC CONTACT**

A summary and notice of public hearing for proposed Ordinance No. 2054 was published in The Santa Clara Weekly on October 19, 2022 and October 26, 2022. Copies were posted in three public places; and, copies of the California Fire Code, and the proposed ordinance were made available for public review in three public places, the City Clerk's office and two city libraries.

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Waive Second Reading and Adopt Ordinance No. 2054 amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2022 California Fire Code, as amended.

Reviewed by: Ruben Torres, Fire Chief

Approved by: Rajeev Batra, City Manager

**ATTACHMENTS**

1. Ordinance No. 2054 (Intro)