



Agenda Report

19-017

Agenda Date: 11/19/2019

REPORT TO COUNCIL

SUBJECT

Public Hearing: Adoption of Ordinance No. 2009 Amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to Adopt the 2019 California Fire Code, as Amended

BACKGROUND

At the November 5, 2019 Council meeting, proposed Ordinance No. 2009 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. 2009 was published twice by The Weekly on November 6, 2019 and November 13, 2019, and copies were posted in three public places and made available for public inspection at the City Clerk's Office. 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, 2019, with an effective date of January 1st, 2020. 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 November 5, 2019, 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 Santa Clara County.

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 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 City Manager's Office.

PUBLIC CONTACT

A summary and notice of public hearing for proposed Ordinance No. 2009 was published to The Weekly on November 6, 2019 and November 13, 2019, and 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.

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>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Adopt Ordinance No. 2009 amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2019 California Fire Code, as amended.

Reviewed by: Brian Doyle, City Attorney

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Introduction Ordinance No. 2009