

DOCKETED

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October 18, 2022

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEVELOPMENT SERVICES CORE SERVICE AREA
PROPOSED ORDINANCES – 2023 LOS ANGELES COUNTY
BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, RESIDENTIAL,
GREEN BUILDING STANDARDS, AND EXISTING BUILDING CODES
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval of proposed ordinances to adopt the California Building Standards Codes, with amendments, as required by State law, for the enforcement of: Title 26, Los Angeles County Building Code; Title 27, Los Angeles County Electrical Code; Title 28, Los Angeles County Plumbing Code; Title 29, Los Angeles County Mechanical Code; Title 30, Los Angeles County Residential Code; Title 31, Los Angeles County Green Building Standards Code; and Title 33, Existing Building Code.

IT IS RECOMMENDED THAT THE BOARD:

Introduce, waive reading, and schedule a public hearing on November 15, 2022, regarding ordinances that adopt by reference the 2022 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes, with amendments.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Find that the proposed ordinances are exempt from the provisions of the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. Find that the proposed changes and modifications to building standards contained in the 2022 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes are reasonably necessary due to local climatic, geological, and/or topographical conditions, as detailed in the seven respective ordinances; and find that

adoption of the emergency housing appendices in Titles 26 and 30 are necessary because strict compliance with state and local standards and laws would prevent, hinder, or delay the mitigation of the effects of a declared shelter crisis or other emergency.

3. Approve the ordinances and establish their operative date as January 1, 2023.
4. Instruct the Director of Public Works to file the adopted ordinances containing the Board of Supervisors' findings with the California Building Standards Commission along with other state agencies as required by law.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to adopt the enclosed ordinances, as required by State law, which will add, update, and set forth provisions and regulations for the enforcement of the Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes within the unincorporated areas of the County of Los Angeles and the contract cities served by the County that elect to adopt the same ordinances by reference.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provisions of Strategy 111.1, Continually Pursue Development of our Workforce; and Strategy 111.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, as it provides services to the public that have a wide-reaching positive effect on the entire community. The adoption of the County's building codes provide minimum construction and property maintenance standards that promote the health and welfare of the general public throughout the unincorporated area of the County. By incorporating the most up-to-date building and safety standards, the County will be able to ensure that its Strategic Goals are fully addressed.

FISCAL IMPACT/FINANCING

There will be minimal impact on expenditures for Public Works training of personnel. All associated costs, including these training costs and the procurement of the new codes, are included in the Public Works General Fund (A01, Services and Supplies) Fiscal Year 2022-23 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The State recently adopted the 2022 Edition of the California Building Standards Code, which includes the 2022 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes.

The California Health and Safety Code requires that the County adopt ordinances that impose the same building standards as are contained in the 2022 California Building Standards Code with the exception that the County may make amendments to these building standards that are more restrictive and that are reasonably necessary due to local climatic, geological, and/or topographical conditions.

The enclosed ordinances incorporate, by reference, the building standards contained in the 2022 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes together with critical and necessary County amendments. In accordance with Sections 17958.5 and 17958.7 of the Health and Safety Code, the Board must determine and expressly find that the amendments to the State standards are needed due to local climatic, geological, and/or topographical conditions.

Section 8698.4 of the Government Code permits local jurisdictions, upon declaration of a shelter crisis, to suspend health and safety standards for homeless shelters, provided those local jurisdictions have adopted reasonable local standards that at minimum meet the standards provided in the emergency housing appendices of the California Residential Code (Title 30 – Appendix AZ) and Building Code (Title 26 – Appendix P). In addition, at the time of the ordinance adoption, the local jurisdiction must determine that strict compliance with existing state and local standards or laws would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis.

The applicable finding(s) for each proposed amendment to the State's building standards are clearly delineated in a chart which is set forth in each of the proposed ordinances. The ordinances also contain various administrative changes that do not require special local findings. The last County update to the State Building Standards Code was approved by the Board on November 26, 2019.

In its continued efforts to provide consistency within the Los Angeles Basin and to provide the public with locally applicable and efficient codes, Public Works has, again, joined efforts with a majority of the cities within the County to undergo thorough examination of previous and proposed amendments to the building standards published by the State. Many of the proposed local amendments to the State Codes are based on the model language generated by the International Code Council Los Angeles Basin Chapter

which has the support of many local jurisdictions. These local jurisdiction amendments are structured to be consistent with the 2022 State Code provisions. The goal of these multijurisdictional groups is to minimize differences in Code language and interpretation within the region, thereby assisting the local construction industry by unifying and streamlining the permitting process.

Health and Safety Code Section 17958 and 18941.5 require that all amendments, together with the unamended portions of the California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes, become effective 180 days after the publication of the California Building Standards Code. The State has established that date to be January 1, 2023. Accordingly, it is recommended that the Board establish the operative date of the amendments, together with the unamended portions of the California Building Standards Code, to be January 1, 2023. The proposed amendments will then become operative when the Board's findings are filed with the State of California Building Standards Commission.

In accordance with the requirements of Government Code Section 50022.3, the Board must schedule a public hearing after the first reading of the title of the adopting ordinances. Notice of the hearing is required to be published pursuant to Government Code 6066. A copy of the California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes must be on file with the Executive Office at least 15 days preceding the hearing and made available for public inspection.

A sample notice is submitted herewith.

ENVIRONMENTAL DOCUMENTATION

Adoption of these ordinances is exempt from the California Environmental Quality Act (CEQA) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). Adoption of the proposed ordinances is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Adoption of the proposed ordinances does not have such potential.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Other departments embarking on construction projects will be required to comply with the provisions of these ordinances if applications for permits to begin construction are submitted on or after the operative date of these ordinances.

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Copies of the proposed code changes were circulated to professional associations within the design and construction communities for review and comments. No comments were received by Public Works and changes to the proposed code changes were not necessary.

CONCLUSION

Upon approval of the enclosed ordinances, please return one adopted copy of this letter and one adopted copy of the ordinances to Public Works, Building and Safety Division.

Respectfully submitted,

MARK PESTRELLA, PE
Director of Public Works

MP:JM:el

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office
Fire Department
Department of Regional Planning