



CITY *of* CALABASAS

**The 2010 California Building Standards Code – Triennial Code Update
“The New Code”
City of Calabasas Building Codes Ordinance - 2010-279U
December 16, 2010**

At the November 24, 2010 City Council meeting, the Council adopted Ordinance 2010-278U, which amends the 2010 State of California Building Codes regulating construction, modifications and repairs to all structures in the City. The State permits local authorities to make amendments to the codes to address their community’s unique needs but otherwise requires them to adopt and enforce the State’s version of the codes. The State codes are updated every three years and based on model codes used throughout the United States that are produced by professional associations of building officials and engineers.

To respond to resident questions about the new Building Codes, the City developed this Question and Answer fact sheet. Other useful information can be found at:

<http://www.cityofcalabasas.com/projects/buildingcode.html>

If you have questions which this fact sheet does not address, please contact the building official, Sparky Cohen, at (818) 224-1721 or scohen@cityofcalabasas.com

Question and Answer Fact Sheet

CITY OF CALABASAS 2010 BUILDING CODE

Q Why is the City of Calabasas adopting new building codes?

A The State of California mandates that all cities and local jurisdictions in the State adopt the California Building Standards Code. Every three years, the California Building Standards Commission revises the building codes; usually, they are published in July and they must be effective at the local level within 180 days, or by January 1, 2011.

Q What is in the new Ordinance 2010-279U?

A This new ordinance contains amendments to the new 2010 California Building Code which goes into effect on January 1, 2011. Here is a brief overview of the amendments:

- a. The first 3 pages of the Interim Ordinance are, essentially, legal boilerplate which introduces the subject matter in legal terms. These first three introductory pages make no changes to the codes.
- b. Pages 4 – 17 contain administrative provisions which clarify existing codes and provisions. These sections do not recite the administrated provisions of the Building Codes but merely the methods and the means of how the City has historically administered the codes via tailored amendments. The passages were discussed at great length during past Council meetings. To help clarify the provisions and to facilitate a City specific set of administrative requirements, staff has recited the provisions of the building code and merged the city specific amendments therein. The Document will enable the code user to have a one stop document for all Administrative provisions via a highlighted document entitled:

Calabasas Municipal Code-Section 15.04.030
2010 California Building Code
Division II
Scope and Administration

[Via the useful link tabs within the Current Project Section of the City Website, the document can be found at: <http://www.cityofcalabasas.com/projects/buildingcode.html>]

- c. Pages 18 – 66 of the Ordinance are amendments that were recommended by LARUCP (Los Angeles Regional Uniform Code Program). The LARUCP is a well respected and nationally recognized group of Southern

California expert engineers and building officials which has a goal to make sure: the statewide code is appropriate for the circumstances of Southern California, which have greater earthquake risk and fire dangers; and to encourage all cities and counties in the Los Angeles region to adopt the same codes to simplify things for contractors and building officials alike. The amendments on pages 18-66 of the Ordinance all involve engineering changes to how buildings are constructed and mostly related to earthquake safety.

- d. Pages 66-76 of the Ordinance are historic amendments; however, due to the State's creation of a new residential building code, they needed to be recited for inclusion into the new code. Again, few substantive rules are changed – this is a matter of organization and reflects the State's view that a separate residential building code will simplify application of the code for contractors and inspectors.
- e. Pages 79-126 of the Ordinance primarily recite Appendix K of the State Plumbing Code in its entirety. It also contains the City's previously adopted OWTS (septic) inspection program. In addition to placing this previously adopted amendment in a logical and sequential order, it also corrects grammatical and/or outline errors, clarifies terms and authorities, and makes minimal revisions regarding system testing methodologies. Again, this is an organizational matter rather than an effort to change the substantive standards for the operation of septic systems, which have been unchanged for many years due to the relative simply nature of this technology. Some of the passages were discussed during past Council meetings. To help clarify the provisions and to facilitate a City specific set of administrative requirements, staff has again recited the provisions of the plumbing code and merged the city specific amendments therein. The Document will enable the code user to have a one stop document for all Administrative provisions via a highlighted document entitled:

Calabasas Municipal Code-Section 15.04.610
2010 California Plumbing Code
Appendix K Private Sewage Disposal Systems
Onsite Wastewater Treatment Systems (OWTS)

[Via the useful link tabs within the Current Project Section of the City Website, the document can be found at: <http://www.cityofcalabasas.com/projects/buildingcode.html>]

- f. Pages 127 – 132 Section 34, contain outline/section renumbering that reorganize provisions due to the State's creation of a new Residential Building Code.
- g. Pages 132 – 134 contain legal information required to enact an Ordinance.

Q Why was an Urgency Ordinance necessary ?

A As stated above, adoption of the new building codes is mandated by the State to occur by January 1, 2011. By adopting the amendments under an urgency provision, it went into effect immediately and allowed to City to meet its deadlines and avoid the confusion to applicants of a two week period in which a different (State) code would be in effect.

Q **Why doesn't the Public have ability to see all codes, and not just the amendments?**

A The public may view the entirety of the new 2010 California Building Codes at the public counter during regular business hours. Additionally, while the Building Standards Commission has a copyright to the California Building Codes; however, many of the codes are available for viewing via their website at:

<http://www.bsc.ca.gov/default.htm>.

The entire codes are not available on line because the private code-writing bodies that produce the uniform codes which the California State Building Standards Commission uses as the basis of the California Building Standards Code are funded by sales of printed codes and the private organizations protect their copyrights carefully. The City must respect those copyrights by not putting the private codes on line, but making them available only in hard copies for which royalties have been paid. Those Codes are available for purchase to the general public but are somewhat expensive given the small market for them.

Q **Does this Code give new powers to City officials?**

A No.

Q **Why is it proposed that the City's Building Official be empowered to disconnect utilities?**

A This is not a new authority; the Building Official's powers to regulate "Dangerous or Insanitary Conditions" date back to the 1940s.

The City has the authority to disconnect utility service when necessary to protect public health and safety. The State Code reads (Section 112.3) "The building official shall have the authority to authorize disconnection of utility service to the building, structure, or system regulated by this code and the referenced codes and standards set forth in Section 101.4....." The building codes as adopted by the State enable the Building Official to disconnect utilities when there are imminent hazards. This provision is not taken lightly and seldom exercised.

Q Why did Las Virgenes Water District comment during a Council meeting agenda item regarding the introduction of the new Ordinance?

A Las Virgenes Municipal Water District agrees the Building Official should be able to disconnect utilities due to imminent hazards. However, per direction from their District Board, they do not want to perform the disconnection and prefer that the City perform the action.

Q Does this new Ordinance require permits for construction or repairs that were not required before? News coverage reported that the City of Calabasas will require a permit to change a light bulb. Is that true?

A No. The code contains exceptions for minor work, and there is no change to those code provisions. Every City requires the same permits for the same types of work, because the State requires all of us to implement the California Building Standards Code with only certain local amendments.

Q Why do I need building permits?

A The State and County codes require permits for many types of work; they are intended as a tool to help ensure life, health safety, property and environmental protection. If you hire a licensed professional to do the work they are professionals who know when they need to secure a permit and comply with the code. Anyone who watches the news knows that moderate earthquakes kill many people in other parts of the world that do little damage in the United States. The reason is our building codes and the professionals who enforce them. That enforcement comes in the form of a permit requirement, a set of standards to regulate the materials and methods of construction, and a professional inspection to ensure the rules are followed. The recent collapse of a building in Mumbai India is just the latest example of the risks Calabasans and other Americans avoid because we have a professional code enforcement program in place.

Q Is this new code going to cost me more for a permit?

A No. There are no new City fees.

Q What are the penalties for not getting a permit?

A Work performed without a permit may be subject to code enforcement actions, although the City does not go looking for violations – it responds to complaints. For work done without permits, an after-the-fact permit may be required, and fees are due to cover the City's administrative and investigative costs. In egregious

cases, fines may be imposed. These fees are not a new provision and date back to historic codes of the 1940s and 1950s. The intent is to recover the cost of staff time expended to gain compliance with the codes when the violator is not cooperative and unreceptive to voluntary code compliance so that the code violator, and not the taxpayer, pays these costs. The goal is to deter shoddy construction which places the public at risk. For those who hire contractors, this is consumer protection – the City inspector makes sure you get the quality inspection you paid for. For owner builders, the inspector makes sure you are not endangering yourself, your family, your guests, and the next family that lives in your home.