

ORDINANCE NO 1464

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE AMENDING THE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2022 CALIFORNIA BUILDING STANDARDS CODES WITH CERTAIN EXCEPTIONS, MODIFICATIONS, AND ADDITIONS

WHEREAS, the City Council of the City of Sierra Madre does hereby find that there is a need to enforce the most current editions of the California Building Standards Code, with the local amendments recited herein for regulating and controlling the design, erection, construction, enlargement, installation, alteration, repair, relocation, removal, use, occupancy, demolition, conversion, height, area, location, maintenance, and quality of materials of all buildings and structures and plumbing, mechanical, electrical and fire suppression systems and certain equipment's within the City;

WHEREAS, pursuant to sections 17922, 17958, 17958.5, and 17958.7 of the California Health & Safety Code, the City may adopt the provisions of the Building, Residential, Green Building Standards, Energy, Referenced Standards Plumbing, Mechanical and Electric Codes, with certain amendments to the provisions of the codes which are reasonably necessary to protect the health, wealth and safety of citizens of Sierra Madre because of local climatic, geological and topographical conditions;

WHEREAS, the City Council of the City of Sierra Madre made the factual findings outlined in Exhibit 1 attached hereto relating to the amendments to the uniform codes recited herein in accordance with Health & Safety Code section 18941.5;

WHEREAS, the City Council also finds that areas within the City are hazardous fire areas that have only limited fire suppression forces and facilities available for the protection of life and property;

WHEREAS, the City Council does hereby further find that the southern California region, which includes the City, is within a very active seismic area and local soil conditions can be highly expansive and subject to local topographic considerations including extensive hillside construction that is prone to erosion;

WHEREAS, the City Council does hereby further find that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of local amendments to the California Building Standards Code, and amending the Sierra Madre Municipal Code are exempt from the provisions of the California Environmental Quality Act.

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES ORDAIN AS FOLLOWS:

SECTION 1. Amendments to Chapter 15.04, entitled "Building Code and Permits."

The following sections of the Municipal Code are hereby amended or added to provide as follows:

15.04.010 Adoption of the 2022 California Building Code.

Subject to the additions, deletions, and amendments specified in this chapter, the rules, regulations, provisions, and conditions set forth in that certain code entitled 2022 California Building Code based on the "International Building Code 2021 edition," promulgated by the International Code Council and referred to and by this reference expressly incorporated herein and made part hereof as fully and

for all intents and purposes as though set forth at length, and said 2022 California Building Code is made part of this code and the same shall be designated, known and referred to as the “building code” of and for the city.

15.04.030 Amendment to Section 702 Very High Fire Hazard Severity Zone.

A. The definition of “Very high fire hazard severity zone” in Section 702A of the 2022 California Building Code is amended to provide as follows.

Fire hazard severity zones are geographical areas designated pursuant to California Public Resources Code sections 4201 through 4204 and classified as very high, high, or moderate in state responsibility areas or as local agency very high fire hazard severity zones designated pursuant to California Government Code sections 51175 through 51189. See California Fire Code Article 86.

The California Code of Regulations Title 14 Sections 1280 entitles the maps of these geographical areas as “maps of the fire hazard severity zones in the state responsibility area of California.”

For the purposes of this code, the entire city of Sierra Madre is hereby established as a Fire District and shall contain within it an area designated as a very high fire hazard severity zone, and shall include such territories or portions of said city as outlined in Chapter 15.04 of the Sierra Madre Municipal Code. Whenever in this code, reference is made to any fire zone; it shall be construed to mean the fire zone created by this chapter.

B. Section 704A 2022 California Building Code is revised to add:
Building or structures hereafter erected, constructed, moved within or into the very high fire hazard severity zone shall meet the requirements of this section as follows:

1. Exterior walls of all buildings shall be of one-hour, fire-resistive construction. Exterior glass in such walls shall be double-glazed. Wood shake shingles being used as an exterior wall covering shall be treated with an approved fire retardant chemical.
- 2.
2. Roof soffits (including eaves), open patios, carports, porches, unenclosed underfloor areas, and all open structures, attached or detached, shall be protected on the underside with materials as approved for one-hour fire-resistive construction or shall be of incombustible materials throughout.

Exceptions:

- a. Asphalt composition shingles with Class "B" rating.
- b. When in the opinion of the Building Official, no material increase in fire hazard will occur, additions not exceeding twenty-five percent (25%) of the existing square footage over the life of the building, may be covered with the same materials used on the existing building.
- c. Any roof covering conforming to the specifications of the Underwriters Laboratory (UL) for Class "A" roof covering as published in the Underwriters Laboratory "List of Fire Protection Equipment and Materials" shall be considered a "fire-retardant" roof covering".

15.04.090 Amendment to Section 1505 Roofs – Fire Classifications.

The 2022 California Building Code Section is amended to add the following to Section 1505:

A. Any building alteration, replacement, or repair, which does not exceed twenty-five percent of the area of the existing roof, over the life of the structure, may use existing like materials on said roof.

B. Any building alteration, replacement, or repair, which exceeds fifty percent of the area of the existing roof, over the life of the structure, shall be made with fire retardant covering as specified in the California Building Code.

C. Any building alteration, replacement, or repair, which exceeds fifty percent of the area of the existing roof, over the life of the structure, shall be made with fire retardant covering as specified in the 2022 California Building Code.

D. Any building addition, which does not exceed twenty-five percent of the area of the existing roof, over the life of the structure, may use existing like material on the roof addition, and any alteration, replacement, or repairs to the existing roof, required by such addition may also use existing like materials.

E. Any building addition, which exceeds twenty-five percent of the area of the existing roof, over the life of the structure, shall be made with fire retardant covering as specified in the 2022 California Building Code, and any alterations, replacements, or repairs to the existing roof, required by such addition, shall also be made with such fire retardant roof covering.

F. Wood roofs shall not be considered a Class A covering regardless of the rating of an assembly.

15.04.100 Amendment – Section 202 – Additions, alterations, or repairs.

A. The following is added to the end of Section 202 of the 2019 California Building Code:

The phrase “additions, alterations, and repairs” as used in this section, and all subsections thereof, shall not be construed to apply to the remodeling of an existing building to provide new facades or other aesthetic embellishments or accouterments which do not modify the structural support or members of such building.

B. Section 3403 of the 2022 California Building Code is amended to include and read as follows:

Section 3403 Buildings or structures to which additions, alterations, or repairs are made shall comply with all requirements of this code for new facilities except as specifically provided in this section. See section 907 of the Building Code for provisions requiring installation of smoke detectors in existing Group R, Division 3 Occupancies.

15.04.110 Amendment – Section 109.4 Work commencing before permit Issuance.

The following is added to the end of Section 109.4 of the 2022 California Building Code:

Where the work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the building permit fee shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any penalties prescribed herein.

15.04.115 – Section 105.7 Demolition Permits.

The following is added to Section 105 of the 2022 California Building Code.

Section 105.7 Demolition Permits.

A. No permit for the demolition of all or any substantial portion of any building in the city shall be issued for a period of thirty days after such application is made. For the purposes of this chapter, demolition shall be considered the

alteration, reconstruction, or elimination of 50% or more, of the floor area or monetary value. Projects that involve less than 50% of the alteration, reconstruction, or elimination of the floor area or monetary value may still be subject to requirements of Chapter 8.13 and/or 12.20 of this code.

- B. There is a 30-day wait period after the application is submitted.
- C. Within 10 days of the application, the applicant should submit a mitigation plan for vermin, noise, dust, asbestos, salvage, trash removal, air pollution, historic preservation, and neighborhood peace and enjoyment. Failure to submit such mitigation report may be grounds for denying such permit.
- D. Notice of the application for a demolition permit shall be made available within three days to every city council member and city official. Copies of the applicant's mitigation report shall also be made in similar fashion.
- E. Prior to the release of the demolition permit, the applicant shall demonstrate that notification of, and compliance with, the following:
 - 1. South Coast Air Quality Management District (AQMD);
 - 2. Electricity provider;
 - 3. Natural gas provider; and
 - 4. City Department of Public Works (Chapters 8.13 and 12.20.)
- F. Prior to the issuance of a demolition permit, the applicant shall file (in general terms) his/her intended reuse of the property with development services department. Such a plan shall indicate the intended use and condition of the property after the demolition of structures requested within the demolition permit is concluded.
- G. Notwithstanding any other provision of this chapter, in the event of an immediate threat to the public health, safety, and welfare, the thirty-day "wait" period for the issuance of a demolition permit may be waived. Evidence of such an immediate threat shall be submitted by the applicant to the director of development services. Upon receipt of such information, the director of development services shall determine if an immediate threat to the public health, safety, and welfare exists.
- H. The filing of any notice or report, as called for herein, is not intended to vest any discretion (under CEQA or otherwise) in the building official to deny such application. Instead, at the end of the 30-day period, such permit shall be issued unless such issuance is contrary to any law or regulation applicable at that date.
- I. To the extent, if any, that this Section 115 differs from the 2019 California Building Code (CBC), the city council finds that there are conditions unique to this city that justify such change, including high fire danger, steep hillsides, vermin infestation, wildlife and asbestos levels, the issuance of a demolition permit shall be considered a ministerial duty under the provisions of CEQA Section 15268 except for historical and unique archeological resources as outlined in CEQA Section 15064.5. If the demolition permit is for a historic structure, a cultural resources report shall be prepared at the property owner's expense.
- J. Any person, firm, or corporation demolishing a structure without a permit shall be guilty of a misdemeanor, and upon conviction of any such person shall be punishable by a fine of not more than one thousand dollars or by

imprisonment in the city jail for not more than one hundred eighty days, or by both such fine and imprisonment.

K. Demolitions of Historic Structure.

1. If a structure that is deemed to be a historic resource is demolished without a permit:
 - a) The violator shall within one year completely rebuild the demolished structure to pre-existing condition and shall submit a surety bond that shall be an amount equal to the replacement value as calculated by the department of development services;
 - b) The city may rebuild it within said one-year period placing the costs thereof as a lien on the property which shall indemnify the city against all costs so incurred and all liabilities arising there from; or
 - c) No building or construction related permits shall be issued, and no permits or use of the property shall be allowed, from the date of demolition for a specified time period, as follows: for five years, if the structure was listed or deemed eligible for listing on the local, state, or Federal Registry of Historic Resources. In addition, for a historic structure, a cultural resources report shall be prepared at the property owner's expense. For the purposes of this section, the demolition shall be presumed to have occurred on the date the city has actual knowledge of the demolition. The owner shall have the burden of proving a different date if one is claimed. Such waiting period shall be for the purpose of consideration of rebuilding, relocation, grants, etc., for replacement.
2. The Director Planning and Community Preservation services shall cause notice that this section is applicable to property to be served by mail on the person shown as the owner on the rolls of the tax assessor and on any other person known to have an interest in the property, as soon as practicable after having knowledge that the provisions of this section are applicable to property. The date the city first had actual knowledge of the demolition shall be stated in the notice. The provisions of this subsection are directory only.
3. The decision of the Director that this section is applicable may be appealed by the property owner to the city council. The city council may grant relief from the requirements of this section if the demolition in violation of this section was not done to any of the following:
 - a) A building or structure deemed eligible for landmark status;
 - b) A building or structure listed or deemed eligible for listing in the National Register of Historic Places;
 - c) A building or structure listed or deemed eligible for listing in the California Register of Historical Resources;
 - d) Any cultural resource determined to have historic significance.

15.04.117 Section 105.2 Work Exempt from Permits.

Section 105.2 Building Exception 2 is hereby deleted and the following is added at the end of Section 105.2 of the 2022 California Building Code:

“All walls, retaining walls, and fences regardless of type or height shall require building permits.”

15.04.118 Amendment – Section 903 Automatic Fire Sprinklers.

The following sections within section 903 of the 2022 California Building Code, entitled, "Automatic Sprinkler Systems" are revised to provide as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group 1 occupancies in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies in accordance with Code Sierra Madre Municipal section 15.24.120.

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas in accordance with Code section 15.24.120.

903.2.2 Group B ambulatory health care facilities. An automatic sprinkler system shall be provided throughout all buildings containing Group B ambulatory health care occupancy in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.3 Group E. Except as provided for in Sections 903.2 .2 .1 for a new public school campus and 907.2.3.6.1 (fire alarm and detection) for modernization of an existing public school campus building(s), an automatic sprinkler system shall be provided for Group E occupancies in accordance with Code section 15.24.120.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.5 Group H. Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies in accordance with Code section 15.24.120.

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R in accordance with Sierra Madre Municipal Code section 15.24.110.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 in accordance with Code section 15.24.120.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with the California Building Code.

903.2.9.2 Bulk storage of tires. Buildings and structures with an area for the storage of shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 409.4 of the California Building Code or where physically located beneath other occupancy groups.

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses.

15.04.120 Adoption of Los Angeles Regional Code Program – Los Angeles Basin Chapter 2022 Technical Amendments.

The 2022 California Building, Code is hereby amended by adopting by reference the Technical Amendments as published on July 1, 2022, by the Los Angeles Regional Uniform Regional Code Program – International Code Council – Los Angeles Basin Chapter.

SECTION 2. Amendments to Chapter 15.06, entitled “California Residential Code.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

15.06.010 Adoption of the 2022 California Residential Code.

Subject to the additions, deletions, and amendments specified in this chapter, the rules, regulations, provisions, and conditions set forth in that certain code entitled 2022 California Residential Code based on the “International Residential Code 2021 edition,” promulgated by the International Code Council of Whittier, California. and referred to and by this reference expressly incorporated herein and made part hereof as fully and for all intents and purposes as though set forth at length, and said 2022 California Residential Code is made part of this code and the same shall be designated, known and referred to as the “Residential Code” of and for the city.

15.06.020 Amendment - Section R105.2 Work Exempt from Permits.

Section R102.2 Building Exception 2 is hereby deleted and the following is added to the end of Section R105.2 of the 2022 California Residential Code:

“All walls, retaining walls, and fences regardless of type or height shall require building permits.”

15.06.030 Amendment - Section R108.6 Work commencing before permit issuance.

The following is added to the end of Section R108.6 of the 2022 California Residential Code:

Where the work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the building permit fee shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any penalties prescribed herein.

15.06.040 Amendment - Townhouse automatic fire sprinkler systems.

Section R313.1 of the California 2022 Residential Code is amended to provide as follows:

“An automatic residential fire sprinkler system shall be installed in townhouses in accordance with accordance with Sierra Madre Municipal code section 15.24.110.”

15.06.050 Amendment - One and two family dwellings automatic fire systems.

The following is added to the end of Section R313.2 of the 2022 California Residential Code:

“An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings in accordance with accordance with Sierra Madre Municipal code section 15.24.110.”

15.06.060 Amendment – Required sprinkler locations, exception 4.

Section R313.3.1.1, of the California 2022 Residential Code exception 4 is amended to read as follows:

“Detached garages and carports in accordance with Sierra Madre Municipal code section 15.24.110.”

15.06.070 Water flow detector alarm.

A new section R313.3.3.5 of the California 2022 Residential Code is added to the Residential code and shall be entitled “Water flow detector alarm.” That section shall provide:

“Water supply.”

“The flow of one sprinkler shall activate a water flow detector alarm that shall be audible on the exterior of the building.”

15.06.080 Adoption of Los Angeles Regional Uniform Code Program Technical amendments to the 2022 California Residential Code.

The 2022 California Residential Code is hereby amended by adopting by reference the Technical Amendments as published by the Los Angeles Regional Uniform Regional Code Program – International Code Council – Los Angeles Basin Chapter published May 29, 2022.

SECTION 3. Amendments to Chapter 15.08, entitled “California Mechanical Code.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

The following sections of the 2022 California Mechanical Code are amended or added to provide as follows:

15.08.010 Adoption of the California Mechanical Code.

The 2022 California Mechanical Code which is based on the Uniform Mechanical Code, 2021 Edition,” published by the International Association of Plumbing and Mechanical Officials is adopted by reference, together with all indexes and appendixes, therefore, except as herein amended in this chapter and said 2022 California Mechanical Code is made part of this code and this chapter shall be designated, as known and referred to as the “mechanical code” of and for the city.

15.08.030 Amendment – Section 110.0 Violation.

Section 110.0 of the 2022 California Mechanical code is amended to include the phrase:

“In addition to the penalties herein above provided, any condition caused or permitted to exist in violation of any of the provisions of this code shall be deemed a public nuisance and may be abated in the manner provided by law as such. Every day such condition continues shall be regarded as a new separate offense.”

SECTION 4. Amendments to Chapter 15.16, “California Electrical Code.”

A. The following sections of the Municipal Code are hereby amended or added to provide as follows:

15.16.010 Adoption of the 2022 California Electrical Code.

Subject to the additions, deletions, and amendments specified in this chapter, the rules regulations, provisions, and conditions set forth in those certain codes entitled, 2022 California Electrical Code which is based “National Electrical Code, 2020 Edition,” therein contained, published by the National; Fire Protection Association is adopted by reference, together with all indexes and appendixes, therefore, except as herein amended in this chapter and said 2022 California Electrical Code is made part of this code and this chapter shall be designated, as known and referred to as the “electrical code” of and for the city.

B. Section 15.16.015 is added to the municipal code to provide as follows:

15.16.015 Amendment - Annex H: Administration Section 80.27 Inspectors Qualifications.

Section 80.27 of the 2022 California Electrical Code is amended to provide the phrase “The Building Official is exempt from requiring certification as an electrical inspector.”

SECTION 5. Amendments to Chapter 15.20, entitled “California Plumbing Code.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

Chapter 15.20.10 Adoption of the 2022 California Plumbing Code and Appendixes.

The 2019 California Plumbing Code which is based on The Uniform International Plumbing Code, 2018 Edition, is adopted. That certain document “International Plumbing Code, 2018 Edition,” published by International Association of Plumbing and Mechanical Officials is adopted by reference, together with all indexes and appendixes thereof and therefore, except as herein amended in this chapter and said 2019 California Plumbing code is made part of this code and this chapter shall be referred to as the “plumbing code” of and for the city.

15.20.060 Section 710.1 Drainage of fixtures located below the next upstream manhole or below the main sewer level.

Section 710.1 of the 2022 California Plumbing Code shall be amended to read as follows:

Sewage backflow. Where the flood level rims of plumbing fixtures are below the elevation of the manhole cover of the next upstream manhole in the public sewer,

such fixtures shall be protected by a backwater valve installed in the building drain, branch of the building drain or horizontal branch serving such fixtures. Plumbing fixtures having flood rim levels above the elevation of the manhole cover of the next upstream manhole in the public sewer shall not discharge through a backwater valve.

SECTION 6. Amendments to Chapter 15.26, entitled “Existing Building Code.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

15.26.010 Adoption of the 2022 Existing Building Code.

Subject to any additions, deletions, and amendments that may exist in this chapter, the rules, regulations, provisions, and conditions set forth in that certain code entitled "Existing Building Code 2022 Edition," promulgated by the International Code Conference and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for all intents and purposes as though set forth at length, and said Existing Building Code is made a part of this code and the same shall be designated, known and referred to as the "existing building code" of and for the city.

SECTION 7. Amendments to Chapter 15.30, entitled “Green Building Standards Code.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

Section 15.30.010 – Adoption of 2022 California Green Building Standards Code.

Subject to any additions, deletions, and amendments that may exist in this chapter, the rules, regulations, provisions, and conditions set forth in that certain code entitled "California Green Building Standards Code 2022 Edition," and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for all intents and purposes as though set forth at length, and said California Green Building Standards Code is made a part of this code and the same shall be designated, known and referred to as the "green building code" of and for the city.

15.30.030 Adoption of Los Angeles Regional Uniform Code Program Technical Amendments to the 2022 California Green Building Standards Code.

The 2022 California Green Buildings Standards Code is hereby amended by adopting all of the Technical Amendments as published by the Los Angeles Regional Uniform Regional Code Program – International Code Council – Los Angeles Basin Chapter published on July 1, 2022.

SECTION 8. Amendments to Chapter 15.34, entitled “CALIFORNIA ENERGY CODE.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

15.34.010 – Adoption of 2022 California Energy Code.

Subject to any additions, deletions, and amendments that may exist in this chapter, the rules, regulations, provisions, and conditions set forth in that certain code entitled "California Energy Code 2022 Edition," and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for

all intents and purposes as though set forth at length, and said California Energy Code is made a part of this code and the same shall be designated, known and referred to as the "energy code" of and for the city.

SECTION 9. Amendments to Chapter 15.36, entitled "REFERENCED STANDARDS CODE."

The following sections of the Municipal Code are hereby amended or added to provide as follows:

15.36.010 Adoption of the 2022 California Referenced Standards Code.

Subject to any additions, deletions, and amendments that may exist in this chapter, the rules, regulations, provisions, and conditions set forth in that certain code entitled "California Referenced Standards Code 2019 Edition," promulgated by the International Code Conference and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for all intents and purposes as though set forth at length, and said California Referenced Standards Code is made a part of this code and the same shall be designated, known and referred to as the "referenced standards" of and for the city.

SECTION 10. References in Documents and Continuing Legal Effect. References to prior versions of any portion of the Building Standards Code, or of the Sierra Madre Municipal Code that are amended or renumbered in this Municipal Code, that are cited on notices issued by the City or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the new counterpart part of the Building Standards Code or amended Municipal Code sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

SECTION 11. Continuity. To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Sierra Madre Municipal Code, these provisions shall be construed as continuations of those provisions and not as amendments of the earlier provisions.

SECTION 12. No Effect on Enforceability. The repeal of any sections of the Municipal Code, shall not affect or impair any act done, or right vested or approved, or any proceeding, suit, or prosecution had or commenced in any cause before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable provision of the 2022 Code as amended, shall be discharged or affected by such repeal or alteration but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceed in all respects as if the applicable provisions of the 2022 Code, as amended, had not been repealed or altered.

SECTION 13. Supplementary of Existing Law. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

SECTION 14. Modifications to California Building Standards Code. All inconsistencies between the Building Standards Code as amended and adopted by this ordinance, and Parts 2, 2.5, 3, 4, 5, 6, 8, and 10 of Title 24 the California Code of Regulations are changes, modifications, amendments, additions or

deletions thereto authorized by California Health and Safety Code Sections 17858 and 17858.7.

SECTION 15. Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 16. Effective Date. This Ordinance shall be effective January 1, 2023.

SECTION 17. CEQA. The project qualifies for an exemption from the California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations as it can be seen with certainty that there is no possibility the adoption of the Ordinance may have a significant effect on the environment, because it will enforce the California Building Standards Code (Title 24 California Code of Regulations) that serve as the basis for the design and construction of buildings in California to improve safety, sustainability, maintaining consistency, new technology and construction methods, and reliability.

SECTION 18. Publication. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

SECTION 19. Certification. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED this - - - - 25th day of October 2022 by the following roll call vote:

AYES: Mayor Gene Goss, Mayor Pro Tem Edward Garcia, Council Member Rachelle Arizmendi, Council Member Kelly Kriebs

NOES: None

ABSTAIN: None

ABSENT: Council Member Robert Parkhurst

Gene Goss, Mayor

ATTEST:

Laura Aguilar, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SIERRA MADRE)

I, Laura Aguilar, City Clerk of the City of Sierra Madre, hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Sierra Madre held on the 11th day of October 2022, and was approved and adopted by said Council at its regular meeting held on the 25th day of October 2022.