



# Board Agenda Item 59

DATE: December 10, 2019

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Amendment to County Ordinance Code, Title 15, Building and Construction

RECOMMENDED ACTION(S):

**Conduct second hearing on and adopt an Ordinance amending Fresno County Ordinance Code, Title 15 - Building and Construction, including the Statement of Local Findings, regulating building and construction within Fresno County; and waive reading of the Ordinance in its entirety.**

Approval of the recommended action will bring Fresno County into compliance with the adopted State Building Standards Code set to take effect on January 1, 2020. This item is countywide.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. The State Building Standards Code will take effect on January 1, 2020, even if your Board does not approve the recommended action. Not approving or taking no action would still require the County to enforce the Code as adopted by the State.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Implementation of the revised standards are funded by permit revenue. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Development Services and Capital Projects Division Org 4360 Adopted Budget.

DISCUSSION:

On November 19, 2019, your Board conducted the first hearing to amend Fresno County Ordinance Code, Title 15 - Building and Construction, including the Statement of Local Findings, regulating building and construction within Fresno County.

Compliance with the State Building Code is mandatory pursuant to California Health and Safety Code, Sections 17960 and 17961. The fundamental purpose of building codes is to ensure that structures are constructed to an appropriate minimum standard and are safe for the uses intended. Building codes exist to protect the life, health and safety of the public who will inhabit the buildings.

The major objectives of typical amendments to Title 15 - Building and Construction (Title 15) are to:

- 1) formally adopt the State Building Standards Code;
- 2) identify and update local amendments as needed which adapt the State Code to local needs; and

- 3) provide procedures that provide uniform enforcement of the Codes and public safety.

Title 15 was last amended and adopted in its entirety on December 13, 2016, to bring it into compliance with the 2016 edition of the California Building, Residential, Plumbing, Mechanical, Fire and Electrical Codes, as amended and adopted by the State. As noted, the State has since adopted the 2019 Editions of these model codes, with State amendments for the 2019 California Building Standards Code. Approval of the recommended action will bring Title 15 into compliance with the California Building Standards Code published by the State in July 2019, with an effective date of January 1, 2020.

The Department's Development Services and Capital Projects Division, administers and enforces all provisions of Title 15. While reviewing the new code update, Department staff identified provisions in the County ordinance that need to be revised/edited to align with minimum State law that will need to be implemented. The amendments proposed to the County Ordinance Code will maintain compliance with State Code. In the update cycle, there are no local changes proposed that are more restrictive than the State Code and many of the amendments are administrative in nature such as deletion due to redundancy, relocation, or relocation of sections, minor edits related to terminology, changing of dates, etc. A summary of the proposed amendments and renumbered sections that ensure consistency with the State Code are included as Attachment A. Attachment B is a draft of the Title Ordinance Code depicting the proposed edits with strikethrough and new or amended text. Attachment C is the Statement of Local Findings, required to be adopted by your Board per State law. The Findings are required as part of Title 15 update and therefore, your Board's action to adopt Title 15 will include adoption of the Findings.

Notices of the upcoming changes to the Code have been posted at the Development Services Division's permit counter since September 2019 and are being distributed to contractors at job sites by the Department's Building Inspectors. The redline version of the Title 15 document is also posted to the Department's webpage. Notice of the Code Change has been provided to the Building Industry Association (BIA), Fresno County Farm Bureau and California Department of Forestry and Fire Protection.

REFERENCE MATERIAL:

BAI # 13 November 19, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachments A - C  
Ordinance  
On file with Clerk - Ordinance Summary

CAO ANALYST:

Sonia M. De La Rosa