

City of Piedmont
COUNCIL AGENDA REPORT

DATE: June 5, 2017

TO: Mayor and Council

FROM: Paul Benoit, City Administrator

SUBJECT: Introduction and 1st Reading of Ord. 732 N.S. Making a Technical Correction to Section 8.1 of the City Code to Clarify that the 2016 California Fire Code is in Effect

RECOMMENDATION

Approve the 1st reading of Ord. 732 N.S., which makes a technical correction to Section 8.1 of the City Code to clarify that the 2016 California Fire Code is in effect.

BACKGROUND

The Council recently approved Ordinance 730 N.S., which adopted the 2016 California Building, Fire, Green, Residential, and other codes. During the codification of that ordinance, the City Clerk noticed a technical error in the adoption of the Fire Code in Section 8.1. While Ord. 730 N.S. made the adjustments to subsequent sections of Chapter 8 to conform the City Code to changes in the California Fire Code, Section 8.1 was not amended to reflect the year of the new state code.

The Council's intent to adopt the 2016 Fire Code is amply clear in the intent section (Section 1) of Ordinance 730 N.S. We have verified with the City Attorney that the Fire Department can and should enforce the 2016 California Fire code, but this ordinance is necessary to make this technical correction to Section 8.1.

The revised section will read as follows, with text being removed presented in ~~strikeout~~ and new text presented in italics:

The ~~2013~~ *2016* California Fire Code, based on the ~~2012~~ *2015* International Fire Code, as adopted and/or amended by the office of the California State Fire Marshal, including Appendices A through K, is hereby adopted by reference, subject to any changes set forth in the chapter. The Council, by resolution, may from time to time designate which edition of the California Fire Code is currently revised, and the edition so designated by Council resolution shall be the one referred to throughout this Code. One copy of Chapter 8 of the Piedmont

Municipal Code and the California Fire Code shall be kept on file at the Department of Public Works.

The attached ordinance was prepared by the City Clerk and has been reviewed and approved by the City Attorney.

By: John O. Tulloch, City Clerk

ORDINANCE 732 N.S

AN ORDINANCE MAKING A TECHNICAL CORRECTION TO SECTION 8.1 OF THE CITY CODE TO CLARIFY THAT THE 2016 CALIFORNIA FIRE CODE IS IN EFFECT

The City Council of the City of Piedmont hereby ordains as follows:

SECTION 1 INTENT

It is the intent of the City Council of City of Piedmont in adopting this Ordinance to make a technical correction to Section 8.1 of the City Code to clarify that 2016 California Fire Code is in effect, as was the Council’s intent when passing Ordinance 730 N.S.

SECTION 2 FINDINGS

The findings adopted by the City Council in Section 2 of Ordinance 730 N.S. as hereby adopted as the findings for this ordinance and are incorporated by reference.

SECTION 3 TECHNICAL CORRECTION TO SECTION 8.1

Section 8.1 of the City Code is hereby amended to read as follows:

“The ~~2013~~ 2016 California Fire Code, based on the ~~2012~~ 2015 International Fire Code, as adopted and/or amended by the office of the California State Fire Marshal, including Appendices A through K, is hereby adopted by reference, subject to any changes set forth in the chapter. The Council, by resolution, may from time to time designate which edition of the California Fire Code is currently revised, and the edition so designated by Council resolution shall be the one referred to throughout this Code. One copy of Chapter 8 of the Piedmont Municipal Code and the California Fire Code shall be kept on file at the Department of Public Works.”

SECTION 4

This Ordinance shall be posted at City Hall after its second reading by the City Council for at least thirty (30) days and shall become effective thirty (30) days after such second reading.

[END OF ORDINANCE]