

ORDINANCE NO. [REDACTED]

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA REPEALING CALISTOGA MUNICIPAL CODE CHAPTERS 15.01 GENERAL PROVISIONS, 15.04 ADMINISTRATIVE CODE, 15.08 CALIFORNIA BUILDING CODE, 15.12 CALIFORNIA RESIDENTIAL CODE, 15.16 CALIFORNIA ELECTRICAL CODE, 15.20 CALIFORNIA MECHANICAL CODE, 15.24 CALIFORNIA PLUMBING CODE, 15.28 CALIFORNIA ENERGY CODE, 15.32 CALIFORNIA HISTORICAL BUILDING CODE, 15.36 CALIFORNIA FIRE CODE, 15.40 CALIFORNIA EXISTING BUILDING CODE, 15.44 CALIFORNIA GREEN BUILDING STANDARDS AND 15.48 CALIFORNIA REFERENCE STANDARDS OF TITLE 15, BUILDING STANDARDS CODES; AND ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, PARTS 1-6 & 8-12, AS ADOPTED BY THE CALIFORNIA STATE BUILDING STANDARDS COMMISSION, THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC) PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, THE 2021 EDITION OF THE INTERNATIONAL POOL AND SPA CODE (IPSC) PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS**

**WHEREAS**, the International Code Council publishes model codes that provide jurisdictions such as the City of Calistoga with a complete set of model building-related regulations for adoption. These model codes are updated approximately every three years to reflect the development of improved building construction techniques; and

**WHEREAS**, in 2019, the California Building Standards Commission completed the adoption and approval of the California Building Standards Codes, commonly referred to as Title 24 of the California Code of Regulations, which are based on these model codes; and

**WHEREAS**, use of the most up-to-date codes is necessary and proper to ensure uniformity in the implementation of building regulations for new construction, alterations, repairs, demolition, maintenance, and use of any building or structure in the City of Calistoga; and

**WHEREAS**, the City's codes were last updated on December 6, 2019, when the City Council approved Ordinance No. 743 adopting the 2019 California Building Standards Code and related family of codes; and

**WHEREAS**, pursuant to Section 17958 of the California Health and Safety Code, the governing body of the City of Calistoga, in its ordinance adopting the State Building Standards Code and uniform industry codes, may establish amendments which are more restrictive in nature than those regulations adopted by the State, and the City Council, based on materials presented and recommendations of the Building Official, Fire Chief, Planning and Building Director and the Calistoga Building Standards Advisory and Appeals Board, finds that it is necessary to make modifications to the California Building

Standards Code and to adopt or not adopt certain State Code appendices in order to best protect the health, safety and welfare of the citizens of Calistoga, based on local climatic, geographical and/or topographical conditions. As such, the City Council finds that the following local conditions exist:

Climate - The city, on average, experiences an approximate annual rainfall of 38 inches. During the winter months, the city may experience periods of heavy rain, which causes local flooding and erosion, and contributes to slope instability. Winter storms are often accompanied by high winds, which uproot trees and damage power lines. The city also experiences periodic days of heavy fog, which can delay the response time for fire-fighting apparatus, and prevent the early discovery of structure fires.

Wind is a factor in the spread of fire in that burning embers are carried to adjacent exposed areas. Calistoga has a characteristic southerly wind, which originates from the San Francisco Bay and becomes a factor in the control of fires. Further, in the dry season, Calistoga experiences an occasional north wind of significant velocity, which is recognized by fire officials to be a significant concern with regard to fire spread.

During the dry period, temperatures can exceed 100 degrees. These temperatures are often accompanied by low humidity, creating an extremely- hazardous fire condition. With development spreading into Calistoga's brush-covered foothill areas, wind-driven fires can have severe consequences, as has been demonstrated on several occasions throughout the state.

Geographical - The city is susceptible to seismic hazards resulting from movement along several known faults. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is a possibility of earthquake-induced landslides. Fire is often the major form of damage resulting from earthquakes. Most earthquake-induced fires start because of damage to gas lines, power lines or heat producing appliances. Such fires expose residential and other development within the city to an increased risk of conflagration. In addition, unstable slopes have been identified in the city, which present a significant potential for landslides. In the event of a major earthquake or landslide, many areas of the city may not be accessible to emergency equipment and, if bridges or roads are damaged, the city may be isolated from outside assistance. Several areas within the city offer poor access for the delivery of public safety services because of the severity of slopes and the existence of natural barriers such as the Napa River and its tributaries such as Garnett Creek and Cyrus Creek.

Topographical - The city's borders include hilly terrain adjacent to the southwest portions of the city. The roadways in these hills are designed around the lay of the land and consequently are narrow, winding and steep access ways. The grades of these roadways sometimes exceed 25% and road widths of less than 12 feet are not uncommon. The Napa River and other small waterways run directly through the city and could impact emergency response during disasters. The water supply within the city is directly affected by the topographical layout. The water

distribution system consists of pressure zones, which carry water by gravity from various reservoirs. Water flow within the city can vary from less than 100 gallons per minute to flows in excess of 1,000 gallons per minute. This wide variation causes major problems to development as well as to fire suppression efforts. The hilly terrain contributes to drainage, erosion and slope instability problems for some development.

**WHEREAS**, City Staff conducted internal and stakeholder meetings to present draft versions of the proposed 2022 code adoption staff recommends adoption of the 2022 California Building Standards Code, with local amendments, and the 2021 International Property Maintenance Code, and the 2021 International Pool and Spa Code, to the City Council; and

**WHEREAS**, this proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines; and

**NOW, THEREFORE, THE CALISTOGA CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:**

### **SECTION ONE**

Findings. The above recitals are incorporated herein as if set forth herein in full and each is relied upon independently by the City Council for its adoption of this ordinance.

### **SECTION TWO**

Repeal of Existing Codes. Calistoga Municipal Code Chapters 15.01 General Provisions, 15.04 Administrative Code, 15.08 California Building Code, 15.12 California Residential Code, 15.16 California Electrical Code, 15.20 California Mechanical Code, 15.24 California Plumbing Code, 15.28 California Energy Code, 15.32 California Historical Building Code, 15.36 California Fire Code, 15.40 California Existing Building Code, 15.44 California Green Building Standards and 15.48 California Reference Standards of Title 15, Building Standards Codes, are hereby repealed.

### **SECTION THREE**

Prior References. Prior references to the codes referenced in Section Two shall be construed to apply to the corresponding provisions of the codes adopted herein.

### **SECTION FOUR**

Adoption of Building Standards Code. Calistoga Municipal Code Title 15 Building Standards Codes Chapters 15.01 General Provisions, 15.04 Administrative Code, 15.08 California Building Code, 15.12 California Residential Code, 15.16 California Electrical Code, 15.20 California Mechanical Code, 15.24 California Plumbing Code, 15.28 California Energy Code, 15.32 California Historical Building Code, 15.36 California Fire Code, 15.40 California Existing Building Code, 15.44 California Green Building Standards 15.48 International Property Maintenance Code, and 15.50 International Pool and Spa Code, and 15.52 California Reference Standards of Title 15, Building Standards Codes, are hereby adopted to read as set forth in Exhibit A attached hereto.

**SECTION FIVE**

Environmental Review. This action has been reviewed in accordance with the California Environmental Quality Act, CEQA Guidelines Section 15061(b)(3), the “general rule” exemption. The City has determined that because it can be seen with certainty that there is no possibility that the proposed amendments will have an impact on the environment, this ordinance is therefore exempt from CEQA under the general rule.

**SECTION SIX**

Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

**SECTION SEVEN**

Effective Date. This ordinance shall take effect thirty (30) days after its passage. Before the expiration of fifteen (15) days after its passage by the City Council, the City Clerk shall cause to be published a summary of this ordinance in a newspaper of general circulation published and circulated in the city of Calistoga.

THIS ORDINANCE was introduced with the first reading waived at the City Council meeting of the **DATE OF 1<sup>ST</sup> READING** and was passed and adopted at a regular meeting of the City Council on the **DATE OF 2<sup>ND</sup> READING**, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
**Chris Canning, Mayor**

ATTEST:

\_\_\_\_\_  
**Name of City Clerk**