

ATTACHMENT



# BEAC PUBLIC HEARING

## LOCAL ADOPTION OF THE LATEST CALIFORNIA BUILDING STANDARDS CODE AND UNIFORM HOUSING CODE

JULY 18, 2016

PREPARED BY

LBD DEVELOPMENT SERVICES



SUSTAINABLE  
LONG BEACH

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**PROPOSED AMENDMENT:**

Subsection 8.76.010.N of the Long Beach Municipal Code is amended to read as follows:

- N. Any wall, fence or hedge maintained in such condition of deterioration, unapproved materials or disrepair as to constitute a hazard to persons or property or to cause depreciation in the value of any adjacent or nearby property;

**RATIONALE:**

This amendment includes the additional language of “unapproved materials” to further prohibit the type of materials that can be used for walls, fencing and hedges.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

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**PROPOSED AMENDMENT:**

Subsection 8.76.210.E of the Long Beach Municipal Code is amended to read as follows:

- E. Those employees of the ~~dDepartment of planning and building~~Development Services designated by the Director of ~~Planning and Building~~Development Services are authorized and may issue notices of violation of Section 8.76.010 G, Q, R or T pursuant to the applicable provisions of Section 41103 and other sections of the Vehicle Code relating to the standing or parking of a vehicle. If the notice of violation cannot be attached to the vehicle or other personal property, it may be posted on the front door of the involved premises.

**RATIONALE:**

This amendment proposes to remove the words "Planning and Building", which no longer exists, and replace it with "Development Services", which is the current name of the department.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

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**PROPOSED AMENDMENT:**

Section 10.46.100 of the Long Beach Municipal Code is amended to read as follows:

10.46.100 - Removal—Authorized when.

Five (5) days after adoption of the order declaring the vehicle or parts thereof to be a public nuisance or five (5) days from the date of mailing of notice of the decision, if such notice is required by this Chapter, the vehicle or parts thereof may be disposed of by removal to a scrapyard or automobile dismantler's yard. ~~After a vehicle has been removed, it shall not thereafter be reconstructed or made operable.~~

**RATIONALE:**

This proposed amendment removes the requirement to have vehicles dismantled or scrapped.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.02.030 of the Long Beach Municipal Code is amended to read as follows:

18.02.030 – B definitions.

~~"Building Code" means the code adopted in Chapter 18.40 of this title.~~

"Building Official" means the Superintendent of Building and Safety for the City of Long Beach Department of Development Services, Building and Safety Bureau, or a duly authorized representative designated by the Director.

**RATIONALE:**

The term "Building Code" is proposed to be deleted as this definition is proposed to be incorporated in the definition "California Building Code" in Section 18.02.040.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.02.040 of the Long Beach Municipal Code is amended to read as follows:

18.02.040 – C definitions.

"California Building Code" or "CBC" or "Building Code" means the code adopted in Chapter 18.40 of this title.

"California Electrical Code" or "CEC" or "Electrical Code" means the code adopted in Chapter 18.42 of this title.

"California Energy Code" or "Energy Code" means the code adopted in Chapter 18.46 of this title.

"California Existing Building Code" or "CEBC" or "Existing Building Code" means the code adopted in Chapter 18.49 of this title.

"California Fire Code" or "~~CBC~~" "CFC" or "Fire Code" means the code adopted in Chapter 18.48 of this title.

"California Green Building Standards Code" or "~~CGBSC~~" or "CalGreen Code" or "Green Code" means the code adopted in Chapter 18.47 of this title.

"California Historical Building Code" or "CHBC" or "Historical Building Code" means the code adopted in Chapter 18.50 of this title.

"California Mechanical Code" or "CMC" or "Mechanical Code" means the code adopted in Chapter 18.44 of this title.

"California Plumbing Code" or "~~CBC~~" "CPC" or "Plumbing Code" means the code adopted in Chapter 18.43 of this title.

"California Residential Code" or "CRC" or "Residential Code" means the code adopted in Chapter 18.41 of this title.

"Certificate of Occupancy" or "Occupancy Certificate" means the certificate issued by the Building Official pursuant to Chapter 18.08 when, after final inspection, it is found that a building or structure complies with all requirements of this title. When used with reference to a building or structure which was constructed and occupied prior to the effective date of any provisions requiring such a certificate, it shall mean the right to occupy such building or structure.

"City" means the City of Long Beach, California.

**RATIONALE:**

The definition "Building Code" as defined in Section 18.02.030 is proposed to be incorporated into the definition "California Building Code" as both terms means the same thing.

The definition "Electrical Code" as defined in Section 18.02.060 is proposed to be incorporated into the definition "California Electrical Code" as both terms means the same thing.

The definition "Energy Code" as defined in Section 18.02.060 is proposed to be incorporated into the definition "California Energy Code" as both terms means the same thing.

The definition "California Existing Building Code" is added to reflect a code adopted in Chapter 18.49.

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The definition "Fire Code" as defined in Section 18.02.070 is proposed to be incorporated into the definition "California Electrical Code" as both terms means the same thing. Editorial correction to reflect CFC, not CBC.

The definition "Green Code" as defined in Section 18.02.080 is proposed to be incorporated into the definition "California Green Building Standards Code" as both terms means the same thing. The acronym "CGBSC" is no longer used as a referenced in the California Green Building Standards Code and thus is proposed to be deleted.

The definition "California Historical Building Code" is added to reflect a code adopted in Chapter 18.50.

The definition "Mechanical Code" as defined in Section 18.02.140 is proposed to be incorporated into the definition "California Mechanical Code" as both terms means the same thing.

The definition "Plumbing Code" as defined in Section 18.02.170 is proposed to be incorporated into the definition "California Plumbing Code" as both terms means the same thing. Editorial correction to reflect CPC, not CBC.

The definition "Residential Code" as defined in Section 18.02.190 is proposed to be incorporated into the definition "California Residential Code" as both terms means the same thing.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

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**PROPOSED AMENDMENT:**

Section 18.02.060 of the Long Beach Municipal Code is amended to read as follows:

18.02.060 – E definitions. (Reserved)

~~"Electrical Code" means the code adopted in Chapter 18.42 of this title.~~

~~"Energy Code" means the code adopted in Chapter 18.46 of this title.~~

**RATIONALE:**

The term "Electrical Code" and "Energy Code" are proposed to be deleted as these definitions are proposed to be incorporated in the definitions "California Electrical Code" and "California Energy Code" in Section 18.02.040.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.02.070 of the Long Beach Municipal Code is amended to read as follows:

18.02.070 – F definitions.

"Fire Chief" means the Fire Chief of the City of Long Beach Fire Department or a duly authorized representative.

~~"Fire Code" means the code adopted in Chapter 18.48 of this title.~~

"Fire Code Official" means the Fire Marshal for the City of Long Beach Fire Department or a duly authorized representative designated by the Fire Chief.

"Foundation-only permit" is a building permit issued for that portion of a building which constitutes the footings for the building and which may, subject to the approval of the Building Official, include those portions of the building below the grade level.

**RATIONALE:**

The term "Fire Code" is proposed to be deleted as this definition is proposed to be incorporated in the definition "California Fire Code" in Section 18.02.040.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.02.080 of the Long Beach Municipal Code is amended to read as follows:

18.02.080 – G definitions. (Reserved)

~~"Green Code" means the code adopted in Chapter 18.47 of this title.~~

**RATIONALE:**

The term "Green Code" is proposed to be deleted as this definition is proposed to be incorporated in the definition "California Green Building Standards Code" in Section 18.02.040.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

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**PROPOSED AMENDMENT:**

Section 18.02.090 of the Long Beach Municipal Code is amended to read as follows:

18.02.090 – H definitions. (Reserved)

~~"Housing Code" means the code adopted in Chapter 18.45 of this title.~~

**RATIONALE:**

The term "Housing Code" is proposed to be deleted as this definition is proposed to be incorporated in the definition "Uniform Housing Code" in Section 18.02.220.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.02.140 of the Long Beach Municipal Code is amended to read as follows:

18.02.140 – M definitions. (Reserved)

~~"Mechanical Code" means the code adopted in Chapter 18.44 of this title.~~

**RATIONALE:**

The term "Mechanical Code" is proposed to be deleted as this definition is proposed to be incorporated in the definition "California Mechanical Code" in Section 18.02.040.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

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**PROPOSED AMENDMENT:**

Section 18.02.170 of the Long Beach Municipal Code is amended to read as follows:

18.02.170 – P definitions.

“Permittee” means the person, firm or corporation authorized to obtain a permit pursuant to Subsection 18.04.070.A of this title.

~~“Plumbing Code” means the code adopted in Chapter 18.43 of this title.~~

**RATIONALE:**

The term “Plumbing Code” is proposed to be deleted as this definition is proposed to be incorporated in the definition “California Plumbing Code” in Section 18.02.040.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.02.190 of the Long Beach Municipal Code is amended to read as follows:

18.02.190 – R definitions. (Reserved)

~~"Residential Code" means the code adopted in Chapter 18.41 of this title.~~

**RATIONALE:**

The term "Residential Code" is proposed to be deleted as this definition is proposed to be incorporated in the definition "California Residential Code" in Section 18.02.040.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.02.220 of the Long Beach Municipal Code is amended to read as follows:

18.02.220 – U definitions.

"Uniform Housing Code" or "UHC" or "Housing Code" means the code adopted in Chapter 18.45 of this title.

**RATIONALE:**

The definition "Housing Code" as defined in Section 18.02.090 is proposed to be incorporated into the definition "Uniform Housing Code" as both terms means the same thing.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

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**PROPOSED AMENDMENT:**

Section 18.20.030 of the Long Beach Municipal Code is amended to read as follows:

18.20.030 – Substandard buildings---Service of notice.

Notices shall be given by service thereof in the manner elsewhere provided in this chapter for service of notices. Service of such notice in the manner therein prescribed shall constitute notice to the owner of such building, and failure of any such person to receive such notice shall in no manner affect the validity of the subsequent proceedings taken hereunder. In addition to giving such notice, the Building Official shall also prepare and cause to be recorded with the county recorder, a certificate stating that the building described is a substandard building, or is a public nuisance, and that the owner thereof has been so notified. When, and if, all required corrections to such a building have been made, the Building Official shall cause the certificate of substandard buildings of public nuisance to be terminated and cause to be recorded with the County Recorder a copy thereof provide said document to the owner to record with the County Recorder.

**RATIONALE:**

This proposed amendment clarifies language that it is the owner's responsibility to record the termination document.

**FINDINGS:**

Administrative – Amendment is necessary for administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

DRAFT

**PROPOSED AMENDMENT:**

Section 18.62.040 of the Long Beach Municipal Code is amended to read as follows:

18.62.040 - Application.

Upon application of the owner or his authorized agent and accompanied by a fee, ~~or a fully executed letter/agreement authorizing payment out of escrow,~~ in or of an amount as set forth in the schedule of fees and charges established by City Council resolution, the Director shall review pertinent City records, cause an on-site inspection of the property as provided by Section 18.62.050, and deliver to the applicant a report on the availability of legally required off-street parking.

**RATIONALE:**

This proposed amendment removes the use of an escrow account as a means of payment for the inspection and report.

**FINDINGS:**

Local Administrative Clarification – Amendment is necessary for local administrative clarification, and does not modify a Building Standard pursuant to Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

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