

ORDINANCE NO 372

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK AMENDING SECTIONS 15.04.010 AND 15.04.030 OF THE SUTTER CREEK MUNICIPAL CODE REGARDING ADOPTION OF BUILDING CODE UPDATES

The City Council of the City of Sutter Creek, California does ordain as follows:

Section 1

Section 15.04.010 of the Sutter Creek Municipal Code is amended as follows:

15.04.010 - Adoption of codes and related appendices.

- A. The 2022 California Building Standards Administrative Code contained in Part 1 of Title 24 of the California Code of Regulations is hereby adopted by reference as the Building Standards Administrative Code of the City of Sutter Creek.
- B. The 2022 California Building Code contained in Part 2 of Title 24 of the California Code of Regulations, including Appendix C (Group U—Agricultural Building), Appendix H (Signs), Appendix I (Patio Covers) and Appendix J (Grading) is hereby adopted by reference as the Building Code of the City of Sutter Creek.
- C. The 2022 California Residential Building Code contained in Part 2.5 of Title 24 of the California Code of Regulations, is hereby adopted by reference as the Residential Building Code of the City of Sutter Creek.
- D. The 2022 California Electrical Code contained in Part 3 of Title 24 of the California Code of Regulations, including Article 89, is hereby adopted by reference as the Electrical Code of the City of Sutter Creek.
- E. The 2022 California Mechanical Code contained in Part 4 of Title 24 of the California Code of Regulations, is hereby adopted by reference as the Mechanical Code of the City of Sutter Creek.
- F. The 2022 California Plumbing Code contained in Part 5 of Title 24 of the California Code of Regulations, is hereby adopted as the Plumbing Code of the City of Sutter Creek.
- G. The 2022 California Energy Code contained in Part 6 of Title 24 of the California Code of Regulations, including Appendix 1-A is hereby adopted by reference as the Energy Code of the City of Sutter Creek.
- H. The 2022 California Historical Building Code contained in Part 8 of Title 24 of the California Code of Regulations is hereby adopted by reference as the Historical Building Code of the City of Sutter Creek.
- I. The 2022 California Fire Code contained in Part 9 of Title 24 of the California Code of Regulations, is hereby adopted as the Fire Code of the City of Sutter Creek.

- J. The 2022 California Existing Building Code contained in Part 10 of Title 24 of the California Code of Regulations, is hereby adopted by reference as the Existing Building Code of the City of Sutter Creek.
- K. The 2022 California Green Building Standards Code contained in Part 11 of Title 24 of the California Code of Regulations is hereby adopted by reference as the Green Building Standards Code of the City of Sutter Creek.
- L. The 2022 California Referenced Standards Code contained in Part 12 of Title 24 of the California Code of Regulations is hereby adopted by reference as the Referenced Standards Code of the City of Sutter Creek.
- M. The 2021 International Property Maintenance Code as published by the International Code Council and referenced in Title 24, Part 2, of the California Building Code is hereby adopted by reference as the Property Maintenance Code of the City of Sutter Creek.
- N. The 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials, is hereby adopted by reference as the Dangerous Buildings Code of the City of Sutter Creek.
- O. The above-identified codes in this section 15.04.010 (hereinafter collectively referred to as the "Building Codes") are adopted for the purpose of prescribing regulations for the erection, construction, modification, repair, maintenance, demolition, use and occupancy of buildings and structures. One copy of each of the Building Codes shall be maintained for use and examination of the public in the office of the building official.

Section 2

The City Council finds as follows:

- A. California Health and Safety Code, Section 13869.7, 17958.7, and 18941.5, allow for amendments reasonably necessary because of local climatic, geographical or topographical conditions.
- B. The topography of the City of Sutter Creek presents several factors which impede response times: steep and narrow roadways, the city divided by a major water way, Sutter Creek, and areas with insufficient water supplies.
- C. The City of Sutter Creek is surrounded by State Resource Area (SRA) high hazard areas which gives potential for wildland fires moving into the city. With terrain and steep canyons creating challenging access, changes in the code allow for more self-sustaining defensible fire protection.
- D. The City of Sutter Creek presents problems for a timely response due to climatic conditions, from fog to occasional snow.
- E. Based on the afore-cited topographical and climatic findings the City of Sutter Creek finds it necessary to amend the Code to provide additional fire safety measures in an attempt to reduce the severity of fire and potential loss of life and property.

F. In addition, the City of Sutter Creek is at elevation 1,188 feet, and therefore receives snow at such intervals as require that roof of structures to be constructed to accommodate snow loads of a minimum of 20 pounds per square feet. Due to this topographical and climactic condition, the adoption of a local snow-load requirement is necessary to protect the potential loss of life and property.

Section 3

In light of the findings in the preceding section, Section 15.04.030 of the Sutter Creek Municipal Code is amended as follows:

15.04.030 - Amendments to California Building Code.

The provisions of this section 15.04.030 shall constitute local amendments to the cross-referenced provisions of the 2022 California Building Code, Title 24, Part 2 and shall be deemed to amend the cross-referenced section in said Code with the respective provisions set forth in this section 15.04.030.

A. Section 903.2 of the California Building Code is amended by adding, at the end of the text of that section, a new subsection to read as follows:

22. **NEW STRUCTURES.** An automatic fire sprinkler system shall be installed in occupancies 5,000 square feet and larger exclusive of area separations as defined in the California Building Code.

This requirement may be waived by the Building Official if the building is divided into areas of less than 5,000 square feet. Such division shall be made by the construction of fire wall(s) which meet the requirement of Chapter 3 and Chapter 7 of the California Building Code.

The integrity of the said fire wall shall be maintained as defined in the California Building Code. In the event such integrity is not maintained, the building shall be equipped with an approved automatic sprinkler system.

B. Section 903.2 of the California Building Code is amended by adding, at the end of the text of that section, a new subsection to read as follows: 23. **EXISTING STRUCTURES.** An automatic fire sprinkler system shall be provided in existing structures when there is a change of character of the occupancy or use of any building which may, in the opinion of the Building Official increase or may cause to increase the hazard of fire or threat to life and safety.

C. Section 1608A.1 of the California Building Code is amended to add the following sentence at the end of the subsection as follows: (1) The snow load for the City of Sutter Creek shall be 20 pounds per square foot.

Section 4

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5

The City Council determines that the provisions of this Ordinance are exempt from the California Environmental Quality Act because the instant ordinance involves continuing administrative activities and thus is not a project, as the Act defines, pursuant to Section 15378(b)(2) of the California Environmental Quality Act Guidelines. To the extent the adoption of this Ordinance constitutes a project, the City Council finds pursuant to CEQA Guideline Section 15061(b)(3) that the project is exempt from environmental review because it can be seen with certainty that the adoption of the ordinance would not have any significant impact on the environment.

This ordinance shall be published and posted in the manner required by law by the City Clerk.

Introduced at a meeting of the City Council of Sutter Creek on January 17, 2023 and enacted by the City Council of the City of Sutter Creek at a regular meeting held on February 6, 2023.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Sutter Creek City Council, held on this 6th day of February 2023, by the following vote, to wit:

AYES: Feist, Peters, Sierk , Swift and Gunselman

NAYS:

ABSENT:

ABSTAIN:

Claire Gunselman

Claire Gunselman, Mayor

ATTEST:

Karen Darrow

Karen Darrow, City Clerk