



PUBLIC HEARING

City of San Bernardino Request for Council Action

Date: September 18, 2024

To: Honorable Mayor and City Council Members

From: Rochelle Clayton, Acting City Manager
Gabriel Elliott, Director of Community Development and Housing

Department: Community Development & Housing

Subject: **Conduct a Public Hearing on New Building Code Adoption (All Wards)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Introduce, read by title only, Ordinance No. MC-1643 of the Mayor and City Council of the City of San Bernardino, California.
2. Conduct a Public Hearing for Ordinance No. MC-1643 of the Mayor and City Council of the City of San Bernardino, California, for September 18, 2024, adopting the new Municipal Code language and approve use of the 2022 California Building Code and other minor changes to Chapter 15 of the San Bernardino Municipal Code.
3. Adopt Ordinance No. MC-1643 October 2, 2024.

Executive Summary

The adoption of the recommended ordinance will reconcile the City's plan check practices with the current California State Building Code (2022) rather than the 2019 California State Building Code reflected in the current Municipal Code.

Background

On January 1, 2023, the new California State Building Codes were implemented Statewide in all jurisdictions. However, the City of San Bernardino did not adopt the new code at that time. The City must now adopt the new Building Codes as required by State law.

Discussion

The proposed changes to the San Bernardino Municipal Code are strictly for the purpose of adoption of the new Statewide Building Code and to clean up some language within Chapter 15 of the San Bernardino Municipal. Additionally, the proposed changes will remove language that allows for Temporary Certificates of Occupancy as it has been the policy of the City Building Department not to allow for bonding and Temporary Certificates. This is due to previous and ongoing complications with the issuance of these temporary certificates and the required bonding associated with the certificates.

Table 1 below provides a summary of the proposed changes to Chapter 15 of the Municipal Code

TABLE 1: SUMMARY OF PROPOSED MUNICIPAL CODE CHANGES

Specific language changes	1. All references to the 2019 California Building Codes will be changed to reflect the 2022 California Codes
Language removed and added	<ul style="list-style-type: none">• Section 15.20.070 will be removed (Temporary Certificates of Occupancy)• Section 15.20.030 will be added (expressly prohibiting Temporary Certificates of Occupancy)
Other proposed changes to Code	<ul style="list-style-type: none">• Minor changes to clean up language of Code Chapter 15• Language added for waterless urinals
Other sections removed	<ul style="list-style-type: none">• Section 15.34 will be removed as this language exists in the Development Code and is redundant and misplaced to be in the construction sections of the Municipal Code.
Other sections added	<ul style="list-style-type: none">• Section 15.56 Mobile Home Park Title 25 and Code enforcement will be added• Section 15.48 Garage pedestrian door will be added for gate requirements

2021-2025 Strategic Targets and Goals

The request for adoption of the proposed new Building Code aligns with Goal No. 1e: Minimize risk and litigation exposure and Goal No. 4b: Update the General Plan and Development Code. Updating the City’s Building Code is required by State Law and would bring the City in compliance with current building code standards.

Fiscal Impact

There is no General Fund impact associated with this action.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Introduce, read by title only, Ordinance No. MC-1643 of the Mayor and City Council of the City of San Bernardino, California,
2. Conduct a Public Hearing of Ordinance No. MC-1643 of the Mayor and City Council of the City of San Bernardino, California, for September 18, 2024, adopting the new Municipal Code language and approve use of the 2022 California Building Code and other minor changes to Chapter 15 of the San Bernardino Municipal Code.
3. Adopt Ordinance No. MC-1643 October 2, 2024

Attachments

Attachment 1	Ordinance No. MC-1643 Building Code
Attachment 2	Ordinance No. MC-1643 Building Code (Tracked changes)
Attachment 3	Notice of Public Hearing

Ward:

All Wards

Synopsis of Previous Council Actions:

No previous Council actions.