

ORDINANCE NO. 3370

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORONA AMENDING SECTIONS 15.12.020 AND 15.20.020 OF THE CORONA MUNICIPAL CODE TO DELETE CERTAIN APPENDICES ADOPTED BY REFERENCE AS PART OF THE 2022 CALIFORNIA FIRE CODE AND THE 2022 CALIFORNIA PLUMBING CODE.

WHEREAS, Government Code Section 50022, et seq. and California Health & Safety Code Section 17922 empower the City of Corona ("City") to adopt by reference the California Building Standards Code as provided in Title 24 of the California Code of Regulations; and

WHEREAS, on December 7, 2022, pursuant to Ordinance No. 3357, the City Council of the City of Corona amended various chapters of Title 15 of the Corona Municipal Code ("CMC") to adopt, by reference, the 2022 California Building Standards Code, which includes the Building Code, Residential Code, Fire Code, Plumbing Code, Mechanical Code, Electrical Code, Historical Building Code, Existing Building Code, Energy Code, and Green Building Standards Code, along with certain local amendments that are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, as part of the adoption of the 2022 California Building Standards Code, the City Council adopted Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code; and

WHEREAS, Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code were not adopted by any state agency and, thus, are not part of the 2022 California Building Standards Code; and

WHEREAS, California Health & Safety Code, Sections 17958.5 and 18941.5 authorize cities and counties to modify the California Building Standards Code by adopting more restrictive standards and modifications if such standards and modifications are accompanied by express findings that they are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Ordinance No. 3357 did not include express findings that the adoption of Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code were necessary due to local climatic, geological, or topographical conditions because said appendices were intended either as informational guidelines, administrative in nature, or optional design standards, which generally do not require such findings; and

WHEREAS, the California Building Standards Commission, which reviews the California Building Standards Code filings of jurisdictions throughout the state, determined that the adoption of Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code requires express findings that they are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the subject matter of Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code are adequately addressed in other chapters of the California Building Standards Code, which were adopted and incorporated within Title 15 of the CMC; and

WHEREAS, it is unnecessary to include Appendix M of the 2022 California Plumbing Code and Appendices E, F, G, and O of the 2022 California Fire Code within Title 15 of the CMC; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 15.12.020 (Code Adoption) of Chapter 15.12 (Fire Code) of Title 15 (Buildings and Construction) is hereby amended, in its entirety, to read as follows:

“15.12.020 Code adoption.

(A) Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as the 2022 California Fire Code, and that certain document being marked and designated as the 2021 International Fire Code, with errata, and including the following appendices, are hereby adopted as the Fire Code for the City of Corona:

- (1) Appendix Chapter 4.
- (2) Appendices B and C.
- (3) Appendices A, BB, CC, D, E, F, G, H, I, J, K, L, M, N, O, and P are not adopted.
- (4) In addition, Chapter 3 and Sections 403.11, 503, 510, 1103.2 and 5707, which were excluded in the 2022 California Fire Code, are hereby adopted and included in the Fire Code for the City of Corona.

(B) One certified copy of each of the 2022 California Fire Code and 2021 International Fire Code are on file in the office of the Building Official, and any and all references thereto, are adopted as the Fire Code and each and all

of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.”

SECTION 2. Section 15.20.020 (Code Adoption) of Chapter 15.12 (Plumbing Code) of Title 15 (Buildings and Construction) is hereby amended, in its entirety, to read as follows:

“15.20.020 Code adoption.

(A) Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as the 2022 California Plumbing Code, California Code of Regulations Title 24, Part 5, including any supplements, errata, and revisions made thereto, and including the following specifically identified appendices and portions thereof, are hereby adopted as the Plumbing Code of the City of Corona:

- (1) Chapter 1 Division II is not adopted as part of this code.
- (2) Appendices A, B, D, H, and I are adopted as part of this code.
- (3) Appendices C, E, F, G, J, K, L, M and N are not adopted as part of this code.

(B) One certified copy of the 2022 California Plumbing Code shall be kept on file in the office of the Building Official, and any and all references thereto, are adopted as the Plumbing Code of the City of Corona and each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.”

SECTION 3. CEQA. The City Council finds that the adoption of the California Building Standards Code and the amendments proposed herein are exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Ordinance involves a minor amendment to the CMC to delete references to appendices that were not adopted by any state agency and are not part of the California Building Standards Code. Therefore, there is no possibility that adopting this Ordinance will have a significant effect on the environment and no further environmental analysis is required.

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by 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 are declared unconstitutional, invalid or ineffective.

SECTION 5. Certification/Publication. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper in the City of Corona. This Ordinance shall take effect and be in force 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this 17th day of May, 2023.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California duly held the 3rd day of May, 2023 and thereafter at a regular meeting held on the 17th day of May, 2023, it was duly passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 17th day of May, 2023.

City Clerk of the City of Corona, California

[SEAL]