

ORDINANCE NO. 2022-021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA ENERGY CODE, THE 2022 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2022 EDITION OF THE CALIFORNIA REFERENCED STANDARDS CODE, THE 2022 EDITION OF THE ADMINISTRATIVE CODE AND THE 2022 EDITION OF THE CALIFORNIA HISTORICAL BUILDING CODE

The City Council of the City of San Buenaventura does ordain as follows:

SECTION 1: ADDITION TO CODE. Division 12, "Building and Construction Regulations," of the San Buenaventura Municipal Code ("SBMC") is hereby amended by the addition of a new chapter, Chapter 12.135, "Additional Standards," to read as follows:

"Chapter 12.135 Additional Standards

Section 12.135.010. Adoption of the California Energy Code, 2022 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 6 of Title 24 of the California Code of Regulations, known as the California Energy Code, 2022 Edition ("CEC"), including Appendices 1-A thereof, and standards contained therein, is adopted by reference, subject to changes set forth in this Chapter. One true copy of the CEC is on file in the Office of the Building Official and is available for public inspection as required by law.

Section 12.135.020. Adoption of the California Green Building Standards Code, 2022 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 11 of Title 24 of the California Code of Regulations, known as the California Green Building Code, 2022 Edition ("CGBC"). One true copy of the CGBC is on file in the Office of the Building Official and is available for public inspection as required by law.

Section 12.135.030. Adoption of the California Referenced Standards Code, 2022 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 12 of Title 24 of the California Code of Regulations, known

as the California Referenced Standards Code, 2022 Edition ("CRSC"), and standards contained therein, is adopted by reference, subject to changes set forth in this Chapter. One true copy of the CRSC is on file in the Office of the Building Official and is available for public inspection as required by law.

Section 12.135.040. Adoption of the California Administrative Code, 2022 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 1 of Title 24 of the California Code of Regulations, known as the California Administrative Code, 2022 Edition ("CAC"), and standards contained therein, is adopted by reference, subject to changes set forth in this Chapter. One true copy of the CAC is on file in the Office of the Building Official and is available for public inspection as required by law.

Section 12.135.050. Adoption of the California Historical Building Code, 2022 Edition.

Pursuant to Government Code sections 50022.1 to 50022.8, inclusive, Part 8 of Title 24 of the California Code of Regulations, known as the California Historical Building Code, 2022 Edition ("CHBC"), and standards contained therein, is adopted by reference, subject to changes set forth in this Chapter. One true copy of the CHBC is on file in the Office of the Building Official and is available for public inspection as required by law."

SECTION 2: CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council determines that this Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000 et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000 et seq., the "State CEQA Guidelines") because it does not meet the definition of a "project" under Public Resources Code § 21065 and, to the extent it is determined by a court of competent jurisdiction to be a project, is covered by the common sense exception under 14 California Code of Regulations § 15061(b)(3) as it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance is an action being taken for enhanced protection of the environment and does not have a reasonably foreseeable direct or indirect physical change on the environment or the potential to cause significant effects on the environment.

SECTION 3: SAVINGS CLAUSE. Repeal of any provision of the SBMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 4: SEVERABILITY. If any part of this Ordinance is deemed invalid by a court of competent jurisdiction, the City Council intends that said invalidated part is severable and that such decision will not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

SECTION 5: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance is repealed or is deemed invalid by a court of competent jurisdiction, such action will render this Ordinance void and cause such SBMC Ordinance previously in effect prior to amendment by this Ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on the 30th day following its final passage and adoption or on January 1, 2023, whichever is later.

The foregoing Ordinance was adopted by the City Council of San Buenaventura on November 28, 2022 and ordered published by posting the following vote:

Ayes: Councilmembers Sanchez-Palacios, Brown, Johnson, Halter, Deputy Mayor Schroeder, and Mayor Rubalcava

Noes: None

Absent: Councilmember Friedman



Sofia Rubalcava
Mayor

ATTEST:



Michael B. MacDonald, CMC
City Clerk



APPROVED AS TO FORM:
Andy Heglund
City Attorney

Miles Hogan 12/1/2022
Miles Hogan
Senior Assistant City Attorney