

ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, INCORPORATING THE 2021 INTERNATIONAL BUILDING CODE, THE 2021 INTERNATIONAL RESIDENTIAL CODE, THE 2021 UNIFORM PLUMBING CODE, THE 2021 UNIFORM MECHANICAL CODE, AND THE 2020 NATIONAL ELECTRICAL CODE, AND AMENDING TITLE 14 OF THE LA MESA MUNICIPAL CODE AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH

The City Council of the City of La Mesa, California, DOES HEREBY ORDAIN as follows:

SECTION 1. Findings of Local Conditions. Pursuant to Health and Safety Code Sections 17958.5 and 17958.7, the City Council hereby makes the following findings:

- A. Mediterranean weather conditions, hilly terrain, density of development, canyons with dry dense brush, and the environment existing in the City of La Mesa constitute local conditions which require that the California Building Code and the California Residential Code be modified as expressed herein.
- B. The high water table expansive clay-like soils and history of unregulated grading, including uncompacted fills existing in the City of La Mesa constitute, local conditions which require that the California Building Code be modified as expressed herein.

SECTION 2. Chapter 14.04 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows:

"Chapter 14.04
BUILDING CODE

14.04.010 Adoption of the California Building Code. There is hereby adopted by reference the California Building Code, 2022 Edition (Part 2, Title 24, California Code of Regulations), incorporating the International Building Code, 2021 Edition, published by the International Code Council. Said document is hereby adopted as the Building Code of the City of La Mesa for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures within the City of La Mesa. There is one (1) copy of said Code on file in the office of the City Clerk for use and examination by the public as required by law."

SECTION 3. Chapter 14.05 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows:

"Chapter 14.05
GRADING

14.05.010 Adoption of Appendix J of the California Building Code. There is hereby adopted by the City of La Mesa for the purpose of prescribing regulations governing the excavation and grading on private property and the issuance of permits and providing for the inspection thereof, Appendix J of the California Building Code, 2022 Edition, one (1) copy of which is on file in the office of the City Clerk of the City of La Mesa.

14.05.020 Permits Required. Section J103.2 of Appendix J of the California Building Code, 2022 Edition, adopted by reference in Section 14.05.010 hereof is hereby amended to read as follows:

J103.2 Exemptions. A grading permit shall not be required for the following:

8. An excavation or fill which is less than three (3) feet (915 mm) in depth and does not create a slope steeper than two horizontal to one vertical and does not exceed 100 cubic yards (76.5 m³) on any one lot and does not obstruct or alter a drainage course.

SECTION 4. Chapter 14.08 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows:

"Chapter 14.08
PLUMBING CODE

14.08.010 Adoption of the California Plumbing Code. There is hereby adopted by the City of La Mesa for the purpose of prescribing regulations governing the installation, alteration, or repair of plumbing and drainage systems, the California Plumbing Code, 2022 Edition (Part 5, Title 24, California Code of Regulations), incorporating the Uniform Plumbing Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials. There is one (1) copy of said Code on file in the office of the City Clerk for use and examination by the public as required by law."

SECTION 5. Chapter 14.09 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows:

"Chapter 14.09
MECHANICAL CODE

14.09.010 Adoption of the California Mechanical Code. There is hereby adopted by the City of La Mesa for the purpose of prescribing regulations governing the design, installation, alteration, or repair of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heating producing appliances within the City of La Mesa, the California Mechanical Code, 2022 Edition, (Part 4, Title 24, California Code of Regulations), incorporating the Uniform Mechanical Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials. There is one (1) copy of said code on file in the office of the City Clerk for use and examination by the public as required by law."

SECTION 6. Chapter 14.10 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows:

"Chapter 14.10

ELECTRICAL CODE

14.10.010 Adoption of the California Electrical Code. There is hereby adopted by the City of La Mesa for the purpose of operation and maintenance of all electrical wiring and electrical apparatus of any nature, whether inside or outside of any building, the California Electrical Code, 2022 Edition (Part 3, Title 24, California Code of Regulations), incorporating the National Electrical Code, 2020 Edition, published by the National Fire Protection Association. There is one (1) copy of said Code on file in the office of City Clerk for use and examination by the public as required by law.”

SECTION 7. Chapter 14.12 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows:

“Chapter 14.12 RESIDENTIAL CODE

14.12.010 Adoption of the California Residential Code. There is hereby adopted by reference the California Residential Code, 2022 Edition (Part 2.5, Title 24, California Code of Regulations), incorporating the International Residential Code, 2021 Edition, published by the International Code Council. Said document is hereby adopted as the Residential Code of the City of La Mesa for regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one- and two-family dwelling, efficiency dwelling unit, and townhouse not more than three stories above grade plane in height with a separate means of egress and structures accessory thereto within the City of La Mesa. There is one (1) copy of said Code on file in the office of the City Clerk for use and examination by the public as required by law.

14.12.020 Climatic and Geographic Design Criteria. Table R301.2(1) of the California Residential Code, 2022 Edition, adopted by reference in Section 14.12.010 hereof is hereby amended to read as follows:

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Load	Wind Design		Seismic Design Category	Subject to Damage from			Winter Design Temp ^a	Ice Barrier Underlayment Required ^b	Flood Hazard ^d	Air Freezing Index ^e	Mean Annual Temp ^f
	Wind Speed ^g (mph)	Topographic Effects ^h		Weathering ^a	Frost Line Depth ^b	Termites ^c					
Zero	85	No	D ₁	Negligible	12"	Very Heavy	44°F	No	Footnote 'g'	Zero	60°F

For SI: 1 pound per square foot = 0.0479kPa, 1 mile per hour = 0.447m/s.

Footnotes:

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., “negligible,” “moderate” or “severe”) for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost depth column with the minimum depth of footing below finish grade.

- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the Building Official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with:
 - (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), i.e., City of La Mesa Ordinance 2002-2721 06/25/2002,
 - (b) the date(s) of the Flood Insurance Study, i.e., Study date 01/31/2001 adopted by Ordinance 2002-2721;
 - (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended, i.e., Panel 06073C1643H current effective date 09/28/2006; Panel 06073C1644G current effective date 09/05/2006.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO".
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index – USA Method (Base 32o)" at www.ncdc.noaa.gov/fpsf.html.
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index – USA Method (Base 32oF)" at www.ncdc.noaa.gov/fpsf.html.
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise the jurisdiction shall indicate "NO" in this part of the table."

SECTION 8. Chapter 14.13 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows:

“Chapter 14.13
GREEN BUILDING CODE

14.13.010 Adoption of the California Green Building Standards Code. There is hereby adopted by reference the California Green Building Standards Code, 2022 Edition (Part 11, Title 24, California Code of Regulations). Said document is hereby adopted as the Green Building Code of the City of La Mesa for establishing minimum standards to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. There is one (1) copy of said Code on file in the office of the City Clerk for use and examination by the public as required by law.”

SECTION 9. Chapter 14.14 of the La Mesa Municipal Code is hereby repealed in its entirety and rewritten to read as follows

“Chapter 14.14
EXISTING BUILDING CODE

14.14.010 Adoption of the California Existing Building Code. There is hereby adopted by reference the California Existing Building Code, 2022 Edition (Part 10, Title 24, California Code of Regulations), based on the 2021 International Existing Building Code. Said document is hereby adopted as the Existing Building Code of the City of La Mesa for regulating alteration, repair, addition, and change of occupancy or relocation of existing building and structures. There is one (1) copy of said Code on file in the office of the City Clerk for use and examination by the public as required by law.”

SECTION 10. Constitutionality. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of La Mesa hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, respective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid. Such invalidity shall not affect other provisions or applications and, to this end, the provisions of the Ordinance are declared to be severable.

SECTION 11. This Ordinance shall be effective January 1, 2023 and the City Clerk of the City of La Mesa is hereby authorized to use summary publication procedures pursuant to Government Code Section 36933 utilizing the *Daily Transcript*, a newspaper of general circulation published in the City of La Mesa.

INTRODUCED AND READ at a Regular meeting of the City Council of the City of La Mesa, California, held the 11th day of October 2022, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the 22nd day of November 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

MARK ARAPOSTATHIS, Mayor

ATTEST:

MEGAN WIEGELMAN, CMC, City Clerk

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and correct copy of Ordinance No. 2022-___, duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)