



AGENDA REPORT

Fire Department

DATE:	December 20, 2022
TO:	Mayor Butt and Members of the City Council
FROM:	Angel Montoya, Fire Chief Eric Govan, Fire Marshal Eric Munson, Deputy Fire Marshal
Subject:	Amendments to Richmond Municipal Code Article VIII Chapter 8.16
FINANCIAL IMPACT:	There is no cost to the general fund associated with adopting this Ordinance.
PREVIOUS COUNCIL ACTION:	None
STATEMENT OF THE ISSUE:	State law mandates that local jurisdictions enforce the California Fire Code (California Code of Regulations Title 24, Part 9). In 2022, the California Standards Commission updated the Fire Code in its triennially published Building Standards Code; thus, the Fire Marshal must enforce the new Fire Code effective January 1, 2023.
RECOMMENDED ACTION:	INTRODUCE an ordinance (first reading) with an effective date of January 1, 2023, amending Richmond Municipal Code (RMC) Article VIII (Fire) Chapter 8.16 (Fire Prevention Code) by adopting the 2022 California Fire Code with noted local amendments – Fire Department (Eric Govan/Eric Munson (510-307-8046)). This item was continued from the December 6, 2022, meeting.

DISCUSSION:

The California Fire Code (“Fire Code”) is Part 9 of a 12-part, triennial compilation and publication of adoptions, amendments, and appeals of administrative regulations within the California Code of Regulations, Title 24, also known, collectively, as the California Building Standards Code. The California Standards Commission has published said 2022 California Building Standards Code, and thus the 2022 Fire Code, effective January 1, 2023.

State statute Health and Safety Code Section 17958 provides that the 2022 California Building Standards Code may be adopted by reference, subject to a noticed public hearing. At such hearing, the City Council shall make an express finding that proposed modifications or changes are reasonably necessary given local climatic, geological, or topographical conditions (§ 17958.7). The City may also adopt local amendments that increase state-mandated restrictions, provided they are reasonably necessary and local climatic, geological, or topographical conditions so warrant (Section 18941.5).

The proposed Ordinance amends Richmond Municipal Code (RMC) Article VIII (Fire), Chapter 8.16 (Fire Prevention Code) by formally adopting the 2022 Fire Code encompassed by the California Building Standards Code, along with the noted local amendments. The local amendments, *inter alia*, establish minimum fire and life-safety measures.

NEXT STEPS:

Once the City Council adopts the Ordinance, City staff will file the ordinance with the California Building Standards Commission and the State Fire Marshal. Any local amendments do not become effective, nor operative, until such filing occurs.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) exempts this Ordinance pursuant to Guidelines Section 15061(b)(3) because the Ordinance is a routine update occurring triennially and does not impact the environment as it does not directly facilitate new development or change the type and intensity of land use.

DOCUMENTS ATTACHED:

Attachment 1 – Ordinance to Amend RMC Chapter 8.16 (Draft)
Attachment 2 – RMC Chapter 8.16 (Revised)
Attachment 3 – RMC Chapter 8.16 (Tracked Changes)
Attachment 4 – RMC Chapter 8.16 (Original)