

**ORDINANCE NO. 2023-03**

**AN ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA AMENDING SECTIONS 10-1-110 “CODE ADOPTION BY REFERENCE” OF CHAPTER 10-1 “BUILDINGS” OF TITLE 10 “BUILDINGS AND SUBDIVISIONS” OF THE CITY OF SAN JUAN BAUTISTA MUNICIPAL CODE TO ADOPT BY REFERENCE CERTAIN OF THE PARTS OF CALIFORNIA CODE OF REGULATIONS TITLE 24, THE CALIFORNIA BUILDING STANDARDS CODE 2022 EDITION, INCLUDING: PART 1 THE CALIFORNIA ADMINISTRATIVE CODE, PART 2 THE CALIFORNIA BUILDING CODE (VOLS. 1 & 2), PART 2.5 THE CALIFORNIA RESIDENTIAL CODE, PART 3 THE CALIFORNIA ELECTRICAL CODE, PART 4 THE CALIFORNIA MECHANICAL CODE, PART 5 THE CALIFORNIA PLUMBING CODE, PART 6 THE CALIFORNIA ENERGY CODE, PART 8 THE CALIFORNIA HISTORICAL BUILDING CODE, PART 10 THE CALIFORNIA EXISTING BUILDING CODE, PART 11 THE CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN), AND PART 12 THE CALIFORNIA REFERENCE STANDARD CODE; AND REPEALING SECTION 10-1-115.**

**WHEREAS**, the California Building Standards Commission adopted the 2022 Edition of the California Building Codes in January 2022; and

**WHEREAS**, the California Building Standards Commission published the 2022 Edition of the California Building Codes on July 1, 2022; and

**WHEREAS**, the California Health and Safety Code requires that the latest edition of the California Building Standards Codes apply to local jurisdictions 180 days after their publication; and

**WHEREAS**, the Uniform Building Code (“UBC”) is no longer in publication and the last publication date was 1997.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of San Juan Bautista does hereby ordain as follows:

Section 1. Section 10-1-110 Amended, Section 10-1-110 “Codes adopted by reference” of Chapter 10-1 “Buildings” of Title 10 “Buildings and Subdivisions” is hereby amended and replaced in its entirety to read as follows:

**“10-1-110 Codes adopted by reference.**

(A) The following codes in their entirety, which are on file and available for public inspection at City Hall, are adopted by reference as fully as it is set for herein in full. The 2022 Edition of the California Building Standards, Title 24 of the California Code of Regulations, consisting of the following parts.

Part 1            California Administrative Code

Part 2	California Building Code (Vols. 1 & 2)
Part 2.5	California Residential Code
Part 3	California Electrical Code
Part 4	California Mechanical Code
Part 5	California Plumbing Code
Part 6	California Energy Code
Part 8	California Historical Building Code
Part 10	California Existing Building Code
Part 11	California Green Building Standards Code
Part 12	California Reference Standard Code

(B) Engineering Design Standards, Standard Specifications, Standard Plans. The City of Hollister Engineering Design Standards, Standard Specifications, and Standard Plans, adopted June 1992, as amended from time to time, shall be the latest and current edition of the City of San Juan Bautista Engineering Design Standards, Standard Specifications, and Standard Plans.”

Section 2. Section 10-1-115 Repealed. Section 10-1-115 “UBC Chapter 70 appendix adopted” of Chapter 10-1 “Buildings” of Title 10 “Buildings and Subdivisions” is hereby repealed in its entirety and not replaced.

Section 3. Savings Clause: Repeal of any provision of the San Juan Bautista Municipal Code 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. The City Council declares that, should any provision, section, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this ordinance as hereby shall remain in full force and effect.

Section 5. Interpretation: The provisions of this ordinance are enacted for the public health, safety and welfare and are to be liberally construed to obtain the beneficial purposes thereof. In the event of any conflict between this ordinance and any law, rule or regulation of the State of California, that requirement which established the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of the Municipal Code. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistency and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

Section 6. Notice: The City Council hereby determines that the form of the Notice of the public hearing to be held on April 18, 2023, which is to be published on March 31, 2023, and April

7, 2023, is sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

Section 7. Liability: The provisions of this ordinance shall not be construed as imposing upon the City of San Juan Bautista any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City of San Juan Bautista, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this ordinance or of any permits or certificates issued under this ordinance.

Section 8. Effective Date. This ordinance shall take effect thirty (30) days after final passage by the City Council.

Section 9. Posting of Ordinance: Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by resolution of the City Council.

The forgoing ordinance was introduced at a Regular meeting of the City Council of the City of San Juan Bautista duly held on March 21, 2023, and was adopted at a regular meeting of the City Council duly held on April 18, 2023.

**PASSED AND ADOPTED** this 18th day of April 2023, by the following vote:

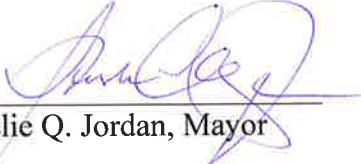
**AYES:** Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**APPROVED:**

  
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Leslie Q. Jordan, Mayor

**ATTEST:**

  
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Elizabeth Soto, Deputy City Clerk

APPROVED AS TO FORM:



Robert W. Rathie, City Attorney