ORDINANCE NO. 2014-07

AN ORDINANCE OF THE ALBANY CITY COUNCIL AMENDING CHAPTER 12 OF THE ALBANY MUNICIPAL CODE RELATED TO THE ADOPTION AND LOCAL AMENDMENTS TO THE 2013 CALIFORNIA BUILDING STANDARDS CODE

WHEREAS, the California Health and Safety Code requires the City of Albany to enforce the California Building Standards Code as adopted and published by the California Building Standards Commission; and

WHEREAS, the City of Albany may adopt administrative provisions as appropriate to the City; and

NOW, THEREFORE, THE ALBANY CITY COUNCIL ORDAINS AS FOLLOWS:

SECTION 1: CHAPTER 12 OF THE ALBANY MUNICIPAL CODE, SECTION 12-6.1 TITLED "ADOPTION OF BUILDING CODES" IS HEREBY AMENDED AS FOLLOWS:

12-6.1 Adoption of Building Codes.


The 2013 edition of the California Building Standards Code located in Title 24 of the California Code of Regulations is hereby adopted as published by the California Building Standards Commission, and are hereby adopted as part of the Albany City Code as if set forth here word for word by reference. A copy of these codes shall be available for public review in the Community Development Department of the City of Albany.
The adopted codes shall regulate and govern the condition and maintenance of all property, buildings, and structures by providing the standards for the supply of utilities and facilities and other physical things and conditions essential to ensure the structures are safe, sanitary, and fit for occupation and use; and for the condemnation of buildings and structures unfit for the human occupancy and use, and the demolition of such structures as herein provided; providing for the issuance of permits and collections of fees therefor; and each of the regulations, provisions, penalties, conditions, and terms of said codes are hereby referred to, adopted, and a part hereof as if fully set forth herein with the additions, insertions, deletions, and changes, if any, prescribed by this Chapter.

The codes adopted herein are considered to be complementary and supplementary to any other provisions contained in the Albany Municipal Code and may be imposed, at the discretion of the building official, as the operative code provisions in the event of a conflict with other provisions contained in the Albany Municipal Code.

b. Additions and Amendments to the California Building Standards Code.

1. The Planning and Zoning Commission shall serve as the Local Appeals Board and Housing Appeals Board where referenced in the California Building Standards Code. The Commission shall adopt by resolution written rules and procedures for the conduct of appeal hearings.

2. The Community Development Department shall function as the Enforcement Agency and the Department of Building Safety where referenced in the California Building Standards Code.

3. The Community Development Director, or designee, shall function as the Building Official where referenced in the California Building Standards Code.

4. The following Sections are adopted for the administration of the California Building Standards Code in the City of Albany:
i) **California Building Code Chapter 1, Division II**

ii) **California Residential Code Chapter 1, Division II**

iii) **California Mechanical Code Chapter 1, Division II, except Section 114 (Fees).** Fees shall be established by resolution of the City Council.

iv) **California Plumbing Code Chapter 1, Division II, except Section 103.4 (Fees).** Fees shall be established by resolution of the City Council.

**SECTION 2: PUBLICATION AND EFFECTIVE DATE.**

This ordinance shall be posted at three public places within the City of Albany and shall become effective thirty days after the date of its posting.

**PASSED AND ADOPTED** by the City Council of the City of Albany at its meeting on the 20th day of October 2014, by the following vote:

**AYES:** Council members: Atkinson, Barnes, Nason; Vice Mayor Maass; Mayor Wile

**NOES:**

**ABSENT:**

**ABSTAIN:**

\[Signature\]

JOANNE WILE MAYOR
ORDINANCE NO. 2014-07

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,
the 20th day of September, 2014, by the following votes:

AYES: Council Members Atkinson, Barnes, Nason, Vice Mayor Maass, Mayor Wile

NOES: none

ABSTAINED: none

ABSENT: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this
21st Day September, 2014.

Eileen Harrington
DEPUTY CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.