

ORDINANCE NO. 842U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, CODE AMENDMENT NO. 2022-03 ADOPTING BY REFERENCE THE LOS ANGELES COUNTY CODE AMENDING LOMITA MUNICIPAL CODE SECTIONS 10-1 (BUILDING CODE), 10-2 (ELECTRICAL CODE), 10-3 (PLUMBING CODE), 10-4 (MECHANICAL CODE), 10-7 (RESIDENTIAL CODE), 10-8 (GREEN BUILDING STANDARDS), AND 10-9 (EXISTING BUILDING CODE) INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 26 OF THE LOS ANGELES COUNTY CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; AND TITLE 33 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; WITH CERTAIN CHANGES AND MODIFICATIONS, AND MAKING OTHER REVISIONS THERETO AND DECLARING THE URGENCY THEREOF

The City Council of the City of Lomita does hereby ordain as follows:

Section 1. Section 10-1.01 of Title 10 of the City of Lomita Municipal Code is amended to read as follows:

10-1.01. County building code adopted.

Except as hereinafter provided, Title 26 Building Code of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Building Code, 2022 Edition (Part 2 of Title 24 of the California Code of Regulations) is incorporated herein by reference as if fully set forth below and shall be known and may be cited as the Building Code of the City of Lomita.

In the event of any conflict between provisions of the California Building Code, 2022 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Lomita Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Lomita and shall be at all times maintained by the City Clerk for use and examination by the public.

Section 2. Section 10-2.01 of Title 10 of the City of Lomita Municipal Code is amended to read as follows:

Sec. 10-2.01. County electrical code adopted.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 01, 2023, adopting the California Electrical Code, 2022 Edition (Part 3 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Electrical Code of the City of Lomita.

In the event of any conflict between provisions of the California Electrical Code, 2022 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Lomita Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

Section 3. Section 10-3.01 of Title 10 of the City of Lomita Municipal Code is amended to read as follows:

Sec. 10-3.01. County plumbing code adopted.

Except as hereinafter provided, Title 28, Plumbing Code of the Los Angeles County Code, as amended and in effect on January 01, 2023, adopting the California Plumbing Code, 2022 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Plumbing Code of the City of Lomita.

In the event of any conflict between provisions of the California Plumbing Code, 2022 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Lomita Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

Section 4. Section 10-4.01 of Title 10 of the City of Lomita Municipal Code is amended to read as follows:

10-4.01. County mechanical code adopted.

Except as hereinafter provided, Title 29, Mechanical Code of the Los Angeles County Code, as amended and in effect on January 01, 2023, adopting the California Mechanical Code, 2022 Edition (Part 4 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Mechanical Code of the City of Lomita.

In the event of any conflict between provisions of the California Mechanical Code, 2022 Edition, Title 29 of the Los Angeles County Code, or any amendment to the

Mechanical Code contained in the Lomita Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

Section 5. Section 10-7.01 of Title 10 of the City of Lomita Municipal Code is amended to read as follows:

10-7.01. County residential code adopted.

Except as hereinafter provided, Title 30, Residential Code of the Los Angeles County Code, as amended and in effect on January 01, 2023, adopting the California Residential Code, 2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations), is hereby adopted by reference and shall constitute and may be cited as the Residential Code of the City of Lomita.

In the event of any conflict between provisions of the California Residential Code, 2022 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Lomita Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

Section 6. Section 10-8.01 of Title 10 of the City of Lomita Municipal Code is amended to read as follows:

10-8.01. County green building standards adopted.

Except as hereinafter provided, Title 31, Green Building Standards Code of the Los Angeles County Code, as amended and in effect on January 01, 2023, adopting the California Green Building Standards Code, 2022 Edition, is hereby adopted by reference and shall constitute and may be cited as the Green Building Standards Code of the City of Lomita.

In the event of any conflict between provisions of the California Green Building Code, 2022 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Lomita Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

Section 7. Section 10-9.01 of Title 10 of the Lomita Municipal Code to read as follows:

10-9.01. County existing building code adopted.

Except as hereinafter provided, Title 33, Existing Building Code of the Los Angeles County Code, as amended and in effect on January 01, 2023, adopting the California Existing Building Code, 2022 Edition, is hereby adopted by reference and shall constitute and may be cited as the Existing Building Code of the City of Lomita.

In the event of any conflict between provisions of the Existing Building Code, 2022 Edition, Title 33 of the Los Angeles County Code, or any amendment to the Existing Building Code contained in the Lomita Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 33 of the Los Angeles County Code and the Existing Building Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

Section 8. The City Council hereby finds that the changes and modifications to the California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes that have been enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; and location in Southern California.

The City Council hereby finds that the modifications to the State Building Code in Title 26 of the Los Angeles County Code are reasonably necessary because of the local climatic and geological conditions indicated above.

The City Council hereby further finds that the modifications to the State Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes in Titles 26, 27, 28, 29, 30, 31, and 33 of the Los Angeles County Code and Lomita Municipal Code Sections 10-1, 10-2, 10-3, 10-4, 10-7, 10-8, and 10-9 are administrative in nature and are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the City's staff and administrative agencies by means suited to the City's experience with local climatic and geological conditions and to provide sufficient staff support for the time consuming inspections and analysis required by the City's fire and geological hazards.

Accordingly, the City Council finds the modifications in this Ordinance to the California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes to be necessary for the protection of the public health, safety, and welfare.

Section 9. To the extent the provisions of this ordinance are substantially the same as previous provisions of the Lomita Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

Section 10. Adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). The adoption of the proposed ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The adoption of the proposed ordinance does not have such potential.

Section 11. The provisions of the Building Code in effect prior to the effective date of this Ordinance shall continue to govern construction for projects for which plans were submitted for plan check prior to the effective date of this Ordinance, and for which the initial permit is issued not later than ninety (90) days after said effective date.

Section 12. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part hereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Lomita hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

Section 13. Urgency findings. State law requires that localities adopt the California Building Standards Code and modifications thereto, by January 1, 2023. It is essential that the City have in effect on that date codes that comport with state law and contain those modifications necessitated by unique topographic, geologic and climatic conditions. In the absence of immediate effectiveness, the provisions of the Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes unique to the City's special circumstances will not be in place and this will have a detrimental effect on the public, health, safety and welfare. The modifications to the Codes contain vital provisions regarding administrative procedures, roofing materials, and other similar matters necessitated by the City's exposure to Santa Ana winds and its limited rainfall in summer and fall months. For these reasons, the public health, safety and welfare require that this ordinance take effect immediately. This Ordinance is an urgency ordinance adopted pursuant to Government Code Section 36937.

Section 14. This urgency ordinance shall be effective upon adoption and shall become operative as of January 1, 2023, and shall apply to all projects submitted for plan check and/or permit application on or after that date.

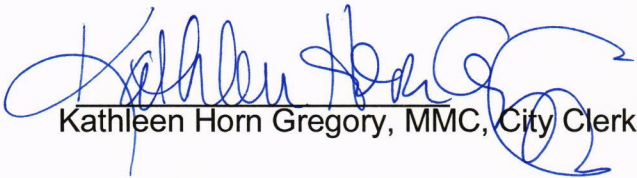
Section 15. The City Clerk shall certify the adoption of this ordinance. The City Clerk shall file a certified copy of this ordinance with the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED this 20th day of December 2022.



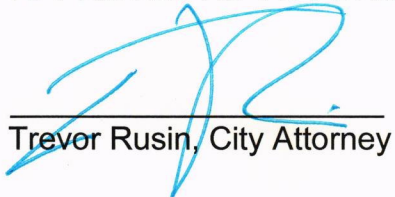
Barry Waite
Mayor

ATTEST:



Kathleen Horn Gregory, MMC, City Clerk

APPROVED AS TO FORM:



Trevor Rusin, City Attorney



STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF LOMITA)

I, Kathleen Horn Gregory, City Clerk of the City of Lomita, California, do hereby certify that the foregoing Ordinance No. 842U was duly passed, approved, and adopted by the City Council of the City of Lomita at a regular meeting held on December 20, 2022, by the following vote, to wit:

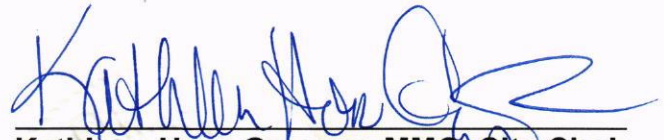
AYES: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff,
 and Mayor Waite

NOES: None

ABSENT: None

RECUSE: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Lomita, California this 20th day of December 2022.



**Kathleen Horn Gregory, MMC, City Clerk
City of Lomita, California**

