

ORDINANCE NO. 2019-17

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING CHAPTER 11 OF THE ESCONDIDO
MUNICIPAL CODE TO ADOPT THE 2019
CALIFORNIA FIRE CODE AND LOCAL
AMENDMENTS

WHEREAS, the State of California Building Standards Commission is charged with the development of uniform codes and regulations for application to the construction of buildings within the state; and

WHEREAS, California Health and Safety Code Section 17960 requires the city to enforce within its jurisdiction all the provisions published in the State Buildings Standards Code and the provisions of other rules and regulations promulgated pursuant to the provisions of the California Health and Safety Code pertaining to the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, or arrangement of apartments, hotels or dwellings; and

WHEREAS, every three years the California Building Standards Commission updates and adopts uniform codes for application throughout the state; and

WHEREAS, California Health and Safety Code Section 17958.7 allows local amendments to the California Building Standards Codes, when such codes are amended and adopted at the local level, and when local findings are made for unique climatic, geological or topographical conditions.

NOW, THEREFORE, the City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That Escondido Municipal Code Chapter 11, Article 2, Division 1, Section 11-15(a) is repealed and replaced as follows:

- (a) The 2019 California Fire Code, California Code of Regulations, Title 24, Part 9, including Appendix Chapters 4, B, and D (Sections D102, D103.6, D103.6.1, D103.6.2 only), C, I, and N, as published by the International Code Council is adopted by the City of Escondido.

SECTION 2. That Escondido Municipal Code Section Chapter 11, Article 2, Division 1, Section 11-16 is amended by replacing the number “320” with the number “321” in the subsections beginning with Mid-rise buildings (320) through Locking of Stairway doors (320.1.9.4).

SECTION 3. That Escondido Municipal Code Section Chapter 11, Article 2, Division 1, Section 11-16 is amended by repealing Chapter 80. Referenced Standards, to include subsection 7.6 Alarms.

SECTION 4. That the adoption of the technical codes or amendments to the Escondido Municipal Code do not affect the following matters:

- a. Actions or proceedings that begin before the effective date of this ordinance;
- b. Prosecution for ordinance violations committed before the effective date of this ordinance;
- c. Licenses and penalties due and unpaid at the effective date of this ordinance and collection of these licenses and penalties;
- d. Bonds and cash deposits required to be posted, filed, deposited pursuant to any ordinance; and

- e. Matters of record referring to or connected with an ordinance the substance of that is included in the Municipal Code. These provisions shall be construed to apply to the corresponding provisions of the Municipal Code.

SECTION 6. General Penalty. Violations of the California Fire Code adopted in this ordinance are subject to all penalty provisions found in Escondido Municipal Code Chapter 1.

SECTION 7. Not less than one copy of the California Fire Code adopted in this ordinance shall be maintained by the Fire Chief and shall be made available to the public upon request.

SECTION 8. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 20th day of November, 2019 by the following vote to wit:

AYES : Councilmembers: DIAZ, MARTINEZ, MASSON, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:
Paul McNamara
CAACE20782954D3
PAUL MCNAMARA, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:
Zack Beck
A46586D1B7C146
ZACK BECK, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2019-17 passed at a regular meeting of the City Council of the City of Escondido held on the 20th day of November, 2019, after having been read at the regular meeting of said City Council held on the 6th day of November, 2019.

DocuSigned by:
Zack Beck
A46586D1B7C146
ZACK BECK, City Clerk of the
City of Escondido, California

ORDINANCE NO. 2019-17