

ORDINANCE NO. 4190

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING THE HUNTINGTON BEACH MUNICIPAL CODE, TITLE  
17 – BUILDING AND CONSTRUCTION CHAPTERS 17.04, 17.07,  
17.40, 17.44 AND 17.48 TO ADOPT BY REFERENCE THE CURRENT  
CALIFORNIA CODE OF REGULATIONS TITLE 24 PARTS 1-12  
WITH REGARD TO THE 2019 EDITION OF THE CALIFORNIA  
BUILDING CODE, 2019 EDITION OF THE CALIFORNIA  
RESIDENTIAL CODE, 2019 EDITION OF THE CALIFORNIA  
MECHANICAL CODE, 2019 EDITION OF THE CALIFORNIA  
PLUMBING CODE, AND 2019 EDITION OF THE CALIFORNIA  
ELECTRICAL CODE; TO ADOPT THE 2019 EDITION OF THE  
CALIFORNIA ADMINISTRATION CODE, 2019 EDITION OF THE  
CALIFORNIA ENERGY CODE, 2019 EDITION OF THE CALIFORNIA  
HISTORICAL BUILDING CODE, 2019 EDITION OF THE  
REFERENCE STANDARDS CODE, AND THE 2019 EDITION OF THE  
GREEN BUILDING STANDARDS CODE; CHAPTER 17.46  
AMENDING TO REFERENCE THE 2018 UNIFORM SWIMMING  
POOL, SPA AND HOT TUB CODE; CHAPTER 17.60 AMENDING TO  
REFERENCE THE 2018 UNIFORM SOLAR, ENERGY AND  
HYDRONIC AND GEOTHERMAL CODE.

The City Council of Huntington Beach does hereby ordain as follows:

**SECTION 1: Purpose and Authority.** Pursuant to Health & Safety Code Section 17922 and 18935, the State of California Building Standards Commission has approved the adoption on new model codes relating to design and construction for the protection of life and property. The Building Standards Commission has advised local jurisdictions that the State of California will adopt the 2019 Edition of the California Building Standards Code.

The purpose of this Ordinance is to adopt by reference the 2019 California Code of Regulations Title 24, Parts 1-12 and certain supplemental regulations, subject to the definitions, clarifications, and the amendments set forth in this Ordinance.

A copy of all of the referenced codes and standards therefore are on file in the office of the building official pursuant to Health & Safety Code Section 18942(d)(1) and are made available for public inspection at City Hall within the Department of Community Development, Building Division, during regular business hours.

**SECTION 2: Amendments.** Local jurisdictions may amend the California Building Code as necessary by making findings that differences caused by local topographical, geographical, and

climatic conditions exist in Huntington Beach. In accordance with California Health & Safety Code Section 17958.7, any modifications made via local ordinance must contain findings and be filled, along with the findings thereto, with the Building Standards Commission. The findings are contained in the "Express Findings" section attached hereto as Exhibit #2 and incorporated herein by reference. These local changes will be incorporated into Title 17 of the Huntington Beach Municipal Code to preserve the health, welfare and safety of residents, businesses and property within the City.

Amendments to the Huntington Beach Municipal Code are set forth in the Legislative Drafts and attached as Exhibit #1 and incorporated herein by reference.

**SECTION 3: Application.** This Code shall provide regulations for all new construction and any alterations, repairs, relocations, or reconstruction of any building or any portion thereof including any electrical, mechanical, gas, or plumbing installed on any property or used on or within any building.

**SECTION 4: Conflicts with Other laws, rules, etc.** In the event of any conflict between this Code and any law, rule or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

**SECTION 5: Validity.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held out to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Huntington Beach hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsection, sentence clause, phrases or portions be declared valid or unconstitutionally.

**SECTION 6: Reference to Prior Code.** Unless superseded and expressly repealed, references in City forms, documents and regulations to the chapters and sections of the former Huntington Beach Building Code, 2016, shall be construed to apply to the corresponding provisions contained within the Huntington Beach Building Code, 2019.

**SECTION 7: Filing.** A copy of this Ordinance shall be filed with the California Building Standards Commission, which includes the City's "Express Findings" supporting the City's amendments to the Codes specified.

**SECTION 8: Effective Date.** This Ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of Huntington Beach at regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney *mv*

REVIEWED AND APPROVED:

\_\_\_\_\_  
City Manager

INITIATED AND APPROVED:

  
\_\_\_\_\_  
Director of Community Development