

**MINUTES
PARADISE TOWN COUNCIL
SPECIAL MEETING – 6:00 P.M. – November 22, 2010**

The Special Meeting of the Town Council of the Town of Paradise was called to order by Mayor Lotter at 6:01 p.m. in the Council Chambers, Town Hall, 5555 Skyway, Paradise, California.

COUNCIL MEMBERS PRESENT: Steve “Woody” Culleton, Joe DiDuca, Alan White, and Scott Lotter, Mayor.

COUNCIL MEMBERS ABSENT: Frankie Rutledge.

STAFF PRESENT: Town Clerk Gutierrez, Town Manager Rough, Town Attorney Moore, Assistant Manager Gill, Community Development Director Baker, Acting Fire Chief Jensen.

2. COUNCIL CONSIDERATION

Mayor Lotter stated that the purpose of the special meeting was to discuss and consider adoption of an ordinance that would adopt the mandated 2010 California Building Standards Code (CBSC) Title 24, part 1-6 and 8-12, including proposed local amendments that are justified by findings of fact relating to local climatic, geologic or topographical conditions.

Fire Chief/Fire Marshal/Building Official Chris Jensen presented a report to Council that explained that the California Building Standards Codes is amended every three-years by the State of California, with the goal of increased public safety in the build environment; and, that local jurisdictions are allowed to make amendments to the code, that may be more but not less restrictive, based on variances in climatic, geologic and topographic factors. Chief Jensen explained that this cycle was significant because of the State incorporating the International Residential Code and the California Green Building Code, which will result in a requirement for fire sprinklers in all new single-family homes (a State requirement) and implementation of “green” building requirements.

Chief Jensen presented a powerpoint outlining:

- The code process at the International, the State and the local levels;
- The responsibilities of the California Building Standards Commission (CBSC);
- The varied backgrounds required for membership on the ten-member CBSC;
- The six committees that review code amendments prior to submittal to the CBSC; and,

- Discussed that amendments to these 2010 code amendments are already under review at the state level.

Chief Jensen further discussed in detail with Council the local amendments being recommended to three of the eleven codes (CA Building Code, Residential Code and Fire Codes) for the purpose of resolving old issues, including snow loads, roof coverings, residential fire sprinklers (State) and fire hydrants, access and gates. He further discussed history of the requirement of fire sprinklers in commercial and industrial buildings at 5,000 square feet, and the rationale for eliminating the 5,000 square foot requirement and replacing it with the building code requirements which requires fire sprinklers at 12,000 square feet or based upon occupancy and use, such as assembly or hazardous materials storage. Chief Jensen also discussed the other major amendment that the new requirement for fire sprinklers in furniture stores regardless of square footage, stating that he thinks this is still relatively undefined and very interpretative.

Mayor Lotter opened the matter for public input.

1. Tom Kelly, stated that he has been a member of the Fire Protection Association since 1971 and is here to represent the Code Committee and Wildland Fire unit; that they don't have problems with the changes to the electrical code as they think there are much needed improvements included; and, that there was much discussion by the NFPA and concern regarding the fire code changes regarding sprinkler requirements and that this was one of the green things that they think wasn't given a lot of thought, especially regarding the availability of water pressure, expressed concern about people who rely on well water, and for people living in mobile homes; and, the green code electrical changes to light fixtures in the past that created a lot of problems because the fixtures did not exist; and, that there will be a lot of problems created by the new codes.

Chief Jensen stated that the Town currently does not have jurisdiction over the installation of sprinkler systems in either mobile homes or manufactured homes.

2. Jon Remalia, discussed the problems he sees with requiring Class A roofs; he is concerned with the definition of what is a drainage course and that there are six different definitions in existence among the other regulatory agencies; and, asked that the Town be very careful if going to a regional approach regarding the code changes and regulations as Paradise is unique from other areas.

Council concurred that the following amendments be made to the proposed ordinance:

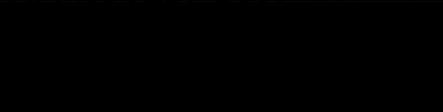
- (1) Page 1, Line 25: strike the word "climatic" and insert the word geologic;
- (2) Page 2, Line 11: add reference to Chapter 15.13;
- (3) Page 12, line 21: insert the words "or an immediate" after the word property and before the words public health; and, add the word "risk" after the words public health;
- (4) Page 14, Line 26: Insert the word "be" after the word Shall; and,
- (5) Page 24, Line 22: strike the words "in receive" and insert the words "subject to" after the words shall be; and strike the word "described" and insert the words "set forth" after the word as.

MOTION by Culleton, seconded by DiDuca, (1) Waived the reading of entire Ordinance No. 508, and approved reading by title only; (2) Introduced Ordinance No. 508, An Ordinance of the Town of Paradise Repealing the Paradise Municipal Code Chapter 8.50 and Chapters 15.01, 15.02, 15.03, 15.04, 15.05, 15.06; 15.12, 15.14, 15.16, 15.26 and Adopting New Chapters 15.01, 15.02, 15.03, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12 and 15.13 and Making Findings of Facts Relating to Local Climatic, Geologic, and Topographic Conditions, All Relating to the Adoption of the California Building Standards Code, as amended; (3) Directed the Town Attorney to prepare an ordinance summary to be published at least five days prior to the adoption of the proposed ordinance; and, (4) Scheduled the second reading and adoption of Ordinance No. 508 on the December 14, 2010 Regular Council Meeting agenda. Roll call vote was unanimous with Rutledge absent and not voting.

3. ADJOURNMENT

The Town Council meeting was adjourned at 8:15 p.m.

APPROVED: December 14, 2010


SCOTT LOTTER, Mayor


JOANNA GUTIERREZ, CMG, Town Clerk