

Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R25-0131
March 21, 2025

REPORT RE:

**DRAFT ORDINANCE AMENDING ARTICLES 1, 1.2, 1.5, 4 AND 9 OF CHAPTER IX
OF THE LOS ANGELES MUNICIPAL CODE TO CORRECT TECHNICAL AND
CLERICAL ERRORS IN ORDINANCE NO. 187719, WHICH ADOPTED PORTIONS
OF THE 2022 CALIFORNIA BUILDING STANDARDS CODE AND MADE LOCAL
ADMINISTRATIVE, CLIMACTIC, GEOLOGICAL, TOPOGRAPHICAL OR
ENVIRONMENTAL CHANGES AS SPECIFIED**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 22-1226

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance corrects technical and clerical errors and omissions found in Ordinance No. 187719, which amended Chapter IX of the Los Angeles Municipal Code (LAMC) in order to update the City's Building Code. An urgency clause is included in the draft. For the urgency clause to take effect, the ordinance must be passed by a vote of not less than three-fourths of all the members of the City Council.

Background and Summary of Ordinance Provisions

On December 6, 2022, the City Council passed Ordinance No. 187719, in order to incorporate portions of the 2022 California Building Standards Code into LAMC Chapter IX that are necessary to preserve the health, safety, and welfare of persons

within the City, and to make reasonably necessary local administrative, climactic, geologic, or topographical changes. The Department of Building and Safety (DBS) described these amendments in a report dated October 14, 2022.

In a March 27, 2024 report to the City Council, DBS recommended making certain corrections in order to address identified technical and clerical errors and omissions in Ordinance No. 187719. On April 2, 2024, the PLUM Committee recommended these corrections to Council.

On April 19, 2024, the City Council requested the City Attorney prepare and present an ordinance making corrections to Ordinance No. 187719 as recommended by DBS and the PLUM Committee.

During the drafting process, which included a thorough review of the entire Building Code to identify any and all technical and clerical errors, DBS made some previously unidentified corrections, and revised some of its anticipated corrections, for example, deciding not to amend a fee section or Table A5.602. The enclosed draft ordinance incorporates the latest revisions and corrections; incorporates by reference portions of the 2022 California Building Standards Code; makes various local administrative, climactic, geologic, or topographical changes authorized by California Health and Safety Code Sections 17958.5 and 17958.7; makes administrative changes to fee provisions without imposing new fees; and contains an urgency clause pursuant to City Charter Section 253 so that these corrections may take effect immediately in order to protect the health and safety of all persons in the City.

CEQA Determination

The California Environmental Quality Act (CEQA) does not apply to continuing administrative activities or organizational activities of government that will not result in specific direct or indirect physical changes in the environment, or to the creation of government funding mechanisms or other governmental fiscal activities that do not commit to any specific project that may result in potentially significant environmental impacts. Public Resources Code Section 21065 and State CEQA Guidelines Section 15378(b)(2) and (b)(5). The draft ordinance makes various technical changes to the existing regulations in the form of local administrative, climactic, geologic, or topographical changes. On that basis, the draft ordinance is not subject to CEQA.

Charter Findings Not Required

The enclosed draft ordinance relates to regulations and activities already within the authority of DBS, does not enact a new fee, and is not a land use ordinance. For this reason, this draft ordinance is not subject to approval by the City Planning Commission pursuant to Charter Section 558, or special notice requirements for new fees.

Findings Required Under the Health and Safety Code

Pursuant to Health and Safety Code Sections 17958.5 and 17958.7, the City may make changes or modifications to the provisions of the California Building Standards Code and other regulations adopted pursuant to California Health and Safety Code Section 17922 when the City Council makes an express finding the changes are reasonably necessary because of local climatic, geological, or topographical conditions. This express finding of reasonable necessity shall be available as a public record. The City complies with this requirement when DBS files with the California Building Standards Commission technical information related to the express finding together with the modification or change expressly marked and identified to which the finding and technical information refers. No modification is effective until the DBS technical information along with the ordinance making the express finding and adopting the modifications have been filed with the California Building Standards Commission. The draft ordinance provides for the express finding of reasonable necessity.

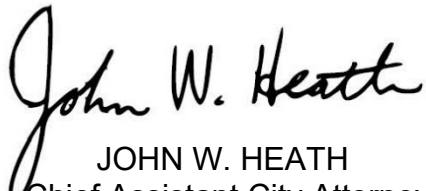
Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to DBS. DBS was requested to report its comments directly to City Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Charles D. Sewell at 213-978-8083 or Deputy City Attorney Kenneth T. Fong at 213-978-8202. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By 
JOHN W. HEATH
Chief Assistant City Attorney

JH:CDS:LA
Transmittal