

ORDINANCE NO. 654

AN ORDINANCE OF THE CITY OF FOSTER CITY AMENDING SECTION 1.01.010, "ADOPTION-SECONDARY CODES ADOPTED," OF CHAPTER 1.01, "CODE ADOPTION," WITHIN TITLE 1 OF THE FOSTER CITY MUNICIPAL CODE ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDING CODE, 2022 RESIDENTIAL CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA PLUMBING CODE, 2022 CALIFORNIA FIRE CODE AND THE 2022 CALIFORNIA EXISTING BUILDING CODE WITHIN TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS

CITY OF FOSTER CITY

THE CITY COUNCIL OF THE CITY OF FOSTER CITY DOES HEREBY ORDAIN, as follows:

**Section 1.** The City Council finds that with the adoption of the various codes and amendments in Title 15, namely the California Building Code, California Residential Code, California Plumbing Code, California Mechanical Code, California Electrical Code, California Fire Code, California Energy Code, California Existing Building Code and the California Green Building Standards Code, is necessary to adopt an ordinance to update Title 1, Chapter 1, Section 1.01.010 to reflect the Editions of the various codes adopted.

**Section 2.** Section 1.01.010, "Adoption-Secondary codes adopted" of Chapter 1.01 within Title 1 is hereby amended by repealing and replacing in its entirety to read as follows:

"1.01.010 Adoption -- Secondary codes adopted.

Pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the state of California, there is adopted the "Foster City Code," including the following secondary codes incorporated by reference in whole or in part the following parts of Title 24 of the California Code of Regulations, Parts 2, (Vols. 1 & 2), 2.5, 3, 4, 5, 6, 9, 10 and 11:

- A. Code entitled "California Building Code", 2022 Edition, published by the International Code Council, with California Amendments;
- B. Code entitled "California Residential Code", 2022 Edition, published by the International Code Council, with California Amendments;
- C. Code entitled "California Mechanical Code", 2022 Edition, published by the International Association of Plumbing and Mechanical Officials, with California Amendments;
- D. Code entitled "California Plumbing Code", 2022 Edition, published by the International Association of Plumbing and Mechanical Officials, with California Amendments;
- E. Code entitled "California Electrical Code", 2022 Edition, published by the National Fire Protection Association, with California Amendments;
- F. Code entitled "California Fire Code", 2022 Edition, published by the

- G. International Code Council, with California Amendments;  
Code entitled “California Energy Code”, 2022 Edition, published by the International Code Council, with California Amendments;
- H. Code entitled “California Green Building Standards Code”, 2022 Edition, published by the International Code Council;
- I. Code entitled “California Existing Building Code”, 2022 Edition, published by the International Code Council;

Save and except those portions of the preceding secondary codes as are deleted, modified or amended by provisions of the Foster City Code.

From and after the effective date of the ordinances codified in this chapter, the Foster City Code shall constitute the penal and regulatory ordinances of the city of Foster City.”

**Section 3.** CEQA. The adoption of this ordinance is exempt from the California Environmental Quality Act (“CEQA”), in that the adoption of State codes and the local amendments herein described do not have the potential for causing a significant effect on the environment, pursuant to Sections 15061(b) (3) and 15378(b) (5) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations). The adoption of this ordinance is also exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines as actions by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of the environment

**Section 4.** Repeal of Conflicting Ordinances. All former Ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or of the Code hereby adopted are thereby repealed.

**Section 5.** Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted the Ordinance and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**Section 6.** Taking Effect. This Ordinance shall take effect on January 1, 2023.

**Section 7.** Posting. Within 15 days after the passage of this Ordinance, the City Clerk shall have it posted in three public places designated by resolution of the City Council.

City Ordinance No. 654

This Ordinance was introduced and read on the 3rd day of October, 2022, and passed and adopted on the 7<sup>th</sup> day of November, by the following vote:

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 7<sup>th</sup> day of November, 2022, by the following vote:

AYES: Councilmembers Froomin, Gehani, Hindi, Sullivan, and Mayor Awasthi

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:

*Richa Awasthi*

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RICHAWASTHI, MAYOR

ATTEST:

DocuSigned by:

*Yelena Cappello*

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PRISCILLA SCHAUS, CITY CLERK  
BY: YELENA CAPPELLO, ACTING CITY CLERK

## CERTIFICATE OF POSTING

I, Yelena Cappello, hereby certify as follows:

That I am, and at all time herein mentioned, was the duly acting and qualified Acting City Clerk of the **City of Foster City**, Foster City, San Mateo County, California.

I further certify to the proper posting of:

Ordinance No. 654, "An Ordinance of the City of Foster City Amending Section 1.01.010, "Adoption-Secondary Codes Adopted," of Chapter 1.01, "Code Adoption," Within Title 1 of the Foster City Municipal Code Adopting by Reference the 2022 California Building Code, 2022 Residential Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Fire Code and the 2022 California Existing Building Code Within Title 24 of the California Code of Regulations"

in the following three public places of the **City of Foster City**, Foster City, San Mateo County, California:

1. Recreation Center Lobby  
650 Shell Boulevard
2. Council Chambers  
620 Foster City Boulevard
3. Foster City Public Library  
1000 E. Hillsdale Boulevard

Executed at the **City of Foster City**, Foster City, San Mateo County, California  
this 8th day of November 2022.

DocuSigned by:

*Yelena Cappello*

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Yelena Cappello  
Acting City Clerk