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CITY ATTORNEY

REPORT NO. R 1 3 - 0 3 3 8
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REPORT RE:

**AN ORDINANCE AMENDING ARTICLE 7, CHAPTER 5 OF THE
LOS ANGELES MUNICIPAL CODE TO INCORPORATE BY REFERENCE
PORTIONS OF THE 2013 EDITION OF THE CALIFORNIA FIRE CODE AND THE
2012 EDITION OF THE INTERNATIONAL FIRE CODE**

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. 13-0359

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This ordinance would amend Article 7 of Chapter 5 of the Los Angeles Municipal Code, known as the Los Angeles Fire Code, in its entirety and incorporate by reference portions of the 2013 edition of the California Fire Code (CFC) and the 2012 edition of the International Fire Code (IFC).

Background & Summary of Ordinance Provisions

On April 16, 2013, the City Council requested the City Attorney to prepare and present an ordinance to replace the current Los Angeles Fire Code with the California Fire Code and the International Fire Code, including amendments recommended by the Los Angeles Fire Department. The current Los Angeles Fire Code was adopted in 1987

and is not part of a unified standard code system. The current Fire Code is a stand-alone code unique to the City of Los Angeles.

The draft ordinance creates a new Fire Code designed to be the companion code to the existing Los Angeles Building Code. The City's Building Code is based on the International and State codes as part of a uniform standard code system. The new Fire Code will also help minimize inconsistencies between the Los Angeles Fire Code and the Los Angeles Building Code, as well as reduce code enforcement inconsistencies in the City of Los Angeles as compared to other neighboring municipalities.

Generally, the State of California adopts a new California Fire Code every three years and local jurisdictions are required to enforce the California Fire Code, except where local jurisdictions enact more restrictive standards or local administrative provisions. In order for the City of Los Angeles to enact local amendments, the City Council must make express findings regarding local conditions.

The draft ordinance creates a new Fire Code that does not establish any new enforcement provisions or any new fees and allows the City of Los Angeles to continue to provide consistent fire protection and code enforcement. On March 21, 2012, the Board of Fire Commissioners directed the Department to publish the proposed draft Fire Code in electronic format to solicit public input from stakeholders in the fire community, including building owners and developers. On April 17, 2012, the Board of Fire Commissioners held a public hearing to consider the new proposed Fire Code.

California Environmental Quality Act (CEQA)

CEQA does not apply to administrative or organizational activities of government that will not result in direct or indirect physical changes in the environment. (Pub. Res. Code Sec. 21065; State CEQA Guidelines 15378(b)(5).) This ordinance merely changes the numbering, formatting, and sequencing of existing Code sections to be consistent with the California Uniform Fire Code, without making any substantive changes. Therefore it will not result in any direct or indirect physical change in the environment. CEQA therefore does not apply to the approval of the ordinance.

Council Rule 38

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Fire Department with a request that any comments be presented directly to the City Council, or its Committees when this matter is considered. The City Attorney's Office has worked closely with Fire Department in drafting this proposed ordinance.

If you have any questions regarding this matter, please contact Deputy City Attorney Janet Jackson at (213) 978-8386. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:JJ:ac
Transmittal