



# City of Banning

## Community Development Department

### NOTICE OF PUBLIC HEARING AND SUMMARY OF ORDINANCE 1595

NOTICE IS HEREBY GIVEN in accordance with Government Code Section 50022.3 of a Public Hearing before the City Council of the City of Banning, to be held at a regular City Council Meeting on Tuesday, September 12, 2023, at 5:00 p.m., or as soon thereafter, in the Banning City Council Chambers, 99 E. Ramsey Street, Banning, California to consider adoption of proposed Ordinance 1595:

**AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, AMENDING SECTION 8.16.020 OF CHAPTERS 8.16 OF TITLE 8 OF THE BANNING MUNICIPAL CODE, AMENDING SECTIONS 105.3.1 AND 108.2 OF CHAPTER 1 OF THE 2022 EDITION OF THE CALIFORNIA FIRE CODE TO ADOPT LOCAL STANDARDS AND PROCEDURES FOR THE INSPECTION, PERMITTING, AND ANNUAL REVIEW OF BUILDINGS, STRUCTURES, AND BUSINESSES THEREON BY THE CITY FIRE CODE OFFICIAL PURSUANT TO HEALTH AND SAFETY CODE SECTION 13110.**

#### Summary of Ordinance 1595

This is a summary of the above-entitled Ordinance 1595 of the City of Banning. This summary has been prepared and published in accordance with the requirements of Government Code Section 36933.

On July 1, 2022, the California Building Standards Commission published the 2022 Editions of the State Building Standards Codes governing administrative, building, residential, electrical, mechanical, plumbing, energy, fire, existing building, and green building standards applicable to structures in the state. These State Building Standards Codes took effect on January 1, 2023.

Pursuant to Health and Safety Code Section 13110, Ordinance 1595 amends the 2022 edition of the California Fire Code previously adopted by the City pursuant to Ordinance 1586, and makes findings (see Exhibit A to Ordinance 1595). Specifically, Ordinance 1595 amends Section 8.16.020 of Chapter 8.16 (Fire Protection Code) of Title 8 of the Banning Municipal Code (BMC), amending Sections 105.3.1 and 108.2 of Chapter 1 of the 2022 Edition of the California Fire Code to adopt local standards and procedures for the inspection, permitting, and annual review of buildings, structures, and businesses thereon by the City Fire Code Official.

City staff has determined that proposed Ordinance 1595 is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), because the proposed amendments to the 2022 Edition of the Fire Code are not a "project" as defined by CEQA Guidelines Section 15378. City staff has also determined that the proposed amendments to the 2022 Edition of the Fire Code are exempt from review under CEQA Guidelines Section 15061(b)(1), which exempts a project from CEQA if the project is exempt by statute. Business and Professions Code Section 26055(h) provides that Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in the construction and operation of a public facility. Further, City staff has determined that proposed Ordinance 1595 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), as it can be seen with certainty that there is no possibility that the adoption of proposed Ordinance 1595 may have a significant effect on the environment.

To observe and participate in the online video portion of the meeting, through your personal computer or device, follow this link:

<https://us02web.zoom.us/j/81007280759?pwd=d0JCK0oyeGhOQk5Cek1kd3FJUmlsQT09>

Meeting ID: 810 0728 0759  
Passcode: 092220  
Dial in: +1 669 900 9128 US

To observe the live meeting through your personal computer, but not participate with video or oral comments, you may use your computer or smart phone to enter the following or click on the link: <https://banninglive.viebit.com> or on the Banning Government Channel on Cable Television.

Information regarding the CEQA determination and proposed Ordinance 1595 can be obtained by contacting the City's Community Development Department, Planning Division at (951) 922-3125 or by emailing the Department at [CommunityDev@banningca.gov](mailto:CommunityDev@banningca.gov).

A copy of the 2022 Edition of the California Fire Code is on file with the City Clerk and available for public inspection during normal business hours.

All parties interested in speaking either in support of or in opposition to this item are invited to attend the hearing by accessing the videoconference or by sending their written comments by email to Sandra Calderon by email at [scalderon@banningca.gov](mailto:scalderon@banningca.gov) or by mail to the Community Development Department, Planning Division, City of Banning at 99 E. Ramsey Street, Banning, California 92220.

If you challenge any decision regarding this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City as specified above, at, or prior to, the hearing (Cal. Gov. Code, § 65009).

**BY ORDER OF THE CITY CLERK** of the City of Banning, California.

/s/Caroline Patton, Deputy City Clerk  
City of Banning, California

**DATED:** August 17, 2023  
**PUBLISH:** August 25, 2023 and September 1, 2023