



## CITY OF BANNING STAFF REPORT

**TO:** CITY COUNCIL

**FROM:** Arturo Vela, Interim City Manager

**PREPARED BY:** David Newell, Community Development Director

**MEETING DATE:** October 28, 2025

**SUBJECT:** Consideration of Introduction and First Reading of Ordinance 1613: Adopting Amendments to the Banning Municipal Code, Chapters 8 and 15, to Incorporate the 2025 California Building Standards Codes with Local Amendments and the 2025 California Fire Code with Local Amendments

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### **RECOMMENDATION:**

Waive full reading, direct the City Clerk to read by title only, introduce Ordinance 1613: "An ordinance of the City Council of the City of Banning, California, approving the adoption of the 2025 edition of the California Building Standards Code, (California Code of Regulations, Title 24), Parts 1, 2, 2.5, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 with amendments and amending portions of Title 15 "Building and Construction," repeal Chapter 8.16 (Fire Protection Code) and replace in Chapter 15.10 (Fire Code) with amendments, and adding Chapter 15.11 (Wildland-Urban Interface), and repealing Chapter 15.28 (Fire Districts) of the Banning Municipal Code."

### **BACKGROUND:**

The City enforces State model building standards and fire codes for the purpose of regulating design and construction of all structures to protect life and property. The State adopts new codes every three years and local agencies must adopt the same codes and make any local amendments with specific findings at least 30 days prior to the effective date of the new codes on January 1, 2026. The existing 2022 codes are currently found in Chapter 15 (Building and Construction) and Chapter 8 (Health and Safety) of the Banning Municipal Code (BMC) and are commonly referred to as Building, Residential, Fire, Plumbing, Mechanical, Electrical, Green and Energy Codes. The City may adopt more restrictive modifications and amendments if the City Council adopts findings relating to local climatic, topographic and geographic conditions, and files those findings with the California Building Standards Commission. The California Building Standards Commission has established January 1, 2026, as the statewide effective date for all the 2025 California Building Standards Codes.

The proposed changes to the Banning Municipal Code (BMC) are strictly for the purpose of adding language to adopt the new codes and cleaning up the existing language by removal of unnecessary or outdated language and adding some minor revisions. The proposed amendments primarily impact BMC Chapter 15 (Building and Construction) by repealing and replacing prior editions of the building standards code with 2025 code references. Other revisions include new State mandated language involving Electric Vehicle Charging permits, revisions to the City's Unreinforced Masonry (URM) Building Program (due to the obsolete language) and moves language regarding the Fire Code to this Chapter from Chapter 8 (Health and Safety) as this language falls specifically under Title 24 regulation. Below is a summary of the proposed revisions:

- Removed excerpts from Chapter 1 related to specific URM requirements which are no longer valid.

These were based on Uniform Building Code (UBC) requirements; the California Building Code is now based on the International Building Code (IBC).

- Removed planning specific language which doesn't belong in this chapter.
- Added Fire Code alterations, requirements for electric vehicle charging permitting, grading regulations and alterations, requirements for businesses to provide public and employee restrooms, code adoption language which did not previously exist, requirements for application documentation.
- Specific language was added to require haul permits.
- Language was altered about fee schedules to allow for changes to fees at any point in time to be adopted.
- Addition to Appendix P of the code (Emergency housing) to allow for sleeping cabins used by Municipal Code Enforcement. Design criteria section was altered to allow for lot specific evaluation made by the ASCE Hazard Tool. New language regarding Unreinforced Masonry structures.
- Appendix J was altered to specifically prohibit cross lot drainage and to require the preparation of plans by certified design professionals and licensed engineers.
- The language regarding fire severity zones to match Office of the State Fire Marshal specific language.

**JUSTIFICATION:**

Under California law, local jurisdictions are required to adopt the most recent edition of the California Building Standards Code (Title 24 of the California Code of Regulations). Specifically, California Health and Safety Code Sections 17958, 18941.5, and 13869 mandate that cities adopt the updated codes within 180 days of publication by the California Building Standards Commission (CBSC). Failing to adopt the updated code would place the City out of compliance with state law, potentially exposing it to legal and liability risks.

**ENVIRONMENTAL DETERMINATION:**

The Ordinance is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, since it can be seen with certainty that the adoption of the Ordinance would not have potential for causing a significant effect on the environment, either directly or indirectly and is exempt from further review (14 Cal. Code Regs. Section 15061(b)(3), "general rule" provision). The Ordinance is also exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15307 and 15308 as an action by a regulatory agency taken to protect the environment and natural resources.

**FISCAL IMPACT:**

There is no direct fiscal impact related to the City for this action.

**ALTERNATIVES:**

Provide alternative direction to staff.

**BUDGETED?:**

Yes

**CONTRACT/AGREEMENT:**

No

**ATTACHMENTS:**

1. [Ordinance 1613](#)
2. [Ordinance 1613 - Exhibit A Amending Title 15](#)
3. [Ordinance 1613 - Exhibit B Repealing Chapter 8.16.pdf](#)
4. [Adopt New and Revised Building Standards\\_affidavit.pdf](#)