



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R19-0338
OCT. 16 2019

REPORT RE:

**REVISED DRAFT ORDINANCE AMENDING SECTION 91.5.300 OF THE
LOS ANGELES MUNICIPAL CODE TO REQUIRE AUTOMATIC FIRE
SPRINKLERS FOR ADDITIONS OR ALTERATIONS TO A TOWNHOUSE OR
ONE OR TWO-FAMILY DWELLING**

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. CF 93-1888-S1

Honorable Members:

On July 22, 2019, this Office transmitted for your consideration a draft ordinance (City Attorney Report No. R19-0221), which would amend Los Angeles Municipal Code Section 91.5.300 to require the installation of automatic fire sprinklers in the entirety of a townhouse or one or two-family dwelling when the aggregate value of the additions or alterations to that type of building within a one-year period exceeds 50 percent of the replacement cost of the existing building.

Subsequent to that transmittal, the Department of Building and Safety provided this Office with additional findings regarding the necessity of fire sprinklers in townhomes or one or two-family dwellings to help avoid the risk of spread of fire between buildings that has been heightened by recent changes in climatic and topographic conditions. We added those findings to the enclosed revised draft ordinance, approved as to form and legality. The revised draft ordinance would amend Chapter IX of the Los Angeles Municipal Code to incorporate by reference portions of

the 2019 California Residential Code located at Title 24 of the California Code of Regulations that are necessary to preserve the health, safety, and welfare of persons within the City, and to make reasonably necessary local administrative, climatic, geologic, or topographical changes.

In addition, this Office did not include the “Charter Findings” section contained in Report No. R19-0221 in this current report because it does not apply to the Department of Building and Safety.

Summary of Ordinance

The purpose of this amendment is to improve fire safety of townhomes and one and two-family dwellings, especially in the event of a catastrophic fire event, which are becoming increasingly common in California. The amendment requires the installation of an automatic fire sprinkler system to the entire townhome or one or two-family dwelling when the aggregate value of the additions or alterations to that building within a one-year period exceeds 50 percent of the replacement cost of the existing building.

CEQA Findings

In accordance with the California Environmental Quality Act (CEQA), the proposed ordinance meets the criteria of a General Exemption pursuant to Article III, Sections 15301, 15302, and 15308, Classes 1 and 5 of the CEQA Guidelines. This revised draft ordinance will involve “negligible or no expansion of the use existing at the time the exemption is granted,” will involve only interior sprinkler requirements that do not change the physical aspects of one or two-family dwellings or condominiums or their environmental impacts, and whose purpose is to help assure protection of the environment from fire hazards.

If the City Council concurs, it may comply with CEQA by acknowledging the General Exemption prior to, or concurrently with, its action on the revised draft ordinance.

Council Rule 38 Referral

A copy of the revised draft ordinance was sent, pursuant to Council Rule 38, to the Department of City Planning and the Los Angeles Fire Department with a request that all comments, if any, be presented directly to the City Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8202. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:KTF:sm
Transmittal