



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 18

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Community Development Department
MEETING DATE: May 17, 2021
SUBJECT: "Property Maintenance" Code Amendment – Ordinance Introduction

RECOMMENDATION:

Introduce an Ordinance to amend San Mateo Municipal Code Section 7.14 "Property Maintenance" to adopt the 2021 International Property Maintenance Code and comply with the California Health and Safety Code.

BACKGROUND:

Every three years the International Code Council (ICC), an internationally recognized association of code professionals, amends and updates elective model codes that are used in local jurisdictions in building design, construction and compliance processes to ensure buildings are safe, sustainable, affordable, and resilient. The model codes, known as the I-Codes, include the International Property Maintenance Code (IPMC), which the City uses as a basis for its local property maintenance code. For each three-year cycle, the City reviews the amendments of the newest edition and determines if there is a need to amend San Mateo Municipal Code (SMMC) Chapter 7.14 Property Maintenance. The 2015 edition of the IPMC is the most recent version adopted by the City.

The 2021 IPMC contains significant changes in the numbering and format from the 2015 edition. In addition, the 2021 IPMC and California Building Code both define "temporary" as a period of not more than 180 days, while SMMC Chapter 7.14 defines it as "six months." Staff proposes revising SMMC Chapter 7.14 to align the numbering and format with the 2021 IPMC, and to redefine "temporary" as 180 days. These changes are shown in Attachment 2, with the changes tracked.

A third amendment to Chapter 7.14 is needed to comply with the requirements of California Health and Safety Code, Division 13 Housing, Part 1.5 Regulation of Buildings Used for Human Habitation (CA H&S), which requires that determinations of infestation of insects, vermin, or rodents be determined by a properly trained/certified health officer or code enforcement officer. Currently, Code Enforcement relies on San Mateo County Vector Control (SMCVC), as the health officer, to perform inspections, identify infestations, and provide remediation plan reports for all residential structures of three units or less. SMCVC does not provide this service for multiple family residential structures with four or more units. San Mateo County Environmental Health Department provides this service for multiple family residential structures throughout San Mateo County, except for San Carlos and San Mateo. San Mateo opted out of this program many years ago, and until 2019 when San Mateo Consolidated Fire was formed, City Fire Department staff held this responsibility. Since 2019, the City has attempted to opt back into the County program without success. This has left the City without an effective program for addressing infestations in multiple family residential buildings with four or more units. The City receives approximately 10 infestation reports each year, many of which involve multiple units and take several months to resolve.

Staff has reached out to multiple agencies throughout the Bay Area to inquire how they address pest infestation issues.

While most rely on their specific County's vector control, those that do not require property owners to contract with a licensed pest control professional and report back to the City. This is consistent with San Mateo Fire's past practice of requiring property owners to procure a licensed pest control professional to inspect and provide remediation plans for reported infestations. Staff proposes that Chapter 7.14 be revised to require the same, as shown in Attachment 2. This approach is efficient and ensures that subject matter experts will be employed to address these critical public health matters and places the expense and remediation burden on the responsible property owner. If the Council disagrees, staff could acquire and maintain the necessary trainings and certifications to carry out these duties. This would require multiple courses in various pest identification and control fields, several of which entail up to 25 hours of training. Training and certification maintenance, and investigation of infestation reports would be time-intensive and require significant staff resources. This would divert staff time from other needed trainings and from addressing the large volume of other high priority life and safety cases Code Enforcement tends to daily.

NEXT STEPS:

The proposed Ordinance would take effect 30 days after the second reading, which is scheduled on June 7, 2021.

BUDGET IMPACT:

Staff training and program implementation could be covered within the current operating budget.

ENVIRONMENTAL DETERMINATION:

This item is exempt from environmental review in that amending the Property Maintenance Code is a continuing administrative activity under section 15378(b)(2) of the California Environmental Quality Act (CEQA) Guidelines.

NOTICE PROVIDED

All noticing requirements were met by posting the agenda 72 hours prior to this meeting

ATTACHMENTS

Att – 1 Proposed Ordinance

Att – 2 Proposed Ordinance with track changes

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