

# **SAMPLE RESOLUTION FOR CODE AMENDMENTS**

RESOLUTION NO. 2022-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_, CALIFORNIA, SETTING FORTH FINDINGS FOR REQUIRED AMENDMENTS TO THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, AND THE 2022 CALIFORNIA ELECTRICAL CODE RELATIVE TO LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS**

## Section 1

The City Council of the City of \_\_\_\_\_ finds and resolves as follow:

WHEREAS, Health and Safety Code Section 17958 provides that the City of \_\_\_\_\_ (“City”) shall adopt Ordinances and regulations imposing the same or modified or changed requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, the California Residential Code, and the California Electrical Code (hereinafter referred to collectively as “Codes”); and

WHEREAS, Health and Safety Code Section 17958.5(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic or topographic conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic or topographic conditions; and

WHEREAS, the \_\_\_\_\_ Department have recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the California Building Code, 2022 Edition, the California Residential Code, 2022 Edition, and the California Electrical Code, 2022 Edition, are reasonably necessary due to local conditions in the City of \_\_\_\_\_ and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Codes or are reasonably necessary to safeguard life and property within the City of \_\_\_\_\_.

Amendments related to life and fire safety contained in Table 1505.1, Sections 1505.1.3, 1807.1.6, **3109.2** of the 2022 Edition of the California Building Code, and Table R301.2(1), Sections R902.1, R902.1.3, R902.2, and **Appendix V** of the 2022

Edition of the California Residential Code, and Articles 310.106(B), 310.121, 690.13, 690.13 of the 2022 Edition of the California Electrical Code as recommended by the \_\_\_\_\_ Department are hereby found to be reasonably necessary due to the following local conditions:

**A. Climatic Conditions**

1. Hot, dry Santa Ana winds are common to all areas within the City of \_\_\_\_\_ and Orange County in general. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupancy occupants during fire occurrences.
2. Orange County and the City of \_\_\_\_\_ are in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.
3. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drownings where pools are unprotected.

**B. Geographic Conditions**

1. Orange County and the City of \_\_\_\_\_ are in a high seismically active area. There are earthquake faults that run along both the northeastern and southwestern boundaries of Orange County. The Newport-Inglewood Fault Zone (NIFZ) which runs through Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation. There was also an earthquake in December 1989, with the epicenter located near the City of Irvine. The fault on which this quake occurred was unknown prior to this activity. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from

breakage of gas and electric lines as a result of an earthquake. As noted by “Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation,” page 59, “unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe”;

2. Traffic and circulation congestion presently existing in the City of \_\_\_\_\_ often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
  
3. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Past Grand Jury Report findings support this concern.

<u>Code Section</u>	<u>Findings in Section 1</u>
Chap 1, Div II	Administrative
Table 1505.1 CBC	A-1,2, B-1,2,3
1505.1.3 CBC	A-1,2, B-1,2,3
1807.1.6 CBC	B-1
3109.2 CBC	A-3, B-2
Table R301.2(1) CRC	Administrative
R902.1 CRC	A-1,2, B-1,2,3
R902.1.3 CRC	A-1,2, B-1,2,3
R902.2 CRC	A-1,2, B-1,2,3
Appendix V CRC	A-3, B-2
310.106(B) CEC	A-1, B-1,2
310.121 CEC	A-1, B-1,2
690.13 CEC	Administrative

The aforementioned amendments have been incorporated in detail in Ordinance 2022-\_\_\_\_.

Section 2

The \_\_\_\_\_ Department shall file copies of Resolution 2022-\_\_\_\_\_ and Ordinance 2022-\_\_\_\_\_ with the California Building Standards Commission and Department of Housing and Community Development as required by Health and Safety Code Section 17958.7.

PASSED and ADOPTED at a regular meeting of the \_\_\_\_\_ City Council, held on the \_\_\_\_th day of \_\_\_\_\_ 2022.

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{NAME}  
Mayor

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{NAME}  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF \_\_\_\_\_ )

CERTIFICATION FOR RESOLUTION NO. 2022-\_\_\_\_\_.

NAME, City Clerk and ex-officio Clerk of the City Council of the City of \_\_\_\_\_, California, does hereby certify that the whole number of the members of the City Council of the City of \_\_\_\_\_ is five; that the above and foregoing Resolution No. 2022-\_\_\_\_\_ was passed and adopted at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_ 2022 by the following vote:

COUNCILMEMBER  
COUNCILMEMBER  
COUNCILMEMBER  
COUNCILMEMBER  
COUNCILMEMBER

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{NAME}  
City Clerk