

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, SETTING FORTH LOCAL CONDITIONS JUSTIFYING AMENDMENTS TO THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE AND THE 2019 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, AS CODIFIED IN THE CALIFORNIA BUILDING STANDARDS CODE, PARTS 2 AND 2.5, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, DUE TO LOCAL CLIMATIC, TOPOLOGICAL AND GEOGRAPHIC CONDITIONS

WHEREAS, Health and Safety Code Section 17958.5 provides that the City of Fullerton may adopt ordinances and regulations imposing modified or changed requirements and incorporating them by reference into the 2019 Edition of the California Building Code and the 2019 Edition of the California Residential Code.

WHEREAS, Health and Safety Code Section 17958.7(a) 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.

WHEREAS, the findings and local amendments apply to all occupancy classifications, unless specified otherwise.

WHEREAS, the Community and Economic Development Department has recommended that changes and modifications be made to the 2019 Edition of the California Building Code and the 2019 Edition of the California Residential Code which are reasonably necessary due to local conditions in the City of Fullerton 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 Fullerton.

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES AS FOLLOWS:

1. That, to the extent that the City's adoption of the 2019 Edition of the California Building Code, and the 2019 Edition of the California Residential Code, as amended, makes changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to health and safety, such changes and modifications are reasonably necessary due to the following conditions:

Condition A.1. Hot, dry Santa Ana winds are common to all areas within the City of Fullerton and Orange County in general. These winds, which can cause small fires and 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.

Condition A.2. Orange County and the City of Fullerton 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.

Condition A.3. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drownings where pools are unprotected.

Condition A.4. The City of Fullerton is located in an area which is subject to a climatic condition of periodic intense rainfall.

Condition A.5. Many areas of Fullerton have developments located in or abutting wildland and canyons with significant growths of vegetation of a highly combustible nature, classified as Very High Fire Hazard Severity Zones.

Condition B. Traffic and circulation congestion is common throughout the City of Fullerton. This topological condition creates congestion that often places at risk the Fire Department response time to fire occurrences and makes it necessary to provide additional fire and life safety requirements to limit the exposure to death, injury, and property loss caused by fire, prior to the arrival of the Fire Department.

Condition C. Orange County and the City of Fullerton 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. In order to prevent future conditions that are detrimental to the public health and safety and may result in serious injury, it is reasonably necessary for the City of Fullerton to require the provisions of the 2019 Edition of the California Building Code, and the 2019 Edition of the California Residential Code be amended and those amendments adopted. Provisions of the 2019 Edition of the California Building Code and the 2019 Edition of the California Residential Code are modified or changed as follows, based on the findings set forth below:

CALIFORNIA BUILDING CODE SECTION	JUSTIFICATION/EXPRESS FINDING
105.2	C
903.2.8.2 and 903.2.8.2.1	A.1, A.2, A.5, B
Table 1505.1 and 1505.1.3	A.1, A.2, B
1612.3	A.4
1807.1.6	C
3109.2	A.1, A.3, C
J101.3, J101.4, J101.5, J103.1, J103.2, J104.2.1, J109.5, J110.1, J112	A.4, C
CALIFORNIA RESIDENTIAL CODE SECTION	JUSTIFICATION/EXPRESS FINDING
R105.2	C
Table R301.2(1)	A.1, A.2, B
R313.2	A.1, A.2, A.5, B
R902.1, R902.1.3, R902.4	A.1, A.2, B
AV100.2(a), AV100.3	A.1, A.3, C

3. The City Council of the City of Fullerton finds that the proposed local amendments are in compliance with Health and Safety Code Section 17958 and does hereby adopt the findings stated herein.

4. The Community and Economic Development Department shall file a copy

of this Resolution, together with the Ordinances adopting the amendments to the 2019 Edition of the California Building Code and the 2019 Edition of the California Residential Code, with the California Building Standards Commission as required by Health and Safety Code Section 17958.7.

ADOPTED BY THE FULLERTON CITY COUNCIL ON _____, 2019.

Jesus J. Silva, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date