

RESOLUTION NO. 2019-XX

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 FIRE CODE, AS CODIFIED IN THE CALIFORNIA BUILDING STANDARDS CODE, PARTS 9, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, DUE TO LOCAL CLIMATIC, TOPOLOGICAL AND GEOGRAPHIC CONDITIONS

WHEREAS, Section 17958.5 of the Health and Safety Code permits the City to make changes or modifications to the 2019 California Fire Code, incorporating by reference the 2018 International Fire Code with California amendments, as codified within the California Building Standards Code, Part 9, Title 24 of the California Code of Regulations, (hereinafter "2019 California Fire Code"), as such changes or modifications are reasonably necessary because of local climatic, geographical or topographical conditions.

WHEREAS, Section 13143.5 of the Health and Safety Code permits a city, by ordinance, to make changes or modifications to the 2019 California Fire Code that are more stringent than the requirements published in the California Building Standards Code, Part 9, Title 24, of the California Code of Regulations, relating to fire and panic safety.

WHEREAS, Sections 13143.5 and 17958.7 of the Health and Safety Code require the City, prior to adopting the ordinance, to make express findings that the adopted standards are reasonably necessary because of local climatic, geological or topographical conditions.

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

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 California Fire Code, as amended, makes changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety, such changes and modifications are reasonably necessary due to the following conditions as set forth in the matrix:

Condition A. The City of Fullerton is located in an area which is subject to periodic wind conditions of extremely high velocity; the City is also subject to seasonal high temperatures and dry atmospheric conditions which often occur during times of those high-velocity winds.

Condition B. 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 to spread quickly and 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 occupants during fire occurrences.

Condition C. Traffic and circulation congestion is common throughout the City of Fullerton. This congestion 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 D. The City of Fullerton is located in an area of substantial seismic activity. Several faults, including the San Andreas, are located in and around the City. These faults are expected to have a major impact on the City of Fullerton and pose a threat to life and property. It is believed these faults are capable of generating up to an 8.3 magnitude earthquake. Major earthquakes are accompanied by congested traffic flow and fires. During a major earthquake, Fire Department resources would be extremely taxed and the ability to respond would be complicated and in some cases impossible.

2. In order to correct existing conditions and 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 California Fire Code as amended and adopted. Provisions of the 2019 Edition of the California Fire Code are modified or changed as follows, based on the findings set forth below:

CALIFORNIA FIRE CODE SECTION	JUSTIFICATION/EXPRESS FINDING
103.3	C
105.6, 105.6.5, 105.6.52, 105.6.53, 105.6.54, 105.6.55, 105.6.56, 105.6.57, 105.6.58, 105.7.26, 105.7.26	A,B,C,D
106.6	A,B,C,D
108.7	C
109.1, 109.3	A,B,C,D
110.4, 112.4, 114.1	A,B,C,D
CHAPTER 2 DEFINITIONS	A,B
307.6, 307.6.1	A,B
321, 321.1, 321.1.1, 321.1.2, 321.1.3, 321.1.4	A,B
503.1, 505.1, 506.1	C,D
507.5.1, 507.5.1.1	A,B,C,D
510.1	C,D
903.2.8.2,903.2.8.2.1	A,B,C,D

903.3.1.3.1	C,D
1101.1, 1103.1-1103.3, 1103.7, 1103.7.3.1, 1103.7.8-1103.7.8.2, 1103.7.9-1103.7.9.10, 1103.8-1103.8.5.3, 1107, 1113, 1114, 1115, 1116	A,B,C,D
1103.2	C,D
4907.2, 4907.3, 4908	A,B,C
5601.1.3.1, 5601.1.3.2	A,B,C
5608.2	A,B
D103.3	C

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

4. A copy of this Resolution, together with the Ordinance adopting the amendments to the 2019 California Fire incorporating by reference the 2018 International Fire Code shall be filed with the State Department of Housing and Community Development and with the California Building Standards Commission.

ADOPTED BY THE FULLERTON CITY COUNCIL ON _____, 2019.

Jesus J. Silva, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date _____