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RESOLUTION NO. 02-____ U

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT EXISTING MODIFICATIONS TO THE CALIFORNIA BUILDING CODE, CALIFORNIA FIRE CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA MECHANICAL CODE, AND CALIFORNIA ELECTRICAL CODE, AS ADOPTED BY ORDINANCE NO._____, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

A. Recitals

(i) California Health and Safety Code Section 17922 requires all cities to adopt, as the City Building Standards Code, the State Building Standards Code adopted pursuant to the provisions of Chapter 4 of Part 2.5 of Division 13 of the California Health and Safety Codes.

(ii) Section 17958.5 of the California Health and Safety Code provides, in pertinent part, as follows:

“....a city or county may make such changes or modifications in the requirements contained in the provisions published in the State Building Standards Code and the other regulations adopted pursuant to Section 17922 as it determines, pursuant to the provisions of section 17958.7, are reasonably necessary because of local climatic, geological or topographical conditions.”

(iii) Prior to making the modifications permitted under Section 17958.5 of the California Health and Safety Code, this Council is required to make an express finding that such modifications or changes are reasonably necessary.

(iv) This Council desires to amend the provisions of sections 103, 105, 107, 110, 310.7, 310.10, 904, 1503, 2409, 3301, Table 9-A, and Appendix Chapter 10 of the California Building Code, 2001 Edition.

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2 (v) This Council desires to amend the provisions of sections 103, 1003, 1102, 1103, 4712,
3 4713, 4714, 5201, Table 1004-A, Appendix II-A and Appendix III-B of the California Fire Code,
4 2001 Edition.

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6 (vi) This Council desires to amend the provisions of sections 102.2, 103.4, 421, 701 and
7 722.1 of the California Plumbing Code, 2001 Edition.

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9 (vii) This Council desires to amend the provisions of section 304 of the California Electrical
10 Code, Uniform Administrative Code Provisions, 2001 Edition.

11 (viii) This Council desires to amend the provisions of sections 203, 204 and 205 of the
12 Uniform Housing Code, 1997 Edition.

13 (ix) This Council desires to amend the provisions of sections 110 and 115 of the California
14 Mechanical Code, 2001 Edition.

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16 (x) All legal prerequisites to the adoption of this Resolution have occurred.

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18 **B. Resolution**

19 **NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED AS FOLLOWS:**

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21 1. In all respects as set forth in the Recitals, Part A, of this Resolution.
- 22 2. This Council does hereby expressly find and determine that the amendments set forth in
23 Ordinance No. ____, amending the "California Building Standards Code" and related publications, 2001
24 Editions, including the amendments to the California Building Code regarding minimum dwelling unit size
25 (Section 15.04.060 of the Hermosa Beach Municipal Code), roof covering requirements (Section
26 15.04.080 of the Hermosa Beach Municipal Code), skylight frames (Section 15.04.090 of the Hermosa
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1 Beach Municipal Code), fire extinguishing systems (Section 15.04.100 of the Hermosa Beach Municipal
2 Code), fire alarm systems (Section 15.04.110 of the Hermosa Beach Municipal Code) and premises
3 identification (Sections 15.40.010, 15.40.020, and 15.40.030 of the Hermosa Beach Municipal Code),
4 and also including the amendments to the California Fire Code regarding fire protection systems and
5 equipment, general safety precautions, fumigation, fuel dispensing, fire flow, hydrant spacing, and
6 fireworks (Sections 15.20.080 and 15.20.120 of the Hermosa Beach Municipal Code) are reasonably
7 necessary because of local climatic, geological or topographic conditions. This express finding is
8 supported and based upon the following more specific findings and determinations:
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10
11 a. Located throughout the City of Hermosa Beach, as well as in the surrounding
12 cities, are numerous concentrations of structures.

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14 b. The City of Hermosa Beach, as well as the surrounding cities, is located in an
15 area climatically classified as “arid” and prone to winds of high velocity. Moreover, due to the arid
16 nature of the area, the weather during the windy period tends to be very warm and dry. The dry weather
17 conditions are very hazardous to the surrounding highly populated areas in as far as flame spread is
18 concerned.
19

20 c. Because of the above-described climatic and meteorological conditions, the City
21 of Hermosa Beach and the surrounding cities have historically suffered from occasional structural fires.
22 These have often been difficult to control due to the dry winds carrying sparks and cinders to surrounding
23 structures.
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25 d. The City of Hermosa Beach is located in a seismically active area and is in close
26 proximity to earthquake fault zones, and it is reasonably foreseeable that an earthquake would render the
27 City of Hermosa Beach particularly vulnerable to devastation.
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1 e. Because of the above-described geological conditions within the city, the City of
2 Hermosa Beach, in the event of an earthquake, may be unable to dispatch an adequate number of fire
3 personnel and apparatus to suppress fires and conduct rescue operations. Moreover, the conditions
4 within Hermosa Beach likewise occur in surrounding communities, hereby rendering mutual aid assistance
5 problematic, at best.
6

7 f. Furthermore, as found in paragraph 2.b. of the above Resolution, climatic
8 conditions within the community render it extremely likely that, in the event of high winds and earthquake
9 occurring, the City Fire Department would be unable to suppress numerous fires occurring throughout the
10 community.
11

12 3. This Council does hereby expressly further find and determine that the amendments set
13 forth in Ordinance No. ____, amending the "California Building Standards Code" and related
14 publications, 2001 Editions, including the amendments to the California Building Code are reasonably
15 necessary because of local climatic, geological or topographic conditions. This express finding is
16 supported and based upon the following more specific findings and determinations:
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18 a. The City of Hermosa Beach is located in a coastal region with predominantly sandy
19 soil, requiring special care during excavations.
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21 4. This Council does hereby expressly further find and determine that the amendments set
22 forth in Ordinance No. ____, amending the "California Building Standards Code" and related
23 publications, 2001 Editions, including the amendments to the California Building Code regarding building
24 security (Section 15.04.050 of the Hermosa Beach Municipal Code) and minimum dwelling unit size
25 (Section 15.04.060 of the Hermosa Beach Municipal Code), including the amendments to the California
26 Plumbing Code regarding nonmetallic drainage piping (Section 15.16.040 of the Hermosa Beach
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1 Municipal Code), garbage grinders (Section 15.16.050 of the Hermosa Beach Municipal Code), and
2 abandoned sewers (Section 15.16.060 of the Hermosa Beach Municipal Code), and including the
3 amendments to the California Electrical Code regarding condominium installations (Section 15.32.030 of
4 the Hermosa Beach Municipal Code) are reasonably necessary because of local climatic, geological or
5 topographic conditions. This express finding is supported and based upon the following more specific
6 findings and determinations:
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8 a. The City of Hermosa Beach is located in a coastal region with a hilly topography,
9 resulting in a high level of concentration of structures and a high population density, making necessary
10 additional requirements to protect against criminal activity, overcrowded living conditions, excessive
11 noise, and other types of nuisances.
12

13 b. The City of Hermosa Beach has a mild climate, encouraging residents to spend a
14 large amount of time outside their residences, making necessary additional requirements to protect against
15 criminal activity, overcrowded living conditions, excessive noise, and other types of nuisances.
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17 5. This Council does hereby expressly further find and determine that the amendments set
18 forth in Ordinance No. ____, amending the "California Building Standards Code" and related
19 publications, 2001 Editions, including the amendments to the California Electrical Code regarding
20 underground installations (Sections 15.32.040 through 15.32.120 of the Hermosa Beach Municipal
21 Code) are reasonably necessary because of local climatic, geological or topographic conditions. This
22 express finding is supported and based upon the following more specific findings and determinations:
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24 a. The City of Hermosa Beach is located in an area climatically classified as "arid" and
25 prone to winds of high velocity.
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1 6. This Council does hereby expressly further find and determine that the amendments set
2 forth in Ordinance No. ____, amending the "California Building Standards Code" and related
3 publications, 2001 Editions, including the amendments to the California Building, Electrical, Mechanical,
4 Plumbing and Fire Codes regarding administrative provisions (Sections 15.04.020, 15.04.030,
5 15.04.040, 15.04.070, 15.12.020, 15.12.030, 15.16.020, 15.16.030, 15.20.080, and 15.32.020 of the
6 Hermosa Beach Municipal Code) are necessary to allow the application of the codes by procedures
7 suited to the size and nature of the City's staff and administrative agencies by means suited to the City's
8 experience with local climatic, geological, and topographical conditions and to provide sufficient support
9 for the time-consuming inspections and analysis required by the City's fire and geological hazards.
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14 **PASSED, APPROVED AND ADOPTED THIS ____ DAY OF ____, 2002.**

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17 _____
18 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

19
20 **ATTEST:**

21 **APPROVED AS TO FORM:**

22
23 _____
24 City Clerk

25 _____
26 City Attorney