

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS EXPRESS FINDINGS AS REQUIRED BY SECTIONS 17958.7 AND 18941.5 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA RELATING TO THE ADOPTION OF THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE AND THE 2019 EDITIONS OF THE CALIFORNIA RESIDENTIAL, GREEN BUILDING STANDARDS, MECHANICAL, PLUMBING, FIRE, AND ELECTRICAL CODES WITH LOCAL AMENDMENTS THERETO.

WHEREAS, Section 17958 of the Health and Safety Code of the State of California provides that if a city does not amend, add, or repeal ordinances or regulations to impose the same requirements as are contained in the provisions adopted pursuant to Section 17922 of said Health and Safety Code and published in the California Building Code and the other regulations adopted pursuant to Section 17922 or make changes or modifications in those requirements upon express findings, the provisions published in the California Building Code or other regulations promulgated pursuant to Section 17922 shall be applicable to it and shall become effective 180 days after publication by the California Building Commission; and

WHEREAS, Section 17922(c) of the Health and Safety Code provides that local use zone requirements, local fire zones, building setbacks, side and rear yard requirements, and property line requirements are specifically and entirely reserved to the local jurisdiction except as provided in Section 17959.5 of the Health and Safety Code; and

WHEREAS, Section 17958.5 of the Health and Safety Code of the State of California provides that in adopting ordinances or regulations making any changes in the provisions in the California Building Code and other regulations adopted pursuant to Section 17922 of the Health and Safety Code, a city may make such changes or modifications as are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Sections 17958.7 and 18941.5 of the Health and Safety Code requires the governing body of a city, before making any modifications or changes, to make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions.

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
2 California, that it makes the following findings and determinations:

3 Section 1: With respect to the adoption of the California Building Code 2019 Edition
4 and California Fire Code 2019 Edition, and any amendments thereto by the State of California in
5 the 2019 Edition of the California Code of Regulations, it is necessary to adopt more restrictive
6 fire suppression and fire prevention requirements for the following reasons:

7 (a) The City of Riverside receives relatively low amounts of precipitation and
8 has low humidity and high temperatures, which climatic conditions are conducive to the spread of
9 fires.

10 (b) Normal prevailing winds in the afternoon often reach 15 to 20 miles per
11 hour and strong winds, commonly referred to as Santa Ana Winds, have reached velocities of up
12 to 60 miles per hour during various months of each year, which climatic conditions are conducive
13 to the spread of fires.

14 (c) Due to the many active earthquake faults in Southern California including
15 the San Andreas fault approximately 15 miles to the northeast, the San Jacinto fault approximately
16 6 miles to the northeast, the Elsinore fault 16 miles to the southwest, the Whittier fault 24 miles to
17 the west and the San Gabriel fault approximately 33 miles to the northwest, there are significant
18 seismic hazards within the City of Riverside. In the event of a severe earthquake, these faults
19 present the potential for catastrophic damage including fire, damage to roadways, and other
20 impairments to or disruption in public services including the ability of the Fire Department to
21 respond to fires.

22 (d) There is a major riverbed located on the western edge of the corporate limits
23 of the City of Riverside. During flooding conditions, emergency travel in and out of the City may
24 be severely impaired, if not completely cut off.

25 (e) The topography of the City of Riverside includes significant areas of steep
26 slopes as well as hillsides that include brush. These conditions may result in limited access which
27 can hamper the ability of the Fire Department from promptly responding in case of fire, and other
28 problems such as reduced water pressure and flow.

1 (f) It is necessary to adopt more restrictive fire suppression and fire protection
2 requirements because of the land area size of the City; construction of scattered apartment, high-
3 rise, commercial and industrial developments through this large area; and the lack of adequate
4 manpower and aerial equipment to cope with fire and life safety protection for the structures and
5 adjacent exposure.

6 Section 2: The other modifications to the California Building Code, the California
7 Residential Code, the California Green Building Standards Code, the California Mechanical Code,
8 the California Plumbing Code, California Fire Code and the California Electrical Code are
9 administrative in nature or are reenactments of existing provisions of the Riverside Municipal
10 Code.

11 Section 3: As required by Section 17958.7 of the Health and Safety Code, a copy of
12 these findings, together with the modifications or changes expressly marked and identified to
13 which each such finding refers, shall be filed by the City Clerk of the City of Riverside with the
14 California Building Standards Commission.

15 ADOPTED by the City Council this ____ day of _____, 2020.

16
17 _____
18 WILLIAM R. BAILEY, III
Mayor of the City of Riverside

19 Attest:

20
21 _____
22 COLLEEN J. NICOL
City Clerk of the City of Riverside

23 //

24 //

25 //

26 //

27 //

28

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City
3 Council of said City at its meeting held on the ____ day of _____, 2020, by the
4 following vote, to wit:

5 Ayes:

6 Noes:

7 Absent:

8 Abstain:

9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
10 City of Riverside, California, this ____ day of _____, 2020.
11

12
13 _____
14 COLLEEN J. NICOL
15 City Clerk of the City of Riverside
16
17
18
19
20
21
22
23
24
25
26
27

28 CA # 20-0077
\\Rc-Citylaw\Cycom\Wpdocs\D004\P030\00513666.DOCX