

RESOLUTION NO. ____-2019

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL
ADOPTING LEGISLATIVE FINDINGS SUPPORTING AMENDMENTS AND
CHANGES TO THE CALIFORNIA STATE BUILDING STANDARDS CODE AS
CONTAINED IN CHAPTER 15.05 (THE CALIFORNIA FIRE CODE) OF THE
FORT BRAGG MUNICIPAL CODE**

WHEREAS, the 2019 California Building Standards Code has been amended and adopted by the California Building Standards Commission; and

WHEREAS, the California Fire Code, which is Part 9 of the California Building Standards Code, is part of the triennial amendment and adoption by the California Building Standards Commission; and

WHEREAS, the City of Fort Bragg ("City") wishes to adopt fire code regulations in accordance with law and to use the most updated regulations for fire protection within the City; and

WHEREAS, Government Code § 50022 *et seq.* authorizes cities to enact ordinances adopting any code by reference; and

WHEREAS, the City will adopt the California Fire Code, California Code of Regulations, Title 24, Part 9, 2019 Edition on January 13, 2020, as set forth in Chapter 15.05 of the Fort Bragg Municipal Code (California Fire Code) after conducting a public hearing; and

WHEREAS, because of the City's unique climatic, geologic, and topographic conditions, the City desires to make amendments and additions to the building and fire code regulations, as set forth in Ordinance 957-2019; and

WHEREAS, pursuant to California Health and Safety Code § 17958, 13143.5, and 18941.5 the City Council of the City of Fort Bragg determined that a departure from the California Fire Code, Part 9 of the California Building Standards Code, 2019 Edition, is reasonably necessary because of local climatic, geologic and/or topographic conditions.

WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. Modifications and changes to the California Fire Code, as set forth in Chapter 15.05 of the Fort Bragg Municipal Code, are required in order to provide specific and greater protections to the public health, safety and welfare than are afforded by the California Building Standards Code due to local climatic, geological, and topographical conditions. The legislative findings for such modifications and changes are made pursuant to California Health and Safety Code § 17958.7 as set forth in Exhibit A to this Resolution and by this reference incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Fort Bragg does hereby resolve that this Resolution shall become effective on the same date as Ordinance No. 957-2019, which amends the California Fire Code, California Code of Regulations, Title 24,

Part 9, 2019 Edition, as adopted in Chapter 15.05 of the Fort Bragg Municipal Code (California Fire Code). The City Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the California Building Standards Commission of the State of California.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 9th day of December, 2019, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSED:**

WILLIAM V. LEE
Mayor

ATTEST:

June Lemos, CMC
City Clerk