

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY WHICH MAKE CERTAIN MODIFICATIONS AND CHANGES NECESSARY TO THE 2022 CALIFORNIA BUILDING, RESIDENTIAL, AND ELECTRICAL CODES, AND APPENDICES

Section 1

The City Council of the City of La Habra finds and resolves as follows:

**WHEREAS**, Health and Safety Code Section 17958 provides that the City of La Habra shall adopt Ordinances and regulations imposing the same or modified or changed requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922; and

**WHEREAS**, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, the California Residential Code and California Electrical Code (hereinafter referred to collectively as “Codes”); and

**WHEREAS**, Health and Safety Code Section 17958.5(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic or topographic conditions; and

**WHEREAS**, Health and Safety Code Section 17958.7 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; and

**WHEREAS**, Staff has recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the 2022 Edition of the California Building Code, the 2022 Edition of the California Residential Code, and the 2022 Edition of the California Electrical Code are reasonably necessary due to local conditions in the City of La Habra 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 La Habra.

Amendments related to life and fire safety contained in Table 1505.1, Sections 1505.1.3, 1807.1.6, 3109.2 of the 2022 Edition of the California Building Code, and Table R301.2 (1), Sections R902.1, R902.1.3, R902.2, and Appendix V of the 2022 Edition of the California Residential Code, and Article 310.3(B) of the 2022 Edition of the California Electrical Code as recommended by Staff are hereby found to be reasonably necessary due to the following local conditions:

## **A. Climatic Conditions**

1. Hot, dry Santa Ana winds are common to all areas within the City of La Habra and Orange County in general. These winds can cause small fires, which can 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 times and provide immediate protection for life and safety of multiple occupancy occupants during fire occurrences.
2. Orange County and the City of La Habra 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.
3. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drownings where pools are unprotected.

## **B. Geographic Conditions**

1. Orange County and the City of La Habra 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 La Habra and Whittier, and poses one of the greatest hazards to lives and property in the nation. The Whittier Fault also passes from the northwest to southeast north of the City of La Habra and on eastward toward Lake Elsinore. Although this fault has not been recently active, many seismologists believe that it is capable of generating a high magnitude shock capable of significant damage within La Habra and surrounding areas. The cluster of earthquakes that began on March 28, 2014 in La Habra was due to movement of the Puente Hills thrust fault. This fault runs from the suburbs of northern Orange County, through the San Gabriel Valley and under the skyscrapers of downtown Los Angeles before ending in Hollywood. 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. Traffic and circulation congestion presently existing in the City of La Habra often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
  
3. Untreated wood roofs cause or contribute to a serious fire hazard and the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roof materials become flying embers that are carried by the wind to other locations, and thereby spread fire quickly. Past Grand Jury Report findings support this concern.

## Section 2

Amendments to the 2022 Editions of the *California Codes* are found reasonably necessary based on the climatic and/or geographic conditions cited in Section 1 of this Resolution and are listed as follows:

<b>Code Section</b>	<b>Code</b>	<b>Findings in Section 1</b>
Chap 1, Div II	Building Code	Administrative
Table 1505.1 CBC	Building Code	A-1,2, B-1,2,3
1505.1.3 CBC	Building Code	A-1,2, B-1,2,3
1807.1.6 CBC	Building Code	B-1
3109.2 CBC	Building Code	A-3, B-2
TableR301.2(1)	Residential Code	Administrative
R902.1 CRC	Residential Code	A-1,2, B-1,2,3
R902.1.3 CRC	Residential Code	A-1,2, B-1,2,3
R902.2 CRC	Residential Code	A-1,2, B-1,2,3
Appendix V CRC	Residential Code	A-3, B-2
310.106(B) CEC	Electrical Code	A-1, B-1,2
310.121 CEC	Electrical Code	A-1, B-1,2
690.13 CEC	Electrical Code	Administrative

## Section 3

The Building and Safety Division shall file copies of the Resolution and Ordinance with the California Building Standards Commission as required by Health and Safety Code Section 17958.7.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
Jose Medrano  
Mayor

Attest:

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Rhonda J. Barone, CMC  
Assistant City Clerk

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } SS.  
CITY OF LA HABRA }

I, Rhonda J. Barone, CMC, Assistant City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. \_\_\_\_\_ introduced and adopted at a regular meeting of the City Council of the City of La Habra held on the 17<sup>th</sup> day of October, 2022 by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

Said resolution has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this 17<sup>th</sup> day of October, 2022.

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Rhonda J. Barone, CMC  
Assistant City Clerk