

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA SETTING FORTH FINDINGS FOR REQUIRED AMENDEMNTS TO THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, AND THE 2022 CALIFORNIA ELECTRICAL CODE RELATIVE TO LOCAL CLIMATIC AND GEOGRAPHIC CONDITIONS.

WHEREAS, Health and Safety Code Section 17958 provides that the City of Rialto 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 the State of California (the “State”), Department of Housing and Community Development (“Department”) is authorized to provide up to \$335 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2))); 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, the Building and Safety Division have recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the California Building Code, 2022 Edition, the California Residential Code, 2022 Edition, and the California Electrical Code, 2022 Edition, are reasonably necessary due to local conditions in the City of Rialto and have further advised that the remainder of said changes and modifications are of an

1 administrative or procedural nature, or concern themselves with subjects not covered by the Codes or are
2 reasonably necessary to safeguard life and property within the City of Rialto.

3
4 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**
5 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

6 Amendments related to life and fire safety contained in Table 1505.1, Sections 1505.1.2, 1807.1.6,
7 3109.2 of the 2022 Edition of the California Building Code, and Table R301.2, Sections R902.1,
8 R902.1.2, R902.2, and Appendix AX of the 2022 Edition of the California Residential Code, and
9 Articles 310.106(B), 310.121, 690.13, 690.13 of the 2022 Edition of the California Electrical Code as
10 recommended by the Building and Safety Division are hereby found to be reasonably necessary due to
11 the following local conditions:

12
13 **Section 1 (Climatic Conditions):** The City of Rialto is in a special wind region and subject
14 to extremely strong winds, commonly referred to as "Santa Ana Winds," which reach speeds in excess
15 of 90 miles per hour. Extensive damage often occurs during such winds, including fallen trees; blown
16 sand and debris; downed utility poles, utility circuits, and utility service lines; and structural damage to
17 buildings. These adverse conditions can cause: (1) fires; (2) impairment of emergency apparatus
18 access; (3) delays in response times of emergency apparatus; and (4) the depletion of apparatus readily
19 available for fire suppression activities. These windstorms commonly last from three to seven days.

20
21 **Section 2 (Climatic Conditions):** The City of Rialto is subject to relatively low amounts of
22 precipitation, very low humidity levels, and extremely high temperatures. These climatic conditions are
23 conducive to the spread of fire. For example, during July, August, and September, temperatures often
24 exceed 100 degrees Fahrenheit. During the same months, humidity is usually less than 40%, and
25 humidity measurements less than 10% are not uncommon. These conditions contribute to an increased
26 likelihood of fire. Moreover, minor fires have a greater tendency of spreading rapidly due to such
27 conditions.
28

1 1. **Section 3 (Climatic):** The warm, dry climate is conducive to swimming pools which creates a
2 higher probability of child drownings where pools are unprotected.

3
4 **Section 4 (Geographic):** The City is located in Southern California, in an extremely active
5 seismic region, with high levels of historic earthquake shaking in the recent past (earthquakes measuring
6 larger than a magnitude 5 on the Richter Scale) and can be expected to experience significant strong
7 ground shaking within the foreseeable future; and

8 The seismotectonic setting of the City is dominated by the San Jacinto fault, which traverses both
9 along the center and the northern portion of the City, and the City's proximity to the San Andreas
10 fault--5 miles to the East, Sierra Madre Fault--6 miles to the Northwest; and

11 In the event of a severe earthquake, these faults present the potential for catastrophic damage,
12 including fire, damage to roadways and other impairments of emergency apparatus. (This
13 information is according to maps used by Cal Tech, Pasadena and provided by the U.S. Geological
14 Survey). Existing and planned developments are at risk from structural damage from earthquake
15 faults. Improved standards are necessary to ensure that maximum safety is provided to persons and
16 property.

17 **Section 5 (Geographic):** Traffic and circulation congestion presently existing in the City
18 of Rialto often places fire department response time to fire occurrences at risk. This condition will be
19 exacerbated by any major disaster, including any earthquake wherein damage to the highway system
20 will occur. This condition makes the need for additional on-site protection for property occupants
21 necessary.

22 **Section 6 (Geographic):** Untreated wood roofs cause or contribute to serious fire hazard and
23 to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden
24 roofs become flying brands and are carried by the wind to other locations and thereby spread fire
25 quickly. Past Grand Jury Report findings support this concern

1 **Section 7:** Amendments to the 2022 Editions of the California Codes are found reasonably
 2 necessary based on the climatic and/or geographic conditions cited in Section 1 of this Resolution and
 3 are listed as follows:

Code Section	Code	Findings in Section 1
Chap 1, Div II	Building Code	Administrative
Table 1505.1 CBC	Building Code	A-1,2, B-1,2,3
1505.1.2 CBC	Building Code	A-1,2, B-1,2,3
1609.3 CBC	Building Code	A-1
1609.4.3 CBC	Building Code	A-1
1807.1.6 CBC	Building Code	B-1
3109.2 CBC	Building Code	A-3, B-2
Table R301.2 CRC	Residential Code	Administrative
R301.2.1.4 CRC	Residential Code	A-1
R902.1 CRC	Residential Code	A-1,2, B-1,2,3
R902.1.2 CRC	Residential Code	A-1,2, B-1,2,3
R902.2 CRC	Residential Code	A-1,2, B-1,2,3
AH105.2 CRC	Residential Code	A-1
Appendix AX 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

13 The amendments have been incorporated in detail in Ordinance XXXX

14
 15 **Section 8:** The Building and Safety Division shall file copies of Resolution XXX and
 16 Ordinance XXXX with the California Building Standards Commission as required by Health and Safety
 17 Code Section 17958.7(a).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

\\\\\\

PASSED APPROVED AND ADOPTED this ____ day of _____, 2022.

DEBORAH ROBERTSON, Mayor

ATTEST:

BARBARA McGEE, City Clerk

APPROVED AS TO FORM:

ERIC VAIL, City Attorney

1 **STATE OF CALIFORNIA**)
2 **COUNTY OF SAN BERNARDINO**) ss
3 **CITY OF RIALTO**)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Resolution No. ____ was duly passed and adopted at a regular meeting of the City Council of the City of
6 Rialto held on the ____ day of _____, 2022.

7 Upon motion of Council Member _____, seconded by Council Member _____,
8 the foregoing Resolution No. ____ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

13
14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15 Rialto this ____ day of _____, 2022.

16
17 _____
18 BARBARA MCGEE, CITY CLERK
19
20
21
22
23
24
25
26
27
28