

RESOLUTION NO. 2022-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,
CALIFORNIA, SETTING FORTH FINDINGS FOR AMENDMENTS TO THE 2022
CALIFORNIA BUILDING STANDARDS CODE**

WHEREAS, Health and Safety Code Section 17958 provides that the City of Lake Elsinore (“City”) 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 Green Building Standards Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Energy Code, and the 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, the Building and Safety Division has recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the Codes are reasonably necessary due to local conditions in the City of Lake Elsinore 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 Lake Elsinore.

**THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES
HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. The above recitals are true and correct.

SECTION 2. Amendments related to life and fire safety contained in Sections 403, 403.1, 403.1.1, 403.4.7.2, 403.4.8.1, 412.7, 3109.4.4.3, Table 1505.1, and 1505.1.3 of the 2022 Edition of the California Building Code, and Sections R403.1.3, R405.1, R902.1, R902.1.3, and R902.2 of the 2022 Edition of the California Residential Code, and Sections 202 and 4.304.1 of the 2022 Edition of the California Green Building Standards Code 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 Lake Elsinore. These winds, which can cause small fires to 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 available and provide immediate protection for life and safety of multiple occupants during fire occurrences.

2. Riverside County and the City of Lake Elsinore 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.

B. Geographic Conditions

1. Riverside County and the City of Lake Elsinore are in a highly active seismic area. There are earthquake faults that run along both the northeastern and southwestern boundaries of Riverside County including the San Jacinto and Elsinore faults which are branches of the San Andreas Fault. There have been several substantial earthquakes located along these faults in the Inland Empire area in the past few years. The most recent was in June 2019, located in Riverside California, in the Ridgecrest Area with a magnitude of 7.1 on the Richter scale. In July Ridgecrest had a 6.1 and the City of Oxnard had a 6.4 earthquake and with over 500 responses, the department was taxed to its full capabilities. The Ridgecrest earthquake mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. 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 because 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 Lake Elsinore 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. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until fire fighting apparatus and personnel arrive on the scene. The City of Lake Elsinore is in an area subject to a climatic condition of high winds and low humidity. This

combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, Section 6, Figure 6-2 of ASCE 7 identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury. The City of Lake Elsinore is in the middle of the seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles like those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

4. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.
5. Adopting 3109.4.4.3 allows the City to keep the current standards for pool safety barriers. Current I.C.C. pool barriers are less restrictive.

SECTION 3. Amendments to the 2022 Edition of the Codes are found reasonably necessary based on the climatic and/or geographic conditions cited in Section 2 of this resolution and are listed as follows:

| <u>Code Section</u> | <u>Findings in Section 2</u> |
|--|------------------------------|
| CBC 403, 403.4.7.2, 403.4.8.1, 907.2.13, 907.6.3.2 | A-1, B-2, B-3 |
| CBC 412.7 | B-1, B-2, B-3 |
| <i>CBC 903.2 (Sprinkler placeholder)</i> | A-1, A-2, B-2 |
| CBC 1505, CRC R902.1 | A-1, A-2, B-2, B-4 |
| CBC 3109.4.4.3 | B-5 |
| CRC R403.1.3, R405.1 | B-1 |

SECTION 4. Additional amendments have been made to the Codes. Such amendments are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such Codes. The changes made include provisions making each of such Codes compatible with other codes enforced by the City.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution and the same shall thereupon take effect and be in force as January 1, 2023.

Passed and Adopted at a regular meeting of the City Council of the City of Lake Elsinore, California, this 25th day of October 2022.

Timothy J. Sheridan
Mayor

Attest:

Candice Alvarez, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2022-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the Regular meeting of October 25, 2022 and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Candice Alvarez, MMC
City Clerk