

RESOLUTION NO. 4220-2019

**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 Peters, seconded by Councilmember Norvell, 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: Councilmembers Albin-Smith, Norvell, Peters and Mayor Lee.
NOES: None.
ABSENT: Councilmembers Morsell-Haye.
ABSTAIN: None.
RECUSED: None.



WILLIAM V. LEE
Mayor

ATTEST:



for June Lemos, CMC
City Clerk

**EXHIBIT A
CITY OF FORT BRAGG
ANALYSIS OF AMENDMENTS TO THE CALIFORNIA FIRE CODE 2019 EDITION**

§ 15.06.010 PURPOSE.

This amendment sets forth the purpose of the changes to the California Building Standards Code as applicable to the California Fire Code. The only change from the prior chapter is the reference from the California Fire Code 2019 Edition instead of the California Fire Code 2016 Edition.

(Justification: Topographical, Geologic and Climatic – See justification A, B and C)

§ 15.06.020 DEFINITIONS IN GENERAL.

This amendment defines terms for the Automatic Fire Sprinkler System Requirements. The only change from the prior chapter is the reference from the California Fire Code 2019 Edition instead of the California Fire Code 2016 Edition.

(Justification: Topographical, Geologic and Climatic – See justification A, B and C)

§ 15.06.030 AUTOMATIC FIRE SPRINKLER SYSTEMS – REQUIRED.

This amendment sets the requirement for Automatic Fire Sprinkler Systems in circumstances more restrictive than the California Fire Code 2019 Edition. There is no change from the prior chapter.

(Justification: Topographical, Geologic and Climatic – See justification A, B and C)

§ 15.06.050 EXEMPTIONS AND WAIVERS.

This amendment sets the exceptions for Automatic Fire Sprinkler Systems required by § 15.06.030. There is no change from the prior chapter.

(Justification: Topographical, Geologic and Climatic – See justification A, B and C)

§ 15.06.060 ANNUAL INSPECTION AND MAINTENANCE

This amendment provides for annual inspections and maintenance. There is no change from the prior chapter.

(Justification: Topographical, Geologic and Climatic – See justification A, B and C)

§ 15.06.080 FIRE ALARM SYSTEMS DEFINED AND REQUIRED.

This amendment defines the requirements for Fire Alarm System per NFPA 72. There is no change from the prior chapter.

(Justification: Topographical, Geologic and Climatic – See justification A, B and C)

§ 15.06.090 VIOLATIONS.

This amendment provides for remedies and penalties for failure to comply with the requirements of the chapter. There is no change from the prior chapter.

(Justification: Topographical, Geologic and Climatic – See justification A, B and C)

JUSTIFICATION

- A. **Topographical.** The Fort Bragg Fire Protection Authority District is an all-volunteer district that covers seventy-five square miles with elevations from zero to one thousand feet above sea level. The City of Fort Bragg includes many narrow and some dead-end roads causing maneuverability restrictions for fire equipment. Surrounding fire districts are all volunteer and the request for mutual aid requires as long as 30 minutes for the first engine to respond to the scene of a fire. The permanent population in the District is dramatically increased by tourism in the summer months causing an increased burden on fire department personnel and equipment. Heavily traveled State Highway One runs the length of the City and is the only continuous North/South route along the coast.

The City's Central Business District (CBD) is a historical district containing wooden structures, many of which are more than 100 years old and generally two stories high in very close proximity. Because the Fire Protection District is voluntary, and may be delayed as fire fighters commute from work or home to respond to a fire, the risk that a fire would spread from building to building in the CBD and have a substantial impact on the City's downtown businesses is increased.

- B. **Geologic.** Fort Bragg, located on the northern California coast, has warm summer days and very wet winters. The City is located in a rural setting with rugged coastline forming its western boundary and rugged mountainous areas forming its eastern boundaries. The City has potentially active seismic hazards in close proximity.

The geological conditions of the City and surrounding rural community isolates the City and in the event of an emergency, including fires, could limit or even cut the City off from assistance from other jurisdictions.

- C. **Climatic.** Fort Bragg has climatic conditions which are unique in character. The City is subject to year-round coastal winds including storm conditions. Winter storms with gale-force winds often cause trees to fall onto roadways used for access by emergency fire equipment and personnel. Average yearly rainfall for the district is 37 inches which occurs from October to April and results in lush vegetation growth. During summer months, the morning fog also spurs vegetation growth. Natural vegetation creates hazardous fuel conditions that cause grassland and brush land fires each year. Afternoon winds can move a fire quickly in any part of the City, particularly during times of high temperatures and low humidity. The City has suffered from drought conditions, which reduces available water for firefighting.