

ORDINANCE NO. 1253

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ADDING SECTION 20.01.040 TO THE PERRIS MUNICIPAL CODE, ADOPTING CHAPTER 7-A OF THE CALIFORNIA BUILDING CODE RELATING TO FIRE PROTECTION BUILDING STANDARDS, AND ADOPTING A FIRE HAZARD SEVERITY ZONE MAP

WHEREAS, the California Building Standards Commission reviews proposed standards and amendments to the California Building Standards Code and adopts new editions and supplements to the Building Standards; and

WHEREAS, the State of California has adopted the 2007 California Building Standards Codes, which are required by State law to be utilized by each city throughout the state; and

WHEREAS, the City of Perris has adopted the 2007 California Codes, which included the new 2007 California Fire Code; and

WHEREAS, the Department of Forestry and Fire Protection has completed their r-mapping of fire hazard severity zones for lands where the State and cities have fiscal responsibility for wildland fire protection; and

WHEREAS, as described in State laws regulating “Very High Fire Hazard Severity Zones”, set forth in Government Code section 51175, et seq., this effort incorporates improved wildland fire behavior science, data sets, and understanding of structure ignition mechanisms during conflagrations; and

WHEREAS, the California Building Standards Commission approved the Office of the State Fire Marshal's emergency regulations amending the following section of the California Code of Regulations (CCR), Title 24, Part 2, known as the 2007 California Building Code by adopting Chapter 7-A, Materials and Construction Methods For Exterior Wildfire Exposure; and

WHEREAS, new buildings located in any Fire Hazard Severity Zone for which an application for a building permit is submitted on or after July 1, 2008, shall comply with all sections of the new requirements; and

WHEREAS, the City of Perris has been identified as having a Local Agency Very High Fire Hazard Severity Zone, as identified on the attached map; and

WHEREAS, the City is required to hold a public hearing on the second reading of the title of this ordinance and the title of the code to be adopted, pursuant to Government Code section 50022.3.

NOW THEREFORE, BE IT RESOLVED, that the City Council hereby does find, determine and declare based on evidence presented the following:

Section 1. The above recitals are all true and correct.

Section 2. The adoption of this ordinance is not a “project” as defined under the California Environmental Quality Act (“CEQA”) as each development occurring in the Local Agency Very High Fire Hazard Severity Zone will be required to undertake CEQA analysis, such that no environmental analysis is necessary in connection with the adoption of this ordinance.

Section 3. Section 20.01.040, “Chapter 7-A of the California Building Code, Materials and Construction Methods For Exterior Wildfire Exposure, adopted” is hereby added to the Perris Municipal Code to read:

“Chapter 7-A of the 2007 California Building Code, Materials and Construction Methods For Exterior Wildfire Exposure, and all appendices, tables and indexes thereto are adopted by the city or Perris.”

Section 4. The City Council hereby adopts the Fire Hazard Severity Zone Map attached hereto and incorporated herein as Exhibit A. The Fire Hazard Severity Zone map will be used to determine the areas of the City where Chapter 7-A of the California Building Code will be applied. The Fire Hazard Severity Zone map shall be reviewed by the Fire Chief and updated, as required, every 5 years.

Section 5. Severability. If any provision, section, paragraph, sentence or word of this ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

Section 6. Inconsistent Provisions. Any provision of the Perris Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

Section 7. Effective Date. The Mayor shall sign and the City Clerk attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This ordinance shall become effective 30 days from its adoption but the provisions to be codified herein shall not become effective until May 1, 2009.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Perris this 31st day of March, 2009.

Daryl R. Busch, Mayor

ATTEST:

Judy L. Haughney, City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PERRIS)

SS

I, Judy L. Haughney, City Clerk of the City of Perris, hereby certify that Resolution No. 1253 was adopted by the City Council of the City of Perris, at a regular meeting held on the 31st day of March, 2009 and that the same was adopted by the following vote:

AYES:	COUNCILMEMBERS:	Landers, Evans, Rogers, Yarbrough, Busch
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

Judy L. Haughney, City Clerk