

**DOCKETED**

<b>Docket Number:</b>	19-BSTD-06
<b>Project Title:</b>	Local Ordinances Exceeding the 2019 Energy Code
<b>TN #:</b>	231870
<b>Document Title:</b>	Town of Los Gatos Resolution 2019 061
<b>Description:</b>	Complete text of Town of Los Gatos Resolution findings for modifying 2019 California Building and Fire Codes
<b>Filer:</b>	Danuta Drozdowicz
<b>Organization:</b>	Town of Los Gatos
<b>Submitter Role:</b>	Public Agency
<b>Submission Date:</b>	1/31/2020 1:05:53 PM
<b>Docketed Date:</b>	1/31/2020

## RESOLUTION 2019-061

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS MAKING FINDINGS FOR MODIFYING THE 2019 CALIFORNIA BUILDING AND FIRE CODES

**WHEREAS**, Section 17958 of the Health and Safety Code requires that cities and towns choose between adopting ordinances and regulations imposing uniform codes setting rules and regulations for building, fire, mechanical, plumbing, electrical, and housing, or submitting to the regulations adopted by the State Building Standards Commission; and

**WHEREAS**, the Town of Los Gatos, in Chapter 6 and Chapter 9 of the Town Code, had previously adopted the uniform codes; and

**WHEREAS**, the State of California Building Standards Commission adopted 12 new Parts for the California Code of Regulations, CCR Title 24, which the Town will be required to enforce as written or as adopted with local amendments; and

**WHEREAS**, Sections 17958.5 and 17958.7 of the Health and Safety Code permits cities and towns to modify the California Code requirements if it makes express findings that such modifications are reasonably necessary because of local climatic, geological, geographical, or topographical conditions; and

**WHEREAS**, the Town of Los Gatos experiences low humidity, high wind, and warm temperatures during the summer months creating conditions which are particularly conducive to the ignition and spread of grass, brush, and structure fires; and

**WHEREAS**, the Town of Los Gatos is situated adjacent to active earthquake faults capable of producing substantial seismic events; and

**WHEREAS**, the Town of Los Gatos is partially located in rugged, steep, and heavily vegetated hillsides accessible over limited roadways that are steep, narrow, and circuitous; and

**WHEREAS**, the Town of Los Gatos is divided by a creek, freeways and other traffic corridors, and is partially located in hillside areas with limited access, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. Additionally, fire suppression capabilities will be severely limited should the water system be extensively damaged during a seismic event; and

**WHEREAS**, due to these climatic, geological, geographical, and topographical conditions, mitigation measures are necessary such as automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials, and other safeguards are necessary in order to minimize the risks to citizens, firefighters, and property resulting from the severity of a fire threat and potential delays in responding to such threats.

**WHEREAS**, the Town of Los Gatos finds that each of the amendments, additions and deletions to the California Energy Code contained in this ordinance are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, Public Resources Code Section 25402.1(h)2 and Section 10-106. of the Building Energy Efficiency Standards (Standards) establish a process which allows local adoption of energy standards that are more stringent than the statewide Standards, provided that such local standards are cost effective and the California Energy Commission finds that the standards will require buildings to be designed to consume no more energy than permitted by the California Energy Code; and

**WHEREAS**, the California Codes and Standards Reach Code Program, has determined specific modifications to the 2019 State Energy Code for each climate zone that are cost effective;

**WHEREAS**, based upon this analysis, the Town of Los Gatos finds that the local amendments to the California Energy Code contained in this ordinance are cost effective and will require buildings to be designed to consume no more energy than permitted by the California Energy Code;

**NOW, THEREFORE, BE IT RESOLVED:**

That the modifications to the California Codes contained in an Ordinance introduced by the Town Council on December 3, 2019, are reasonably necessary to address the climatic, geological, geographical, and topographical conditions described herein above.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 3<sup>rd</sup> day of December 2019, by the following vote:

COUNCIL MEMBERS:

AYES: Steve Leonardis, Rob Rennie, Marico Sayoc, Barbara Spector, Mayor Marcia Jensen

NAYS: None

ABSENT: None

ABSTAIN: None

SIGNED:



MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 12/11/19

ATTEST:



TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 12/16/19