

**TOWN OF SAN ANSELMO  
RESOLUTION NO. 3932**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO  
ADOPTING FINDINGS OF FACT AND CONFIRMING NEED FOR MODIFICATIONS TO  
THE CONSTRUCTION CODES BECAUSE OF LOCAL CONDITIONS**

**WHEREAS**, the Town Council of the Town of San Anselmo is considering the adoption of the following construction codes, with certain modifications:

- (a) 2010 edition of the California Building Code (CBC)(Title 24 Part 2) based upon the 2009 International Building Code (IBC) including Appendix G, Flood-Resistant Construction, Appendix H, Signs, Appendix I, Patio Covers, and Appendix J, Grading.
- (b) 2010 edition of the California Residential Building Code (CBC)(Title 24 Part 2.5) based upon the 2009 International Residential Code including Appendix G, Swimming Pools, Appendix H, Patio Covers, Appendix J, Existing Buildings, Appendix K, Sound Transmission.
- (c) 2010 edition of the California Electrical Code (CEC)(Title 24 Part 3) based upon the 2008 National Electrical Code (NEC).
- (d) 2010 edition of the California Mechanical Code (CMC)(Title 24 Part 4) based upon the 2009 Uniform Mechanical Code (UMC).
- (e) 2010 edition of the California Plumbing Code (CPC)(Title 24 Part 5) based upon the 2009 Uniform Plumbing Code (UPC).
- (f) 2010 edition of the California Energy Code (CEC)(Title 24 Part 6).
- (g) 2010 California Historical Building Code (Title 24 Part 8)
- (h) 2010 California Green Building Standards Code (CALGreen)(Title 24 Part 11).
- (i) 2009 International Property Maintenance Code (IPMC).

**AND, WHEREAS**, pursuant to Section 17958.5, 17958.7 and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of San Anselmo is required to make certain findings of fact to adopt modifications to the above referenced construction codes,

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

Pursuant to Sections 17958.5, 17958.7 and 18941.5 of the State of California Health and Safety Code, the Town Council of the Town of San Anselmo finds that the proposed modifications to the above-referenced construction codes (attached hereto) are reasonably necessary because of the local climatic, geological, and topographical conditions set forth below.

The Council recognizes and finds that, because of the steep terrain, narrow roads, proximity to the San Andreas and Hayward seismic faults, and the potential flooding of the San Anselmo Creek, unique conditions exist that require special consideration whenever construction is proposed within the Town. Additionally, due to the high temperatures, humidity, rainfall, wind, and restricted accessibility by fire apparatus, and the lack of water supply for domestic use and fire suppression, there are hazards within the Town that require solutions in addition to those specified within the various construction codes.

The Council finds that local, climatic, geological, and topographical conditions exist within the Town

that require special provisions for the safety of residents and property.

- A large portion of the town is located within FEMA Flood Zone A and historically has sustained significant damage due to rain runoff and the water from the San Anselmo Creek overflowing its banks.
- The town is designated as within Seismic Design Categories D, E and F and is located in close proximity to the San Andreas and Hayward seismic faults indicated by the U.S. Geological Survey and California Division of Mines and Geology.
- The hilly areas are susceptible to earth sliding due to both uncontrolled storm water drainage and geology.
- The town is densely populated with virtually all structures constructed of wood framing and most with combustible exterior materials.
- Many buildings were erected prior to the enactment of modern zoning and building codes with the result that many are located with little to no property setbacks which can negatively affect the provision of fire protection services at those locations.
- The hilly topography of most of the town, combined with the narrow roads, adversely impact the fire department's ability to respond to emergency situations.
- The water pressure and supply available for fire suppression is limited in the hilly areas of the town.

In recognition of these unique and serious hazards, and in the interest of public health and safety and prevention of loss of life and property, the Council finds that the Code modifications set forth in the attached proposed ordinance are reasonably necessary.

As required by the California Health and Safety Code Section 17958.7, the attached proposed construction codes (with modifications) set forth each of the modifications to the construction codes to which all the above findings refer.

I, the undersigned, hereby certify the foregoing is a full, true, and complete copy of a resolution duly passed and adopted by the Town Council of the Town of San Anselmo at a regular meeting thereof held on the 9<sup>th</sup> day of November, 2010, by the following vote:

AYES: Coleman, Greene, Kroot, McInerney, Thornton

NOES: None

ABSENT: None

Barbara Thornton

Mayor

ATTEST

[Signature]  
Town Clerk