

ORDINANCE NO. 3907

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CALIFORNIA FIRE CODE SECTION 4702.1 AND DESIGNATING WILDLAND-URBAN INTERFACE FIRE AREAS, AS RECOMMENDED BY THE CHIEF OF THE FIRE DEPARTMENT

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The Santa Rosa City Council hereby declares Wildland-Urban Interface Fire Areas, as recommended by the Chief of the Fire Department, in the City of Santa Rosa Local Responsibility Area as areas to be at significant risk from wildfires. The Wildland-Urban Interface Fire Areas include Very High Fire Hazard Severity Zones recommended by the Director of the California Department of Forestry and Fire Protection pursuant to Public Resource Code sections 4201 – 4204 and Government Code sections 51175 – 51189.

Section 2. Section 18-44.4702.1 is added to the Santa Rosa City Code to read as follows:

“18-44.4702.1 Definition - Wildland-Urban Interface Fire Area.

The definition of “Wildland-Urban Interface Fire Area,” as set forth in California Fire Code section 4702.1, is amended to read as follows:

Wildland-Urban Interface Fire Area is a geographical area in the City of Santa Rosa at significant risk from wildfires as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009, and retained on file in the City Geographic Information System and in the Office of the City’s Fire Marshall. The Wildland-Urban Interface Fire Area includes Very High Fire Hazard Severity Zones recommended by the Director of the California Department of Forestry and Fire Protection pursuant to Public Resource Code sections 4201 – 4204 and Government Code sections 51175 – 51189.”

Section 3. Findings of Fact. The Council finds that the standards for buildings within the City of Santa Rosa should comply with the 2007 CALIFORNIA FIRE CODE, with adopted amendments. Based on materials presented by the Fire Chief of the City of Santa Rosa, and the recommendations of the Board of Building Regulations Appeals, the Council finds that it is necessary for effective fire protection in the area to make procedural and administrative modifications and changes to the model codes as amended and adopted by the State of California and specifically adopted and amended in the Santa Rosa City Code. Such standards are needed for efficient, economical, and expeditious enforcement of the Fire Code in the City of Santa Rosa. The Council further finds and determines, based on the materials and reports presented, that the substantive amendment to the California Fire Code, which is adopted in this Ordinance, is hereby determined to be reasonable and necessary because of local conditions and does not lessen, diminish or change the standards set forth within the California Fire Code except as authorized by law. If any non-administrative or non-procedural model code provision or

applicable State of California amendment is in conflict with this ordinance, it is the intent of this ordinance to amend or delete such provision when findings of local conditions are stated as required by sections 17958.5 and 17958.7 of the Health and Safety Code.

Said local conditions are: Heavy accumulations of flammable plant material covering mostly hilly areas, periodic high winds, and an extended dry season.

Section 4. Environmental Determination. The Council finds and determines that this ordinance establishes a regulatory process, as authorized by law, involving procedures for the protection of the environment and is exempt from the California Environmental Quality Act (CEQA) as a Class 8 categorical exemption under the State CEQA Guidelines. The Council further finds and determines that the adoption of this ordinance is also exempt from CEQA under the provisions of State CEQA Guidelines, section 15061 (b) (3), in that it can be seen with certainty that there is no possibility that the provisions enacted by this ordinance may have a significant effect on the environment.

Section 5. Severability. If any section, subsection, clause, phrase or work of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance shall take effect on the 31st day following its adoption.


IN COUNCIL DULY PASSED this 3rd day of March, 2009.

AYES: (4) Councilmembers Sawyer, Jacobi, Wysocky and Olivares

NOES: (0)

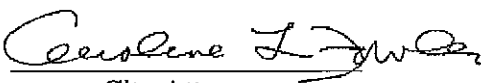
ABSENT: (0)

ABSTAIN: (3) Mayor Gorin, Vice Mayor Vas Dupre, Councilmembers Bender

ATTEST:   
City Clerk

APPROVED:   
Mayor

APPROVED AS TO FORM:

  
City Attorney