

APTOS/LA SELVA FIRE PROTECTION DISTRICT

RESOLUTION NO. 10-16

**RESOLUTION FINDING MODIFICATION OF STATE
HOUSING LAW BY ORDINANCE 02-16, REASONABLY
NECESSARY BECAUSE OF LOCAL CONDITIONS**

WHEREAS, Health and Safety Code Section 13869.7 provides that a fire protection district organized under the Bergeson Fire District Law may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code, and;

WHEREAS, Health and Safety Code Section 13869.7 provides that any such changes or modifications that are more stringent and relate to fire and panic safety are subject to subdivision (b) of Health and Safety Code Section 18941.5, and;

WHEREAS, subdivision (b) of Health and Safety Code Section 13869.7 allows a fire district to establish more restrictive building standards reasonably necessary because of local climatic, geological or topographical conditions after making the findings required by Health and Safety Code Section 17958.7.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that insofar as Ordinance 02-16 of the Aptos/La Selva Fire Protection District may change or modify the State Housing Standards adopted pursuant to Health and Safety Code Section 17922, as to the requirement for installation of an automatic sprinkler system in all new buildings and in specific cases existing buildings when altered, the Board of Directors of the Aptos/La Selva Fire Protection District, after duly noticed and held public meeting, expressly finds that such change or modification to Section 903 etal of Part 9 of the California Building Standards Code is reasonably necessary because of local conditions as more specifically set forth as follows:

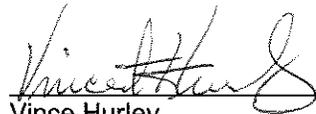
1. The Aptos/La Selva Fire Protection District is extraordinarily inaccessible for firefighting purposes due to mountainous topography; or
2. The Aptos/La Selva Fire Protection District poses an extreme fire hazard due to the high percentage of forested land (approximately 50%),
3. The Aptos/La Selva Fire Protection District is subject to major disasters such as earthquakes, flooding, landslides and major wildland fires which greatly limit traditional fire suppression capabilities for individual property protection. The Aptos/La Selva Fire Protection District is situated on and near the most active seismic zones in California, the San Andreas, San Gregorio, Zayante, and Hayward Faults. The great potential for earthquakes influences our community. As witnessed in the 1989 Loma Prieta Earthquake, a major seismic event will create a demand on fire protection services, and through the use of automatic fire suppression systems, the potential for a catastrophic fire loss to a community can be partially mitigated.
4. The Aptos/La Selva Fire Protection District is favored with many sources of high quality water, including springs, wells, reservoirs, and surface streams, mutual and municipal water companies. However, the underground water sources are becoming depleted and extensive steps have been taken to reduce the amount of water consumed. The water supply in the Aptos/La Selva Fire Protection District makes extensive use of automatic fire sprinkler systems feasible as a means to reduce our dependency on large volumes of water for fire suppression.

5. The local climatic conditions affect acceleration, intensity and size of fire in the community. Times of little or no rainfall, create extremely hazardous conditions when a fire is introduced to the environment. Fires in structures can easily spread to the wildland as well as a fire in the wildland into a structure.
6. Most of the roadways connecting our community are classified as rural arterial and collectors. These roadways in many cases do not allow for 2-way traffic to safely pass. Additionally during events such as wildfires, earthquake and flooding, the roadways have proven to be less than adequate for the response of emergency vehicles.
7. The experience and efficiency of automatic fire sprinkler systems within the Aptos/La Selva Fire Protection District exceed those of the National Fire Protection Association which indicate that automatic fire sprinkler systems have established an efficiency record of approximately 96% satisfactory performance in the United States since 1925. The local statistics show that all fires have been extinguished with fewer than 2 fire sprinkler heads activating, and that no further fire suppression was necessary upon arrival of fire suppression forces.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Secretary of the Board is directed to mail a copy of these findings together with the modification or change expressly marked and identified to the California Department of Housing and Community Development and obtain a file stamped endorsed copy from the commission for retention in the District's office.

PASSED AND ADOPTED BY THE Board of Directors of the Aptos/La Selva Fire Protection District, County Santa Cruz, State of California, at a regular meeting held on the August 11th, 2016 by the following roll call vote:

AYES: Abendshan, Foster, Hurley, Spisak, Weatherford
NOES: ○
ABSENT: ○
ABSTAIN: ○



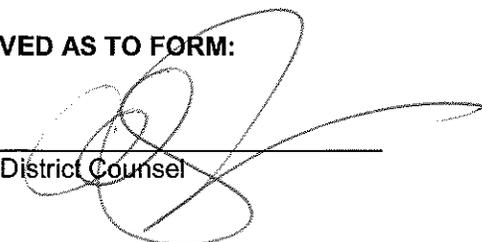
 Vince Hurley
 President of the Board of Directors

Attest:



 Secretary of the Board

APPROVED AS TO FORM:



 District Counsel