

ORDINANCE NO. 4104**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING ARTICLE II OF CHAPTER 74 OF THE POMONA CITY CODE WITH THE ADOPTION OF SECTION 701A.3.2, "NEW BUILDINGS LOCATED IN ANY FIRE HAZARD SEVERITY ZONE," OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 2, 2007 CALIFORNIA BUILDING CODE**

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;

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;

WHEREAS, the City of Pomona adopted the 2007 California Codes in December 2007, which included the new 2007 California Fire Code;

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

WHEREAS, under Government Code section 51175 this effort incorporates improved wildland fire behavior science, data sets, and understanding of structure ignition mechanisms during conflagrations;

WHEREAS, on September 20, 2007 the California Building Standards Commission approved the Office of the State Fire Marshal's emergency regulations amending section 701A.3.2, "New Buildings Located in Any Fire Hazard Severity Zone," of the California Code of Regulations (CCR), Title 24, Part 2, known as the 2007 California Building Code (CBC);

WHEREAS, the City of Pomona has been identified as a "Local Agency Very High Fire Hazard Severity Zone;" 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.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Pomona as follows:

SECTION 1. That Article II, "Construction Standards," of Chapter 74, "Buildings and Building Regulations," of the Pomona City Code is hereby amended to include the following:

Sec. 74-32. Construction in Fire Hazard Severity Zones.

A. Pursuant to Government Code Section 51179(a), this section adopts the California Department of Forestry and Fire Protection (CAL FIRE) "Very High Fire Hazard Safety Zone Maps," which shall be kept on file in the Building and Safety Division and in the Office of the City Clerk as Exhibit A to Ordinance No. 4104.

B. Effective July 1, 2008, new construction or building expansion within any Very High Fire Hazard Safety Zone shall comply with all requirements of Chapter 7A of the California Building Code.

SECTION 2. That the above-referenced Very High Fire Hazard Safety Zone Maps, attached hereto as Exhibit A, are hereby adopted by this reference.

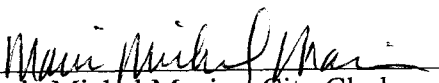
SECTION 3. If any portion of this Ordinance is found to be unconstitutional or invalid, the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part or portion. The City Council of the City of Pomona hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. The City Clerk shall attest and certify to the adoption of this Ordinance and it shall be in full force and effect thirty (30) days after the date of its adoption.

PASSED AND ADOPTED THIS 16TH DAY OF JUNE 2008.

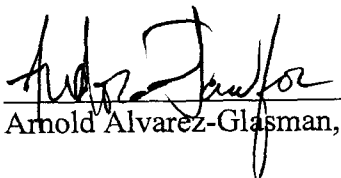
ATTEST:

CITY OF POMONA:


Marie Michel Macias, City Clerk


Norma J. Torres Mayor

APPROVED AS TO FORM:


Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, MARIE MICHEL MACIAS, CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was introduced for first reading on May 27, 2008 and adopted at second reading at a regular meeting of the City Council of the City of Pomona held on the 16th of June 2008.

AYES: COUNCILMEMBERS: HUNTER, CARRIZOSA, LANTZ, ROTHMAN, ATCHLEY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: RODRIGUEZ, MAYOR TORRES

ABSTAIN: COUNCILMEMBERS: NONE


Marie Michel Macias, City Clerk

