

Introduced by

Approved as to Form and Legality

Councilmember

Farinck Fay

City Attorney

OAKLAND CITY COUNCIL

Resolution No. 79268 C.M.S.

RESOLUTION OF FINDINGS MADE AND SUPPORTING LOCAL AMENDMENTS TO THE 2004 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 3 (CALIFORNIA ELECTRICAL CODE)

Whereas, the City Council of the City of Oakland shall consider adoption of local amendments to the 2004 edition of the California Building Standards Code, California Code of Regulations (CCR), Title 24, Part 3 (California Electrical Code); and

Whereas, prior to making such amendments, the City Council is required by Health & Safety Code Section 17958.7 to make express findings that such non-administrative amendments are reasonably necessary because of local climatic, geologic, or topographic conditions.

Now, therefore, the Council of the City of Oakland does resolve as follows:

Resolved, that the City Council finds and determines that the current Oakland Building Code, Chapter 15.04, Article I, Part 4 of Article II, and Part 4 of Article III of the Oakland Municipal Code and the recommended non-administrative amendments thereto impose substantially the same requirements as, and are thus equivalent to or exceed, uniform industry codes and current California Building Standards Code requirements; and be it further

Resolved, that to the extent the current Oakland Building Code and the recommended amendments thereto are not found to be equivalent to or to exceed general requirements contained in uniform industry codes and current California Building Standards Code requirements, the City Council finds that such amendments (attached) are necessary as result of unique local conditions identified hereinunder; and be it further

Resolved, that this Resolution shall take effect immediately, unless otherwise required by the charter of the City of Oakland or statute of the State of California; and be it further

Resolved, that the City Clerk is hereby directed to file this Resolution and a copy of the ordinance amending Chapter 15.04 (Oakland Building Code) of the Oakland Municipal Code with the California Building Standards Commission.

City of Oakland Amendments to the 2004 Edition of the California Electrical Code

o Article I

This added section establishes administrative regulations setting forth the general submittal and fee assessment requirements for ministerial permits.

o Article II, Part 4

This added section establishes supplemental administrative regulations setting forth the specific submittal requirements for ministerial electrical permits.

o Article III, Part 4

This added section establishes supplemental non-administrative regulations setting forth special requirements for ministerial electrical permits for construction in the Fire Damaged, Fire Hazard, and North Oakland Hills Specific Plan areas. These changes are needed and are necessary and reasonable due to the following local conditions:

- The area is physically isolated from the rest of the City and is characterized by heavily landscaped areas, natural wilderness, and open space which have extremely dry vegetation with a high fuel load for potential wildfire conflagrations annually from May through October.
- The topography is hilly and the geology is rocky and subject to land subsidence due to poor soil quality and water saturation, which dictates minimum excavation of hillsides and resulting narrow and winding streets. Emergency response time and access is adversely impacted.
- Electrical transmission facilities are necessarily above ground and subject to damage from land instability, seismic activity, and prevailing winds and resulting power failures supplying water pumping stations or natural vegetation fire hazards.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 07 2005, 2005

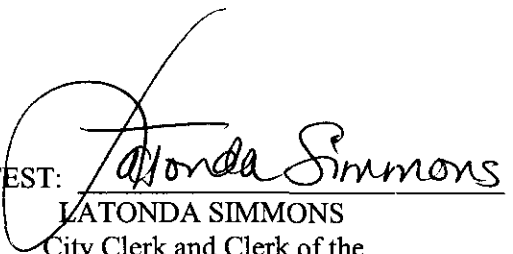
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the
Council of the City of Oakland, California