

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF VENTURA ADOPTING EXPRESS FINDINGS
REGARDING AMENDMENT AND ADOPTION OF THE
CALIFORNIA BUILDING STANDARDS CODE AND THE
INTERNATIONAL PROPERTY MAINTENANCE CODE AND
INTERNATIONAL SWIMMING POOL AND SPA CODE, WHICH REGULATE
BUILDINGS AND STRUCTURES SUBJECT TO THE STATE BUILDING
STANDARDS LAW AND THE CALIFORNIA HOUSING LAW

WHEREAS, by the enactment of uniform statewide building law, and mandate that local governments adopt Uniform Building Code (UBC) [*Currently the 2018 International Building Code, (IBC)*] and California Building Standards Code (CBSC), the California State Legislature has shown its intent to preempt local governments from legislating on the subject, except as narrowly permitted under Health and Safety Code. *Leslie v. Superior Court* (1999) 73 Cal.App.4th 1042; and

WHEREAS, pursuant to Health and Safety Code Sections 17958.5 and 17958.7, a County may make such modifications in the requirements of the regulations adopted pursuant to Health and Safety Code Section 17922 as it determines to be reasonably necessary because of local conditions if it makes express findings that such modifications are needed and if such findings, together with the modifications, are made public records on file with the Building Official, and filed with the California Building Standards Commission pursuant to Health and Safety Code Section 17958.7; and

WHEREAS, pursuant to the decision in the case of *Baum Electric Co. v. City of Huntington Beach* (1973) 33 Cal. App. 3rd 573, a County may make such modifications in the requirements of the regulations adopted pursuant to Health and Safety Code Section 17922 as it deems to be reasonably necessary in order to safeguard life and property if it makes express findings that such modifications are needed and if such findings, together with the modifications, are made public records on file with the Building Official; and

WHEREAS, the County has made minor technical and administrative modifications in the requirements of the regulations adopted pursuant to Health and Safety Code Sections 17922 and 17958.5, as it has reasonably deemed necessary to safeguard life and property and which reflect local conditions, and are more stringent than their corresponding UBC [*Currently the 2018 International Building Code, (IBC)*] and CSBC regulations (*Griffith v. City of Santa Cruz* (2012) 207 Cal.App.4th 982).

NOW, THEREFORE, BE IT RESOLVED that it is reasonably necessary because of local climatic, geological, or topographical conditions to modify certain sections and adopt the 2018 International Property Maintenance Code and 2018 International Swimming Pool and Spa Code, and 2019 California codes as shown on the attached Ordinance entitled “The 2019 Ventura County Building Code (VCBC).”

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| County of Ventura Board of Supervisors 2019 VCBC Findings Exhibit 4 - Resolution Adopting Express Findings Regarding Modification of Codes Subject to the State Housing Law |
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Upon motion of supervisor _____, seconded by
Supervisor _____, and duly carried, the
foregoing resolution was approved on _____, 2019.

Chair, Board of Supervisors

ATTEST:

Michael Powers,
Clerk of the Board of Supervisors

By: _____
Deputy Clerk