

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 the 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. 3<sup>rd</sup> 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 several 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 provisions in the California Codes.

THEREFORE, BE IT RESOLVED that it is reasonably necessary because of local climatic, geological, or topographical conditions to modify certain sections of the California Building Standards Code and adopt the 2021 International Property

Maintenance Code and 2021 International Swimming Pool and Spa Code and adopt the 2022 California Building Standards Codes as shown on the attached Ordinance entitled "The 2022 Ventura County Building Code (VCBC)."

Upon motion of supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and duly carried, the foregoing resolution was approved on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chair, Board of Supervisors  
County of Ventura

ATTEST: DR. SEVET JOHNSON  
Clerk of the Board of Supervisors  
County of Ventura, State of California

By: \_\_\_\_\_  
Deputy Clerk of the Board