

LEGISLATION

Jurisdictions wishing to adopt “*Enhanced Building Resilience*” as an enforceable regulation governing structures and premises should ensure that certain factual information is included in the adopting legislation at the time adoption is being considered by the appropriate governmental body. The following sample adoption legislation addresses several key elements, including the information required for insertion into the code text.

SAMPLE LEGISLATION FOR ADOPTION OF *ENHANCED BUILDING CODE REQUIREMENTS FOR WILDFIRES* CODE ORDINANCE NO. ____

A[N] [ORDINANCE/STATUTE/REGULATION] of the [JURISDICTION] adopting the *Enhanced Building Code Requirements for Wildfires*, regulating, and governing the conditions of all property, buildings, and structures; by providing the standards for physical criteria essential to ensure that structures are capable of maintaining suitable conditions for occupation and use after exposure to a wildfire exposure event in the [JURISDICTION]; repealing [ORDINANCE/STATUTE/REGULATION] No. _____ of the [JURISDICTION] and all other ordinances or parts of laws in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the [TITLE OF JURISDICTION'S KEEPER OF RECORDS] of [NAME OF JURISDICTION], being marked and designated as the *Enhanced Building Code Requirements for Wildfires*, is hereby adopted in addition to the **2022 California Residential Code, Title 24, Part 2.5 with July 2024 Supplement**, in the State of California for regulating and governing the conditions buildings and structures; by providing the standards for conditions essential to ensure that structures are safe and fit for occupation and use; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said **2022 California Residential Code, Title 24, Part 2.5 with July 2024 Supplement** on file in the office of the [JURISDICTION] are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following *Appendix BA* is hereby added to the **2022 California Residential Code, Title 24, Part 2.5 with July 2024 Supplement** and considered a part of the requirements in [NAME OF JURISDICTION]

[See APPENDIX BA, *Enhanced Building Resilience*]

Section 3. That [ORDINANCE/STATUTE/REGULATION] No. _____ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE LEGISLATION OR LAWS IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the [JURISDICTION'S KEEPER OF RECORDS] is hereby ordered and directed to cause this legislation to be published. (An additional provision may be required to direct the number of times the legislation is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.