

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, REPEALING AND ADOPTING CHAPTERS 15.04 OF THE HESPERIA MUNICIPAL CODE, AND ADOPTING BY REFERENCE THE 2025 CALIFORNIA BUILDING CODE, 2025 CALIFORNIA RESIDENTIAL CODE, 2025 CALIFORNIA ELECTRICAL CODE, 2025 CALIFORNIA MECHANICAL CODE, 2025 CALIFORNIA PLUMBING CODE, 2025 CALIFORNIA FIRE CODE, 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2025 CALIFORNIA ENERGY CODE, 2025 CALIFORNIA HISTORICAL CODE, 2025 CALIFORNIA EXISTING BUILDING CODE, 2025 CALIFORNIA ADMINISTRATIVE CODE, 2025 CALIFORNIA WILDLAND-URBAN INTERFACE CODE, AND 2025 CALIFORNIA REFERENCED STANDARDS CODE

WHEREAS, The City of Hesperia has the authority and responsibility to regulate building construction to protect the public health, safety, and welfare; and

WHEREAS, Title 15, Chapters 15.04 of the Hesperia Municipal Code were adopted for that purpose, and contain such building regulations and grading regulations for the City of Hesperia; and

WHEREAS, The California Building Standards Commission published the 2025 California Building Code, 2025 California Residential Code, 2025 California Electrical Code, 2025 California Mechanical Code, 2025 California Plumbing Code, 2025 California Fire Code, 2025 Administrative Code, 2025 California Green Building Standards Code, 2025 California Energy Code, 2025 California Historical Code, the 2025 California Existing Building Code, 2025 California Administrative Code, 2025 California Wildland-Urban Interface Code, and 2025 California Referenced Standards Code, (hereafter, 2025 Building Codes) on July 1, 2025; and

WHEREAS, The City of Hesperia wishes to make certain changes and amendments to the 2025 suite of California Building Codes; and

WHEREAS, The California Building Standards Commission voted to establish January 1, 2026, as the effective date for the 2025 Building Codes; and

WHEREAS, The California Government Code, Section 50022.2 authorizes cities to adopt Building Codes by reference; and

WHEREAS, The California Health and Safety Code, Section 17922, 17958.5, and 17958.7 allows modifications to the 2025 Building Codes when they are reasonably necessary to better protect the public safety by reducing the risk of hazards to life and property of the citizens of Hesperia due to:

1. Topographic conditions. The City of Hesperia is situated in the High Desert Region of the Western Mojave Desert. The elevation rises from three thousand two hundred (3,200) feet in the north to about four thousand (4,000) feet above sea level to the south. Isolated from the population centers of the Los Angeles basin by the San Gabriel and San Bernardino Mountains. The only access to timely mutual aid response is through the Cajon Pass. In the event of a major fire or earthquake in the Pass, assistance from the south would be unable to reach the City. The City of Hesperia covers a large geographical area of over seventy-three square miles, is bisected by the BNSF Railway, the Southern Pacific

Railroad, the California aqueduct, the Interstate 15 Freeway, and two major electrical transmission corridors which cause limited access across and through the City. The limited access slows emergency response times for public safety personnel.

2. Geologic conditions. The City of Hesperia is located within fifteen (15) kilometers of the San Andreas Fault and within ten (10) kilometers of the Cleghorn and North Frontal fault systems. The proximity to these local earthquake faults creates an increased potential for severe ground shaking and surface ruptures which can cause personal and property damage, utility interruptions, fire hazards and hazardous materials releases. Additionally, significant roadway, bridge structure, water supply and communications systems are subject to failure, thereby causing a detriment to emergency services response times and fire suppression delivery.
3. Climatic conditions. The City of Hesperia lies within the High Desert Region of the Western Mojave Desert, an area subject to extremely strong winds, commonly known as "Santa Ana Winds" which can reach speeds in excess of 80 miles per hour. Extensive damage frequently accompanies these winds, such as blowing sand and debris, downed power lines, fallen trees and structural damage to buildings. These conditions result in increased demand for fire services, blocked or delayed emergency vehicle access and impaired water supplies and building emergency systems. During summer months, the Santa Ana Winds produce periods of extremely low humidity, thereby reducing the moisture content of vegetative fuels and increasing the possibility and severity of fire from dry vegetation and other common combustibles. Also, during the summer months, the City of Hesperia experiences prolonged periods of temperatures in excess of one hundred degrees Fahrenheit (100°F). When coupled with sustained severe Santa Ana Winds, an increase in the threat from rapidly moving wildfires exists. The City of Hesperia does not have a storm drainage system and therefore during the winter months, heavy rains occasionally cause damage to roadways or leave built-up mud and debris, rendering them completely impassible, or with limited access, sometimes for extended periods.

WHEREAS, A copy of the 2025 Building Codes identified in this Ordinance have been filed with the City Clerk of the City of Hesperia and are kept in the office of the Building Official in accordance with California Government Code Section 50022.6; and

WHEREAS, On November 18, 2025, the City Council of the City of Hesperia conducted a duly noticed Public Hearing as required by Government Code Section 50022.3 and concluded said hearing on that date; and

WHEREAS, All legal prerequisites to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE HESPERIA CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. All of the facts set forth in the forgoing recitals are true, correct and are adopted as findings.

Section 2. Chapter 15.04 of the Hesperia Municipal Code entitled "Building Codes", adopted by Ordinance No. 2022-16 is hereby repealed, provided that said repeal shall not apply to or excuse any violations thereof occurring prior to the effective date of this Ordinance and provided further that the building regulations as adopted by reference and amended by Ordinance 2022-16 shall be applicable to construction projects for which plans have been submitted for plan review and the plan review fees paid as of December

31, 2025; provided that neither the plan review nor permits issued for construction of the structure expire.

Section 3. Chapter 15.04 of the Hesperia Municipal Code entitled "Building Codes" is hereby added as set forth in "Exhibit A" attached hereto and incorporated herein by this reference.

Section 4. This Ordinance shall take effect on January 1, 2026.

Section 5. The City Council of the City of Hesperia hereby declares that should any provision, section, paragraph, sentence, or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words shall remain in full force and effect.

Section 6. The City Clerk shall certify to the adoption of the Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution 93-78.

ADOPTED AND APPROVED this December 2, 2025.

Mayor

ATTEST:

Jessica Giber, Assistant City Clerk