



Report to City Council

TO: Mayor and City Council

FROM: Allen Brock, Community Development Director

AGENDA DATE: November 15, 2016

TITLE: ADOPTION OF 2016 CALIFORNIA BUILDING CODES, CALIFORNIA CODE OF REGULATIONS, TITLE 24, INCORPORATING THE LATEST EDITIONS OF THE MODEL CODES WITH AMENDMENTS

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Ordinance.
2. Introduce Ordinance No. 915, an Ordinance of the City Council of the City of Moreno Valley, California, amending Title 8 of the City of Moreno Valley Municipal Code by repealing and replacing Chapters 8.20, 8.22, 8.23, 8.24, 8.26, 8.36 and adopting, as modified, the California Building Standards Code, California Code of Regulations, Title 24; the 2016 California Building Code; the 2016 California Mechanical Code; the 2016 California Residential Code; the 2016 California Plumbing Code; the 2016 California Electrical Code; the 2016 California Fire Code; and adopting other regulations relating to Building and Fire Prevention requirements.

SUMMARY

The adoption of the 2016 California Building Standards Code, California Code of Regulations, Title 24 as amended will ensure that minimum building standards are implemented to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Moreno Valley.

DISCUSSION

In accordance with California Health and Safety Code Sections 17922 and 18935, the California Building Standards Commission approved the adoption of new model codes relating to fire and life safety. The California Building Standards Commission has advised local jurisdictions that the State will adopt the 2016 Editions of the California Building Code, California Mechanical Code, California Residential Code, California Plumbing Code, California Electrical Code, and California Fire Code. Once the California Building Standards Commission amends the model codes to include California specific amendments, local jurisdictions are given 180 days to further amend the code by local ordinance.

In addition to State amendments, Moreno Valley has made various “Findings of Need” with regard to specific building and fire amendments to be adopted to reflect Moreno Valley’s unique climatic, geographical and topographical conditions.

The California Building Standards Commission has indicated that the above referenced codes will become effective at the local level on January 1, 2017. In order to include local amendments and adequately protect first responders, the business community and citizens, we must complete our adoption process 30 days prior to this date. The adoption of the code into the Moreno Valley Municipal Code provides for an orderly administration of the codes by city building and fire officials.

This recommended action contributes to the pursuit of Momentum MoVal Strategic Plans Priorities of Economic Development and Beautification, Community Engagement, and Quality of Life by regulating the safety and usability of the structures in the built environment.

ALTERNATIVES

1. Approve the introduction and first reading of the proposed Ordinance incorporating local amendments to the California Building Standards Code in accordance with Health and Safety Code, §§ 17950 and 18938 (b). *This alternative is recommended by staff to ensure effective codes for the future development of Moreno Valley.*
2. Do not approve the introduction and first reading of the proposed Ordinance of the California Building Standards Code with amendments thus reducing measures ensuring consistent development. *This alternative is not recommended by staff.*

FISCAL IMPACT

There is no fiscal impact with the adoption of this Ordinance.

NOTIFICATION

The City Council meeting of November 1, 2016, has been properly noticed as a Public Hearing as required by Government Code Section 6066.

PREPARATION OF STAFF REPORT

Prepared By:
Allen D. Brock
Community Development Director

Department Head Approval:
Allen D. Brock
Community Development Director

Concurred By:
Adria Reinertson
Fire Marshall

Concurred By:
Abdul Ahmad
Fire Chief

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 5.6: Enhance community outreach, partnership opportunities, and stakeholder ownership of the City's parks and recreation services, programs and events.

ATTACHMENTS

- 1. Ordinance No. 915 - 2016 Code Adoption

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	10/18/16 2:33 PM
City Attorney Approval	<u>✓ Approved</u>	10/18/16 3:00 PM
City Manager Approval	<u>✓ Approved</u>	10/18/16 3:27 PM

HISTORY:

11/01/16	City Council	FIRST READING OF ORDINANCE
Next: 11/15/16		

ORDINANCE NO. 915

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 8, OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REPLACING CHAPTERS 8.20, 8.22, 8.23, 8.24, 8.26, 8.36, AND ADOPTING, AS MODIFIED, THE 2016 CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24: INCLUDING THE 2016 CALIFORNIA BUILDING CODE, THE 2016 CALIFORNIA MECHANICAL CODE, THE 2016 CALIFORNIA RESIDENTIAL CODE, THE 2016 CALIFORNIA PLUMBING CODE, THE 2016 CALIFORNIA ELECTRICAL CODE, AND THE 2016 CALIFORNIA FIRE CODE, AND ADOPTING OTHER REGULATIONS RELATING TO BUILDING AND FIRE PREVENTION REQUIREMENTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date on which this Ordinance becomes effective and operative.

SECTION 2. CONTINUING EFFECT:

2.1 Notwithstanding Section 1.1 of the Ordinance, and solely for the purposes of this Section 2.1, this Ordinance shall be construed as a continuation of said prior enactments as the same may have been heretofore amended from time to time, and compliance therewith prior to the effective date hereof shall be deemed to be compliance with this Ordinance unless provided otherwise herein.

2.2 Except as specifically or by necessary implication required to the contrary by this Ordinance, no right or entitlement granted, or obligation imposed, or action or proceeding commenced or taken pursuant to a prior resolution or ordinance repealed or modified hereby shall be deemed to be invalidated, waived, terminated or otherwise affected by the enactment hereof.

SECTION 3. EFFECT OF ENACTMENT:

3.1 Except as specifically provided herein, nothing contained in this Ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4. FINDINGS:

4.1 The International Code Council is a private organization which has been in existence for at least three (3) years.

4.2 The 2016 California Building Code, the 2016 California Fire Code, the California Building Standards Code, and the California Fire Code Standards published by said organization, are a nationally recognized compilation of proposed rules, regulations, and standards of said organization.

4.3 The California Building Code and the California Fire Code have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the California Government Code and said code has been adopted and amended by the California Building Standards Commission into the California Code of Regulations (CCR) as Title 24, 2016 edition.

4.4 That one (1) copy of the 2016 California Building Code based on the 2015 International Building Code and one (1) copy of the 2016 California Fire Code based on the 2015 International Fire Code have been on file for use and examination by the public in the office of the Building Official prior to adoption of this Ordinance.

4.5 That the sections of the International Building Code and California Building Code Standards may be referred to by the same number used in said published compilation preceded by the words "City of Moreno Valley International Building Code Section" or "International Building Code Section" or "Building Code Section". Said amendments to the California Building Standards Code under the California Building Code shall be referred to in the same manner as listed above for ease of application.

4.6 That the sections of the California Fire Code may be referred to by the same number used in said published compilation preceded by the words "City of Moreno Valley California Fire Code Section" or "California Fire Code Section" or "Fire Code Section". Said amendments to the California Building Standards Code under the California Fire Code shall be referred to in the same manner as listed above for ease of application.

4.7 Pursuant to Section(s) 17958.5(a) and (b) as well as Section 17958.7 of the California Health and Safety Code, the Section contained herein shall be submitted as the "Findings of Need" with regard to the specific California Building Code and California Fire Code Ordinance Amendments adopted by the City of Moreno Valley and addressed herein. Additional requirements and standards herein are necessary to properly protect the health, safety and welfare of the existing and future residents as well as workers of the City of Moreno Valley. Under the provisions of Section 17958.7 of the Health and Safety Code, local amendments shall be based on climatic, geological or topographical conditions. The "Findings of Need" contained herein shall address each

of these situations and shall present the local situation which singularly or in combination cause the established amendments to be adopted. Each such modification is identified as to which section such finding refers.

4.7.1 Life Safety: That the additional requirements and standard established herein are needed to properly protect the health, safety, life and limb, and welfare of existing and future residents, workers and guests of the City of Moreno Valley.

4.7.2 That these changes and modifications to the standards published in the California Building Code and California Fire Code are reasonably necessary because of local climatic, geological, and topographical conditions. The following are hereby adopted as non-inclusive specific findings in respect to such local conditions and refer to amendments made to the California Building Code, California Code of Regulations, Title 24, and International Fire Code as more particularly set forth below.

Climatic Conditions:

4.7.2.1 The City of Moreno Valley receives relatively low amounts of precipitation, low humidity and high temperatures. Such climate conditions are conducive to the spread of fire (Information from the University of California, Riverside, Meteorological Weather Station). This finding refers to and supports modifications to 4906.4, 5601.1.3, 5601.1.3.1, 5607.1.1 of the California Fire Code, 2016 edition.

4.7.2.2 Strong winds, commonly referred to as the Santa Ana Winds, have reached speeds up to 57 miles per hour in Moreno Valley during various months of past years. Damage that can occur during such winds includes the creation of highly flammable conditions of brush, downed trees, utility poles, utility circuits, and power line (Wind speeds documented at March Air Reserve Base). This finding refers to and supports modifications to Chapter 1, Division II, Section 105.2 of the California Building Code, 2016 edition and to Chapter 1, Division II, Section R105.2 of the California Residential Code, 2016 edition. This finding also refers to and supports modifications to 606.10.1.2, 4906.4, 5601.1.3, 5601.1.3.1, 5607.1.1 of the California Fire Code, 2016 edition.

4.7.2.3 Other areas within the City of Moreno Valley are subject to landslides, wind erosion, blown sand, flooding and wildfires. This finding refers to and supports modifications to Chapter 1, Division II, Section 105.2 of the California Building Code, 2016 edition and to Chapter 1, Division II, Section R105.2 and Section R405.1 of the California Residential Code, 2016 edition. This finding also refers to and supports modifications to 4906.4, 5601.1.3, 5601.1.3.1, 5607.1.1 of the California Fire Code, 2016 edition.

Geological:

4.7.2.4 Within the city limits of Moreno Valley, there are two (2) earthquake faults; the San Jacinto Fault and the Casa Loma Fault. There are also other faults in the immediate adjacent areas. In the event of a severe earthquake¹ these faults present the potential for catastrophic damage including fire, damage to roadways, and other impairments of emergency apparatus (Fault information from California Division of Mines and Geology). This finding refers to and supports modifications to Chapter 1, Division II, Section 105.2 of the California Building Code, 2016 edition and to Chapter 11 Division II, Section R 105.2 and Chapter 4, Section R403.1.3 and Section R405.1 of the California Residential Code, 2016 edition.

4.7.2.5 There is a lack of fire hydrants and water supply to new construction hillside areas in the City of Moreno Valley. This finding refers to and supports modifications to Sections 505.1903.2, 903.3.5.3, 4906.4 of the California Fire Code, 2016 edition.

4.7.2.6 In Moreno Valley there are known areas where the radio coverage is insufficient to ensure the life safety of emergency personnel due to the mountainous and hilly terrain at the City's northern and eastern boundaries. These areas include the Reche Vista area, the Hidden Springs area near Box Springs Mountain, and the entrance to San Timoteo Canyon off of both Moreno Beach Boulevard and Redlands Boulevard near the northern City limits. This finding refers to and supports modifications to Sections 508.1; 508.1.1, 508.1.3; 508.1.5; 508.1.7 of the California Fire Code, 2016 edition.

Topographical:

4.7.2.7 Development has occurred and continues to occur in Moreno Valley at a rapid pace. Traffic congestion occurs during certain peak business hours, weekends, and on holidays along main thoroughfares such as Sunnymead Blvd., Perris Blvd., Alessandro Blvd., Heacock St., Pigeon Pass/Frederick St., and at some points along Indian St. and Cactus Ave. (Information provided by the Transportation Engineering Division of the Public Works Department). This finding refers to and supports modification 505.1 of the California Fire Code, 2016 edition.

4.7.2.8 The distance between fire stations, and the response time in our City compared to the time when flashover generally occurs creates a need for on-site fire suppression capability in all structures, and also the need for specific turning radius and turnaround requirements for fire apparatus. In order to accommodate fire equipment during emergency response, we find that fire apparatus roads, grades, turning radius and turnaround dimensions are required as set forth herein. This finding refers to and supports modifications to Sections 505.1, 606.10.1.2, 903.2, 903.3.5.3 of the California Fire Code, 2016 edition.

4.7.2.9 Moreno Valley has a number of different water companies serving the area, with varying capacity to deliver water flows for fire suppression purposes. This finding refers to and supports modifications to Sections B105.1, C103.2, 507.5.7, 903.2, 903.3.5.3 of the California Fire Code, 2016 edition.

4.7.2.10 Radio communications and ability to communicate can be hindered by topographical features in Moreno Valley as well as building design which can include subterranean structures. It is vital to ensure there is adequate radio coverage and breathing air throughout the City for the life safety of the emergency response personnel. This finding refers to and supports modifications to Sections 508.1; 508.1.1; 508.1.3; 508.1.5; 508.1.7 of the California Fire Code, 2016 edition.

SECTION 5. MUNICIPAL CODE AMENDED:

5.1 Chapter 8.20 of Title 8 of the City of Moreno Valley Municipal Code is hereby repealed and replaced in its entirety to read as follows:

“Chapter 8.20

California Building Code

Sections

8.20.010 Adopted

8.20.010 Adopted

The California Building Code, 2016 Edition, based on the 2015 International Building Code as published by the International Code Council, excluding Chapter 29 and Chapter 34 and including Appendix H and the Standards referred to therein, is adopted and made part of this title by reference with the following modifications:

- A. Chapter 1, Division II, Section 101.2, Exception is amended to read as follows:
Exception: Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height, shall comply with the California Residential Code, Title 24, Part 2.5.
- B. Chapter 1, Division II, Section 101.4 is deleted.
- C. Chapter 1, Division II, Section 105.1.1 and 105.1.2 are deleted.
- D. Chapter 1, Division II, Section 105.2, Building 2 is hereby amended to read as follows:

Fences not over six (6) feet high, masonry concrete block walls under three (3) feet measured from top of footing, or combination masonry concrete block walls under (3) feet measured from top of footing, with any approved building material wood, wrought iron, chain link not exceeding (6) feet in total height.

Chapter 1, Division II, Section 105.3.2 is amended to read as follows:

Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit had been issued; except that that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- E. Chapter 1, Division II, Section 107.3.3 is deleted.
- F. Chapter 1, Division II, Section 113 is deleted.
- G. Chapter 3, Section 304.1 is amended to include (show in bold)

Motor Vehicle Showrooms
Police and Fire Stations
 Post Office

- H. Chapter 9, Section 903.2 is amended to read as follows:

In all new buildings and structures which are 3,600 square feet or greater an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where the California Fire Code is requiring more restrictive requirements in Sections 903.2.1 – 903.2.19, the more restrictive requirement shall take precedence.

Any existing building shall retrofit with automatic fire sprinklers when a structure exceeds 3,600 square feet and additions are made which exceed thirty-three (33) percent of the original building square footage.

Exception: Detached Group U occupancies with setback distances of 50 feet or more from the property line or other structures.

- I. Chapter 9, Section 903.3.5.3 is amended to read as follows:

Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

Exception: When static pressure exceeds 100 psi, and required by the Fire Code Official, the fire sprinkler system shall not exceed water supply capacity specified by Table 903.3.5.3.”

5.2 Chapter 8.22 of Title 8 of the City of Moreno Valley Municipal Code is

hereby repealed and replaced in its entirety to read as follows:

“Chapter 8.22

California Mechanical Code

Sections

8.22.010 Adopted

8.22.010 Adopted

The California Mechanical Code, 2016 Edition, including Appendices B, C and D thereto, based on the 2015 Uniform Mechanical Code and the Standards incorporated therein, as published by the International Association of Plumbing and Mechanical Officials is adopted and made a part of this chapter by reference with the following modifications:

- A. Chapter 1, Division II Section 104.3.3 is amended to read as follows
- B. Expiration of Plan Review. Applications for which no permit is issued within one-hundred and eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review shall by permitted to be returned to the applicant or destroyed by the City. The City shall be permitted to extend the time for action by the applicant for a period not to exceed one-hundred and eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.
- C. Chapter 1, Division II Section 104.4.3 is amended to read as follows
 Expiration. Every permit issued under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one-hundred and eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one-hundred and eighty (180) days. Before such work can be recommenced, a new permit must first be obtained.
 A permittee holding an unexpired permit shall be permitted to apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The City shall have the authority to extend the time for action by the permittee for a period not exceeding one –hundred and eighty (180) days upon written request by the permittee showing that circumstances beyond the control of said permittee have prevented action from being taken.
- D. Chapter 1, Division II Section 106.3 is deleted.”

5.3 Chapter 8.23 of Title 8 of the City of Moreno Valley Municipal Code is hereby repealed and replaced in its entirety to read as follows:

“Chapter 8.23

California Residential Code

Sections

8.23.010 Adopted

8.23.010 Adopted

The California Residential Code, 2016 Edition, based on the 2015 International Residential Code and the Standards referred to therein, as published by the International Code Council, is adopted and made part of this chapter by reference with the following modifications:

- A. Chapter 1, Division II, Section R105.2, Building 2 is hereby amended to read as follows:
 Fences not over six (6) feet high, masonry concrete block walls under three (3) feet measured from top of footing, or combination masonry concrete block walls under (3) feet measured from top of footing, with any approved building material wood, wrought iron, chain link not exceeding (6) feet in total height.
- B Chapter 1, Division II, Section R106.3.3 is deleted.
- C. Chapter 1, Division II, Section R112 is deleted.
- D. Chapter 3, Table R301.2(1) is revised to read:

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k	Special Wind region ^l	Wind-borne debris zone ^m		Weathering ^a	Frost Line depth ^b	Termite ^c					
Zero	110	No	No	No	D ² or E	Negligible	12"	Very Heavy	43	No	Per Title 8	0	64

For SI: 1 pound per square foot = 0.0479kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering

8

Ordinance No. 915

Date Adopted: November 15, 2016

- index, “negligible,” “moderate” or “severe” for concrete as determined from Figure R301.2(3). The grade of masonry units shall be determined from ASTM, C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
 - c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
 - d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
 - e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
 - f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
 - g. The jurisdiction shall fill in this part of the table (a) the date of the jurisdiction’s entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel number and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
 - h. In accordance with Section R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with “YES.” Otherwise, the jurisdiction shall fill in this part of the table with “NO.”
 - i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32^oF).”
 - j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32^oF).”
 - k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with “YES.” Otherwise, the jurisdiction shall indicate “NO” in this part of the table.
 - l. In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with “YES” and identify any specific requirements. Otherwise, the jurisdiction shall indicate “NO” in this part of the table.

- m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate “NO” in this part of the table.”

5.4 Chapter 8.24 of Title 8 of the City of Moreno Valley Municipal Code is hereby repealed and replaced in its entirety to read as follows:

“Chapter 8.24

California Plumbing Code

Sections

8.24.010 Adopted

8.24.010 Adopted

The California Plumbing Code, 2016 Edition, including the Appendices thereto, based on the 2015 Uniform Plumbing Code and installation standards incorporated therein, as published by the International Association of Plumbing and Mechanical Officials, is adopted and made part of this chapter by reference with the following modifications:

- A. Chapter 1, Division II Section 104.3.3 is amended to read as follows
 Expiration of Plan Review. Applications for which no permit is issued within one-hundred and eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review shall be permitted to be returned to the applicant or destroyed by the City. The City shall be permitted to extend the time for action by the applicant for a period not to exceed one-hundred and eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.
- B. Chapter 1, Division II Section 104.4.3 is amended to read as follows
 A permittee holding an unexpired permit shall be permitted to apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The City shall have the authority to extend the time for action by the permittee for a period not exceeding one –hundred and eighty (180) days upon written request by the permittee showing that circumstances beyond the control of said permittee have prevented action from being taken
- C. Chapter 1, Division II Section 104.5 is deleted.”

5.5 Chapter 8.26 of Title 8 of the City of Moreno Valley Municipal Code is hereby repealed and replaced in its entirety to read as follows:

“Chapter 8.26

California Electrical Code

Sections

8.26.010 Adopted

8.26.010 Adopted

The California Electric Code, 2016 Edition, based on the 2014 National Electric Code as published by the National Fire Protection Association, is adopted and made a part of this chapter by reference.”

5.6 Chapter 8.36 of Title 8 of the City of Moreno Valley Municipal Code is hereby repealed and replaced in its entirety to read as follows:

“Chapter 8.36

California Fire Code

8.36.010 Adopted

APPLICATION AND ADOPTION OF THE CALIFORNIA FIRE CODE. Except as stated in this Section or as amended below in Section 5 of this Ordinance, all of the provisions and appendices of the 2016 California Fire Code, inclusive of all of the inclusions and exclusions set for in each chapter’s matrix, are hereby adopted and shall apply to the unincorporated areas of Riverside County. In addition, the following provisions that are excluded in the 2016 California Fire Code are hereby adopted - Chapter 1, Division II of the California Fire Code is hereby adopted, except that Section 103.2 and 108.3 are not adopted, and Chapters 3, 25, and Sections 403.12, 503, 510.2, and 1103.2 are adopted.

8.36.020 Administrative

A. Section 102.5 is hereby amended as follows:

102.5 Application of residential code. Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

- 1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall apply.
- 2. Administrative, operational and maintenance provisions of this code shall apply.

3. Automatic fire sprinkler system requirements of this code shall apply to detached accessory buildings 3,600 square feet or greater in accordance with Section 903.2. The provisions contained in Section 903.2.18 of the California Fire Code or Section R309.6 of the California Residential Code may be used for the design of the automatic fire sprinkler system for detached private garages.

B. Section 103.2 of the California Fire Code is hereby amended to read as follows:

103.2 Appointment. The Fire Chief, Fire Marshal or their designees shall be appointed by the chief appointing authority of the jurisdiction; and the Fire Chief, Fire Marshal or their designees shall not be removed from office without prior consultation with the County Fire Chief regarding implementation, administration and enforcement of the provisions of this Code.

C. Sections 103.4 and 103.4.1 of the California Fire Code are hereby deleted in their entirety and replaced with the following:

103.4 Liability. Any liability against Riverside County or Moreno Valley or any officer or employee for damages resulting from the discharge of their duties shall be as provided by law.

D. Section 104.1.1 is hereby added to the California Fire Code to read as follows:

104.1.1 Authority of the Fire Chief.

(1) The chief and his or her designees are authorized and directed to enforce all applicable State fire laws and the provisions of this code and he or she shall perform such related duties as may be fixed by the City Council, and for such purposes, he or she shall have the power of a peace officer.

(2) The chief is authorized to administer, interpret and enforce this code. Under the chief's direction, the fire department is authorized to enforce all ordinances of the jurisdiction pertaining to:

- a. The prevention of fires,
- b. The suppression or extinguishment of dangerous or hazardous fires,
- c. The storage, use and handling of hazardous materials,
- d. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment,
- e. The maintenance and regulation of fire escapes,
- f. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction,

12

Ordinance No. 915

Date Adopted: November 15, 2016

- g. The maintenance of means of egress, and
- h. The investigation of the cause, origin and circumstance of fire and unauthorized releases of hazardous materials.

(3) The following persons are hereby authorized to interpret and enforce the provisions of this Code (except as provided in Section 101.4) and to make arrests and issue citations as authorized by law:

- a. The Unit Chief and peace officers and public officers of the California Department of Forestry and Fire Protection.
- b. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.
- c. The City Fire Marshal and members of the Moreno Valley Fire Prevention Bureau.
- d. The Riverside County Sheriff and any Deputy Sheriff.
- e. The Police Chief and any Police Officer of any city served by the County Fire Department.
- f. Officers of the California Highway Patrol.
- g. Code Officers of the City of Moreno Valley Code Enforcement Department.
- g. Peace Officers of the California Department of Parks and Recreation.
- h. The law enforcement officers of the Federal Bureau of Land Management.

E. Section 104.12 is hereby added to the California Fire Code to read as follows:

104.12 Authority of the Fire Chief to close hazardous fire areas. Except upon National Forest Land, the Fire Chief is authorized to determine and announce the closure of any hazardous fire area or portion thereof. Any closure by the Fire Chief for a period of more than fifteen (15) calendar days must be approved by the Riverside County Board of Supervisors and/or City Council within fifteen (15) calendar days of the Fire Chief's original order of closure. Upon such closure, no person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas. During such closure, the Fire Chief shall erect and maintain at all entrances to the closed area sufficient signs giving notice of closure. This section shall not prohibit residents or owners of private property within any closed area, or their invitees, from going in or being upon their lands. This section shall not apply to any entry, in the course of duty, by a peace officer, duly authorized public officer or fire department personnel. For the purpose of this section, "hazardous fire area" shall mean public or private land that is covered with grass, grain, brush or forest and situated in a location that makes suppression difficult resulting in great damage. Such areas are designated on Hazardous Fire Area maps filed with the office of the Fire Chief.

F. Section 108.1 of the California Fire Code is hereby amended as follows:

13
Ordinance No. 915
Date Adopted: November 15, 2016

108.1 Board of appeals established. The Board of Appeals shall be the County Executive Officer. If he or she determines an outside board is needed, he or she shall designate an outside hearing officer to hear the appeal. The Fire Chief shall be notified of any appeal and the Fire Chief or designee shall be in attendance at the appeal hearing. Depending on the subject of the appeal, specialized expertise may be solicited, at the expense of the applicant, for the purpose of providing input to the Appeals Board.

G. Section 109.4 is hereby deleted in its entirety and replaced with the following:

109.4 Violation and penalties. It shall be unlawful for any person, firm, corporation or association of persons to violate any provision of this ordinance, or to violate the provisions of any permit granted pursuant to this code. Punishments and penalties for violations shall be in accordance with the City of Moreno Valley ordinances, fee schedule and Health and Safety Code Sections 17995 through 17995.5.

H. Section 113.2 is hereby deleted in its entirety and replaced with the following:

113.2 Schedule of permit fees. Fees for services and permits shall be as set forth in the City of Moreno Valley fee schedule.

I. Section 113.6 is hereby added to the California Fire Code to read as follows:

113.6 Cost recovery. Fire suppression, investigation, rescue or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1, as may be amended from time to time. Additionally, any person who negligently, intentionally or in violation of law causes an emergency response, including, but not limited to, a traffic accident, spill of toxic or flammable fluids or chemicals is liable for the costs of securing such emergency, including those costs pursuant to Government Code Section 53150, et seq, as may be amended from time to time. Any expense incurred by the City of Moreno Valley or Riverside County Fire Department for securing such emergency shall constitute a debt of such person and shall be collectable by Riverside County in the same manner as in the case of an obligation under contract, express or implied.

J. The following definition of Section 202 of the California Fire Code is hereby amended as follows:

FIRE CHIEF. The Fire Chief of Riverside County or the Fire Chief's designee.

8.36.030 Building and Equipment Design Features

- A. Section 503.2.1 of the California Fire Code is hereby amended as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). For additional requirements or alternatives see Riverside County Fire Department Standards and Policies, as may be amended from time to time.

- B. Section 503.2.2 is hereby amended as follows:

503.2.2 Authority. The fire code official shall be the only authority authorized to designate fire apparatus access roads and fire lanes and to modify the minimum fire lane access widths for fire or rescue operations

- C. Section 503.6.1 is hereby added to the California Fire Code to read as follows:

503.6.1 Automatic opener. New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicle in accordance with Riverside County Fire Department standards and Policies, as may be amended from time to time.

Exception: Gates serving individual one- and two-family dwelling parcels.

- D. Section 503.7 is hereby added to the California Fire Code to read as follows:

503.7 Loading areas and passenger drop-off areas. On private properties, where fire apparatus access roads are utilized for loading or unloading or utilized for passenger drop-off or pick-up, an additional eight (8) feet of width shall be added to the minimum required width for the fire apparatus access road.

- E. Section 505.1 is hereby amended as follows:

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers

shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) for R-3 occupancies, for all other occupancies the numbers shall be a minimum of 6 inches high with a minimum stroke width of 1 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

F. Section 507.5.7 is hereby added to the California Fire Code to read as follows:

507.5.7 Fire hydrant size and outlets. As determined by the fire code official, fire hydrant sizes and outlets shall be based on the following:

1. Residential Standard – one (1) four (4) inch outlet, and one (1) two and one half (2 ½) inch outlet.
2. Super Hydrant Standard – one (1) four (4) inch outlet, and two (2) two and one half (2 ½) inch outlet.
3. Super Hydrant Enhanced - two (2) four (4) inch outlet, and one (1) two and one half (2 ½) inch outlet.

G. Section 507.5.8 is hereby added to the California Fire Code to read as follows:

507.5.8 Fire hydrant street marker. Fire hydrant locations shall be visually indicated in accordance with Riverside County Fire Department Technical Policy 06-11, as may be amended from time to time. Any hydrant marker damaged or removed during the course of street construction or repair shall be immediately replaced by the contractor, developer or person responsible for removal or damage.

H. Section 508.1 of the California Fire Code is hereby amended as follows:

508.1 General. Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code and buildings greater than 300,000 square feet in area, and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1 through 508.1.6.

I. Section 508.1.1 of the California Fire Code is hereby amended as follows:

508.1.1 Location and access. The fire command center shall be located adjacent to the main lobby and shall be accessible from fire department vehicular access or as

approved by the fire code official. The room shall have direct access from the building exterior at the lowest level of fire department access.

J. Section 508.1.3 of the California Fire Code is hereby amended as follows:

508.1.3 Size. The fire command center shall be a minimum of 200 square feet (19 m²) in area with a minimum dimension of 10 feet (3,048 mm). When solely required due to building area greater than 300,000 square feet, the fire command center shall be a minimum of 96 square feet (9 m²) with a minimum dimension of 8 feet (2,438 mm).

K. Section 508.1.5 of the California Fire Code is hereby amended as follows:

508.1.5 Required features. The fire command center shall comply with NFPA 72 and shall contain the following features:

Exception: When solely required due to building area greater than 300,000 square feet, the fire command center shall comply with NFPA 72 and contain features 3, 5, 8, 10, 12, 13 and 14. All other features shall be provided only when the building contains the respective system.

L. Section 508.1.6 of the California Fire Code is hereby amended to add the following:

Exception: A fire command center solely required because a building is greater than 300,000 square feet in area shall comply with NFPA 72 and contain the features set forth in Section 508.1.6 subsections 5, 8, 10, 12, 13 and 14. The features set forth in Section 508.1.6 subsections 1, 2, 3, 4, 6, 7, 9, 11, 15, 16, 17, 18 and 19 shall be required when such building contains systems or functions related to these features.

M. Section 508.1.8 is hereby added to the California Fire Code:

508.1.7 Fire command center identification. The fire command center shall be identified by permanent easily visible sign stating "Fire Dept. Command Center," located on the door to the fire command center.

N. Section 606.10.1.2 Manual operation is hereby amended as follows:

606.10.1.2 Manual operation. When required by the fire code official, automatic crossover valves shall be capable of manual operation. The manual valves shall be located in an approved location immediately outside of the machinery room, in a secure metal box or equivalent and marked as Emergency Controls.

O. Section 903.2.11.1.1 of the California Fire Code is hereby amended to read as follows:

903.2.11.1.1 Opening dimension and access. Openings shall have a minimum dimension of not less than 36 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that the fire fighter or rescue cannot be accomplished from the exterior.

P. Section 903.2 of the California Fire Code is hereby amended as follows:

903.2 Where required.

1. New Buildings. In all new buildings and structures which are 3,600 square feet or greater, an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where the California Fire Code is requiring more restrictive requirements in Sections 903.2.1 – 903.2.19, the more restrictive requirement shall take precedence.

2. Existing Buildings. Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:

- a. When an addition is 33% or more of the existing building area, and the resulting building area exceeds 3,600 square feet (465 m²) as defined in Section 202; or
- b. When an addition exceeds 1,500 square feet (186 m²) and the resulting building area exceeds 3,600 square feet (465 m²) as defined in Section 202.

Exception: Unless required elsewhere in this code or the California Building Code, automatic fire sprinkler systems shall not be required for the following:

1. Detached Group U occupancies used for agricultural or livestock purposes, less than 5,500 square feet, and having setback distances of 50 feet or more from the property line and other buildings.
2. Detached non-combustible equestrian arena shade canopies that are open on all sides and used for riding only - no commercial, assembly or storage uses.
3. Detached fabric or non-combustible shade structures that are open on all sides and used to shade playground equipment, temporary storage of vehicles and dining areas with no cooking.
4. Detached Group U occupancy greenhouses less than 5,500 square feet.
5. Where determined by the Fire Chief that no major life safety hazard exists, and the fuel load does not pose a significant threat to firefighter safety or to other structures or property, automatic fire sprinklers may be exempted.

The following exceptions in the California Fire Code shall not be allowed:

- a. Exception in Section 903.2.3
- b. Exception 2 in Section 903.2.11.3

One- and two-family dwellings shall have an automatic fire sprinkler system regardless of square footage in accordance with the California Residential Code. Fire sprinkler systems shall be installed in mobile homes, manufactured homes and multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

Q. Section 903.3.5.3 of the California Fire Code is hereby amended as follows:

903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

8.36.040 Special Occupancies and Operations

A. Section 3204.2.1 is hereby added to the California Fire Code to read as follows:

3204.2.1 Minimum requirements for client leased or occupant owned warehouses. Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The fire protection engineer shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the onsite survey and discussions with the building owner or operator. The technical report shall describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include referenced design document(s), including NFPA 13 or the current applicable factory mutual data sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

8.36.050 Requirements for Wildland-Urban Interface Areas

A. Section 4904.3 is hereby added to the California Fire Code to read as follows:

4904.3 High Fire Hazard Severity Zone Maps. In accordance with Government Code Sections 51175 through 51189, Very High Fire Hazard Severity Zones are designated as shown on a map titled Very High Fire Hazard Severity Zones, dated December 24, 2009 and retained on file at the office of the Fire Chief, which supersedes other maps previously adopted by Riverside County designating high fire hazard areas.

B. Section 4906.4 is hereby added to the California Fire Code to read as follows:

4906.4 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in areas containing combustible vegetation shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
3. The fuel modification plans shall meet the criteria set forth in the Riverside County Fire Department Fuel Modification Technical Policy.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval by the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

8.36.060 Hazardous Materials

A. Section 5601.1.3 is hereby added to the California Fire Code to read as follows:

5601.1.3 Fireworks. The storage, use, sale, possession, and handling of fireworks 1.4G (commonly referred to as Safe and Sane) and fireworks 1.3G is prohibited.

Exception: Fireworks 1.4G and fireworks 1.3G may be part of an electrically fired public display when permitted and conducted by a licensed pyrotechnic operator.

B. Section 5601.1.3.1 is hereby added to the California Fire Code to read as follows:

5601.1.3.1 Seizure of fireworks. The fire chief shall have the authority to seize, take, remove all fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19 CCR, Chapter 6. Any seizure or removal pursuant to this section shall be in compliance with all applicable statutory, constitutional, and decisional law.

C. Section 5607.1.1 is hereby added to the California Fire Code to read as follows:

5607.1.1 Explosives and blasting. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within

wildland-urban interface areas, or hazardous fire areas except by permit from the fire code official.

8.36.070 Appendices

A. Table B105.2 of the California Fire Code is hereby amended as follows:

TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2)a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2)b	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow shall be not less than 1,000 gallons per minute.
- b. The reduced fire-flow shall be not less than 1,500 gallons per minute.

B. Section C103.1 of the California Fire Code is hereby amended as follows:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3. Fire hydrants shall also be provided at street intersections.”

SECTION 6. SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the meaning portions of this chapter or any part thereof. The city council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsection, subdivision, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 7. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 8. EFFECTIVE DATE:

21
Ordinance No. 915
Date Adopted: November 15, 2016

This ordinance shall take effect on January 1, 2017.

APPROVED AND ADOPTED this 15th day of November, 2016.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment: Ordinance No. 915 - 2016 Code Adoption [Revision 1] (2319 : ADOPTION OF 2016 CALIFORNIA BUILDING CODES, CALIFORNIA

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Marie Macias, Interim City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 915 had its first reading on November 1, 2016 and had its second reading on November 15, 2016, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 15th day of November, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tern and Mayor)

City Clerk

(SEAL)

**AFFIDAVIT OF POSTING
CITY OF MORENO VALLEY**

I, _____, City Clerk of the City of Moreno Valley, California, certify that on the ___ day of _____, 2016, I caused Ordinance No. _____ to be posted in the following places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Dated: _____, 2016

_____, City Clerk

(SEAL)

Attachment: Ordinance No. 915 - 2016 Code Adoption [Revision 1] (2319 : ADOPTION OF 2016 CALIFORNIA BUILDING CODES, CALIFORNIA