

**BUILDING STANDARDS COMMISSION**

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January 10, 2011

Lynn T. Mallotto, Deputy City Clerk  
City of Cathedral City  
68700 Avenida Lalo Guerrero  
Cathedral City, CA 92234

Dear Ms. Mallotto:

This letter is to acknowledge receipt on December 15, 2010 of the City of Cathedral City submittal pertaining to Ordinance No. 698 with findings and is acceptable for filing. Per Health and Safety Code Section 17958.8 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

  
Jane Taylor  
Senior Architect

cc: Chron  
Local Filings

ORDINANCE NO. 1698

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY AMENDING TITLE 8 OF THE CATHEDRAL CITY MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2010 CALIFORNIA BUILDING STANDARD CODES AND CERTAIN SPECIFIED APPENDICES THEREOF, INCLUDING THE 2010 CALIFORNIA BUILDING CODE, 2010 CALIFORNIA ELECTRICAL CODE, 2010 CALIFORNIA MECHANICAL CODE, 2010 CALIFORNIA PLUMBING CODE, 2010 CALIFORNIA FIRE CODE, 2010 CALIFORNIA ENERGY CODE, 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2010 CALIFORNIA RESIDENTIAL CODE, 2010 CALIFORNIA EXISTING BUILDING CODE AND THE 2010 HISTORICAL BUILDING CODE AND MAKING CERTAIN FINDINGS IN SUPPORT OF SPECIFIC ADDITIONS, DELETIONS AND/OR AMENDMENTS THERETO, ADOPTING SPECIFIED PORTIONS OF THE 1997 UNIFORM HOUSING CODE AND DELETING THE ADOPTION OF THE 1997 UNIFORM SIGN CODE, THE 1997 UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, AND DELETING THE RESIDENTIAL GREEN BUILDING ORDINANCE**

**WHEREAS**, the State has adopted and approved the 2010 edition of the California Building Standards Code (Code), which are published in Title 24 of the California Code of Regulations and are based on the latest national, uniform and international model building codes; and

**WHEREAS**, the Code was published in June, 2010 and will become effective and applicable to any building or structure for which application for a building permit is made on or after January 1, 2011; and

**WHEREAS**, pursuant to the California Building Standards Law (Health & Safety Code section 18941.5(b), the City is permitted to adopt amendments to the Code provided the amendments are more restrictive than the State adopted standards and are supported by findings of the City Council that the amendments are necessary due to local climatic, topographic or geological conditions; and

**WHEREAS**, on December 8, 2010, the City Council of the City of Cathedral City conducted a duly noticed public hearing to consider certain amendments to the building and construction standards set forth as Part 2 of the Code (24 Cal. Code of Regs. §§ 101 et seq.) which were proposed by the City's Building and Fire Officials as more stringent than the standards established by the Code and reasonably necessary to protect the health, welfare and safety of the citizens of Cathedral City because of local climatic, topographic and geological conditions; and

**WHEREAS**, at the conclusion of the public hearing at which evidence was presented and duly considered, the City Council found that the amendments recommended by the Building and Fire Officials were reasonably necessary to protect the health, welfare and safety of the citizens of Cathedral City because of local climatic, topographic and geological conditions.

**WHEREAS**, Government Code section 36937 provides that the City may adopt an ordinance that takes effective immediately when adopted for the immediate preservation of the public peace, health or safety, providing the ordinance contains a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the city council.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES ORDAIN AS FOLLOWS:**

**Section 1. FINDINGS**

A. The following findings are made in support of the adoption of more stringent fire protection measures than those provided under the California Building Standards Codes:

1. The City of Cathedral City has an arid desert climate with annual rainfall of approximately 3 inches. Temperatures exceed 100° Fahrenheit on average for four months of the year, with daily highs near 110° Fahrenheit during July and August. Surface area temperatures exceeding 160° Fahrenheit are common. Additionally, the area is subject to hot, dry winds during most months of the year. These hot, dry, windy climate conditions increase fire danger by drying and pre-heating combustible material and by fostering spontaneous combustion of flammable material. These conditions can hasten the spread and heighten the intensity of fires, thus, creating a need for an increased level of fire protection. The fire dangers that result from these desert conditions can be mitigated by: (i) requiring the installation of the proposed on-site fire protection systems; (ii) mandating the use of clay or concrete tiles as roofing materials because clay and concrete are more fire-resistive than other roofing materials permitted under the Code; and (iii) prohibiting the use of aluminum and copper-clad aluminum wiring smaller than size 1-0 because the smaller gauge aluminum wiring is more likely to fail under the desert conditions and result in mechanical failure which can lead to fires, electrical shocks and other hazardous conditions.

2. Cathedral City is located on or near several significant sources that have the potential to cause moderate to large earthquakes: San Andreas Fault Zone, Garnet Hill Fault, San Jacinto Fault, East Mojave Shear Zone and Pinto Mountain Fault. Severe seismic activity could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the City's Fire Department. Requiring the

installation of on-site fire protection systems including automatic fire sprinkler systems and the other proposed fire protection measures described above can partially mitigate the demand for fire protection services following a severe seismic event, resulting in improved fire safety for building occupants and the community at-large.

3. Elevation within the City limits ranges from 270 feet in the eastern portions of the City adjacent to the Whitewater River to 1,360 feet in the mountains in the most Northern boundaries of the City. Topography extends from flat to 6% slope for habitable land. Traffic and circulation congestion in the urban areas to buildings located in the commercial areas of the City often slows fire department response time to emergencies. Requiring the installation of on-site fire protection systems and the other proposed fire protection measures will supplement normal fire department response in new developments and result in improved fire safety for building occupants and the community at-large during fire occurrence.

4. Persistent drought conditions in the Colorado River Basin have resulted in water levels of Lake Mead and Lake Powell that are near-historic lows. On July 19, 2007, Governor Arnold Schwarzenegger declared a State of Emergency in Riverside County due to severe and continuing drought conditions. As a result of this water emergency, the City must take extensive steps to reduce the consumption of water, including its dependency on large volumes of water for fire suppression. Requiring the installation of on-site fire protection systems and the other proposed fire protection measures will provide an increased level of fire protection and reduce the City's dependency on large volumes of water for fire suppression.

5. The local climatic, geological and topographical conditions identified above create a heightened fire danger that requires the adoption of stringent fire protection measures. If not amended, the California Building and Fire Codes would permit the construction within the City of many new buildings and structures and the improvement of many existing buildings without on-site fire protection systems, with roofing materials other than clay or concrete tile, and with aluminum and copper-clad aluminum wiring smaller than size 1-0.

6. The City Council therefore finds that the amendments set forth herein afford more stringent requirements for fire protection than required by the State and that such amendments are necessary for the protection of the public's health, welfare and safety.

B. The following findings are made in support of the adoption of this ordinance as an Urgency Ordinance:

1. Local climatic and geological conditions create a heightened fire danger that requires the adoption of stringent fire and electrical wiring protection

measures. If this ordinance is not in place prior to January 1, 2011, the provisions of the California Building and Fire Codes effective on that date would permit the construction within the City of many new buildings and structures and the rehabilitation of certain existing buildings without installed automatic fire sprinkler systems and without the other fire protection measures proposed. As indicated in the prior Findings section, these conditions would create a heightened fire danger within the City. As such, the City Council finds that the passage of this ordinance as an urgency ordinance is necessary for the immediate preservation of the public health, welfare and safety.

**Section 2. DELETION OF CHAPTERS FROM TITLE 8 OF THE CATHEDRAL CITY MUNICIPAL CODE**

- A. Chapter 8.16 "Uniform Swimming Pool, Spa and Hot Tub Code" is hereby deleted from Title 8 as such matters are regulated within the adopted California Building Codes, as amended herein.
- B. Chapter 8.20 "Uniform Sign Code" is hereby deleted from Title 8 as such matters are regulated within the adopted California Building Codes, as amended herein.
- C. Chapter 8.56 "Residential Green Buildings" is hereby deleted from Title 8 as such matters are regulated within the adopted California Building Codes, as amended herein.

**Section 3. AMENDMENT OF CHAPTER 8.02 OF THE CATHEDRAL CITY MUNICIPAL CODE**

Chapter 8.02 entitled "California Building Standards Code" is hereby amended to read as follows:

**Chapter 8.02  
CALIFORNIA BUILDING STANDARDS CODE**

**8.02.010 California Codes Adopted without Amendment**

The following codes have been adopted by the California Building Standards Commission ("Commission") and are applicable within the City, without local amendments:

- A. 2010 California Energy Code. The 2010 California Energy Code is adopted by the Commission as Part 6 of Title 24 of the California Code of Regulations. The City adopts the 2010 California Energy Code without amendment.

B. 2010 California Historical Building Code. The 2010 California Historical Building Code is adopted by the Commission as Part 8 of Title 24 of the California Code of Regulations. The City adopts the 2010 California Historical Building Code without amendment.

C. 2010 California Existing Building Code. The 2010 California Existing Building Code is adopted by the Commission as Part 10 of Title 24 of the California Code of Regulations and is based on the 2009 International Existing Building Code. The City adopts the 2010 California Existing Building Code without amendment.

D. 2010 California Green Building Standards Code. The 2010 California Green Building Standards Code is adopted by the Commission as Part 11 of the California Code of Regulations. The City adopts the 2010 California Green Building Standards Code without amendment.

#### **8.02.020 California Codes Adopted with Appendices and Amendments**

The City adopts these other 2010 California Building Standards Codes and Appendices, with the local additions, deletions and amendments provided in the following chapters:

Chapter 8.04	Adoption of the 2010 California Building Code and certain Appendices and Amendments
Chapter 8.08	Adoption of the 2010 California Mechanical Code and certain Appendices and Amendments
Chapter 8.10	Adoption of the 2010 California Plumbing Code with certain Appendices and Amendments
Chapter 8.12	Adoption of the 2010 California Fire Code and certain Appendices and Amendments
Chapter 8.14	Adoption of the 2010 California Electrical Code, with certain Appendices and Amendments
Chapter 8.18	Adoption of the 2010 California Residential Code, with certain Appendices and Amendments

#### **8.02.030 Portions Uniform Housing Code, 1997 Edition**

The City adopts specified portions of the Uniform Housing Code, 1997 Edition, (UHC), with California amendments in the State Housing Law, Title 25, CCR, Division 1, Chapter 1, subchapter 1, section 32 as follows:

Only Chapters 4, 5, 6 and sections 701.2 and 701.3 of the 1997 UHC are adopted and applicable.

**Section 4. AMENDMENT OF CHAPTER 8.04 TO ADOPT THE 2010 CALIFORNIA BUILDING CODE WITH AMENDMENTS**

Chapter 8.04 of the Cathedral City Municipal Code is hereby re-titled as "California Building Code, 2010 Edition" and is amended to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety.

**Chapter 8.04  
California Building Code, 2010 Edition**

**8.04.010 California Building Code Adopted with Amendments**

A. Except for the local amendments set forth herein, there is adopted by reference the California Building Code, 2010 Edition, which is based upon the 2009 International Building Code and is published by the California Building Standards Commission as Part 2 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Building and Safety Division.

B. The California Building Code, 2010 Edition (hereinafter "Building Code") shall be the Building Code for the City and said Code together with the adopted appendices and the amendments set forth in this chapter shall regulate and govern the conditions and maintenance of all property, buildings and structures within the City by providing the standards for supplied utilities and facilities and other physical things and condition essential to ensure that structures are safe, sanitary and fit for occupation and use and providing for the condemnation and demolition of buildings and structures that are unfit for human occupancy and use, and the issuance of permits and collection of permit fees.

**8.04.020 Modifications, Amendments and Deletions to the Building Code**

A. The following modifications, amendments and deletions are made to the Building Code:

1. Section 101.1 is deleted in its entirety.
2. Section 103.1 is amended to read as follows:

**103.1 Creation of enforcement agency.** There is established within the City, the Building and Safety Division, which shall be

under the administrative and operational control of the Chief Building Official hereinafter referred to as the Chief Building Official.

3. Paragraph 2 of the Building portion of Section 105.2 is amended to reduce the height of fences which are exempt from permit requirements:

**Building:**

2. Fences and walls not over 3 feet.
4. Paragraph 4 of section 105.2 is deleted to remove the exemption from permit requirements for retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Section 109.1 is amended to read as follows:

**109.1 Payment of fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit under this Building Code, a fee for each permit shall be paid as required and in accordance with the fee schedule adopted by the City Council, a copy of which is on file with the Building and Safety Division.

6. Section 113.1 is amended to provide for the creation of the Board of Appeals:

**113.1 General.** In order to determine the suitability of alternate materials and methods of construction governed by this Building Code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall consist of five members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the City of Cathedral City. Members of the Board of Appeals shall be appointed by the City Council and shall serve without compensation. Each member shall serve on the Board of Appeals for a term of 4 years. A member may be dismissed at any time during his or her term by a majority vote of the City Council. Vacancies shall be filled in the same manner as the original appointment. All matters before the Board of Appeals shall be administered by the Chief Building Official or his or her authorized representative. The Board of Appeals shall adopt reasonable rules and regulations for hearing appeals and conducting its business and such rules and regulations shall be freely accessible to the public. The Board of Appeals shall render all decisions and findings

in writing with a duplicated copy to the applicant and may recommend to the City Council such new legislation as is consistent therewith.

7. Section 113.2 is amended to limit the authority of the Board of Appeals:

**113.2 Limitations on authority.** The Board of Appeals is created to determine the suitability of alternate materials and methods of construction governed by this Building Code. The Board of Appeals shall have no authority to waive requirements of the Building Code.

8. Section 113.4 is added to provide for the filing of appeals:

**113.4 Filing of appeals.** All appeals shall be made in writing and shall specify the order, decision or determination made by the Chief Building Official which is being appealed and wherein the Chief Building Official erred in making the order, decision or determination. The appeal shall be accompanied by a fee as established by the City Council. If, after reviewing the information submitted, the Chief Building Official determines the appeal does not merit a change in his or her order, decision, or determination, the Chief Building Official shall schedule a hearing by the Appeals Board and the appellant shall be notified in writing of the date and time of the hearing.

9. Section 114 is amended to provide for the enforcement of the Building Code:

#### **Section 114 VIOLATIONS**

**114.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or to cause the same to be done, in conflict with or in violation of any provisions of this code. It shall be unlawful for any person to erect, construct, alter or repair a building or structure in violation of the approved construction documents or directive of the Chief Building Official or of a permit or certificate issued under the provisions of this code.

**114.2 Public nuisance; Abatement.** Any violation of this Building Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 13.80 of the City's Municipal Code

may be abated in accordance with Title 13 of the City's Municipal Code.

**114.3 Penalties.** Any person who violates a provision of this Building Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Chief Building Official, or of a permit or certificate issued under the provisions of this Building Code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 13.65 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

10. Section 116 is amended to read as follows:

#### **Section 115 UNSAFE STRUCTURES AND EQUIPMENT**

**116.1 Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed an unsafe condition.

**116.2 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to maintain as unsafe structures or equipment regulated by this code, or cause the same to be done in conflict with or in violation of any provisions of this code.

11. Section 117 is added to require removal and disposal of trash and debris at building sites:

#### **Section 117 REMOVAL AND DISPOSAL OF TRASH AND DEBRIS**

**117.1. Trash Containers.** Trash container(s) shall be placed on each construction site and shall remain in place until construction is completed. Each trash container shall be constructed of solid wood, metal or wire mesh and shall be a minimum of three cubic yards in capacity. Should wire mesh be utilized as a material for a construction site trash container, said container shall be framed to adequately support the wire mesh. The floor and cover of a

container that is constructed of wire mesh shall be properly framed to provide adequate strength and support to withstand design loads and prevent breakage. Further, the lid for said container shall be hinged with a latching device that adequately secures the lid to the container while the container is not in use in order to prevent the lid from being blown open and/or off the container. The container shall be adequately anchored to prevent overturning by wind. Each container shall be provided with a hinged cover or lid which shall remain closed at all times while not in use. When construction is being performed simultaneously on an adjoining lot by one owner or contractor, then both construction sites may be serviced by a single container, provided that in no event shall a single container be utilized by more than two such construction sites. Where construction sites are separated by one or more lots, separate containers are required for each site. It shall be the contractor's responsibility to ensure that no container is located on or within any public right-of-way. It shall be the contractor's responsibility to ensure that all containers under his or her control are emptied of all deposited materials placed within said container(s) at least once every week. It shall be the contractor's responsibility to remove or cause to be removed all deposited materials within said container(s) as frequently as necessary to prevent overflowing of the container(s). A trash container shall be used at all times for storage of loose papers, cartons, bottles, cans, trash, and all other rubbish and debris. It shall be the contractor's responsibility to ensure that all individuals who are employed by him or her or act under his or her direction and control, observe and obey all regulations set forth herein.

**117.2. Inspections.** A permit holder shall not be entitled to and a building inspector shall not perform any inspections, including a final inspection, of any phase of completed construction work if the construction site or general area thereof contains an accumulation of construction rubbish and debris. In the event that a building inspector is unable to conduct a requested inspection because of an accumulation of rubbish and debris, a re-inspection fee shall be paid to the City at the time of the request for re-inspection.

**117.3. Definition.** Rubbish and debris for the purpose of this section includes, but is not limited to, stub ends of cut lumber, broken lumber and other scrap wood, scrap cement and plaster, scrap metal, paper cartons, wrappings, and other similar materials that result from the process of constructing a building or structure.

12. Section 902.1 is amended to modify the definition of "Automatic Sprinkler System" and to add the definition of "Common Area":

**AUTOMATIC SPRINKLER SYSTEM.** A sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply, such as a gravity tank, fire pump, reservoir or pressure tank and/or connection by underground piping to a city or water district water main. The portion of the system above ground is a network of specifically sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharge water over the fire area.

**COMMON AREA.** For the purposes of ADA compliance for visual notification, a common area shall be a room, space, or element made available for use of a restricted group of people (example, occupants of a homeless shelter, the occupants of an office building, or the guests of such occupants). Common areas shall include restrooms, hallways, lobbies, meeting and conference rooms, classrooms, cafeterias, filling and photocopy rooms, employee break rooms, open office areas exceeding 300 square feet, examination and treatment rooms, and similar areas that are not used solely as employee work areas. Mechanical, electrical and telephone closets, janitor closets, and similar non-occupied spaces that are not common areas or assigned work areas are not required to have visual alarm devices.

13. Section 903.2 is amended to require the installation of approved automatic fire sprinkler systems where the gross floor area under the roof requires a fire flow of 1500 GPM (gallons per minute) or more, regardless of the number of stories:

(a) Section 903.2.1.1 is amended as follows:

**903.2.1.1 Group A-1** An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area under the roof requires a 1500 GPM fire flow or more exceeds ~~12,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.1 remain the same)

(b) Section 903.2.1.2 is amended as follows:

**903.2.1.2 Group A-2** An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area *under the roof requires a 1500 GPM fire flow or more* exceeds ~~5,000~~ square feet. *Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.*

(The other provisions of section 903.2.1.2 remain the same)

(c) Section 903.2.1.3 is amended as follows:

**903.2.1.3 Group A-3** An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area *under the roof requires a 1500 GPM fire flow or more* exceeds ~~12,000~~ square feet. *Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.*

(The other provisions of section 903.2.1.3 remain the same)

(d) Section 903.2.1.4 is amended as follows:

**903.2.1.4 Group A-4** An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area *under the roof requires a 1500 GPM fire flow or more* exceeds ~~12,000~~ square feet. *Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.*

(The other provisions of section 903.2.1.4 remain the same)

(e) Section 903.2.1.5 is amended as follows:

**903.2.1.5 Group A-5.** An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas:

concession stands, retail areas, press boxes, and other accessory use areas in excess of 1,000 square feet, **or where the fire area under the roof requires a 1500 GPM fire flow or more, which fire area shall not be reduced due to the presence of fire resistive walls.**

(f) Section 903.2.3 is amended as follows:

**903.2.3 Group E.** Except as provided for in Sections 903.2.3.1 for a new public school campus and 907.2.3.6 (Automatic fire alarm system) for modernization of an existing public school campus buildings(s), an approved automatic fire sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas **with greater than a 1500 GPM fire flow requirement** ~~greater than 20,000 square feet.~~ **Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

2. Throughout every portion of educational buildings below the level of exit discharge.

**Exception:** An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level **and the fire area does not exceed a 1500 GPM fire flow requirement.**

(The other provisions of section 903.2.2 remain the same)

(g) Section 903.2.4 is amended as follows:

**903.2.4 Group F-1.** An approved automatic fire sprinkler system shall be provided throughout all buildings used for Group F occupancies where one of the following conditions exists:

1. Where a Group F-1 fire area exceeds **a 1500 GPM fire flow requirement** ~~12,000 square feet,~~ **regardless of stories.**

2. Where a Group F-1 fire area is located more than three stories above grade plane; or

3. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement 24,000 square feet.

Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of sections 903.2.4 remain the same)

(h) Section 903.2.7 is amended as follows:

**903.2.7 Group M.** An automatic fire sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exist:

1. Where a Group M fire area exceeds a 1500 GPM fire flow requirement 12,000 square feet, regardless of stories.

2. Where a Group M fire area is located more than three stories above grade plane; or

3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement 24,000 square feet.

Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(i) Section 903.2.8 is amended as follows:

~~903.2.8 Group R.~~ An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

**Exceptions:**

1. ~~Detached one and two family dwellings and multiple single family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress, unless specifically required by other sections of this code, or classified as Group R-4, provided the dwelling(s) do not have a fire flow requirement exceeding 1500 GPM.~~

~~2. Group U private garages accessory to a Group R-3 occupancy.~~

~~23. Group R 3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor, provided the dwelling(s) do not have a fire flow requirement exceeding 1500 GPM.~~

~~34. Pursuant to Health and Safety Code Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors, provided the buildings or portions thereof in which such children are housed do not have a fire flow requirement exceeding 1500 GPM.~~

~~45. Pursuant to Health and Safety Code Section 13143.6, occupancies licensed for protective care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over), provided the dwelling(s) do not have a fire flow requirement exceeding 1500 GPM.~~

(j) Section 903.2.9 is amended as follows:

**903.2.9 Group S-1.** An automatic fire sprinkler shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds a 1500 GPM fire flow requirement 12,000-square feet, regardless of stories.
2. A Group S-1 fire area is located more than three stories above grade plane; or
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement 24,000-square feet.

**Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

(k) Section 903.2.9.1 is amended as follows:

**903.2.9.1 Repair garages.** An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406, **where the fire area containing a repair garage exceeds a 1500 GPM fire flow requirement or where the vehicles serviced are parked in the basement,** as shown:

- ~~1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 10,000 square feet.~~
- ~~2. One-story building with a fire area containing a repair garage exceeding 12,000 square feet.~~
- ~~3. Buildings with a repair garage servicing vehicles parked in the basement.~~

(l) Section 903.2.10 is amended as follows:

**903.2.10 Group S-2.** An automatic sprinkler system shall be provided throughout **all** buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code or where located beneath other groups **containing a Group S-2 occupancy where one of the following conditions exist:**

- 1. A Group S-2 fire area exceeds a 1500 GPM fire flow requirement.**
- 2. A Group S-2 fire area is located more than three stories above grade plane.**
- 3. The combined area of all Group S-2 fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement.**

**Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

**An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code or where located beneath other groups.**

**Exception:** ~~Enclosed parking garages located beneath Group R-3 occupancies.~~

(m) Section 903.2.10.1 is amended as follows:

**903.2.10.1 Commercial parking garages.** An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds **a 1500 GPM fire flow requirement** 5,000 square feet.

(n) Section 903.2.19 is added to provide the conditions upon which automatic sprinkler systems must be installed for Group B occupancies:

**903.2.19 Group B. An automatic sprinkler system shall be provided for Group B occupancies where one of the following conditions exists:**

**1. Where the fire area exceeds a 1500 GPM fire flow requirement. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.**

**2. Where the fire area has an occupant load of 100 or more.**

**3. Where the fire area is located on a floor other than the level of exit discharge.**

(o) Section 903.2.20 is added to require the installation of automatic sprinkler systems for buildings constructed near an existing fire sprinkler protected structure:

**903.2.20 Buildings proximately located to protected building or structure. An approved automatic fire sprinkler system shall be installed in any building constructed within 10 feet of an existing fire sprinkler protected building or structure.**

(All other provisions of Section 903.2 not expressly amended herein remain unchanged)

14. Section 903.3.1.3 is amended to provide additional requirements for the installation of automatic sprinkler systems in one-and two-family dwellings:

**903.3.1.3 NFPA 13D sprinkler systems.** Where allowed automatic sprinkler systems installed in one-and two-family dwellings, including attached garages, carports and storage areas, shall be installed throughout in accordance with NFPA 13D. Pilot heads shall be required in attic areas every 1,000 square feet or portion thereof.

15. Section 903.4.3 is amended to provide additional requirements for floor control valves:

**903.4.3 Floor control valves.** Approved supervised indication control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings three or more stories in height unless otherwise approved by the Fire Chief. Valve locations will be determined and approved by the Fire Chief.

16. Section 907.2.13 is amended to include other occupancy types as requiring the installation of automatic fire alarm system and emergency voice/alarm communication systems:

**907.2.13 High-rise, mid-rise buildings.** High-rise and mid-rise buildings and buildings with a floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and emergency voice/alarm communication system in accordance with Section 907.2.12.2

17. Section 907.2.19 is amended to require all underground buildings to be equipped with a manual fire alarm system:

~~907.2.19 Underground buildings. Where the lowest level of a structure is more than 60 feet below the lowest level of exit discharge~~ **All underground buildings** shall be equipped throughout with a manual fire alarm system, including an emergency voice/alarm communication system installed in accordance with section 907.2.12.2.

18. Section 912 is amended to provide for the approval of the location, number of inlets and size of fire department connections and to provide additional requirements for the location of such connections:

(a) Section 912.2 is amended:

**912.2 Location.** With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hoses connected to supply the system will not obstruct access to the buildings for other fire apparatus. ~~The location of fire department connections shall be approved.~~ **The fire official shall approve the locations, number of inlets and size of fire department connections.**

(b) Section 912.2.1 is amended:

**912.2.1 Visible location.** Fire department connections shall be located on the front access side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the Fire Chief. **The location of fire department connections shall be approved and installed as follows:**

**1. Within 50 feet of an approved roadway or driveway and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, plantings, or other fire department connections and or otherwise approved by the Fire Chief.**

**2. Within 25 feet of an approved hydrant.**

**3. So that the inlet height shall not be less than 18 inches or more than 48 inches above grade.**

**4. Guard posts or other approved means may be required to protect fire department inlet connections from vehicular damage.**

**5. Fire department connection shall not be allowed in the rear of any building.**

**6. Fire department connections for NFPA 13R sprinkler systems shall be determined by the Fire Chief.**

19. Section 1505.1 of Chapter 15 of the Building Code is amended by adding an additional exception to require the installation of clay or concrete tile roofs for all new buildings of Group R and Group M occupancies:

**1505.1 General.** Roof assemblies shall be divided into the classes defined below. Class A, B and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on buildings shall comply with Table 1505.1 based on the type of construction of the building.

**Exception:**

**1.** Skylights and sloped glazing that comply with Chapter 24 or Section 2610.

**2. All new buildings of Group R and Group M occupancies that have a roof pitch of 2<sup>1/2</sup>":12" or greater shall have coverings of clay or concrete tile conforming to ASTM C 1167 and ASTM C 1492, respectively, and shall be installed in accordance with Table 1507.3.7.**

20. Section 1506.5 is added to Chapter 15 of the Building Code to provide that roofs of additions and alterations to existing buildings may be roofed in the same roofing material as the original building unless other materials are required by the Chief Building Official:

**1506.5 Additions and alterations. Roofs of all additions and alterations to existing buildings may be roofed in the same roofing material as the original building unless other materials are required by the Chief Building Official.**

21. Section 3109.2 is amended to define "swimming pool" in a manner that is consistent with the Swimming Pool Safety Act (Health and Safety Code § 115920-115929):

**3109.2 Definitions.**

**SWIMMING POOLS.** Any structure intended for swimming or recreational bathing or wading that contains water over 24 **18** inches deep.

(Remainder of section is unchanged).

22. Section 3109.3 is amended to require more stringent enclosure requirements for public swimming pools:

**3109.3 Public swimming pools.** Public swimming pools shall be completely enclosed by a fence at least 4 5 feet in height or a screen enclosure. (Remainder of section is unchanged).

23. Section 3109.4.1 is amended of the Building Code is amended to insert a new exception for private residential swimming pool barriers to read as follows:

**3109.4 Residential swimming pools.** Residential swimming pools shall comply with Sections 3109.4.1 through 3109.4.3.

**Exceptions.**

1. A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346.

2. **Private pools and spas constructed within the fenced and gated boundaries of a country club or similar fenced and gated residential development project are not required to be enclosed by a barrier, provided the swimming pool is equipped with one of the six other safety features described in Health and Safety Code Section 115922 of the Swimming Pool Safety Act.**

24. Section 3109.4.1 of the Building Code is amended to require more stringent enclosure requirements for residential swimming pools in a manner that is consistent with the Swimming Pool Safety Act:

**3109.4.1 Barrier height and clearance.** The top of the barrier shall be at least ~~48~~ 60 inches above grade measured on the side of the barrier that faces away from the swimming pool.

B. A copy of the foregoing modifications, amendments and deletions to the Building Code shall be maintained in the City's Building and Safety Division and shall be available for public inspection.

**8.04.040 Adoption of Other Appendices of the Building Code without Amendments**

There is adopted by reference and without amendment, the following appendices to the Building Code:

- A. Appendix I: Patio Covers
- B. Appendix J: Grading

**Section 5. AMENDMENT OF CHAPTER 8.08 TO ADOPT THE 2010 CALIFORNIA MECHANICAL CODE WITH CERTAIN APPENDICES AND AMENDMENTS**

Chapter 8.08 of the Cathedral City Municipal Code is hereby re-titled as "California Mechanical Code, 2010 Edition" and is amended to read as follows:

**Chapter 8.08  
California Mechanical Code, 2010 Edition**

**8.08.010 California Mechanical Code Adopted**

A. There is adopted by reference the California Mechanical Code, 2010 Edition, which is based on the 2009 Uniform Mechanical Code and is published by the California Building Standards Commission as Part 4 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Building and Safety Division.

B. The California Mechanical Code, 2010 Edition (hereinafter "Mechanical Code") shall be the Mechanical Code for the City and said Code together with the adopted appendices and the additions, deletions and amendments set forth in this chapter shall regulate and govern the requirements for the installation and maintenance of heating, ventilating, cooling, and refrigeration systems within the City as well as the issuance of permits and the collection of permit fees.

**8.08.020 Modifications, Amendments and Deletions to the Mechanical Code**

A. The following modifications, amendments and deletions are made to the Mechanical Code:

1. Section 108.1.1 is added to designate the City's Chief Building Official and his/her designees as the Authority Having Jurisdiction:

**108.1.1 Authority Having Jurisdiction defined.** The City's Chief Building Official and his/her designees are designated as the Authority Having Jurisdiction for purposes of this Mechanical Code, and wherever the term "Authority Having Jurisdiction" is used in this Code it shall mean the City's Chief Building Official and his/her designees.

2. Section 109.0 is amended to read as follows:

## **Section 109.0 UNSAFE EQUIPMENT**

**109.1 Conditions.** Equipment regulated by this Mechanical Code that is unsafe or that constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purpose of this section 109, unsafe. Use of equipment regulated by this Mechanical Code constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purpose of this section 109, an unsafe use.

**109.2 Unlawful acts.** It shall be unlawful and a violation of this Mechanical Code for any person, firm, or corporation to use equipment regulated by this code that is deemed unsafe or to engage in the unsafe use of such equipment.

3. Section 110.1 is amended to establish the Board of Appeals for the Mechanical Code:

**110.1 General.** The Board of Appeals established pursuant to Section 113 of the Building Code shall serve as the Board of Appeals for this Mechanical Code. The procedures established in Section 113 for the filing of appeals shall be applicable to appeals filed pursuant to this Code.

4. Section 110.2 is amended to limit the authority of the Board of Appeals:

**110.2 Limitations on authority.** The Board of Appeals is created to determine the suitability of alternate materials and methods of construction governed by this Mechanical Code. The Board of Appeals shall have no authority to waive requirements of the Mechanical Code.

5. Section 111.0 is amended to read as follows:

## **Section 111.0 VIOLATIONS**

**111.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, improve, remove, convert or demolish, equip, use or maintain mechanical systems or equipment regulated by this Mechanical Code or cause or permit the same to be done in violation of this code. It shall be unlawful for any person to erect, construct, alter or repair a mechanical system in violation of the approved construction

documents or directive of the Chief Building Official or of a permit or certificate issued under the provisions of this code.

**111.2 Public Nuisance; Abatement.** Any violation of this Mechanical Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 13.80 of the City's Municipal Code may be abated in accordance with Title 13 of the City's Municipal Code.

**111.3 Penalties.** Any person who violates a provision of this Mechanical Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters, extends, repairs, moves, improves, removes, converts or demolishes, equips, uses or maintains mechanical systems or equipment in violation of the approved construction documents or directive of the Chief Building Official, or of a permit or certificate issued under the provisions of this code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 13.65 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

6. Section 115.1 is amended to read as follows:

**115.1 Payment of fees.** On buildings, structures, and mechanical systems or alterations requiring a permit under this code, a fee for each permit shall be paid as required, and in accordance with the fee schedule adopted by the City Council, a copy of which is on file with the Building and Safety Division.

B. A copy of the foregoing modifications, amendments and deletions to the Mechanical Code shall be maintained in the City's Building and Safety Division and shall be available for public inspection.

**8.08.030 Adoption of Other Appendices of the Mechanical Code without Amendments**

There is adopted by reference and without amendment, the following appendices to the Mechanical Code:

Appendix A: Uniform Mechanical Code Standard No. 6-2 Standard for Metal Ducts

Appendix B: Procedures to be Followed to Place Gas Equipment in Operation

Appendix C: Installation and Testing of Oil (Liquid) Fuel-Fired Equipment

Appendix D: Unit Conversion Tables

**Section 6. AMENDMENT OF CHAPTER 8.10 TO ADOPT THE 2010 CALIFORNIA PLUMBING CODE WITH CERTAIN APPENDICES AND AMENDMENTS**

Chapter 8.10 of the Cathedral City Municipal Code is hereby re-titled as "California Plumbing Code, 2010 Edition" and is amended to read as follows:

**Chapter 8.10  
California Plumbing Code, 2010 Edition**

**8.10.010 California Plumbing Code Adopted**

A. There is adopted by reference the California Plumbing Code, 2010 Edition, which is based on the 2009 Uniform Plumbing Code and is published by the California Building Standards Commission as Part 5 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Building and Safety Division.

B. The California Plumbing Code, 2010 Edition (hereinafter "Plumbing Code") shall be the Plumbing Code for the City and said Code together with the additions, deletions and amendments set forth in this chapter shall regulate and govern the requirements for the installation and maintenance of plumbing and the issuance of permits and collection of permit fees.

**8.10.020 Modifications, Amendments and Deletions to the Plumbing Code**

A. The following modifications, amendments and deletions are made to the Plumbing Code:

1. Section 102.1.1 is added to designate the City's Building Official and his/her designees as the Authority Having Jurisdiction:

**102.1.1 Authority Having Jurisdiction defined.** The City's Chief Building Official and his/her designees are designated as the Authority Having Jurisdiction for purposes of this Plumbing Code and wherever the term "Authority Having Jurisdiction" is used in this Code, it shall mean the City's Chief Building Official and his/her designees.

2. Section 102.3 amended to read as follows:

**102.3 Violations and Penalties.**

**102.3.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, improve, remove, convert or demolish, equip, use or maintain plumbing systems or equipment regulated by this Plumbing Code or cause or permit the same to be done in violation of this code. It shall be unlawful for any person to erect, construct, alter or repair plumbing in violation of the approved construction documents or directive of the Chief Building Official or of a permit or certificate issued under the provisions of this code.

**102.3.2 Public nuisance; Abatement.** Any violation of this Plumbing Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 13.80 of the City's Municipal Code may be abated in accordance with Title 13 of the City's Municipal Code.

**102.3.3 Penalties.** Any person who violates a provision of this Plumbing Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs plumbing in violation of the approved construction documents or directive of the Chief Building Official, or of a permit or certificate issued under the provisions of this Code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 13.65 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

3. Section 102.4 is added to establish the Board of Appeals for the Plumbing Code:

**102.4 Board of Appeals.** The Board of Appeals established pursuant to Section 113 of Chapter 1 of the Building Code shall serve as the Board of Appeals for this Plumbing Code. The procedures established in Section 113 for the filing of appeals shall be applicable to appeals filed pursuant to this Code. The Board is created to determine the suitability of alternate materials and methods of construction governed by this Plumbing Code. The Board shall have no authority to waive requirements of the Plumbing Code.

4. Section 103.4.1 is amended to read as follows:

**103.4.1 Permit fees.** On buildings, structures, and plumbing systems or alterations requiring a permit under this code, a fee for each permit shall be paid as required, in accordance with the fee schedule adopted by the City Council, a copy of which is on file with the Building and Safety Division.

B. A copy of the foregoing modifications, amendments and deletions to the Plumbing Code shall be maintained in the City's Building and Safety Division and available for public inspection.

**8.10.030 Adoption of Other Appendices of the Plumbing Code without Amendments**

There is adopted by reference and without amendment, the following appendices to the Plumbing Code:

- Appendix A: Recommended Rules for Sizing the Water Supply System
- Appendix B: Explanatory Notes on Combination Waste and Vent Systems
- Appendix D: Sizing Stormwater Drainage Systems
- Appendix G: Graywater Systems
- Appendix I: Installation Standards
- Appendix K: Private Sewage Disposal Systems

**Section 7. AMENDMENT OF CHAPTER 8.12 TO ADOPT THE 2010 CALIFORNIA FIRE CODE WITH AMENDMENTS**

Chapter 8.12 of the Cathedral City Municipal Code is hereby re-titled as "California Fire Code, 2010 Edition" and is amended to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety.

**Chapter 8.12  
California Fire Code, 2010 Edition**

**8.12.010 California Fire Code Adopted with Amendments**

A. Except for the local amendments set forth herein, there is adopted by reference the California Fire Code 2010 Edition, which is based upon the 2009

International Fire Code and is published by the California Building Standards Commission as Part 9 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Building Department.

B. The California Building Code, 2010 Edition (hereinafter "Fire Code") shall be the Fire Code for the City and said Code together with the adopted appendices and the amendments set forth in this chapter shall regulate and govern the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, and providing for the issuance of permits and collection of permit fees.

#### **8.12.020 Modifications, Amendments and Deletions to the Fire Code**

A. The following amendment is made to Section 202:

1. Section 202 is amended to add the following definitions:

**MID RISE BUILDING: Buildings measured from 55 feet to 75 feet above the lowest floor level of fire department vehicular access shall be enhanced with high-rise provisions as set forth in Section 509.1 of the California Fire Code. The Fire Command Center located inside of enhanced buildings shall contain the following features:**

**(1) The emergency voice/alarm communication system unit.**

**(2) Fire-detection and alarm system annunciator system.**

**(3) Status indicators and controls for air-handling systems.**

**(4) The firefighter's control panel required by here in section 909.16 for smoke control systems installed in the building.**

**(5) Controls for unlocking stairwell doors simultaneously.**

**(6) Sprinkler valve and water-flow detector display panels.**

**(7) Emergency and standby power status indicators.**

**(8) Fire pump status indicators.**

**(9) Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire protection systems, fire-fighting equipment and fire department access.**

**(10) Work table.**

(11) Generator supervision devices, manual start and transfer features.

(12) Public address system, where specifically required by other sections of this code.

(13) Fire Command centers shall not be used for the housing of any boiler, heating unit, generator, combustible storage, similar hazardous equipment or storage, mechanical rooms or other areas as determined by the Fire Chief.

(14) Survivability. Interconnecting cables between the Fire Command Center and the remote control equipment, including all circuits necessary for the operation of the notification appliances shall be protected from attack by Fire.

MODEL ROCKET: shall mean any toy or educational device which weighs not more than 500 grams, including the engine and any payload that is propelled by model rocket engines.

MODEL ROCKET ENGINE: shall mean a commercially manufactured, non-reusable rocket propulsion device which is constructed of a nonmetallic casing and solid propellant, wherein all of the ingredients are self-contained so as not to require mixing or handling by the user and which have design and construction characteristics determined by the State Fire Marshal to provide a reasonable degree of safety to the user.

(All remaining provisions of Section 202 are unchanged)

308: B. The following modifications, amendments and deletions are made Section

1. Section 308.3 is amended to regulate the use of Tiki/Luau torches:

**308.3 Open-flame devices.** A person shall not utilize or allow to be utilized, an open flame or use of a Tiki or Luau torch in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in Group A or E occupancies without first obtaining a permit in accordance with Appendix Chapter 1, Section 105.6.

2. Section 308.7 is added to regulate the installation of permanent Tiki and/or Luau torches:

**308.7 Installation of Permanent Tiki and/or Luau torches using Liquid Propane Fuel or Natural Gas.**

**A. The following regulations apply to the installation of permanent Tiki and Luau torches using liquid propane fuel or Natural gas:**

**(1) Only LPG or natural gas fueled permanent Tiki and/or Luau torches will be allowed.**

**(2) Installer shall submit plans to the Planning Department for review and approval. After Planning Department approval, the plans must be reviewed and approved by the Building Department and Fire Prevention Division. After all approvals, installer must obtain an operational permit for use of an open flame device.**

**(3) Maximum length of flame shall not exceed twelve (12) inches.**

**(4) Flame shall be a minimum of eight feet (8') from ground level and entire torch shall be entirely on private property.**

**(5) Minimum size of pipe support shall be one and one half inches (1 1/2") in diameter. EXCEPTION: If mounted on a structure and braced to the satisfaction of the inspection authority, minimum size could be one inch (1"). A radius of five feet (5') between torch burner and combustibles shall be maintained.**

**B. Where natural gas or LPG is used, an approved shut-off valve shall be located at or near the base of the torch and a labeled secondary shut-off shall be located at a readily accessible remote location. Secondary valves may operate one or more torches.**

(All remaining provisions of Section 308 are unchanged)

C. The following modifications, amendments and deletions are made Section 311:

1. Subsection 311.2.2 is amended by deleting certain exceptions to the requirements for fire protection for vacant premises:

**311.2.2 Fire Protection.** Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

**Exceptions:**

~~1. When the premises have been cleared of all combustible materials and debris and, in opinion of the Fire Code Official the type of construction, fire separation distance and security of the premises do not create a fire hazard.~~

~~2. Where buildings will not be heated and fire protection systems will be exposed to freezing temperatures, fire alarm and sprinkler systems are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply) provided the building has no contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons.~~

(All remaining provisions of Section 311.2.2 are unchanged)

2. Section 311.5 (Placards) is deleted in its entirety.

(All remaining provisions of Section 311 are unchanged)

D. Section 318 is added to regulate fire protection measures for parade floats:

**SECTION 318 PARADE FLOATS**

**318.1 Decorative materials. Decorative materials on parade floats shall be non-combustible or flame retardant.**

**318.2 Fire protection. Motorized parade floats and towing apparatus shall be provided with a minimum 2A 10B:C rated portable fire extinguisher readily accessible to the operator.**

**318.3 A 12" minimum clearance of decorative materials shall be maintained around the vehicle and/or generator.**

**318.4 Portable generators shall be secure from tipping and subject to approval by the fire code official.**

E. The following modifications, amendments and deletions are made Section

503:

1. Subsection 503.1.2 is amended to regulate fire apparatus access roads for developments of one-or two-family dwellings:

**503.1.2 Additional access.** The Fire Chief is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. **Developments of one-or two-family dwellings where the number of dwelling units exceeds 25 shall be provided with separate and approved fire apparatus access roads. All multiple-family residential developments shall provide with two separate and approved fire apparatus access roads.**

2. Subsection 503.1.4 is added to provide for the evaluation of the design of access roads:

**503.1.4 Access road design.** **The Fire Chief shall evaluate access road design in terms of total response efficiency. The Fire Chief is authorized to make modifications to access road network design, access road route and inter-connectivity with new or existing roads so that response efficiency is maintained.**

3. Subsection 503.1.5 is added to regulate access roads with installed fences which cause the distance from the road to exceed the maximum distance allowed in Section 503:

**503.1.5 Fences.** **When fences are installed that caused the distance from an approved fire department access road to exceed the maximum distance allowed in Section 503 here in, a person gate shall be provided in the fence to maintain the required fire department access. The gate shall be a minimum four (4) feet in width and be equipped with a key box, key switch and/or lock accessible from both sides in accordance with Section 506 of this Code.**

4. Subsection 503.1.6 is added to regulate fire access roads, fire lanes and signage:

**503.1.6 Fire apparatus access roads, fire lanes and signage.** **In all locations where access by emergency vehicles for fire suppression and rescue purposes is unduly difficult or subject to obstruction, the Fire Chief may designate certain locations**

as fire lanes. Fire lanes may include some or all roadways within certain public or private structural complexes. Such roadways shall be marked and/or posted in accordance with the standards provided by the Cathedral City Fire Department. Persons or entities who park, leave, abandon, or store a vehicle(s) or cause or permit a vehicle(s) to be parked, left, abandoned, or stored in a fire lane may be subject to the issuance of an infraction citation pursuant to Chapter 13.65 of the Cathedral City Municipal Code and/or may have their vehicle(s) towed from the location pursuant to local or State statutes. All fire lane signs and/or curb markings shall be maintained in a legible and visible condition at all times by the property owner(s).

5. Subsection 503.2.1 is amended to regulate the dimensions for fire access roads for subterranean and above-ground parking structures and those located in the proximity of buildings and structures more than thirty foot high:

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches, except that subterranean and above ground parking structures shall have an unobstructed vertical clearance of not less than 8 feet 6 inches.

6. Subsection 503.2.3 is amended to regulate the design of access road surfaces:

**503.2.3 Surface.** Fire apparatus access roads shall be designed, and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

7. Subsection 503.2.4 is amended to regulate the turning radius of access roads:

**503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the Fire Chief. Fire access road turns and corners shall be designed with a minimum inner radius of 15 feet and an outer radius of 35 feet. Radius must be concentric.

8. Subsection 503.2.5 is amended to regulate dead ends for access roads:

**503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. **The City of Cathedral City has two approved turn around provisions: (i) a cul-de-sac with an outside turning radius of 35 feet from centerline; and (ii) a hammerhead turnaround 65 feet from centerline in both directions.**

9. Subsection 503.2.7 is amended to regulate the grade of access roads:

**503.2.7 Grade.** The grade of the fire apparatus access road shall be within the limits established by the Fire Chief based on the fire department's apparatus. **No grade shall exceed 12 percent. Grade transitions shall not exceed maximum angle of approach and angle of departure based on the fire department's apparatus as determined by the Fire Chief.**

10. Subsection 503.2.9 is added to provide for aerial fire access roads:

**503.2.9 Aerial Fire Access Roads. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.**

**503.2.9.1 Minimum width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height.**

**503.2.9.2 Proximity to building. At least one of the access routes required under this section 503.2.9 shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.**

11. Amendments are made to Section 503.6 to maintain emergency response standards related to efficiency and time. It is necessary for the Fire Chief to have the authority to condition the design of access roads

related to the proposed project as delays in response times have a detrimental effect upon public safety:

**503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained at all times.**

**503.6.1 Knox access switches; approved padlock or chain. Secured automated vehicle gates or entries shall utilize approved Knox access switches as required by the Fire Chief. The location of the Knox access switches must be approved by the fire code official prior to the installation. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) when required by the Fire Chief.**

**503.6.2 Residential complexes. Residential complexes using secured automated vehicle entry gates or entries shall utilize a traffic pre-emptive strobe-activated switch and/or an approved Knox key electric switch when required by the Fire Chief. Gate arms securing parking lots and parking structures shall be equipped with a fire department approved dual-keyed Knox key electric switch. When activated, the arm or arms shall open to allow fire and law enforcement access.**

**503.6.3 Dimensions. Approved security gates shall be a minimum of 20 feet in unobstructed drive width on at least the entry side with gate in open position. An unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm) shall be provided and maintained at all times.**

**503.6.4 Power failure. In the event of a power failure, the gate(s) shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.**

**503.6.5 Override switch. If there is no sensing device that will automatically open the gates for exiting, a fire**

department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

503.6.6 Spikes and roadway obstructions prohibited. No spikes or roadway obstructions shall be constructed within access and exit ways without provisions for emergency retraction or removal with a Knox electrical override switch or similar device as approved by the Fire Chief.

503.6.7 Final inspection. A final field inspection by the Fire Chief is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

(All remaining provisions of Section 503 are unchanged)

F. Section 504.1 is amended to add provisions pertaining to required access:

**504.1 Required access.** Exterior doors and openings required by this code or the California Building Code shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the Fire Chief. Finished grade to be flat and accessible on all sides of the building where ground ladder access is the only means to reach the highest point on the building from the exterior. Distance from building for finish grade shall be flat as required by the Fire Chief. Obstructions shall not be placed as to interfere with ground ladder placement.

(All remaining provisions of Section 504 are unchanged)

G. Subsection 505.1.1 is added to provide the minimum premises identification standards for multi-family, multi-retail and multi-commercial occupancies:

505.1.1 Address numbers for specified occupancies. All multi-family, multi-retail and multi-commercial occupancies shall have a minimum of 6 inch high numbers, with a minimum one-and-one-half inch (1 ½") stroke. All light and heavy industrial occupancies shall have a minimum of 10 inch high numbers, with a minimum one-and-one-half inch (1 ½") stroke.

(All remaining provisions of Section 505 are unchanged)

- H. Section 506.1 is amended to add provisions pertaining to key boxes:

**506.1 Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the Fire Chief is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Chief. **Secured emergency access gates serving apartment, town home or condominium complex courtyard must provide a key box in addition to association or facility locks. The nominal height of Knox lock box installations shall be 5 feet above grade. Location and installation of Knox key boxes must be approved by the Fire Chief.**

(All remaining provisions of Section 506 are unchanged)

- I. The following modifications, amendments and deletions are made Section 508:

1. Subsection 507.2.1 is amended to provide additional installation requirements for private fire service mains and appurtenances:

**507.2.1 Private fire service mains.** Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 **and the applicable provisions of NFPA13.**

2. Subsection 507.5.1 is amended to provide more stringent fire hydrant placement requirements:

**508.5.1 Where required.** ~~Where a portion of the facility of building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.~~ **Minimum basic fire hydrant spacing for multi-family residential (triplexes or greater, apartment houses, hotels, convents or monasteries) and all commercial or industrial properties shall be spaced not more than 300 feet along streets or fire apparatus access roadways, so that all fire apparatus-accessible portions of the building are within 150 feet of a hydrant.**

### **Exceptions**

- ~~1. For Group R-3 and Group U occupancies, the distance requirements shall be 600 feet.~~
- ~~2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.~~

(All remaining provisions of Section 508 are unchanged)

509: J. The following modifications, amendments and deletions are made Section

1. Section 509.1 is amended to provide more stringent requirements for the features of a Fire Command Center:

**509.1 Features.** Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code and as amended by this code for buildings between 55 to 75 feet in height a fire command center for fire department operations shall be provided. 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 department. The fire command center shall be separated from the remainder of the building by not less than a 4-hour ~~4-hour~~ 2-hour fire barrier constructed and in accordance with Section 706 of the California Building Code or horizontal assembly constructed in accordance with section 711 of the California Building Code, or both. The room shall provide direct access from the building exterior at the lowest level of fire department access and be a minimum of 96 square feet with a minimum dimension of eight feet. A layout of the fire command center and all features required by this section to be contained therein shall be submitted for approval prior to installation. The fire command center shall comply with NFPA 72 and the applicable provisions of the Electrical Code, and shall contain the following features:

- (1) The emergency voice/alarm communication system unit shall comply with section 907.2.12.2 of the California Fire Code.
- (2) The fire department communication system.
- (3) Fire-detection and alarm system annunciator system.
- (4) Annunciator visually indicating the location of the elevators and whether they are operational.

(5) ~~Status indicators and controls for air-handling systems.~~ **Interconnecting cables between the Fire Command Center and the remote control equipment within evacuation signaling zones, and notification appliance control equipment within notification zones shall be protected from attack by Fire.**

(6) The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.

(7) Controls for unlocking stairway doors simultaneously.

(8) Sprinkler valve and water-flow detector display panels.

(9) Emergency and standby power status indicators.

(10) A telephone for fire department use with controlled access to the public telephone system.

(11) Fire pump status indicators.

(12) Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire protection systems, fire-fighting equipment and fire department access.

(13) Work table.

(14) Generator supervision devices, manual start and transfer features.

(15) Public address system, where specifically required by other sections of this code.

(16) Fire command centers shall not be used for the housing of any boiler, heating unit, generator, combustible storage, or similar hazardous equipment or storage.

2. Section 508.2 is added to provide requirements for amended to provide more stringent requirements for the identification of a fire command center:

**508.2 Identification of Fire Command Center. The fire command center shall be identified by permanent easily visible sign stating "Fire Department Command Center", located on the door to the fire command center.**

(All remaining provisions of Section 509 are unchanged)

K. Section 510 is added because portable hand-held radios used by police and fire personnel often do not have the signal strength to send radio messages from within buildings or from underground parking garages to outside emergency responders. Installation of a Public Safety Radio System into the building will increase radio frequency amplification for all first responders and improve public safety:

**SECTION 510 FEATURES AND REQUIREMENTS.**

**511.1 General. All new buildings four stories in height or taller and all subterranean levels of parking structures or existing altered buildings over 20 percent shall meet the City Public Safety Radio System Coverage requirements as determined by the Fire Chief.**

L. Section 901.4 is amended to provide circumstances under which existing non-conforming buildings are required to comply with fire safety requirements for newly constructed buildings and structures:

**901.4 Installation.** Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

**Exceptions:**

**Existing non-conforming buildings shall comply with all the fire safety requirements for a newly constructed building or structure under the following circumstances:**

**1. When the floor area in an existing non-conforming building is increased.**

**2. When a change in occupancy occurs in an existing non-conforming building which, in the opinion of the Fire Chief or Chief Building Official, significantly changes the use of the building.**

**3. When structural repairs and/or alterations are made to an existing non-conforming building which exceeds 35 percent aggregate of the fair market value of the building or exceeds 35 percent replacement of the total square footage of the original building.**

M. Section 901.6 is amended to provide additional provisions pertaining to inspections, testing and maintenance of fire detection, alarm and extinguishing systems:

**901.6 Inspection, testing and maintenance.** Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. **It shall be the responsibility of the owner to ensure that these requirements are**

met. Non required fire protection systems and equipment shall be inspected, tested and maintained or removed. ***Prior to the removal of any fire protection system, permission shall be obtained from the Fire Chief.***

N. Section 902.1 is amended to modify the definition of "Automatic Sprinkler System" and to add the definition of "Common Area":

**AUTOMATIC SPRINKLER SYSTEM.** A sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply, **such as a gravity tank, fire pump, reservoir or pressure tank and/or connection by underground piping to a city or water district water main.** The portion of the system above ground is a network of specifically sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharge water over the fire area.

**COMMON AREA.** **For the purposes of ADA compliance for visual notification, a common area shall be a room, space, or element made available for use of a restricted group of people (example, occupants of a homeless shelter, the occupants of an office building, or the guests of such occupants). Common areas shall include restrooms, hallways, lobbies, meeting and conference rooms, classrooms, cafeterias, filing and photocopy rooms, employee break rooms, open office areas exceeding 300 square feet, examination and treatment rooms, and similar areas that are not used solely as employee work areas. Mechanical, electrical and telephone closets, janitor closets, and similar non-occupied spaces that are not common areas or assigned work areas are not required to have visual alarm devices.**

O. Section 903.2 is amended to provide more stringent fire protection requirements by requiring the installation of approved automatic fire sprinkler systems in every newly constructed Group A occupancy building where the gross floor area under the roof requires as 1500 GPM or more fire flow regardless of the number of stories:

1. Section 903.2.1.1 is amended as follows:

**903.2.1.1 Group A-1** An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area under the roof requires a 1500 GPM fire flow or more exceeds ~~12,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.1 remain the same)

2. Section 903.2.1.2 is amended as follows:

**903.2.1.2 Group A-2** An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area under the roof requires a 1500 GPM fire flow or more exceeds ~~5,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.2 remain the same)

3. Section 903.2.1.3 is amended as follows:

**903.2.1.3 Group A-3** An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area under the roof requires a 1500 GPM fire flow or more exceeds ~~12,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.3 remain the same)

4. Section 903.2.1.4 is amended as follows:

**903.2.1.4 Group A-4** An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area under the roof requires a 1500 GPM fire flow or more exceeds ~~12,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.4 remain the same)

5. Section 903.2.1.5 is amended as follows:

**903.2.1.5 Group A-5.** An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas in excess of 1,000 square feet, or where the fire area under the roof requires a 1500 GPM fire flow or more, which fire area shall not be reduced due to the presence of fire resistive walls.

6. Section 903.2.3 is amended as follows:

**903.2.3 Group E.** Except as provided for in Sections 903.2.3.1 for a new public school campus and 907.2.3.6 (Automatic fire alarm system) for modernization of an existing public school campus buildings(s), an approved automatic fire sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas with greater than a 1500 GPM fire flow requirement ~~greater than 20,000 square feet.~~ Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

2. Throughout every portion of educational buildings below the level of exit discharge.

**Exception:** An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level and the fire area does not exceed a 1500 GPM fire flow requirement.

(The other provisions of section 903.2.2 remain the same)

7. Section 903.2.3 is amended as follows:

**903.2.4 Group F-1.** An approved automatic fire sprinkler system shall be provided throughout all buildings used for Group F occupancies where one of the following conditions exists:

1. Where a Group F-1 fire area exceeds a 1500 GPM fire flow requirement ~~42,000 square feet,~~ regardless of stories.

2. Where a Group F-1 fire area is located more than three stories above grade plane; or

3. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement 24,000 square feet.

**Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

(The other provisions of section 903.2.4 remain the same)

8. Section 903.2.7 is amended as follows:

**903.2.7 Group M.** An automatic fire sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exist:

1. Where a Group M fire area exceeds a 1500 GPM fire flow requirement 12,000 square feet, regardless of stories.

2. Where a Group M fire area is located more than three stories above grade plane; or

3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement 24,000 square feet.

**Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

9. Section 903.2.8 is amended as follows:

~~903.2.8 Group R.~~ An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

**Exceptions:**

~~1. Detached one and two family dwellings and multiple single family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress, unless specifically required by other sections of this code, or classified as Group R-4, provided the~~

~~dwelling(s) do not have a fire flow requirement exceeding 1500 GPM.~~

~~2. Group U private garages accessory to a Group R-3 occupancy.~~

~~23. Group R-3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor, provided the dwelling(s) do not have a fire flow requirement exceeding 1500 GPM.~~

~~34. Pursuant to Health and Safety Code Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors, provided the buildings or portions thereof in which such children are housed do not have a fire flow requirement exceeding 1500 GPM.~~

~~45. Pursuant to Health and Safety Code Section 13143.6, occupancies licensed for protective care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over), provided the dwelling(s) do not have a fire flow requirement exceeding 1500 GPM.~~

10. Section 903.2.9 is amended as follows:

**903.2.9 Group S-1.** An automatic fire sprinkler shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

(1) A Group S-1 fire area exceeds a 1500 GPM fire flow requirement 12,000-square feet, regardless of stories.

(2) A Group S-1 fire area is located more than three stories above grade plane; or

(3) The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement 24,000-square feet.

**Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

11. Section 903.2.9.1 is amended as follows:

**903.2.9.1 Repair garages.** An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406, **where the fire area containing a repair garage exceeds a 1500 GPM fire flow requirement or where the vehicles serviced are parked in the basement,** as shown:

- ~~1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 10,000 square feet.~~
- ~~2. One-story building with a fire are containing a repair garage exceeding 12,000 square feet.~~
- ~~3. Buildings with a repair garage servicing vehicles parked in the basement.~~

12. Section 903.2.10 is amended as follows:

**903.2.10 Group S-2.** An automatic sprinkler system shall be provided throughout **all** buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code or where located beneath other groups **containing a Group S-2 occupancy where one of the following conditions exist:**

- (1) A Group S-2 fire area exceeds a 1500 GPM fire flow requirement.**
- (2) A Group S-2 fire area is located more than three stories above grade plane.**
- (3) The combined area of all Group S-2 fire areas on all floors, including any mezzanines, exceeds a 1500 GPM fire flow requirement.**

**Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

**An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in**

**accordance with Section 406.4 of the California Building Code or where located beneath other groups.**

**Exception:** Enclosed parking garages located beneath Group R-3 occupancies.

13. Section 903.2.10.1 is amended as follows:

**903.2.10.1 Commercial parking garages.** An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds **a 1500 GPM fire flow requirement** 5,000 square feet.

14. Section 903.2.18 is added to provide the conditions upon which automatic sprinkler systems must be installed for Group B occupancies:

**903.2.18 Group B. An automatic sprinkler system shall be provided for Group B occupancies where one of the following conditions exists:**

**(1) Where the fire area exceeds a 1500 GPM fire flow requirement. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.**

**(2) Where the fire area has an occupant load of 100 or more.**

**(3) Where the fire area is located on a floor other than the level of exit discharge.**

15. Section 903.2.19 is added to require the installation of automatic sprinkler systems for buildings constructed near an existing fire sprinkler protected structure:

**903.2.19 Buildings proximately located to protected building or structure. An approved automatic fire sprinkler system shall be installed in any building constructed within 10 feet of an existing fire sprinkler protected building or structure.**

16. All other provisions of Section 903.2 not expressly amended herein remain unchanged.

P. Section 903.3.1.3.1 is amended to provide additional requirements for the installation of automatic sprinkler systems in one-and two-family dwellings:

**903.3.1.3.1 NFPA 13D sprinkler systems.** Where allowed automatic sprinkler systems installed in one-and two-family dwellings, including attached garages, carports and storage areas, shall be installed throughout in accordance with NFPA 13D. Pilot heads shall be required in attic areas every 1,000 square feet or portion thereof.

Q. Section 903.4.3 is amended to provide additional requirements for floor control valves:

**903.4.3 Floor control valves.** Approved supervised indication control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings three or more stories in height unless otherwise approved by the Fire Chief. Valve locations will be determined and approved by the Fire Chief.

R. Section 907.2.13 is amended to include other occupancy types as requiring the installation of automatic fire alarm system and emergency voice/alarm communication systems:

**907.2.13 High-rise, mid-rise buildings.** High-rise and mid-rise buildings and buildings with a floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and emergency voice/alarm communication system in accordance with Section 907.2.12.2

S. Section 907.3.3 is added to govern the installation of fire alarm systems when tenant improvements are made:

**907.3.3 Tenant improvements to existing occupancies.** An approved manual, automatic, or manual and automatic fire alarm system shall be required throughout existing buildings undergoing tenant improvement where the fire area of the existing building is being increased, there is a change in occupancy classification, there is an increase in occupant load and/or the building is being constructed within 10 feet of an existing automatic fire alarm protected structure. The type and extent of fire alarm system required shall be as determined by this code.

T. Section 907.2.10.5.4 is added to provide for the installation of detection devices upon the sale of certain dwellings:

**907.2.10.5.4 Upon sale of any residential dwelling and factory-built housing, the seller shall have installed therein, permanently wired or battery powered approved dual Photoelectric and Ionization type**

detectors of products of combustion other than heat only, commonly known as Dual Sensor Smoke Alarms. The smoke alarms are required to be State Fire Marshal approved and listed. The seller must obtain certification from the Fire Department of the installation and proper operation prior to close of sale of property.

U. Section 907.2.19 is amended to require all underground buildings to be equipped with a manual fire alarm system:

907.2.19 Underground buildings. Where the lowest level of a structure is more than 60 feet below the lowest level of exit discharge All underground buildings shall be equipped throughout with a manual fire alarm system, including an emergency voice/alarm communication system installed in accordance with section 907.2.12.2.

V. The following subsections are added to Section 908.3 to provide additional for additional provisions pertaining to emergency alarm systems:

1. Section 908.3.2 is added:

908.3.1 Alarms. The gas detection system shall initiate a local alarm and transmit a signal to a constantly attended control station when a short-term hazard condition is detected. The alarm shall be both visible and audible and shall provide warning both inside and outside the area where gas is detected. The audible alarm shall be distinct from all other alarms.

Exception: Signal transmission to a constantly attended control station is not required when not more than one cylinder of highly toxic or toxic gas is stored.

1. Section 908.3.1 is added:

908.3.2 Shutoff of gas supply. The gas detection system shall automatically close the shutoff valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.

Exception: Automatic shutdown is not required for reactors utilized for the production of highly toxic or toxic compressed gases where such reactors are:

(1) Operated at pressures less than 15 pounds per square inch gauge (psig)

(2) Constantly attended.

(3) Provided with readily accessible emergency shut-off valves.

2. Section 908.3.3 is added:

908.3.3 Valve closure. The automatic closure of shutoff valves shall be in accordance with the following:

(1) When the gas-detection sampling point initiates the gas detection system alarm is within a gas cabinet exhausted enclosure, the shutoff valve in the gas cabinet or exhausted enclosure for the specific gas detected shall automatically close.

(2) Where the gas-detection sampling point is initialing the gas detection system alarm is within a gas room and compressed gas containers are not in gas cabinets or exhausted enclosures, the shutoff valves on all gas lines for the specific gas detected shall automatically close.

(3) Where the gas-detection sampling point initiating the gas detection system alarm is within a piping distribution manifold enclosure, the shutoff valve for the compressed container of specific gas detected supplying the manifold shall automatically close.

Exception: When the gas-detect ion sampling point initiating the gas detection system alarm is at a use location or within a gas valve enclosure of a branch line down-stream of a piping distribution manifold, the shutoff valve in the gas valve enclosure for the branch line located in the piping distribution manifold enclosure shall automatically close.

W. Section 912 is amended to provide for the approval of the location, number of inlets and size of fire department connections:

1. Section 912.2 is amended:

**912.2 Location.** With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hoses connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be approved. The fire official shall approve the locations, number of inlets and size of fire department connections.

2. Section 912.2.1 is amended:

**912.2.1 Visible location.** Fire department connections shall be located on the front access side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the Fire Chief. **The location of fire department connections shall be approved and installed as follows:**

**(1) Within 50 feet of an approved roadway or driveway and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, plantings, or other fire department connections and or otherwise approved by the Fire Chief.**

**(2) Within 25 feet of an approved hydrant.**

**(3) So that the inlet height shall not be less than 18 inches or more than 48 inches above grade.**

**(4) Guard posts or other approved means may be required to protect fire department inlet connections from vehicular damage.**

**(5) Fire department connection shall not be allowed in the rear of any building.**

**(6) Fire department connections for NFPA 13R sprinkler systems shall be determined by the Fire Chief.**

- X. Section 914.2.1 is amended to delete the exception provided under paragraph 2:

**914.2.1 Automatic sprinkler system.**

~~**Exception:** An automatic sprinkler system shall not be required in spaces or areas of open parking garages constructed in accordance with Section 406.2 of the California Building Code.~~

(All other provisions of section 914.2.1 are the same)

- Y. Section 914.3.1 is amended to delete paragraph 1 of the Exception:

~~1. Open parking garages in accordance with Section 406.3 of the California Building Code.~~

(All other provisions of section 914.3.1 are the same)

- Z. Paragraph 7 of section 2301.3 is amended:

7. Location and classification of commodities in accordance with Section 2303 and NFPA 13.

AA. The definition of Secondary Containment in Section 2702 is amended:

**SECONDARY CONTAINMENT** – That level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

BB. Section 3310 is added to regulate fireworks:

#### **Section 3310 FIREWORKS**

3310.1 Prohibition. The manufacture, sale, possession, storage, handling or use of "safe and sane" fireworks as currently defined in the California Health and Safety Code section 12529 or "dangerous fireworks" as currently defined in the California Health and Safety Code section 12505 or thereafter amended by state statute is prohibited in the City. The provisions of this section do not apply to fireworks displays conducted in accordance with the provisions of any permit issued pursuant to this chapter.

The manufacture, storage, sale, offer for sale, use or handling of fireworks is prohibited. The provisions of this section do not apply to fireworks displays conducted in accordance with the provisions of any permit issued pursuant to this chapter.

3310.2 Seizure of fireworks. The Fire Chief, any authorized Fire Chief or his or her designee, peace officer or other city official authorized to enforce the City's Municipal Code may seize, take, remove, or cause to be removed at the expense of the owner all prohibited fireworks and explosives. This will include all persons, firms or corporations who manufacture, sell, possess, store, handle or use of any prohibited fireworks or explosives as currently described in Fire Code sections 3309 and 3310.

3310.3 Allowance for Sale and Discharge of Safe and Sane Fireworks. As allowed in Title 5.80 of the City Municipal Code, the sale of Safe and Sane Fireworks are further defined.

CC. Section 3311 is added regarding explosives:

**SECTION 3311 EXPLOSIVES**

**3311.1 Prohibition. The manufacture, sale, possession, storage, handling or use of non permitted "explosives" as currently defined in California Code of Regulations Title 19 Chapter 10, Explosives section 1553 or thereafter amended by state law is prohibited in the City.**

DD. Section 3312 is added regarding model rockets:

**SECTION 3312 MODEL ROCKETS**

**3312.1 General. The storage, handling, and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and approved by the Fire Chief.**

EE. Paragraph 4 is added to subsection 3404.2.11.2 to prohibit the installation of combustible/flammable liquid tanks in residential districts:

**3404.2.11.2 Location**

**4. The installation of underground combustible and/or flammable liquid tanks is hereby prohibited in all residential districts. The Fire Chief may authorize installation of underground combustible/flammable liquid tanks in agricultural, commercial and manufacturing districts.**

FF. Subsection 3808 is amended regarding LPG:

**3808.1 New Installation of Liquefied Petroleum Gas. All new installation of liquefied petroleum gas with an aggregate capacity of 2,000 gallons or more shall be protected by an approved automatic fixed water spray system. The system shall protect the entire surface area of the tank and the cargo tanker transfer area. The system shall be calculated to provide a minimum density of .25 gallons per minute per square foot with a one-hour duration water supply.**

GG. A copy of the foregoing modifications, amendments and deletions to the Fire Code shall be maintained in the City's Building and Fire Departments and available for public inspection.

**8.12.030 Modifications, Amendments and Deletions to Appendix Chapter 1 of the Fire Code**

A. There is adopted by reference and with the following additions, deletions and amendments, Appendix Chapter 1, Administration, of the Fire Code:

1. Section 103.4 is amended to read as follows:

**103.4 Liability.** Any liability against the Cathedral City Fire Department or any officer or employee shall be as provided for in California Government Code and case law. Fire suppression, investigation and rescue or emergency medical costs are recoverable in accordance with California Health and Safety Code Sections 13009 and 13009.1. Any person who negligently or intentionally, or in violation of law, causes an emergency response, including but not limited to, a traffic accident or spill of toxic or flammable fluids or chemicals, is liable for the costs of securing such emergency, including those costs set out in Government Code Section 53150, et seq. Any expense incurred by the fire department for securing such an emergency situation shall constitute a debt of such person and shall be collectible by the public agency in the same manner as in the case of an obligation under contract, expressed or implied.

2. Section 106.2.3 is added:

**106.2.3 Inspection of Residential Occupancy Upon Transfer of Ownership.** Any residential dwelling unit which falls within Group "R" under this Code that is the subject of a transfer in ownership shall be required to have smoke detectors properly installed and operable prior to the property transfer and shall be required to comply with Section 1026 "Emergency Escape and Rescue" of this Code. Before any such property may close escrow, the current owner, seller, broker or agent shall arrange for a smoke detector inspection to be conducted by the Fire Department to assure that the residential dwelling is equipped with the number of smoke detection devices required by this Code and is equipped with the required number of internal releasing devices for obstructions to exits from sleeping rooms as required by this Code and that all required devices are operating properly.

3. Section 108.1 is amended to read as follows:

**108.1 Board of Appeals.** Whenever the Fire Chief rejects an application, refuses to grant a permit or certificate, or suspends or revokes a previously issued permit or certificate, and/or whenever a person or entity claims that the provisions of this Fire Code do not apply to the subject matter or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, any person or entity so aggrieved may appeal from the decision to the City Council of the City of Cathedral City. Any such appeal shall be governed by the provisions set forth in City Municipal Code Sections 2.04.100 through 2.04.130.

4. Section 109.3 is amended to read as follows:

**109.3 Violations and Penalties.** Each person or entity who engages in any of the following conduct is guilty of an infraction violation which is punishable by a fine in an amount provided by the City Municipal Code Section 13.65.050 and by the imposition of any and all other criminal penalties set forth in Chapter 13.65:

- (1) Violate or fail to comply with any of the provisions of the California Fire Code, or this chapter;
- (2) Fail to comply with any order made pursuant to the California Fire Code or this chapter;
- (3) Build or construct in violation of any detailed statement, specifications, or plans submitted and approved pursuant to the California Fire Code or this chapter;
- (4) Build or construct in violation of any certificate or permit issued pursuant to the California Fire Code or this chapter; or
- (5) Fail to comply with an order made pursuant to the California Fire Code or this chapter which is affirmed or modified after an appeal was conducted.

Each person or entity which engages in flagrant and serious violations and/or continued noncompliance after notice or order to comply has been served on the violator or posted on the subject property at which a violation exists is guilty of a misdemeanor violation which is punishable by a fine provided by Municipal Code Section 13.70.080 and by the imposition of any and all other criminal penalties set forth in Chapter 13.70.

Each person or entity is guilty of a separate offense for each day, or portion thereof, during which any violation of any provision of the California Fire Code or this chapter is committed, continued or permitted by such person or entity after notification of the initial

violation and shall be punishable according to the terms set forth herein.

The application of the penalties provided for in this section shall be cumulative and shall not prevent the City from pursuing other remedies provided by the City of Cathedral City Municipal Code for said violations including, but not limited to, the abatement of public nuisance conditions.

5. Section 111.4 is amended to read as follows:

**111.4 Failure to comply.** It shall be unlawful and a violation of this Code for any person to continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition.

B. A copy of the foregoing modifications, amendments and deletions to Fire Code Appendix Chapter 1 shall be maintained in the City's Building and Fire Departments and available for public inspection.

**8.12.040 Modifications, Amendments and Deletions to Appendix B of the Fire Code**

A. There is adopted by reference and with the additions, deletions and amendments adopted herein, Appendix B, Fire Flow Requirements for Buildings, which is a part of the Fire Code. A copy of Appendix B, as amended, shall be maintained in the City's Building and Fire Departments and available for public inspection.

B. The following modification is made to Appendix B:

1. Subsection B104.2 (area separation) is deleted from Appendix B.

**8.12.050 Fire Code Chapters Adopted Without Amendment**

A. The following chapters of the Fire Code are adopted without local amendments:

(California) Chapter 1 – General Code Provisions  
Chapter 4 – Emergency Planning and Preparedness  
Chapter 6 – Building Services and Systems  
Chapter 7 – Fire Resistance Rated Construction  
Chapter 8 – Interior Finish, Decorative Materials and Furnishings  
Chapter 10 – Means of Egress  
Chapter 11 – Aviation Facilities  
Chapter 12 – Dry Cleaning

Chapter 13 – Combustible Dust Producing Operations  
Chapter 14 – Fire Safety During Construction and Demolition  
Chapter 15 – Flammable Finishes  
Chapter 16 – Fruit and Crop Ripening  
Chapter 17 – Fumigation and Thermal Insecticidal Fogging  
Chapter 18 – Semiconductor Fabrication Facilities  
Chapter 19 – Lumber Yards and Woodworking Facilities  
Chapter 20 – Manufacture of Organic Coatings  
Chapter 21 – Industrial Ovens  
Chapter 22 – Motor Fuel Dispensing Facilities and Repair Garages  
Chapter 24 – Tents, Canopies and Other Membrane Structures  
Chapter 25 – Tire Rebuilding and Tire Storage  
Chapter 26 – Welding and Other Hot Work  
Chapter 28 – Aerosols  
Chapter 29 – Combustible Fibers  
Chapter 30 – Compressed Gasses  
Chapter 31 – Corrosive Materials  
Chapter 32 – Cryogenic Fluids  
Chapter 35 – Flammable Gases  
Chapter 36 – Flammable Solids  
Chapter 37 – Highly Toxic and Toxic Materials  
Chapter 39 – Organic Peroxides  
Chapter 40 – Oxidizers  
Chapter 41 – Pyrophoric Materials  
Chapter 42 – Pyroxylin (Cellulose Nitrate) Plastics  
Chapter 43 – Unstable (Reactive) Materials  
Chapter 44 – Water Reactive Solids and Liquids  
Chapter 45 – Referenced Standards  
Chapter 46 – Motion Picture and Television Production  
Chapter 47 – Requirements for Wildland-Urban Interface Fire Areas

**8.12.060 Adoption of Other Appendices of the Fire Code without Amendments**

There is adopted by reference and without amendment, the following appendices to the Fire Code:

Appendix C: Fire Hydrant Locations and Distributions  
Appendix F: Hazard Ranking  
Appendix G: Cryogenic Fluids - Weight and Volume Equivalents  
Appendix H: Hazardous Materials Management Plans and Hazardous Materials Inventory Statements

Appendix J-1.1: Cathedral City Public Safety Radio System Coverage Specifications

Appendix K: Cathedral City Fire Department Development Guidelines

A copy of the City of Cathedral City Fire Department Development Guidelines and the Cathedral City Public Safety Radio System Coverage Specifications shall be kept on file with the City Clerk.

**Section 8. AMENDMENT OF CHAPTER 8.14 TO ADOPT THE 2010 CALIFORNIA ELECTRICAL CODE WITH AMENDMENTS**

Chapter 8.14 of the Cathedral City Municipal Code is hereby re-titled as "California Electrical Code, 2010 Edition" and is amended to provide more stringent fire protection requirements than required by the State:

**Chapter 8.14  
California Electrical Code, 2010 Edition**

**8.14.010 California Electrical Code Adopted with Amendments**

A. Except for the local amendments set forth herein, there is adopted by reference the California Electrical Code, 2010 Edition, which is based upon the 2008 National Electrical Code and is published by the California Building Standards Commission as Part 3 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Building and Safety Division.

B. The California Electrical Code, 2010 Edition (hereinafter "Electrical Code") shall be the Electrical Code for the City of Cathedral City and said Code together with the adopted appendices and the amendments set forth in this chapter shall regulate and govern the design, construction, reconstruction, installation, quality of materials, location, operation, and maintenance or use of electrical equipment, wiring and systems within the City as well as the issuance of permits and the collection of permit fees.

**8.14.020 Modifications, Amendments and Deletions to the Electrical Code**

A. The following modification is made to the Electrical Code:

1. Section 310.5.1 of Article 310 of the Electrical Code is added to prohibit the use of aluminum and copper-clad aluminum conductors, feeder conductors, branch circuit conductors and taps

or service entrance cables smaller than size 1-0 (one ought) AWG (American Wire Gauge):

2.

**310.5.1 Conductors for general wiring. The use of aluminum and copper-clad aluminum conductors, feeder conductors, branch circuit conductors and taps or service entrance cables smaller than size 1-0 (one ought) AWG (American Gauge Wire) is expressly prohibited.**

B. A copy of the foregoing modification to the Electrical Code shall be maintained in the City's Building and Safety Division and available for public inspection.

**8.14.030 Adoption, Modifications, Amendments and Deletions to Annex H of the Electrical Code**

A. There is adopted by reference and with the following additions, deletions and amendments, Annex H (Administration and Enforcement), which is a part of the Electrical Code.

1. Section 80.2 is amended to designate the City's Chief Building Official and his/her designees as the Authority Having Jurisdiction:

**80.2 Definitions.**

**Authority Having Jurisdiction defined.** The City's Chief Building Official and his/her designees are designated as the Authority Having Jurisdiction for purposes of this Electrical Code and wherever the term "Authority Having Jurisdiction" is used in this Code, it shall mean the City's Chief Building Official and his/her designees.

(Remainder of section is unchanged).

2. Section 80.3 is amended to read as follows:

**80.3 Purpose.** The purpose of this article shall be to provide requirements for administration and enforcement of this Electrical Code.

3. Section 80.5 is deleted.

4. Section 80.7 is deleted.

5. Section 80.9 is deleted.

6. Section 80.11 is deleted.

7. Section 80.13 is amended to read as follows:

**80.13 Authority.** There is established within the City, the Building and Safety Division, which shall be under the administrative and operational control of the City's Chief Building Official hereinafter referred to as the Chief Building Official. This code shall be administered and enforced by the Chief Building Official as follows:

Subsections 1 through 16 of this section 80.13 remain the same; however, whenever the provisions of this Annex H conflict with the provisions of Chapter 89.108, the provisions of Chapter 89.108, as adopted by the State and enforceable upon the City shall apply.

Subsection (17) is added to section 80.13:

(17) A written application shall be submitted for a proposed alternate material or method of construction together with a fee established by the City Council. The details of any action granting an alternate material or method of construction shall be noted in the files of the Building Department.

8. Section 80.15 is amended to provide for the creation of the Board of Appeals:

**80.15 Board of Appeals.**

**(A) Creation of Board of Appeals.** The electrical board shall be the Appeals Board established under the provisions of Section 113 of the Building Code, and any amendments adopted thereto, hereinafter designated as the "Board".

**(B) Limitations on authority.** The Board is created to determine the suitability of alternate materials and methods of construction governed by this Electrical Code. The Board shall have no authority to waive requirements of this Code.

**(C) Filing of appeals.** All appeals shall be made in writing and shall specify the order, decision or determination made by the Chief Building Official which is being appealed and wherein the Chief Building Official erred in making the order, decision or determination. The appeal shall be accompanied by a fee as established by the City Council. If, after reviewing the information submitted, the Chief Building Official determines the appeal does not merit a change in his or her order, decision, or determination, the Chief Building Official shall schedule a hearing by the Board

and the appellant shall be notified in writing of the date and time of the hearing.

(All other provisions of section 80.15 are deleted)

9. Section 80.19 is amended to read as follows:

**80.19 Permits.** The administration of permits under this Electrical Code shall be governed by Section 89.108.4 of the General Code Provisions of this Electrical Code, together with Sections 112.0, 113.0, 114.0 and subsections 115.3, 115.4 and 115.5 of the Administration Provisions of the Mechanical Code, and any amendments adopted thereto. When necessary, provisions specifically pertaining to mechanical systems are deleted, and provisions which refer to mechanical systems which can be made applicable to electrical systems and connections are hereby amended accordingly.

11. Section 80.23 is amended to read as follows:

**80.23 Violations.**

**80.23.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Electrical Code, or to cause the same to be done, in conflict with or in violation of any provisions of this code. It shall be unlawful for any person to erect, construct, alter or repair a building or structure in violation of the approved construction documents or directive of the Chief Building Official or of a permit or certificate issued under the provisions of this code.

**80.23.2 Public nuisance; Abatement.** Any violation of this Electrical Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 13.80 of the City's Municipal Code may be abated in accordance with Title 13 of the City's Municipal Code.

**80.23.3 Penalties.** Any person who violates a provision of this Electrical Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Chief Building Official, or of a permit or certificate issued under the provisions of this code shall be guilty of an infraction violation, and the violator

shall be subject to the provisions set forth in Chapter 13.65 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

12. Section 80.27 is deleted.
13. Section 80.29 is deleted.
14. Section 80.33 is deleted.
15. Section 80.35 is deleted.
16. Section 80.37 is added to provide for fees:

**80.37 Fees.**

**80.37.1 Payment of fees.** On buildings, structures, and electrical systems or alterations requiring a permit under this Electrical Code, a fee for each permit shall be paid as required, in accordance with the fee schedule adopted by the City Council, a copy of which is on file with the Building and Safety Division.

**80.37.2 Fee refunds.** The administrative provisions for the refunding of fees paid under this code shall be governed by subsection 115.6 of the Administration provisions of the Mechanical Code, with the adopted amendments thereto. When necessary, provisions specifically pertaining to mechanical systems are deleted, and provisions which refer to mechanical systems which can be made applicable to electrical systems and connections are hereby amended accordingly.

17. Section 80.39 is added to provide for inspections:

**80.39 Inspections.** The administration of inspections under this code shall be governed by subsection 89.108.4.4 of the General Code Provisions of this Electrical Code together with Section 116 of the Administration provisions of the Mechanical Code, and any adopted amendments thereto. When necessary, provisions specifically pertaining to mechanical systems are deleted, and provisions which refer to mechanical systems which can be made applicable to electrical systems and connections are hereby amended accordingly.

18. Section 80.41 is added to provide for connection approvals:

**80.41 Connection Approval.** The administration of connection approvals under this code shall be governed by Section 117 of the Administration provisions of the Mechanical Code, with the adopted amendments thereto. When necessary, provisions specifically pertaining to mechanical systems are deleted, and provisions which refer to mechanical systems which can be made applicable to electrical systems and connections are hereby amended accordingly.

B. A copy of the foregoing modifications, amendments and deletions to the Electrical Code Annex H shall be maintained in the City's Building and Safety Division and available for public inspection.

**8.14.040 Adoption of Other Annex Chapters of the Electrical Code without Amendments**

There is adopted by reference and without amendment, the following annex chapters to the Electrical Code:

- Annex A: Product Safety Standards
- Annex B: Application Information for Ampacity Calculations
- Annex C: Conduit and Tubing Fill Tables for Conductors and Fixture Wires of the Same Size
- Annex D: Examples
- Annex E: Types of Construction
- Annex F: Critical Operations Power Systems

**Section 9. AMENDMENT OF CHAPTER 8.18 TO ADOPT THE 2010 CALIFORNIA RESIDENTIAL CODE WITH AMENDMENTS**

Chapter 8.18 of the Cathedral City Municipal Code is hereby re-titled as "California Residential Code, 2010 Edition" and is amended to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety.

**Chapter 8.18  
California Residential Code, 2010 Edition**

**8.18 California Residential Code Adopted with Amendments**

A. Except for the local amendments set forth herein, there is adopted by

reference the California Residential Code, 2010 Edition, which is based upon the 2009 International Residential Code and is published by the California Building Standards Commission as Part 2.5 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Building and Safety Division.

B. The California Residential Code, 2010 Edition (hereinafter "Residential Code") shall be the Residential Code for the City and said Code together with the adopted appendices and the amendments set forth in this chapter shall regulate and govern the conditions and maintenance of all one- and two-family properties, buildings and structures within the City by providing the standards for supplied utilities and facilities and other physical things and condition essential to ensure that structures are safe, sanitary and fit for occupation and use and providing for the condemnation and demolition of buildings and structures that are unfit for human occupancy and use, and the issuance of permits and collection of permit fees.

#### **8.18 Modifications, Amendments and Deletions to the Residential Code**

A. The following modifications, amendments and deletions are made to the Residential Code:

1. Section R101.1 is deleted in its entirety.
2. Section R103.1 is amended to read as follows:

**R103.1 Creation of enforcement agency.** There is established within the City, the Building and Safety Division, which shall be under the administrative and operational control of the Chief Building Official hereinafter referred to as the Chief Building Official.

3. Paragraph 2 of the Building portion of Section R105.2 is amended to reduce the height of fences which are exempt from permit requirements:

#### **Building:**

2. Fences and walls not over 3 feet.
4. Paragraph 3 of section R105.2 is deleted to remove the exemption from permit requirements for retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
5. Section R108.1 is amended to read as follows:

**R108.1 Payment of fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit under this Residential Code, a fee for each permit shall be paid as required and in accordance with the fee schedule adopted by the City Council, a copy of which is on file with the Building and Safety Division.

6. Section R112.1 is amended to provide for the creation of the Board of Appeals:

**112.1 General.** In order to determine the suitability of alternate materials and methods of construction governed by this Building Code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall consist of five members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the City of Cathedral City. Members of the Board of Appeals shall be appointed by the City Council and shall serve without compensation. Each member shall serve on the Board of Appeals for a term of 4 years. A member may be dismissed at any time during his or her term by a majority vote of the City Council. Vacancies shall be filled in the same manner as the original appointment. All matters before the Board of Appeals shall be administered by the Chief Building Official or his or her authorized representative. The Board of Appeals shall adopt reasonable rules and regulations for hearing appeals and conducting its business and such rules and regulations shall be freely accessible to the public. The Board of Appeals shall render all decisions and findings in writing with a duplicated copy to the applicant and may recommend to the City Council such new legislation as is consistent therewith.

7. Section R112.2 is amended to limit the authority of the Board of Appeals:

**R112.2 Limitations on authority.** The Board of Appeals is created to determine the suitability of alternate materials and methods of construction governed by this Building Code. The Board of Appeals shall have no authority to waive requirements of the Building Code.

8. Section R112.3 is deleted.

9. Section R112.4 is deleted.

10. Section R112.5 is added to provide for the filing of appeals:

**R112.5 Filing of appeals.** All appeals shall be made in writing and shall specify the order, decision or determination made by the Chief Building Official which is being appealed and wherein the Chief Building Official erred in making the order, decision or determination. The appeal shall be accompanied by a fee as established by the City Council. If, after reviewing the information submitted, the Chief Building Official determines the appeal does not merit a change in his or her order, decision, or determination, the Chief Building Official shall schedule a hearing by the Appeals Board and the appellant shall be notified in writing of the date and time of the hearing.

11. Section R113 is amended to provide for the enforcement of the Residential Code:

### **Section R113 VIOLATIONS**

**R113.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or to cause the same to be done, in conflict with or in violation of any provisions of this code. It shall be unlawful for any person to erect, construct, alter or repair a building or structure in violation of the approved construction documents or directive of the Chief Building Official or of a permit or certificate issued under the provisions of this code.

**R113.1.2 Public nuisance; Abatement.** Any violation of this Building Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 13.80 of the City's Municipal Code may be abated in accordance with Title 13 of the City's Municipal Code.

**R113.4 Penalties.** Any person who violates a provision of this Residential Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Chief Building Official, or of a permit or certificate issued under the provisions of this Residential Code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 13.65 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties

set forth therein.

12. Section R115 is added and reads as follows:

**Section R115 UNSAFE STRUCTURES AND EQUIPMENT**

**R115.1 Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed an unsafe condition.

**R115.2 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to maintain as unsafe structures or equipment regulated by this code, or cause the same to be done in conflict with or in violation of any provisions of this code.

13. Section R116 is added to require removal and disposal of trash and debris at building sites:

**Section R116 REMOVAL AND DISPOSAL OF TRASH AND DEBRIS**

**R116.1 Trash Containers.** Trash container(s) shall be placed on each construction site and shall remain in place until construction is completed. Each trash container shall be constructed of solid wood, metal or wire mesh and shall be a minimum of three cubic yards in capacity. Should wire mesh be utilized as a material for a construction site trash container, said container shall be framed to adequately support the wire mesh. The floor and cover of a container that is constructed of wire mesh shall be properly framed to provide adequate strength and support to withstand design loads and prevent breakage. Further, the lid for said container shall be hinged with a latching device that adequately secures the lid to the container while the container is not in use in order to prevent the lid from being blown open and/or off the container. The container shall be adequately anchored to prevent overturning by wind. Each container shall be provided with a hinged cover or lid which shall remain closed at all times while not in use. When construction is being performed simultaneously on an adjoining lot by one owner or contractor, then both construction sites may be serviced by a single container, provided that in no event shall a single container be utilized by more than two such construction sites. Where

construction sites are separated by one or more lots, separate containers are required for each site. It shall be the contractor's responsibility to ensure that no container is located on or within any public right-of-way. It shall be the contractor's responsibility to ensure that all containers under his or her control are emptied of all deposited materials placed within said container(s) at least once every week. It shall be the contractor's responsibility to remove or cause to be removed all deposited materials within said container(s) as frequently as necessary to prevent overflowing of the container(s). A trash container shall be used at all times for storage of loose papers, cartons, bottles, cans, trash, and all other rubbish and debris. It shall be the contractor's responsibility to ensure that all individuals who are employed by him or her or act under his or her direction and control, observe and obey all regulations set forth herein.

**R116.2 Inspections.** A permit holder shall not be entitled to and a building inspector shall not perform any inspections, including a final inspection, of any phase of completed construction work if the construction site or general area thereof contains an accumulation of construction rubbish and debris. In the event that a building inspector is unable to conduct a requested inspection because of an accumulation of rubbish and debris, a re-inspection fee shall be paid to the City at the time of the request for re-inspection.

**R116.3 Definition.** Rubbish and debris for the purpose of this section includes, but is not limited to, stub ends of cut lumber, broken lumber and other scrap wood, scrap cement and plaster, scrap metal, paper cartons, wrappings, and other similar materials that result from the process of constructing a building or structure.

14. Section R403.1.9 is added to Chapter 4 of the Residential Code to provide criteria for the top of exterior foundation elevations for all residential structures, which shall read as follows:

**R403.1.9 Minimum foundation elevation requirements. The top of exterior foundation elevation of all residential structures used for human occupancy shall meet the following criteria.**

**(1) If no elevations have been fixed in connection with a permit or approval, the finished floor shall be located at the highest elevation required as set forth as follows:**

**a. On level lots, the top of the exterior foundation shall be elevated to a minimum of 18 inches above the**

top of the curb or the top of the crown of the street immediately in front of the subject lot.

b. On lots where the lot drains toward the adjacent road or is subject to water impounded behind an adjacent road, the finished floor shall be elevated to a minimum of 18 inches above the top of the crown of the adjacent road.

(2) The requirement of this section may be waived or modified by the Chief Building Official, in his or her sole discretion, upon the existence of one or both of the following circumstances:

a. If a proposed method of construction that is prepared by a registered civil engineer provides equivalent flood protection; or

b. If the unique characteristics of a building site make the requirements unnecessary.

15. Section R902.1 of Chapter 9 of the Residential Code is amended by adding an additional exception to require the installation of clay or concrete tile roofs for all new buildings of Group R occupancies:

(3) All new buildings of Group R occupancies that have a roof pitch of 2<sup>1/2</sup>":12" or greater shall have coverings of clay or concrete tile conforming to ASTM C 1167 and ASTM C 1492, respectively, and shall be installed in accordance with Table R905.3.7.

16. Section R904.5 is added to Chapter 9 of the Residential Code to provide that roof of additions and alterations to existing buildings may be roofed in the same roofing material as the original building unless other materials are required by the Chief Building Official:

R904.5 Additions and alterations. Roofs of all additions and alterations to existing buildings may be roofed in the same roofing material as the original building unless other materials are required by the Chief Building Official.

B. A copy of the foregoing modifications, amendments and deletions to the Residential Code shall be maintained in the City's Building and Safety Division and available for public inspection.

**8.18 Adoption of Other Appendices of the Residential Code without Amendments**

There is adopted by reference and without amendment, the following appendices to the Residential Code:

- A. Appendix H: Patio Covers

**Section 10. COPIES OF CODES, ORDINANCE MAINTAINED**

A copy of the codes adopted herein, together with a copy of this ordinance, shall be on file with the Building and Safety Division and maintained by the Chief Building Official for use and examination by the public. A copy of the Fire Code and the amendments thereto shall be maintained by the Fire Chief for use and examination by the public. Copies of the City of Cathedral City Fire Department Development Guidelines and the Cathedral City Public Safety Radio System Coverage Specifications, as referenced in Municipal Code section 8.12.060 as provided by this ordinance, are attached hereto and incorporated herein by reference.

**Section 11. SEVERABILITY**

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

**Section 12. REPEAL OF CONFLICTING PROVISIONS**

All the provisions of the Cathedral City Municipal Code as heretofore adopted by the City of Cathedral City that are in conflict with the provisions of this ordinance are hereby repealed.

**Section 13. EFFECTIVE DATE**

This Urgency ordinance shall take effect on January 1, 2011.

**Section 14. AMENDING OF BAIL SCHEDULE**

The City Attorney's Office is hereby directed to determine whether this ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

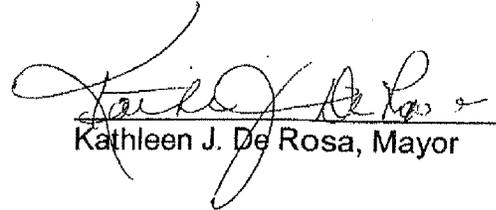
**Section 15. CERTIFICATION**

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

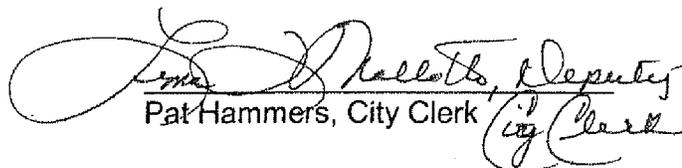
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The foregoing Ordinance was approved and adopted at a meeting of the City Council held on Dec. 8, 2010 by the following vote:

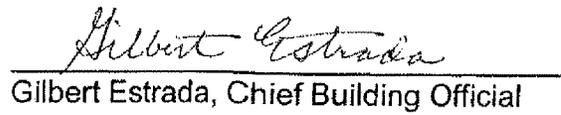
Ayes: 4 - Council Member Toles; England; Mayor Pro Tem Vasquez; Mayor De Rosa  
Noes: 0  
Abstain: 0  
Absent: 1 - Council Member Pettis

  
Kathleen J. De Rosa, Mayor

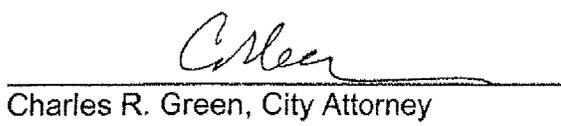
ATTEST:

  
Pat Hammers, City Clerk

APPROVED AS TO CONTENT:

  
Gilbert Estrada, Chief Building Official

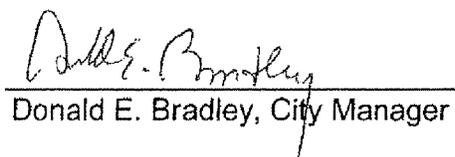
APPROVED AS TO FORM:

  
Charles R. Green, City Attorney

APPROVED AS TO CONTENT:

  
Bill Soqui, Fire Chief

Reviewed by:

  
Donald E. Bradley, City Manager