

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



January 24, 2014

Susan Maysels
City Clerk
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

RE: Ordinance #517

Dear Ms. Maysels:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 19, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code 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.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

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

Sincerely,

A handwritten signature in blue ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



City of La Quinta

78-495 CALLE TAMPICO
LA QUINTA, CA 92253

OFFICE OF THE CITY CLERK
(760) 777-7103
FAX (760) 777-7107

December 9, 2013

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

RE: Ordinance No. 517

To Whom It May Concern;

Please find attached a fully executed City of La Quinta Ordinance 517 along with Exhibit A which amends Title 8 of the La Quinta Municipal Code by adopting by reference the 2013 California Building Standards Code and certain specified appendices thereof, including the 2013 California Administrative Code; 2013 California Building Code; 2013 California Residential Code; 2013 California Electrical Code; 2013 Mechanical Code; 2013 California Plumbing Code; 2013 California Energy Code; 2013 California Historical Building Code; 2013 California Fire Code; 2013 California Existing Building Code; 2013 California Green Building Standards Code; and 2013 California Referenced Standards Code, and making findings of local conditions within the City Of La Quinta which make certain amendments to the California Buildings Standards Code reasonably necessary.

If you need further information or assistance please contact Building Official, Greg Butler at (760) 777-7015.

Sincerely,


Susan Maysels
City Clerk

Enclosure

c: Greg Butler, Building Official

ORDINANCE NO. 517

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING TITLE 8 OF THE LA QUINTA MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING STANDARDS CODE AND CERTAIN SPECIFIED APPENDICES THEREOF, INCLUDING THE 2013 CALIFORNIA ADMINISTRATIVE CODE; 2013 CALIFORNIA BUILDING CODE; 2013 CALIFORNIA RESIDENTIAL CODE; 2013 CALIFORNIA ELECTRICAL CODE; 2013 MECHANICAL CODE; 2013 CALIFORNIA PLUMBING CODE; 2013 CALIFORNIA ENERGY CODE; 2013 CALIFORNIA HISTORICAL BUILDING CODE; 2013 CALIFORNIA FIRE CODE; 2013 CALIFORNIA EXISTING BUILDING CODE; 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE; AND 2013 CALIFORNIA REFERENCED STANDARDS CODE, AND MAKING FINDINGS OF LOCAL CONDITIONS WITHIN THE CITY OF LA QUINTA WHICH MAKE CERTAIN AMENDMENTS TO THE CALIFORNIA BUILDINGS STANDARDS CODE REASONABLY NECESSARY.

WHEREAS, California Health & Safety Code Section 17958 mandates that the City of La Quinta adopt ordinances or regulations imposing the requirements of certain uniform industry codes adopted by the State pursuant to Health & Safety Code Section 17922; and

WHEREAS, the State of California has adopted the 2013 editions of the California Administrative Code, California Building Code, the California Residential Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Energy Code, the California Historical Building Code, the California Fire Code, the California Existing Building Code, the California Green Building Standards Code, and the California Referenced Standards Code, known collectively as the California Building Standards Code, and comprising Title 24 of the California Code of Regulations; and

WHEREAS, the California Building Standards Code establishes minimum standards to regulate the construction of buildings throughout the State; and

WHEREAS, California Health and Safety Code Section 17958.5 permits the City of La Quinta to make such changes and modifications to the California Building Standards Code as are reasonably necessary because of local conditions; and

WHEREAS, the Building Official, the Community Development Director, and the Riverside County Fire Marshal have recommended that changes and modifications be made to the California Building Standards Code and have advised that certain of said changes are reasonably necessary due to local conditions in the City of La Quinta and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the California Building Standards Code or are reasonably necessary to safeguard life and property within the City of La Quinta.

NOW, THEREFORE, the City Council of the City of La Quinta finds and determines, pursuant to the requirements of Health and Safety Code Section 17958.7, that there is a need to adopt the changes or modifications to the California Building Standards Code because of local climatic, topographical, and geological conditions, and does ordain as follows:

SECTION 1. Changes and modifications to the California Building Standards Code adopted by the City of La Quinta, as recommended by the Building Official, the Community Development Director, and the Riverside County Fire Marshal are hereby found to be reasonably necessary due to the following general findings of local conditions:

I. Climatic Conditions:

- A.** La Quinta has an arid desert climate with rainfall averaging just over three inches annually, reducing the moisture content of combustible materials. Frequent periods of drought and low humidity contribute to the probability of a year-round fire season.
- B.** For nearly four months each year, average daily high temperatures in La Quinta reach 100 degrees or higher, reducing the amount of added heat required to bring combustible materials to their ignition point.
- C.** La Quinta is subject to hot, dry winds that further dry combustible materials, adding to the intensity of fires and their potential to spread rapidly. During the summer months the dry winds and existing vegetation mix to create a hazardous fuel condition which has resulted in large loss in vegetation and structure fires. Severe "Santa Ana" winds frequently occur and can move a fire quickly throughout areas of the City. Multiple shifting wind patterns throughout the canyon areas add to the difficulty in suppressing fires.
- D.** High winds cause failures of electrical supply and telephone communication, reducing the reliability of water supply pumps and timely emergency notification.

- E. Because of weather patterns, water is a scarce commodity in desert environments, and La Quinta and its neighboring areas draw more water from the underground aquifer than is replenished naturally. As a result, the area is dependent upon imported water to reduce the effects of overdrafting from the aquifer. Limited storage capacities, high consumption, and droughts reduce the dependability of future water allocations. Scarcity of water necessitates reducing the need for large volumes of water for firefighting efforts by early suppression through the installation of fire sprinklers in buildings that would otherwise be exempt from sprinkler requirements.
- F. Under desert conditions, aluminum wiring is more likely than copper to fail mechanically. Aluminum is more reactive than copper to ambient temperature changes as well normal heating produced from the flow of electricity. It expands and contracts when subjected to heating and cooling, respectively, more so than does copper. Compared to copper, its lower electrical conductivity generates more heat. Aluminum is also more brittle than copper and is more likely to break or crimp. Arcing can occur if a wire breaks or crimps, causing very high temperatures inside concealed building spaces. Aluminum is more likely to corrode (i.e., oxidize) than copper. When excessive corrosion occurs it increases the resistance in the circuit and causes overheating. All of these mechanisms of failure increase the risks of fire associated with the use of aluminum wire.

II. Topographical Conditions:

- A. La Quinta is separated from Los Angeles to the west and Phoenix to the east by mountainous terrain, isolating it from media broadcasts of news and emergency information originating from major metropolitan areas.
- B. Much of La Quinta, particularly the southern portion, is situated in alluvial fans, surrounded by mountains, isolating it from media broadcasts of news and emergency information originating from within the Coachella Valley.
- C. Major roadways, highways, and flood control channels create barriers that increase Fire Department response times. Undulating terrain incorporated into large country clubs also increases these response times.
- D. Streets designed for limited residential traffic and streets designed as storm drains impede emergency vehicle access and evacuation routes.

III. Geological Conditions:

- A. La Quinta is situated near several significant sources capable of producing moderate to large earthquakes, including the San Andreas, Garnet Hill, Banning, Eureka Peak, Burnt Mountain, Pinto Mountain, San Geronio Pass, and San Jacinto Faults.
- B. Faults near La Quinta are capable of producing earthquakes of Magnitude 7.8 or greater, accompanied by intense shaking, liquefaction, and permanent ground displacement, increasing the risk of property damage, or personal injury or death, caused by the failure of structures, necessitating the permitting and inspection of structures that would otherwise be exempt from permit requirements.
- C. Seismic activity within the area occurs yearly. As a result, existing structures and planned new development are subject to serious risks, including fire and collapse, disruption of the water supply for firefighting purposes, and isolation from emergency response as a result of bridge, overpass, and road damage and debris.
- D. Severe ground shaking during a seismic event increases the probability that above-ground structures will fail. The inherent danger to the public is increased when power lines are installed above ground because of the danger from falling or fallen power poles and the possibility of contacting live power lines.

IV. Other Conditions:

- A. Additional amendments are found to be either administrative or procedural in nature or concern themselves with subjects not covered in the California Building Standards Code. These changes include provisions making the California Building Standards Code compatible with other codes enforced by the City.

SECTION 2. As recommended by the Building Official, Community Development Director, and the Riverside County Fire Marshal, the following local amendments to the 2013 California Building Standards Code are hereby found to be reasonably necessary as identified in the table below and referenced to the express findings noted in Section 1, above.

Local Code Amendments and Express Findings of Necessity		
Code Legend:		
CBC = California Building Code; CRC = California Residential Code; CEC = California Electrical Code; CFC = California Fire Code; LQMC = La Quinta Municipal Code		
Code	Amended Section	Express Finding
LQMC	8.01.020	IV.A
LQMC	8.01.030	IV.A

CBC	105.2	III.A, III.B, IV.A
CBC	903.2	I.A, I.B, I.C, II.D
CBC	1505.1.5	I.A, I.B, I.C, II.D
CBC	3109.4.4.3.1	IV.A
CEC	120	III.D
CEC	310.10	I.F
CEC	820.1.1	II.A, II.B
CEC	841.1	II.A, II.B
CFC	103.4.2	IV.A
CFC	104.3.2	IV.A
CFC	104.12	IV.A
CFC	109.4	IV.A
CFC	202	IV.A
CFC	308.1.6.3	I.A, I.B, I.C, I.E
CFC	404.2	IV.A
CFC	503.1.1	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	503.2.2	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	503.3	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	503.7	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	504.1	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	507.5.5	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	507.5.7	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	507.5.8	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	508.1	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	606.10.1.2	II.C, II.D, III.C
CFC	903.2	I.A, I.B, I.C, I.E, II.C, II.D, III.C
CFC	903.3.5.3	I.A, I.B, I.C, I.E, II.C, II.D, III.C, IV.A
CFC	3204.2.1	II.D, IV.A
CFC	4904.3	IV.A
CFC	B105.2	I.A, I.B, I.C, I.E, II.C, II.D, III.C, IV.A

CFC	C102.1	I.A, I.B, I.C, I.E, II.C, II.D, III.C, IV.A
CFC	Appendix Chapter D	IV.A
CFC	Appendix Chapter I	IV.A
CFC	Appendix Chapter J	IV.A
CFC	Appendix Chapter K	IV.A
CRC	R105.2	III.A, III.B, IV.A
CRC	R905.1.5	I.A, I.B, I.C, II.D

SECTION 3. A copy of this Ordinance adopting the 2013 California Administrative Code, the 2013 California Building Code, the 2013 California Residential Code, the 2013 California Electrical Code, the 2013 California Mechanical Code, the 2013 California Plumbing Code, the 2013 California Energy Code, the 2013 California Historical Building Code, the 2013 California Fire Code, the 2013 California Existing Building Code, the 2013 California Green Building Standards Code, and the 2013 California Referenced Standards Code, along with the findings, amendments, additions, and deletions, shall be filed with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833 by the City Clerk of the City of La Quinta.

SECTION 4. ADOPTION OF BUILDING AND CONSTRUCTION REGULATIONS. The City hereby adopts an amendment, attached hereto as Exhibit A, to Title 8 of the La Quinta Municipal Code, entitled "Buildings and Construction," which is incorporated as fully as if set out in full herein, for the purpose of prescribing regulations governing conditions related to building and construction and activities including those certain documents specifically described in said Exhibit A, save and except certain specified portions which are hereinafter deleted, modified, or amended within various Chapters of said Title 8, of which documents being adopted by reference copies are on file with the Building Official and the same are also hereby adopted and incorporated as fully as if set out at length herein.

SECTION 5. VALIDITY. If any section, subsection, clause, or phrase of this Ordinance, or of any code adopted thereby is, for any reason, held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance or of any code adopted thereby. The City Council hereby declares that it would have passed this Ordinance and each section or subsection, sentence, clause, and phrase thereof, and each code adopted thereby irrespective of the clauses or phrases being declared invalid.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 7. POSTING. The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

PASSED, APPROVED and ADOPTED, at a regular meeting of the La Quinta City Council held this 3rd day of December 2013, by the following vote:

AYES: Council Members Evans, Franklin, Henderson, Osborne, Mayor Adolph

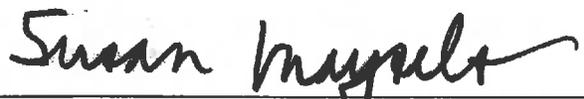
NOES: None

ABSENT: None

ABSTAIN: None


DON ADOLPH, Mayor
City of La Quinta, California

ATTEST:


SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:


M. KATHERINE JENSON, City Attorney
City of La Quinta, California

EXHIBIT "A"

Note: In this Exhibit, Code text is differentiated as follows:
Existing language to remain unchanged is displayed in standard font.
Existing language to be deleted is displayed in ~~strikethrough font~~.
New or revised language is displayed in underlined, italic font.

Title 8 of the La Quinta Municipal Code, entitled "Buildings and Construction," shall be amended as follows:

1. Section 8.01.010, entitled "Adoption of the California Administrative Code," shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Administrative Code," ~~"2010 California Administrative Code,"~~ published by the California Building Standards Commission, are adopted for establishing administrative, organizational and enforcement rules and regulations for technical codes which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment. ~~Each and all of the regulations, provisions, conditions and terms of such "2010 California Administrative Code," published by the California Building Standards Commission, on file in the building and safety department, are referred to and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

2. Section 8.01.030, entitled "Construction site security and debris," shall be renumbered as "8.01.020." The body text shall be amended to read as follows:

A. The owner, contractor, or responsible party constructing a new building, addition, or alteration to an existing building shall maintain security measures as deemed necessary or as required by the building official to control vandalism, fires, blowing dust, sand or debris.

B. Except as permitted by Subsection 8.01.020(E) of this code, ~~The~~ owner, contractor, or responsible party constructing a new building, addition, or alteration to an existing building, shall keep the construction site clean by having onsite an all metal, minimum three yard capacity, container with hinged lid (except rolloff

containers), compatible for use with standard trash removal trucks, commonly referred to as dumpsters, for the depositing of trash and debris. Containers are to be provided by commercial trash collection companies and shall not be placed in the right-of-way. As used in this section, "trash and debris" shall include papers, cartons, bottles, cans, garbage, roofing materials, insulation, plaster, concrete, boards, and other substances that may be accumulated as a result of construction activities.

C. A trash container shall remain on the construction site until immediately preceding ~~the building inspector has completed~~ the final inspection. Said container shall be emptied of its contents on a regular schedule or as ordered by the building inspector in order to avoid blowing debris or other public nuisances.

D. Disposal shall be by transportation to a legally established dump site by the city's refuse contractor or other person authorized by law to remove any container from the location where the container was placed by the person in charge for storage and collection.

E. Subject to the rules and regulations of the city's refuse contractor, the building official may permit the contractor of record of any permitted construction project to self-haul construction debris to an approved dump site. Such permission by the building official shall be in writing and may be revoked at any time.

F. Refusal to comply with this section shall be a misdemeanor and sufficient cause for the suspension of the issued building permit pending compliance.

3. Section 8.01.040, entitled "Violation—penalty," shall be renumbered as "8.01.030." The body text shall be amended to read as follows:

It is unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any structure, or equip, cause, or permit the same to be done, contrary to or in violation of any of the provisions of this title. Any person, firm, or corporation violating, or failing to comply with, any of the provisions of this title or a code adopted in this title is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this title or such code is committed, continued, or permitted. ~~It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip or cause or permit the same to be done, contrary to or in violation of any of the provisions of this title. Any person, firm or corporation violating, or failing to comply with, any of the provisions of this title or a code adopted in this title is guilty of a separate offense for each and every day or portion thereof during which any violation of any~~

~~of the provisions of this title or such code is committed, continued or permitted,~~ and upon conviction of any such violation, such person shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment. The application of the penalty provided in this section shall not be held to prevent the abatement of prohibited conditions as a public nuisance as provided by Section 1.01.250 of the La Quinta Municipal Code.

4. Section 8.02.010, entitled "Adoption of the California Building Code" shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Building Code" ~~"2010 California Building Code"~~ Volumes 1 and 2, including Appendix Chapter C (Group U – Agricultural Buildings), Appendix Chapter F (Rodentproofing), Appendix Chapter H (Signs), Appendix Chapter I (Patio Covers), and Appendix Chapter J (Grading) published by the California Building Standards Commission are adopted for regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. ~~erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance, of all buildings or structures.~~ Each and all of the regulations, provisions, conditions and terms of such "2010 California Building Code," published by the California Building Standards Commission, on file in the building and safety department, are referred to and made part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

5. Section 8.02.020, entitled "Deletion of certain parts of the California Building Code," shall be retitled "Work exempt from permit." The body text shall be amended to read as follows:

Subsection 105.2 of Section 105 of the California Building Code is amended by deleting the subheading "Building" and its listed items 1 through 13 and replacing them with the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11 m²).
2. Fences and non-retaining masonry walls not over 3 feet (914 mm) in height measured from finished grade. ~~not over 7 feet (2134 mm) high.~~
3. Oil derricks.
4. Retaining walls that are not over 2 feet (609 mm) ~~4 feet (1219 mm)~~ in height measured from finished grade to the top of the wall ~~the bottom of the footing~~, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L), and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

All such structures must comply with the setback and height requirements of the La Quinta Municipal Code, as applicable. Unless otherwise exempted, separate plumbing, electrical, and mechanical permits are required for the above-exempted items.

~~The following portions of the 2010 California Building Code are deleted:~~

~~A. Section 113 (Board of Appeals);~~

~~B. Section 105.2 (Work exempt from permit), Building, Items 2 and 4.~~

6. Section 8.02.030, entitled "Automatic fire-extinguishing systems," shall be amended to read as follows:

Section 903.2 of the 2013 California Building Code ~~2010 California Building Code~~ is amended to read as follows:

Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Those requirements notwithstanding, an approved automatic sprinkler system shall be installed throughout any new building or structure where the fire area is 3,600 square feet or greater. ~~exceeds 5,000 square feet.~~

7. Section 8.02.040, entitled "Fire-retardant roofing materials required" shall be amended to read as follows:

Section 1505.1.5 of the 2013 California Building Code is added to read as follows:

1505.1.5 Roof coverings within the City of La Quinta. With the exception of patio covers and similar structures, as determined by the building official, roof covering shall be of a Class A rating and shall otherwise comply with the 2013 California Building Code.

Exception: At the discretion of the building official, a waiver may be granted when all of the following conditions exist:

1. The scope of work is an addition or roof repair, and;

2. The newly roofed area consists of less than 25 percent of the existing roof area, and;

3. The existing combustible roof was constructed not more than 25 years prior to currently proposed work.

~~A. With the exception of patio covers and similar structures, as determined by the building official, roof covering shall be of a Class A rating and shall conform with 2010 California Building Code Section 1505.~~

~~B. Exception: A waiver may be granted on an addition or roof repair where it does not consist of twenty five percent or more of the existing roof area and where the existing combustible roof was constructed within twenty five years.~~

8. Section 8.02.050, entitled "Swimming pool, spa, and hot tub regulations" is added to read as follows:

Section 3109.4.4.3.1 of the 2013 California Building Code is added to read as follows:

3109.4.4.3.1 Additional pool barrier requirements. The following fencing requirements shall apply to private swimming pools located on individual residential lots:

1. Every person who owns or who is in possession of land upon which a swimming pool is located shall construct and maintain in good condition, completely surrounding such parcel of land or the swimming pool itself, an enclosure not less than five feet in height, consisting of a fence, wall, buildings, or a combination thereof.

Exception: Within a walled, gated community, when the swimming pool is located in a rear or side yard that abuts a golf course or other common open space, a wall or fence shall not be required to separate said rear or side yard from said golf course or other common open space.

2. The enclosure shall be constructed of substantial material, as allowed elsewhere in the La Quinta Municipal Code, and shall have all of the following characteristics:

a. Any access gates through the enclosure are self-closing with a self-latching device placed no lower than 60 inches (1524 mm) above the ground.

b. A minimum height of 60 inches (1524 mm).

c. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches (51 mm).

d. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches (102 mm) in diameter.

e. An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

9. Section 8.03.010, entitled "Adoption of the California Electrical Code" shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Electrical Code," ~~"2010 California Electrical Code,"~~ published by the California Building Standards Commission, are adopted for safeguarding persons and property from hazards arising from the use of electricity. ~~Each and all of the regulations, provisions, conditions, and terms of such "2010 California Electrical Code," published by the California Building Standards Commission, on file in the building and safety department, are referred to and made a part of this code as if fully set out in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

10. Section 8.03.020, entitled "Deletion of certain parts of the California Electrical Code" shall be retitled "Underground wiring required." The body text shall be amended to read as follows:

Article 120 of the 2013 California Electrical Code is added to read as follows:

ARTICLE 120
Underground Wiring Required

120.1 Scope. This article covers the general requirements for restricting the installation of above-ground electrical and other utility components in new construction, and phasing out their use in existing installations.

120.2 Definitions. See Article 100. For the purposes of this article, the following additional definitions apply.

Community Antenna Television System (or CATV). A system of antennas, coaxial cables, wires, wave guides, or other conductors, equipment, or facilities designed, constructed, or used for the purpose of providing television or FM radio service by cable or through its facilities.

Cost of Replacing. Those costs as computed by the Building Official or his or her designee. In making said computation, said City Official shall use those tables and figures provided in that publication entitled "Building Standards," as published by International Code Council, Whittier, California, and which is current at the time of such computations. Said tables and figures shall apply to a building which would conform to all City and State Regulations, including the City's Building, Plumbing, Wiring, Mechanical, Fire Codes and Zoning Regulations, which are effective at the time of the computation.

Poles, Wires, and Associated Structures. Poles, towers, supports, wires, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments, and appurtenances used in whole or in part for supplying, distributing or transmitting electric energy, radio signals, television signals, telegraphic signals, CATV services, or any similar associated services to a building or structure and the occupants thereof, if any. Also referred to collectively in this article as "utility facilities."

Utility. All persons or entities supplying, transmitting, or distributing electrical energy and service, radio signals, television signals, telegraphic signals, and providing telephone, electrical, light, radio, television, telegraphic, and CATV services or any similar associated services by means of poles, wires, and associated structures.

120.3 Prohibition. Except as provided in Article 120.4, no person shall construct, install, or place above the surface of the ground any poles, wires, and associated structures, regardless of the use or proposed use of the structure or building to be served thereby.

120.4 Exceptions. The provisions of this article shall not apply to the following poles, wires, and associated structures under the circumstances described herein:

(A) Termination Point for Overhead Utility Facilities. Utility facilities constructed, placed, or installed (referred to herein collectively as "constructed"), or proposed to be constructed within six feet of the lot line of any real property for which service is being or intended to be provided by said utility facilities, if the sole purpose of the construction of utility facilities is to terminate overhead utility facilities. Such utility facilities may be placed at a distance further than six feet from said lot line to enable a maximum underground run of two hundred feet.

(B) Ground-mounted Equipment. Ground-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, concealed ducts, and other appurtenances and associated equipment, which are part of and necessary for the operation of an underground electrical, communication, CATV, radio, or telegraphic system.

(C) Temporary Facilities. Utility facilities installed by a utility for temporary purposes, including, but not limited to, servicing building construction projects for which valid building permits have been issued by the City, and which uses are being or proposed to be conducted in compliance with all requirements of this code, the remainder of the California Building Standards Code, and the La Quinta Municipal Code.

(D) High Voltage Installations. Utility facilities distributing, supplying, and transmitting electrical energy at 34,000 Volts or greater.

120.5 Initial Obligation. The owner, lessee, tenant, or occupant of a building or structure or the owner of property proposed to be developed by a building or structure has the initial obligation to comply with all the requirements of this article, and in performance of said obligation shall make the necessary arrangements with the appropriate utility for the installation and construction of utility facilities so that they will be in compliance with the provisions of this article. This section is not intended to eliminate or limit the obligation of any person, including a utility, to comply at all times with all provisions of this article, but expresses the intent of the La Quinta City Council as to who has the primary obligation of compliance.

120.6 Waiver. If any person believes that the application of any provision of this article is impractical and will cause practical difficulties and unnecessary hardship to him or her or the public in general due to certain topographical conditions, street configurations, underground obstacle, soil, water or other natural conditions which would make the underground installation of utility facilities unreasonable, said person may apply in writing to the Community Development Department for a waiver of such provision of this article. Said application shall be filed with the Community Development Department and the City Council shall consider said application no later than thirty (30) days thereafter, at which time it shall hear the Applicant's evidence in support of the application, the comments and recommendations of the City's employees and officials thereon. It may hear other parties. The City Council may grant a waiver from all or any provisions of this article after considering a specific application therefor and after making a finding that the application of the specific provision in question would be unreasonable, impractical and cause undue hardship to the Applicant or the general public. If the City Council does grant a waiver, it may impose reasonable conditions on said

grant in the interest of protecting and preserving the public health, safety and general welfare. The City Council shall make its decision on the application no later than thirty (30) days after it has concluded its consideration thereof. The decision of the City Council shall be final.

120.7 Nonconformance: Continuance and Termination.

(A) Nonconformance. Any legally established utility facility not in conformity with the provision of this article as of the effective date of this ordinance shall be considered nonconforming.

(B) Nonconforming Utility Facilities Not Relocated. Any nonconforming utility facility may continue to be used and may be renewed, altered, enlarged, or have additions thereto in its existing location without any provisions of this article being applicable thereto. However, when any building or structure to which any nonconforming utility facility provides any service is enlarged or an addition is made thereto where the cost of replacing said building or structure including its addition or enlargement exceeds by 50 percent the cost of replacing said building or structure prior to its enlargement or the addition thereto, all utility facilities that provide service to such building or structure, as described in the aforesaid clause, shall be caused to comply with all provisions of this article.

(C) Nonconforming Utility Facilities Relocated. Whenever an existing service is relocated on nonconforming property, or a new service is established on nonconforming property, any such relocated or new service shall be caused to comply with all the provisions of this article.

~~The following portions of the 2010 California Electrical Code are deleted: Section 89.108.8 (Appeals Board).~~

11. Section 8.03.030, entitled "Underground wires" shall be retitled "Copper wire required." The existing body text shall be deleted in its entirety and replaced to read as follows:

Section 310.10 of the California Electrical Code is amended to read as follows:

310.10 Uses Permitted.

The conductors described in 310.104 shall be permitted for use in any of the wiring methods covered in Chapter 3 and as specified in their respective tables or as permitted elsewhere in this Code. However, aluminum conductors shall only be

permitted for use to feed main electrical panels or sub-panels. Such aluminum conductors shall not be smaller than size 1/0 AWG.

(Note: The Informational Note for Section 310.10 and all text in Sections 310.10(A) through 310.10(H) shall remain unchanged.)

12. Section 8.03.040, entitled "Minimum size of conductor" shall be retitled "Telephone jacks and television cable outlets." The body text shall be amended to read as follows:

A. Section 820.1.1 of the 2013 California Electrical Code, entitled "Television Cabling Required," is added to read as follows:

820.1.1 Television Cabling Required.

(A) General Requirement. All newly constructed residences shall be pre-wired for cable television. For the purposes of this section, "pre-wired" shall mean the installation of wires within a structure at the time of construction in such a manner as to be rendered inaccessible by the structure or finish of the building except at required outlets.

(B) Required Outlet Locations. Television cable outlets shall be provided in all habitable rooms in a dwelling unit except kitchens and dining areas.

B. Section 841.1 of the 2013 California Electrical Code, entitled "Telephone Cabling Required," is added to read as follows:

841.1 Telephone Cabling Required.

(A) General Requirement. All newly constructed residences shall be pre-wired for telephone. For the purposes of this section, "pre-wired" shall mean the installation of wires within a structure at the time of construction in such a manner as to be rendered inaccessible by the structure or finish of the building except at required outlets.

(B) Required Outlet Locations. Telephone outlets shall be provided in all habitable rooms in a dwelling unit except dining areas that are immediately adjacent to a kitchen or living room.

~~Section 310.5 of the California Electrical Code is amended to restrict the use of aluminum conductor to feed main electrical panels or sub-panels. The aluminum conductor shall have a minimum size of 1/0.~~

13. Section 8.03.050, entitled "Telephone jacks and television cable outlets," shall be deleted in its entirety.

14. Section 8.04.010, entitled "Adoption of the California Plumbing Code" shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Plumbing Code," ~~"2010 California Plumbing Code"~~ including all appendices, published by the California Building Standards Commission, are adopted for regulating the erection, installation, alteration, addition, repair, relocation, replacement, maintenance, or use ~~maintenance or use~~ of any plumbing system. ~~Each and all of the regulations, provisions, conditions and terms of such "2010 California Plumbing Code" including all its appendices, published by the California Building Standards Commission, on file in the building and safety department are referred to and made a part hereof as if fully set out in this chapter except as otherwise provided in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

15. Section 8.04.020, entitled "Deletion of certain parts of the California Plumbing Code" shall be deleted in its entirety.

16. Section 8.05.010, entitled "Adoption of the California Mechanical Code" shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Mechanical Code" ~~"2010 California Mechanical Code"~~ including all appendices, published by the California Building Standards Commission, are adopted for regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance ~~operation and maintenance~~ or use of heating, ventilating, cooling, refrigeration systems, incinerators, and ~~incinerators~~ and other miscellaneous heat-producing appliances. ~~Each and all of the regulations, provisions, conditions and terms of such "2010 California Mechanical Code" published by the California Building Standards Commission, on file in the building and safety department, are referred to and made a part of this code, as if fully set out in this chapter, except as otherwise provided in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

17. Section 8.05.020, entitled "Deletion of certain parts of the California Mechanical Code" shall be deleted in its entirety.

18. Chapter 8.06, entitled "SWIMMING POOL, SPA AND HOT TUB CODE" shall be retitled "RESIDENTIAL CODE."

19. Section 8.06.010, entitled "Adoption of the Uniform Swimming Pool, Spa and Hot Tub Code" shall be retitled "Adoption of the California Residential Code." The body text shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Residential Code," including Appendix H (Patio Covers), published by the California Building Standards Commission are adopted for regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one- and two-family dwelling, townhouse not more than three stories above grade plane in height with a separate means of egress and structures accessory thereto.

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

~~Certain documents marked and designated as the Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition, published by the International Association of Plumbing and Mechanical Officials, are adopted for regulating the erection, installation, alteration, addition, repair, relocation, replacement, maintenance or use of any swimming pool, spa or hot tub plumbing system. Each and all of the regulations, provisions, conditions, and terms of such Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition, published by the International Association of Plumbing and Mechanical Officials, on file in the building and safety department, are referred to and made a part of this code as if fully set out in this chapter.~~

20. Section 8.06.020, entitled "Deletion of certain parts of the Uniform Swimming Pool, Spa and Hot Tub Code," shall be retitled "Work exempt from permit." The body text shall be amended to read as follows:

Subsection R105.2 of Section 105 of the California Building Code is amended by deleting the subheading "Building" and its listed items 1 through 10 and replacing them with the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences and non-retaining masonry walls not over 3 feet (914 mm) in height measured from finished grade. ~~not over 7 feet (2134 mm) high.~~
3. Retaining walls that are not over 2 feet (609 mm) in height measured from finished grade, ~~4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall,~~ unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L), and are installed entirely above ground.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling, and do not serve the exit door required by Section R311.4.

All such structures must comply with the setback and height requirements of the La Quinta Municipal Code, as applicable. Unless otherwise exempted, separate plumbing, electrical, and mechanical permits are required for the above-exempted items.

~~The following portions of the Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition, are deleted: Part 1 (Administration).~~

21. Section 8.06.030, entitled "Swimming pool defined," shall be retitled "Fire-retardant roofing materials required." The body text shall be amended to read as follows:

Section R902.1.5 of the 2013 California Residential Code is added to read as follows:

1505.1.5 Roof coverings within the City of La Quinta. With the exception of patio covers and similar structures, as determined by the building official, roof covering shall be of a Class A rating and shall otherwise comply with the 2013 California Residential Code.

Exception: At the discretion of the building official, a waiver may be granted when all of the following conditions exist:

1. The scope of work is an addition or roof repair, and;
2. The newly roofed area consists of less than 25 percent of the existing roof area, and;
3. The existing combustible roof was constructed not more than 25 years prior to currently proposed work.

~~The definition of a swimming pool in Section 202 of the Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition, shall be revised to read as follows:~~

~~Swimming Pool — Any constructed or prefabricated structure used for swimming, bathing or similar purposes.~~

22. Section 8.06.040, entitled "Fencing requirement," shall be deleted in its entirety.

23. Section 8.06.050, entitled "Additional safety requirements," shall be deleted in its entirety.

24. Chapter 8.07, entitled "SIGN CODE" shall be retitled "GREEN BUILDING STANDARDS CODE."

25. Section 8.07.010, entitled "Adoption of the Uniform Sign Code" shall be retitled "Adoption of the California Green Building Standards Code." The body text shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Green Building Standards Code," published by the California Building Standards Commission are adopted to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

~~Certain documents marked and designated as the Uniform Sign Code, 1997 Edition, published by the International Conference of Building Officials, are adopted for regulating the design, quality of materials, construction, location, electrification, and maintenance of all signs and sign structures. Each and all of the regulations, provisions, conditions and terms of such Uniform Sign Code, 1997 Edition, published by the International Conference of Building Officials, on file in the building and safety department, are referred to and made a part of this code as if fully set out in this chapter, except as otherwise provided in this chapter.~~

26. Section 8.07.020, entitled "Deletion of certain parts of the Uniform Sign Code," shall be deleted in its entirety.

27. Section 8.08.010, entitled "Adoption of the California Fire Code" shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Fire Code," including Chapter 1, Division II and Appendix B (Fire-Flow Requirements for Buildings), Appendix C (Fire Hydrant Locations and Distribution), Appendix E

(Hazard Categories), Appendix F (Hazard Ranking), Appendix G (Cryogenic Fluids – Weight and Volume Equivalents), and Appendix H (Hazardous Materials Management Plan and Hazardous Materials Inventory Statements), published by the California Building Standards Commission are adopted for the purpose of establishing the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety to firefighters and emergency responders during emergency operations within the City.—“2010 California Fire Code,” including Appendix Chapter 4 (Special Detailed Requirements Based on Use and Occupancy), Appendix B (Fire-Flow Requirements for Buildings), Appendix BB (Fire-Flow Requirements for Buildings), Appendix C (Fire Hydrant Locations and Distribution), Appendix CC (Fire Hydrant Locations and Distribution), Appendix D (Fire Apparatus Access Roads [Section D106 only]), Appendix F (Hazard Ranking), Appendix H (Hazardous Materials Management Plans and Hazardous Materials Inventory Statements), Appendix I (Fire Protection Systems—Nonecompliant Conditions), and Appendix J (Emergency Responder Radio Coverage) published by the California Building Standards Commission are adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion.

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter. Each and all regulations, provisions, conditions and terms of such “2010 California Fire Code,” published by California Building Standards Commission in cooperation with the International Code Council, on file in the building and safety department are referred to and made a part of this code as if fully set out in this chapter, except as otherwise provided in this chapter.

28. Section 8.08.020, entitled “Deletion of certain parts of the California Fire Code” shall be amended to read as follows:

The following portions of the 2013 California Fire Code—2010 California Fire Code are deleted: Section 109.4 (Violation penalties)—Section 108 (Board of Appeals).

29. Section 8.08.030, entitled “Violation—Penalty,” shall be retitled “Authority of the Fire Chief and Fire Department.” The body text shall be amended to read as follows:

A. A new Section 104.3.2 is added to Section 104.3 of the California Fire Code to read as follows:

104.3.2. Authority of the Fire Chief and Fire Department.

1. The Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the City Council.

2. The Fire Chief is authorized to administer, interpret and enforce this ordinance. Under the Fire Chief's direction, the Riverside County Fire Department is authorized to enforce ordinances of the City of La Quinta pertaining to the following:

a. The prevention of fires.

b. The suppression or extinguishment of dangerous or hazardous fires.

c. The storage, use and handling of hazardous materials.

d. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment.

e. The maintenance and regulation of fire escapes.

f. The maintenance of fire protection and the elimination of fire hazards on land, in buildings, structures and other property, including those under construction.

g. The maintenance of means of egress.

h. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials.

3. The following persons are hereby authorized to interpret and enforce the provisions of this ordinance and to make arrests or issue citations as authorized by law:

a. The Unit Chief, Peace Officers and Public Officers of the California Department of Forestry and Fire Protection.

b. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.

c. The Police Chief and any Police Officer of any city served by the Riverside County Sheriff Department.

e. Officers of the California Highway Patrol.

f. Code Compliance Officers of the City of La Quinta.

g. Peace Officers of the California Department of Parks and Recreation.

h. The law enforcement officer of the Federal Bureau of Land Management.

B. A new Section 104.12 is added to Section 104 of the California Fire Code to read as follows:

104.12 Authority of the Fire Chief. Except upon National Forest Land, the Fire Chief is authorized to determine and announce the closure of any hazardous fire area or portion thereof. Any closure by the Fire Chief for a period of more than fifteen (15) calendar days must be approved by the City Council within fifteen (15) calendar days of the Fire Chief's original order of closure. Upon such closure, no person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas. During such closure, the Fire Chief shall erect and maintain at all entrances to the closed area sufficient signs giving notice of closure. This section shall not prohibit residents or owners of private property within any closed area, or their invitees, from going in or being upon their lands. This section shall not apply to any entry, in the course of duty, by a peace officer, duly authorized public officer or fire department personnel.

~~Any person who violates or fails to comply with any of the provisions of the California Fire Code and this chapter or who fails to comply with any order made thereunder, or who builds in violation of any detailed statement or specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified after appeal, within the required time, is severally for each such violation and noncompliance guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment in the Riverside County Jail for not more than six months or by both such fine and imprisonment.~~

~~Each person is guilty of a separate offense for each day or portion thereof during which any violation of any provision of the California Fire Code and this chapter is committed, continued, or permitted by such person after notification of the initial violation and shall be punishable therefor as provided herein.~~

~~The application of the penalty provided in this section shall not be held to prevent the abatement of prohibited conditions as a public nuisance as provided in Section 1.01.250 of this code.~~

30. Section 8.08.040, entitled "Appeals," shall be retitled "Definitions." The body text shall be amended to read as follows:

Section 202 of the California Fire Code is amended to add the following definitions:

CALIFORNIA FIRE CODE. The 2013 Fire Code part of the California Building Standards Code, also known as California Code of Regulations, Title 24, Part 9.

CALIFORNIA RESIDENTIAL CODE. California Code of Regulations, Title 24, Part 2.5.

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

FIRE PROTECTION ENGINEER. A professional engineer with the education and experience to understand the engineering problems related to safeguarding life and property from fire and fire-related hazards, to identify, evaluate, correct or prevent present or potential fire and fire related panic hazards in buildings, groups of buildings, or communities, and to recommend the arrangement and use of fire resistant building materials and fire detection and extinguishing systems, devices, and apparatus in order to protect life and property.

HAZARDOUS FIRE AREA. Private or public land not designated as state or local fire hazard severity zone (FHSZ) which is covered with grass, grain, brush or forest and situated in a location that makes suppression difficult resulting in great damage. Such areas are designated on Hazardous Fire Area maps filed with the office of the Fire Chief.

SKY LANTERN. An airborne lantern typically made of paper, Mylar, or other lightweight material with a wood, plastic, or metal frame containing a candle, fuel cell, or other heat source that provides buoyancy.

~~Hereinafter, whenever the chief or duly authorized representative disapproves an application or refuses to grant a permit or certificate applied for, or suspends or revokes any permit or certificate issued under the California Fire Code, or when it is claimed that the provisions of the California Fire Code do not apply or that the true intent and meaning of the California Fire Code have been misconstrued or wrongly interpreted, any persons so aggrieved may appeal the decision of the chief, to the~~

~~city council. Any such appeal shall be governed by the provisions of Section 2.04.100 through 2.04.130 of this code.~~

31. Section 8.08.050, entitled "Fire apparatus access roads," shall be retitled "General amendments to the California Fire Code." The body text shall be amended to read as follows:

A. Open flames. Section 308.1.6 of the California Fire Code is amended to add the following new section:

Section 308.1.6.3 Sky Lanterns or similar devices. The ignition and/or launching of a Sky Lantern or similar device is prohibited.

Exception: Upon approval of the fire code official, sky lanterns may be used as necessary for religious or cultural ceremonies providing that adequate safeguards have been taken as approved by the fire code official. Sky Lanterns must be tethered in a safe manner to prevent them from leaving the area and must be constantly attended until extinguished.

B. Fire safety and evacuation plans. Section 404.2 of the California Fire Code is amended to add the following:

16. Windowless buildings having an occupant load of fifty (50) or more.

C. Fire apparatus access roads. Section 503 of the California Fire Code is adopted in its entirety with the following amendments:

1. Section 503.1.1 of the California Fire Code is amended to add the following exception:

Exception: Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

2. Section 503.2.2 of the California Fire Code is hereby amended to read as follows:

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

3. Section 503.3 of the California Fire Code is deleted in its entirety and replaced with the following:

503.3 Marking. Fire apparatus access roads, where required, shall be identified by curbs painted red on both the top and face along the entire length of the fire apparatus access road. Where no curbs exists or a rolled curb is installed, a six (6) inch wide red strip shall be applied the full length of the fire apparatus access road or approved posted signs shall be installed in accordance with the Riverside County Fire Department Standards.

Exception: On school grounds this requirement shall be implemented as approved by the fire code official.

4. A new Section 503.7 is added to Section 503 of the California Fire Code to read as follows:

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

D. Access to building openings and roofs. Section 504.1 of the California Fire Code is amended to add the following language to the end of the first paragraph:

Where ground ladder access is the only means to reach the highest point on the building, the finished grade on all exterior sides of buildings shall be flat and free of any obstructions that would interfere with ground ladder placement. This distance from the building to finished grade shall be determined by the Fire Chief.

E. Fire protection water supplies.

1. Section 507.5.5 of the California Fire Code is amended to add the following language:

507.5.5 Clear Space Around Hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants, Fire Department connections, exterior fire protection system control valves, or any other exterior fire protection system component that may require immediate access, except as otherwise required or approved.

2. A new Section 507.5.7 is added to Section 507 of the California Fire Code to read as follows:

507.5.7 Fire hydrant size and outlets. Fire hydrant size and outlets shall be required as determined by the fire code official.

1. Residential Standard—one (1) four (4) inch outlet, and one (1) two and one half (2 ½) inch outlet.

2. Super Hydrant Standard—one (1) four (4) inch outlet, and two (2) two and one half (2 ½) inch outlet.

3. Super Hydrant Enhanced—two (2) four (4) inch outlet, and one (1) two and one half (2 ½) inch outlet.

3. A new Section 507.5.8 is added to Section 507 of the California Fire Code to read as follows:

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

F. Fire command center

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

Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, and buildings greater than 300,000 square feet in area, and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1 through 508.1.5.

2. Section 508.1.3 of the California Fire Code is amended to add the following Exception as follows:

Exception: When solely required due to building area greater than 300,000 square feet, the fire command center shall be a minimum of 96 square feet (9 m²) with a minimum dimension of 8 feet (2438 mm).

3. Section 508.1.5 of the California Fire Code is amended to add the following Exception as follows:

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

G. Mechanical refrigeration. Section 606.10.1.2 of the California Fire Code is amended to read as follows:

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

~~For the purpose of this section, "All weather driving surfaces" shall mean a hard surface such as asphalt, concrete or other hard surface as approved by the chief of the fire department.~~

~~Controlled Access. Whenever access into private property, other than an individual residence, is controlled through the use of gates, barriers, guard houses or other similar means, provisions shall be made to facilitate access by fire department apparatus in a manner approved by the fire chief. All controlled access devices that are power operated shall have a Knox Key Operated Switch over-ride system capable of opening the gate when activated by a special key located in emergency vehicles. Devices shall be equipped to facilitate opening in the event of a power failure. All controlled access devices that are not power operated shall be approved by the fire chief.~~

32. Section 8.08.060, entitled "Automatic fire extinguishing systems," shall be retitled "Automatic sprinkler systems." The body text shall be amended to read as follows:

A. Section 903.2 of the California Fire Code is deleted in its entirety and replaced with the following:

903.2 Where required. In all new buildings and structures which are 3,600 square feet or greater an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where the California Fire Code is requiring more restrictive requirements in Sections 903.2.1, 903.2.1.1, 903.2.1.2, 903.2.1.3, 903.2.1.4, 903.2.1.5, 903.2.2, 903.2.3, 903.2.4, 903.2.5, 903.2.5.2, 903.2.6, 903.2.7, 903.2.8, 903.2.9, 903.2.10, 903.2.11.6, 903.2.16, 903.2.18, the more restrictive requirement shall take precedence. The following exceptions in the California Fire Code shall not be allowed:

a. Exception in Section 903.2.3

b. Exception in Section 903.2.6

c. Exception in Section 903.2.11.3

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

B. Section 903.3.5.3 of the California Fire Code is added as follows:

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

~~Section 903.2 of the 2010 California Fire Code is amended to read as follows:~~

~~Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. These requirements notwithstanding, an approved automatic sprinkler system shall be installed throughout any new building or structure where the fire area exceeds 5,000 square feet.~~

33. Section 8.08.070, entitled "Designation of high-piled storage areas," shall be added. The body text shall read as follows:

A new Section is added to Section 3204.2 of the California Fire Code to read as follows:

3204.2.1 Minimum requirements for client leased or occupant owned warehouses. Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The fire protection engineer shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding

requirements determined through the onsite survey and discussions with the building owner or operator. The technical report shall describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include referenced design document(s), including NFPA 13 or the current applicable factory mutual data sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

34. Section 8.08.080, entitled "Fire hazard severity zones," shall be added. The body text shall read as follows:

A new Section is added to Section 4904 of the California Fire Code to read as follows:

4904.3 High Fire Hazard Severity Zone Maps. In accordance with Government Code Sections 51175 through 51189, Very High Fire Hazard Severity Zones are designated as shown on a map titled Very High Fire Hazard Severity Zones, dated April 8, 2010 and retained on file at the office of the Fire Chief and supersedes other maps previously adopted by Riverside County designating high fire hazard areas.

35. Section 8.08.090, entitled "Amendments to the appendices of the California Fire Code," shall be added. The body text shall read as follows:

The appendices to the California Fire Code are adopted in their entirety except as to the following:

A. Appendix B. Exception 1 of Section B105.2 is amended to read as follows:

Exception 1: A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

B. Appendix C. Section C102.1 Fire hydrant locations is amended to read as follows:

Fire hydrants shall be provided at street intersections and along required fire apparatus access roads and adjacent public streets.

C. Appendix D. Appendix D shall not be adopted.

D. Appendix I. Appendix I shall not be adopted.

E. Appendix J. Appendix J shall not be adopted.

F. Appendix K. Appendix K shall not be adopted.

36. Section 8.14.010, entitled "Adoption of the California Energy Code" shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Energy Code," ~~"2010 California Energy Code,"~~ published by the California Building Standards Commission, are adopted to make businesses, homes, and appliances more energy efficient through the development and implementation of energy efficiency building practices. ~~standards. Each and all of the regulations, provisions, conditions, and terms of the "2010 California Energy Code," published by the California Building Standards Commission, on file in the building and safety department, are referred to and made a part of this code as if fully set out in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

37. Section 8.15.010, entitled "Adoption of the California Historical Code" shall be amended to read as follows:

Certain documents marked and designated as the "2013 California Historical Building Code," ~~"2010 California Historical Building Code,"~~ published by the California Building Standards Commission, are adopted to facilitate the preservation and continuing use of qualified historical buildings or properties while providing reasonable safety for the building occupants and access for persons with disabilities. ~~Each and all of the regulations, provisions, conditions, and terms of such "2010 California Historical Building Code," published by the California Building Standards Commission, on file in the building and safety department, are referred to and made a part of this code as if fully set out in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

38. Section 8.16.010, entitled "Adoption of the California Existing Building Code" shall be amended to read as follows:

~~Certain documents marked and designated as the "2013 California Existing Building Code," "2010 California Existing Building Code," published by the California Building Standards Commission, are adopted to promote public safety and welfare by reducing the risk or injury that may result from the effects of earthquakes on existing unreinforced masonry bearing wall buildings. Each and all of the regulations, provisions, conditions, and terms of such "2010 California Existing Building Code," published by the California Building Standards Commission, on file in the building and safety department, are referred to and made a part of this code as if fully set out in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

39. Section 8.17.010, entitled "Adoption of the California Referenced Standards Code" shall be amended to read as follows:

~~Certain documents marked and designated as the "2013 California Referenced Standards Code," "2010 California Referenced Standards Code," published by the California Building Standards Commission, are hereby adopted. Each and all of the regulations, provisions, conditions, and terms of such "2010 California Referenced Standards Code," published by the California Building Standards Commission, on file in the building and safety department, are referred to and made a part of this code as if fully set out in this chapter.~~

Each and all of the regulations, provisions, conditions and terms therein, on file with the building official, are referenced and made a part hereof as if fully set out in this chapter, except as otherwise provided in this chapter.

40. Chapter 8.18, entitled "RESIDENTIAL CODE," shall be deleted in its entirety.

41. Chapter 8.19, entitled "GREEN BUILDING STANDARDS CODE," shall be deleted in its entirety.

No changes to the remainder of Title 8.

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 517 which was introduced at a regular meeting on the 19th day of November, 2013, and was adopted at a regular meeting held on the 3rd day of December, 2013, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in City Council Resolution No. 2006-115.



SUSAN MAYSELS, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on December 5, 2013, pursuant to Council Resolution.



SUSAN MAYSELS, City Clerk
City of La Quinta, California