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

January 27, 2014

Allen D. Brock, Chief Building Official
Building and Neighborhood Services Division
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552

RE: Ordinance #871

Dear Mr. Brock:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 9, 2014.

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,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

O'Brien, Laurie@DGS

From:	Allen Brock <allenb@moval.org>
Sent:	Thursday, January 09, 2014 11:33 AM
To:	OrdinanceFilings@DGS
Cc:	Allen Brock; John Terell; Abdul Ahmad; Randy Metz; Suzanne Bryant; Jane Halstead
Subject:	CITY OF MORENO VALLEY 2013 CBC ADOPTION
Attachments:	Moreno Valley Ord. 871-2013CodeAdopt FINAL.pdf

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

Re: Adoption of 2013 California Building Standards Code

Attached for your review please find a copy of the City of Moreno Valley's Ordinance 871 adopting, with amendments as specified within, the 2013 California Building Standards Code, California Code of Regulations, Title 24. Included with the amendments are the appropriate findings as required by Health and Safety Code Sections 17958.7 and 18941.5.

Please forward your acknowledgement of receipt to the attention of the undersigned.

Sincerely,

Allen D. Brock, CBO
Building and Code Division Manager

Allen D. Brock, CBO
Building and Neighborhood Services Division Manager
Community and Economic Development Department
T: 951.413.3350 F: 951.413.3363

MORENO VALLEY

ORDINANCE NO. 871

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLE 8, OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING AND REPLACING CHAPTERS 8.20, 8.22, 8.23, 8.24, 8.26, 8.36, AND ADOPTING, AS MODIFIED, THE 2013 CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24: INCORPORATING THE 2012 INTERNATIONAL BUILDING CODE, THE 2012 UNIFORM MECHANICAL CODE, THE 2012 INTERNATIONAL RESIDENTIAL CODE, THE 2012 UNIFORM PLUMBING CODE, THE 2012 INTERNATIONAL FIRE CODE, AND THE 2011 NATIONAL ELECTRICAL CODE; AND ADOPTING OTHER REGULATIONS RELATING TO BUILDING AND FIRE PREVENTION REQUIREMENTS.

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

SECTION 1. PRIOR ENACTMENTS REPEALED:

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

SECTION 2. CONTINUING EFFECT:

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

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

SECTION 3. EFFECT OF ENACTMENT:

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

SECTION 4. FINDINGS:

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

4.2 The 2012 International Building Code, the 2012 International Fire Code, the California Building Standards Code, and the International Fire Code Standards published by said organization, are a nationally recognized compilation of proposed rules, regulations, and standards of said organization.

4.3 The International Building Code and the International Fire Code have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the California Government Code and said code has been adopted and amended by the California Building Standards Commission into the California Code of Regulations (CCR) as Title 24, 2013 edition.

4.4 That one (1) copy of the 2013 California Building Code based on the 2012 International Building Code and one (1) copy of the 2013 California Fire Code based on the 2012 International Fire Code have been on file for use and examination by the public in the office of the Building Official prior to adoption of this Ordinance.

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

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

4.7 Pursuant to Section(s) 17958.5(a) and (b) as well as Section 17958.7 of the California Health and Safety Code, the Section contained herein shall be submitted as the "Findings of Need" with regard to the specific International Building Code and International Fire Code Ordinance Amendments adopted by the City of Moreno Valley and addressed herein. Additional requirements and standards herein are necessary to properly protect the health, safety and welfare of the existing and future residents as well as workers of the City of Moreno Valley. Under the provisions of Section 17958.7 of the Health and Safety Code, local amendments shall be based on climatic, geographical, or topographical conditions. The "Findings of Need" contained herein shall address each of these situations and shall present the local situation which singularly or in combination cause the established amendments to be adopted. Each such modification is identified as to which section such finding refers.

4.7.1 Life Safety: That the additional requirements and standard established herein are needed to properly protect the health, safety, life and limb, and

welfare of existing and future residents, workers and guests of the City of Moreno Valley.

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

Climatic Conditions:

4.7.2.1 The City of Moreno Valley receives relatively low amounts of precipitation, low humidity and high temperatures. Such climate conditions are conducive to the spread of fire (Information from the University of California, Riverside, Meteorological Weather Station). This finding refers to and supports modifications to 319; 320; 321; 322; 322.1; 323; 324; 325; 326; 5601.2; 5601.3 of the California Fire Code, 2013 edition.

4.7.2.2 Strong winds, commonly referred to as the Santa Ana Winds, have reached speeds up to 57 miles per hour in Moreno Valley during various months of past years. Damage that can occur during such winds includes the creation of highly flammable conditions of brush, downed trees, utility poles, utility circuits, and power line (Wind speeds documented at March Air Reserve Base). This finding refers to and supports modifications to Chapter 1, Division II, Section 105.2 of the California Building Code, 2013 edition and to Chapter 1, Division II, Section R105.2 of the California Residential Code, 2013 edition. This finding also refers to and supports modifications to 319; 320; 321; 322; 322.1; 323; 324; 325; 326; 606.10.2; 609.2; 4906.3; 4908; 5601.2; 5601.3 of the California Fire Code, 2013 edition.

4.7.2.3 Other areas within the City of Moreno Valley are subject to landslides, wind erosion, blown sand, flooding and wildfires. This finding refers to and supports modifications to Chapter 1, Division II, Section 105.2 of the California Building Code, 2013 edition and to Chapter 1, Division II, Section R105.2 and Section R405.1 of the California Residential Code, 2013 edition. This finding also refers to and supports modifications to 319; 320; 321; 322; 322.1; 323; 324; 325; 326; 4906.3; 4908; 5601.2; 5601.3 of the California Fire Code, 2013 edition.

Geological:

4.7.2.4 Within the city limits of Moreno Valley, there are two (2) earthquake faults; the San Jacinto Fault and the Casa Loma Fault. There are also other faults in the immediate adjacent areas. In the event of a severe earthquake, these faults present the potential for catastrophic damage including fire, damage to roadways, and other impairments of emergency apparatus (Fault information from California Division of Mines and Geology). This finding refers to and supports modifications to Chapter 1, Division II, Section 105.2 of the California Building Code, 2013 edition and to Chapter 1, Division II, Section R105.2 and Chapter 4, Section R403.1.3 and Section R405.1 of the California Residential Code, 2013 edition.

4.7.2.5 There is a lack of fire hydrants and water supply to new construction hillside areas in the City of Moreno Valley. This finding refers to and supports modifications to Sections 319; 320; 321; 322; 322.1; 323; 324; 325; 326; 502.1; 503.1; 503.1.1; 503.1.4; 503.2.1; 503.2.2; 503.2.7; 505.1; 901.3.1; 901.6; 903.2.11.1.1; 903.2; 903.3.5.5; 903.4; 912.2.1; 914.5; 4906.3; 4908 of the California Fire Code, 2013 edition.

4.7.2.6 In Moreno Valley there are known areas where the radio coverage is insufficient to ensure the life safety of emergency personnel due to the mountainous and hilly terrain at the City's northern and eastern boundaries. These areas include the Reche Vista area, the Hidden Springs area near Box Springs Mountain, and the entrance to San Timoteo Canyon off of both Moreno Beach Boulevard and Redlands Boulevard near the northern City limits. This finding refers to and supports modifications to Sections 508.1; 508.1.1; 508.1.2; 508.1.3; 508.1.5; 508.1.6; 510.1 of the California Fire Code, 2013 edition.

Topographical:

4.7.2.7 Development has occurred and continues to occur in Moreno Valley at a rapid pace. Traffic congestion occurs during certain peak business hours, weekends, and on holidays along main thoroughfares such as Sunnymead Blvd, Perris Blvd., Alessandro Blvd., Heacock St., Pigeon Pass/Frederick St., and at some points along Indian St. and Cactus Ave. (Information provided by the Transportation Engineering Division of the Public Works Department). This finding refers to and supports modifications to 502.1; 503.1; 503.1.1; 503.1.4; 503.2.1; 503.2.2; 503.2.7; 505.1 of the California Fire Code, 2013 edition.

4.7.2.8 The distance between fire stations, and the response time in our City compared to the time when flashover generally occurs creates a need for on-site fire suppression capability in all structures, and also the need for specific turning radius and turnaround requirements for fire apparatus. In order to accommodate fire equipment during emergency response, we find that fire apparatus roads, grades, turning radius and turnaround dimensions are required as set forth herein. This finding refers to and supports modifications to Sections 502.1; 503.1; 503.1.1; 503.1.4; 503.2.1; 503.2.2; 503.2.7; 505.1; 606.10.2; 609.2; 901.3.1; 901.6; 903.2.11.1.1; 903.2; 903.3.5.3; 903.4; 907.3.1; 912.2.1; 914.5 of the California Fire Code, 2013 edition.

4.7.2.9 Moreno Valley has a number of different water companies serving the area, with varying capacity to deliver water flows for fire suppression purposes. This finding refers to and supports modifications to Sections 507.1; 507.2.1; 507.5.7; 901.3.1; 901.6; 903.2.11.1.1; 903.2; 903.3.5.3; 903.4 of the California Fire Code, 2013 edition.

4.7.2.10 Radio communications and ability to access a breathing air supply can be hindered by topographical features in Moreno Valley as well as building design which can include subterranean structures. It is vital to ensure there is adequate radio coverage and breathing air throughout the City for the life safety of the emergency response personnel. This finding refers to and supports modifications to

Sections 508.1; 508.1.1; 508.1.2; 508.1.3; 508.1.5; 508.1.6; 510.1 of the California Fire Code, 2013 edition.

SECTION 5. MUNICIPAL CODE AMENDED:

5.1 The list of chapters of Title 8 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

"Title 8

BUILDINGS AND CONSTRUCTION

Chapter 8.04	STANDARDS AND PRACTICES
Chapter 8.12	FLOOD DAMAGE PREVENTION AND IMPLEMENTATION OF NATIONAL FLOOD INSURANCE PROGRAM
Chapter 8.14	GENERAL
Chapter 8.20	CALIFORNIA BUILDING CODE
Chapter 8.21	GRADING REGULATIONS
Chapter 8.22	CALIFORNIA MECHANICAL CODE
Chapter 8.23	CALIFORNIA RESIDENTIAL CODE
Chapter 8.24	CALIFORNIA PLUMBING CODE
Chapter 8.26	CALIFORNIA ELECTRICAL CODE
Chapter 8.36	INTERNATIONAL FIRE CODE
Chapter 8.60	THREATENED AND ENDANGERED SPECIES
Chapter 8.12	RECYCLING AND DIVERSION OF CONSTRUCTION AND DEMOLITION WASTE"

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

"Chapter 8.20

California Building Code

Sections

8.20.010 Adopted

8.20.010 Adopted

The California Building Code, 2013 Edition, based on the 2012 International Building Code as published by the International Code Council, excluding Chapter 29 and Chapter 34 and including Appendix H and the Standards referred to therein, is adopted and made part of this title by reference with the following modifications:

A. Chapter 1, Division II, Section 101.2, Exception is amended to read as follows:

Exception: Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the California Residential Code, Title 24, Part 2.5.

B. Chapter 1, Division II, Section 101.4 is deleted.

C. Chapter 1, Division II, Section 105.1.1 and 105.1.2 are deleted.

D. Chapter 1, Division II, Section 105.2, Building 2 is hereby amended to read as follows:

Fences not over six (6) feet high, masonry concrete block walls under three (3) feet measured from top of footing, or combination masonry concrete block walls with wrought iron under three (3) feet measured from top of footing.

E. Chapter 1, Division II, Section 105.2.3 is deleted.

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

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

G. Chapter 1, Division II, Section 107.3.3 is deleted.

H. Chapter 1, Division II, Section 113 is deleted.

I. Chapter 3, Section 304.1 is amended to include (show in bold)

Motor Vehicle Showrooms

Police and Fire Stations

Post Office"

5.3 Chapter 8.22 of the Title of the City of Moreno Valley Municipal Code is hereby repealed and replaced in its entirety to read as follows:

"Chapter 8.22

California Mechanical Code

Sections

8.22.010 Adopted

8.22.010 Adopted

The California Mechanical Code, 2013 Edition, including Appendices B, C and D thereto, based on the 2012 Uniform Mechanical Code and the Standards incorporated therein, as published by the International Association of Plumbing and Mechanical Officials is adopted and made a part of this chapter by reference with the following modifications:

A. Chapter 1, Division II Section 110.0 is deleted.

B. Chapter 1, Division II Section 114.4 is amended to read as follows

Expiration. Every permit issued under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one-hundred and eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one-hundred and eighty (180) days. Before such work can be recommenced, a new permit must be first be obtained.

A permittee holding an unexpired permit shall be permitted to apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The City shall have the authority to extend the time for action by the permittee for a period not exceeding one –hundred and eighty (180) days upon written request by the permittee showing that circumstances beyond the control of said permittee have prevented action from being taken.

Expiration of Plan Review. Applications for which no permit is issued within one-hundred and eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review shall by permitted to be returned to the applicant or destroyed by the City. The City shall be permitted to extend the time for action by the applicant for a period not to exceed one-hundred and eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

C. Chapter 1, Division II Section 115.0 is deleted."

5.4 Chapter 8.23 of Title 8 of the City of Moreno Valley Municipal Code is hereby added to read as follows:

"Chapter 8.23

California Residential Code

Sections

8.23.010 Adopted

8.23.010 Adopted

The California Residential Code, 2013 Edition, based on the 2012 International Residential Code and the Standards referred to therein, as published by the International Code Council, is adopted and made part of this chapter by reference with the following modifications:

A. Chapter 1, Division II, Section R103.2 is deleted.

B. Chapter 1, Division II, Section R105.2, Building 2 is hereby amended to read as follows:

Fences not over six (6) feet high, masonry concrete block walls under three (3) feet measured from top of footing, or combination masonry concrete block walls with wrought iron under three (3) feet measured from top of footing.

C. Chapter 1, Division II, Section R105.2.3 is deleted.

D. Chapter 1, Division II, Section R106.3.3 is deleted.

E. Chapter 1, Division II, Section R112 is deleted.

F. Chapter 3, Table R301.2(1) is revised to read:

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

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY [f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP [e]	ICE BARRIER UNDERLAYMENT REQUIRED [h]	FLOOD HAZARDS [g]	AIR FREEZING INDEX [i]	MEAN ANNUAL TEMP [j]
	Speed [d] (mph)	Topographic effects [k]		Weathering [a]	Frost line Depth [b]	Termite [c]					
Zero	85	No	D_2 or E	Negligible	12"	Very Heavy	43	No	See Title 8	0	64

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

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R30l.2(4)].Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official

f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the l00-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/fpsf.htrnl.-

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

G. Chapter 4, Section R403.1.3 is modified by deleting the exception for masonry stem walls:

In Seismic Design Categories D_0, D_1 and D_2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

~~Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are permitted~~.

H. Chapter 4, Section R405.1 is modified to delete the exception as follows:

~~Exception: A drainage system is not required with the foundation is installed on well drained ground or sand-gravel mixture soils according to the Unified Soil Classification System, Group 1 Soils, as detailed in Table R405.1~~ "

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

"Chapter 8.24

California Plumbing Code

Sections

8.24.010 Adopted

8.24.010 Adopted

The California Plumbing Code, 2013 Edition, including the Appendices thereto, based on the 2012 Uniform Plumbing Code and installation standards incorporated therein, as published by the International Association of Plumbing and Mechanical Officials, is adopted and made part of this chapter by reference with the following modifications:

A. Chapter 1, Division II Section 103.3.3 is amended to read as follows

Expiration. Every permit issued under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one-hundred and eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one-hundred and eighty (180) days. Before such work can be recommenced, a new permit must first be obtained.

A permittee holding an unexpired permit shall be permitted to apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The City shall have the authority to extend the time for action by the permittee for a period not exceeding one –hundred and eighty (180) days upon written request by the permittee showing that circumstances beyond the control of said permittee have prevented action from being taken.

Expiration of Plan Review. Applications for which no permit is issued within one-hundred and eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review shall by permitted to be returned to the applicant or destroyed by the City. The City shall be permitted to extend the time for action by the applicant for a period not to exceed one-hundred and eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

B. Chapter 1, Division II Section 103.4 is deleted."

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

"Chapter 8.26

California Electric Code

Sections

8.26.010 Adopted

<u>8.26.010 Adopted</u>

The California Electric Code, 2013 Edition, based on the 2011 National Electric Code as published by the National Fire Protection Association, is adopted and made a part of this chapter by reference."

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

"Chapter 8.36

International Fire Code

Sections

8.36.010 Definitions
8.36.020 Adoption of the International Fire Code
8.36.030 California Fire Code Administration & Definitions
8.36.040 General Precautions Against Fire
8.36.050 Emergency Planning and Preparedness
8.36.060 Fire Service Features
8.36.070 Building Services and Systems
8.36.080 Fire-Resistance-Rated Construction
8.36.090 Interior Finish, Decorative Materials and Furnishings
8.36.100 Fire Protection Systems
8.36.110 Means of Egress
8.36.120 Aviation Facilities
8.36.130 Dry Cleaning

8.36.140	Combustible Dust-Producing Operations
8.36.150	Fire Safety During Construction and Demolition
8.36.160	Flammable Finishes
8.36.170	Fruit and Crop Ripening
8.36.180	Fumigation and Thermal Insecticidal Fogging
8.36.190	Semiconductor Fabrication Facilities
8.36.200	Lumber Yards and Woodworking Facilities
8.36.210	Manufacture of Organic Coatings
8.36.220	Industrial Ovens
8.36.230	Motor Fuel-Dispensing Facilities and Repair Garages
8.36.240	High Piled Combustible Storage
8.36.250	Tents and Other Membrane Structures
8.36.260	Tire Rebuilding and Tire Storage
8.36.270	Welding and Other Hot Work
8.36.280	Hazardous Materials – General Provisions
8.36.290	Aerosols
8.36.300	Combustible Fibers
8.36.310	Compressed Gases
8.36.320	Corrosive Materials
8.36.330	Cryogenic Fluids
8.36.340	Explosives and Fireworks
8.36.350	Flammable and Combustible Liquids
8.36.360	Flammable Gases and Flammable Cryogenic Fluids
8.36.370	Flammable Solids
8.36.380	Highly Toxic and Toxic Materials
8.36.390	Liquefied Petroleum Gases
8.36.400	Organic Peroxides
8.36.410	Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids
8.36.420	Pyrophoric Materials
8.36.430	Pyroxilin (Cellulose Nitrate) Plastics
8.36.440	Unstable (Reactive) Materials
8.36.450	Water-Reactive Solids and Liquids
8.36.460	Marinas
8.36.470	Construction Requirements for Existing Buildings
8.36.480	Referenced Standards
8.36.490	Motion Picture and Television Production Stages and Facilities
8.36.500	Requirements for Wildland-Urban Interface Fire Areas
8.36.510	Appendices
8.36.520	Designation of Fire Code
8.36.530	Severability

8.36.010 Definitions

The following definitions shall be added to the existing definition in the 2012 Edition of the International Fire code and the California Fire Code 2013 Edition:

"Corporation Counsel" shall mean the city attorney.

"NFPA" shall mean National Fire Protection Association.

"Municipality" shall mean the city of Moreno Valley.

8.36.020 Adoption of the International Fire Code

A. The city council of the city of Moreno Valley hereby adopts as amended, the 2012 Edition of the International Fire Code, California Fire Code 2013 Edition, California Code of Regulations Title 24 Part 9, Appendices Chapter 4, A, B, BB, C, CC, E, F, G, and H, the California Fire Code Standards and the body of code in its entirety, with the exception of appendix D, I, and J of the California Fire Code as compiled and adopted by the International Code Council.

8.36.030 California Fire Code Administration & Definitions

A. Section 101.4 of the California Fire Code is hereby amended to read as follows:

Section 101.4 Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, it being expressly declared that this ordinance and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted, irrespective of the fact that one or more other section, subsection, paragraph, sentence, clause or phrase be declared invalid or unconstitutional.

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

Section 103.2 Appointment. The fire code official shall be appointed by the chief appointing authority of the jurisdiction; and the fire code official shall not be removed from office without prior consultation with the Fire Chief regarding implementation, administration and enforcement of the provisions of this Code.

C. Section 103.4 of the California Fire Code is hereby amended to read as follows:

Section 103.4 Liability. Any liability against the County of Riverside 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 collectable by the County of Riverside, or political subdivision thereof if incorporated, in the same manner as in the case of an obligation under contract, expressed or implied.

D. Section 104.1 of the California Fire Code is hereby amended at the end of existing paragraph to read as follows:

Section 104.1 Authority of the Fire Chief and the Fire Department. The chief is authorized to administer, interpret and enforce the California Fire Code. Under the chief's direction, the Riverside County Fire Department is authorized to enforce all ordinances of the County of Riverside pertaining to:

(1) The prevention of fires.
(2) The suppression or extinguishment of dangerous or hazardous fires.
(3) The storage, use and handling of hazardous materials.
(4) The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment.
(5) The maintenance and regulation of fire escapes.
(6) The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction.
(7) The maintenance of means of egress.
(8) The investigation of the cause, origin and circumstance of fire and unauthorized releases of hazardous materials.

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

Section 104.1.1 Authority of the Fire Chief. The chief is hereby given the authority to officially determine and publicly announce the closure of any hazardous fire area or portion thereof. However, any closure by the chief for a period of more than fifteen (15) days must be approved by the City Council within fifteen (15) days of the chief's original order of closure. No person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas therein during such time as the area is closed to entry. 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 does not apply to any entry, in the course of duty by a peace officer or any other duly authorized public officer, member of any fire department, Riverside County Fire Department or member of the U.S. Forest Service or California Department of Forestry and Fire Protection nor does this section apply to National Forest Land in any respect. During periods of closure, the chief shall erect and maintain at all entrances to the closed area sufficient signs giving adequate notice of closure.

E. Section 104.3.2 of the California Fire Code is hereby added to read as follows:

Section 104.3.2 Fire Department Personnel and Peace Officers (1) The chief and his or her designees are authorized and directed to enforce all applicable State fire laws and the provisions of this code and he shall perform such related duties as may be fixed by the City Council, and for such purposes, he or she shall have the power of a peace officer.

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

(a) The prevention of fires,
(b) The suppression or extinguishment of dangerous or hazardous fires,
(c) The storage, use and handling of hazardous materials,
(d) The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment,
(e) The maintenance and regulation of fire escapes,
(f) The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction,
(g) The maintenance of means of egress, and
(h) The investigation of the cause, origin and circumstance of fire and unauthorized releases of hazardous materials.

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

1. The Unit Chief and peace officers and public officers of the California Department of Forestry and Fire Protection.
2. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.
3. The City Fire Marshal and members of the Moreno Valley Fire Prevention Bureau.
4. The Riverside County Sheriff and any Deputy Sheriff.
5. The Police Chief and any Police Officer of any city served by the County Fire department.
6. Officers of the California Highway Patrol.
7. Peace Officers of the California Department of Parks and Recreation.
8. The law enforcement officers of the Federal Bureau of Land management.

F. Section 105.6.14 of the California Fire Code is hereby amended to read as follows:

105.6.14 Explosives. An operating permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive material, fireworks or pyrotechnic special effects. The determination of the Fire Chief with concurrence of Sheriff, or Chief of Police, shall be obtained and is final. The chief may impose conditions and procedures as to protect the public health and safety based upon the pyrotechnic or blasting operation. The chief, shall provide the pyrotechnic operator or blaster with the additional conditions or procedures in writing and the operator/blaster shall comply with them until the permit expires or the Sheriff is satisfied they are no longer required and cancels the additional requirements.

The blaster shall permit the chief or his designee, to inspect the pyrotechnic/blast site, blast materials, explosives or explosive storage magazines at any reasonable time.

G. The following definitions of Section 202 of the California Fire Code are hereby amended to read as follows:

Section 202 General Definitions

HAZARDOUS FIRE AREA is land other than state designated fire hazard severity zone (FHSZ) and/or local designated FHSZ which is covered with grass, brush, or dense vegetation, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated on the maps entitled "Hazardous Fire Areas of Moreno Valley" on file in the office of the city clerk and in 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.

8.36.040 General Requirements

Chapter 3 General Requirements is adopted in its entirety with the following amendments:

A. Section 304.1.2 (7) Vegetation is hereby revised by adding Section "(E)" as follows:

(E) MVFD Vegetation Management Guideline.

B. Section 319 Fuel Modification Requirements for New Construction is hereby added as follows:

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

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

C. Section 320 Clearance of brush or vegetation growth from roadways is hereby added as follows:

320 Clearance of brush or vegetation growth from roadways. The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic, to be cleared of flammable vegetation and other combustible growth. Measurement shall be from the flow-line or the end of the improved edge of the roadway surfaces .

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

D. Section 321 Unusual Circumstances is hereby added as follows:

321 Unusual circumstances. The fire code official may suspend enforcement of the vegetation management requirements and require reasonable alternative measures designed to advance the purpose of this code if determined that in any specific case that any of the following conditions exist:

1 Difficult terrain.
2 Danger of erosion.

3 Presence of plants included in any state and federal resources agencies, California Native Plant Society and county-approved list of wildlife, plants, rare, endangered and/or threatened species.
4 Stands or groves of trees or heritage trees.
5 Other unusual circumstances that make strict compliance with the clearance of vegetation provisions undesirable or impractical.

E. Section 322 Use of Equipment is hereby added as follows:

322 Use of equipment. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated, in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester as defined in Section 321.1 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire.

Exception:

1. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.

2. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in good mechanical condition

F. Section 322.1 Spark Arrestors is hereby added as follows:

322.1 Spark arrestors. Spark arrestors shall comply with the following:

1. A spark arrester is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch (0.58 mm) in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.

2. Spark arresters affixed to the exhaust system of engines or vehicles subject to Section 321 shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

G. Section 323 Restricted Entry is hereby added as follows:

323 Restricted Entry. The fire chief shall determine and publicly announce when hazardous fire areas shall be closed to entry and when such areas shall again be

opened to entry. Entry on and occupation of hazardous fire areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the hazardous fire area is closed to entry, is prohibited.

Exception:

1. Residents and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

H. Section 324 Trespassing on posted property is hereby added as follows:

324 Trespassing on posted property. When the fire chief determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

1. Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.
2. Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

I. Section 325 Sky Lanterns or similar devices is hereby added as follows:

325 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.

J. Section 326 Outdoor fires is hereby added as follows:

326 Outdoor fires. Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas, except by permit from the fire code official.

Exception: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9144 mm) from a grass, grain, brush, or forest-covered area. Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

8.36.050 Emergency Planning and Preparedness

Chapter 4: Emergency Planning and Preparedness Adopt only the Sections listed below:

1. **401**
2. **401.3.4**
3. **401.9**
4. **402**
5. **403**
6. **404.6 - 404.76**
7. **407**
8. **408.3.1 – 408.3.2**
9. **408.12 – 408.12.3**

8.36.060 Fire Service Feature

Chapter 5 Fire Service Features is adopted in its entirety with the following amendments:

A. The following definitions of Section 502.1 of the California Fire Code are hereby amended to read as follows:

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as public street, private street, parking lot lane and access roadway.

FIRE LANE. A road or other passageway developed to allow the passage of fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus. A fire lane shall be distinguished from a fire apparatus access road in that a fire lane shall be the road or passage that is located directly adjacent to the exterior walls and main entrance of the building.

B. Section 503.1 of the California Fire Code is hereby amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Section 503.1.1 through 503.1.3. The fire chief or his/her designee shall be the only authority authorized to designate fire lanes.

C. Section 503.1.1 of the California Fire Code is hereby amended to read as follows:

503.1.1 Exception. Remove item #3 from the Exception clause.

D. Section 503.1.4 of the California Fire Code is hereby added to read as follows:

503.1.4 Other obstructions to access. When other obstructions are installed that cause the distances from an approved fire department access road or exceed the maximum distance allowed in Section 503, the fire chief or his/her designee is authorized to require additional fire protection as specified in Section 901.4.3.

E. Section 503.2.1 of the California Fire Code is hereby amended to read as follows:

503.2.1 Fire Lane Dimensions. Fire lanes shall have an unobstructed width of not less than 24 feet when the height of a building does not exceed 35 feet. Buildings with heights in excess of 35 feet will require an unobstructed fire lane to be at least 30 feet in width. All roof height dimensions shall be measured on a vertical plane from the lowest level of vehicular access to the highest point of the roofs edge, or to the top of the parapet, whichever is higher.

F. 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 have the authority to modify the minimum fire lane access widths where they are inadequate for fire or rescue operations, or otherwise modify the conditions when the minimum fire lane access widths are not practical. The fire code official is authorized to approve alternate, methods, and materials as means of mitigating practical difficulties and require additional fire protection where applicable as specified in Section 901.4.4.

G. Section 503.2.7 of the California Fire Code is hereby amended to read as follows:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire chief or his/her designee based on the fire department's apparatus, however, no grade will exceed twelve (12) percent. Grade transitions shall not exceed Moreno Valley Fire Department apparatus maximum approach and departure angles as determined by the fire chief or his/her designee.

H. Section 503.3 of the California Fire Code is hereby amended to add the following information at the end of the first paragraph:

503.3 Marking Fire apparatus access lanes and roads 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 curb exists or a rolled curb is installed, a six (6) inch wide red strip or approved posted signs applied the full length of the fire apparatus access road shall be installed.

Exception: On school grounds to be implemented as approved by the fire chief or his/her designee.

I. Section 505.1 Address Identification is amended to read as follows:

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) for R-3 occupancies, for all other occupancies the numbers shall be a minimum of 6 inches high with a minimum stroke width of 1 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

J. Section 507.1 of the California Fire Code is hereby amended to add the following information at the end of the first paragraph:

507.1 Required water supply An approved permanent water supply capable of supplying the required fire flow for fire protection, shall be provided by the developer prior to the commencement of construction to all premises upon which buildings or portion of buildings are hereafter constructed or moved into or within the jurisdiction. Water supplies for fire protection and hydrants shall be in accordance with Appendix B and C.

K. Section 507.2.1 of the California Fire Code is hereby amended to read as follows:

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 NFPA 13, Chapter 10.

L. Section 507.5.7 is hereby added to the California Fire Code:

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.

M. Section 508.1 of the California Fire Code is hereby amended to read as follows:

508.1 General. Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, 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.

N. Section 508.1.1 of the California Fire Code is hereby amended to read as follows:

508.1.1 Location and access The fire command center shall be located adjacent to the main lobby and shall be accessible from fire department vehicular access or as approved by the fire code official. The room shall have direct access from the building exterior at the lowest level of fire department access

O. Section 508.1.2 of the California Fire Code is hereby amended to read as follows:

508.1.2 Separation The fire command center shall be separated from the remainder of the building by not less than a two (2) hour fire barrier constructed and in accordance with Section 707 of the California Building Code, or horizontal assembly constructed in accordance with section 712 of the California Building Code, or both.

P. Section 508.1.3 of the California Fire Code is hereby amended to read as follows:

508.1.3 Size The fire command center shall be a minimum of 200 square feet (19m2) in area with a minimum dimension of 10 feet (3048 mm)

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)

Q. Section 508.1.5 of the California Fire Code is hereby amended to read as follows:

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

Exception:

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

R. Section 508.1.6 is hereby added to the California Fire Code:

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

S. Section 510.1 Emergency responder radio coverage is hereby amended as follows:

510.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The Emergency responder radio coverage system shall comply with one of the following:

1. An emergency radio system installed in accordance with the local authority having jurisdiction's ordinance.

2. An emergency radio coverage system installed in accordance with Riverside County Fire Department's Emergency Responder Digital Radio Guideline.

Exceptions:

1. Where it is determined by the fire code official that the radio coverage system is not needed.

2. In facilities where emergency responder radio coverage is required and such systems, components or equipment could have a negative impact on normal operations of the facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

Sections 510.2; 510.3; 510.4; 510.5; 510.6 are hereby deleted without replacement:

8.36.070 Building Services and Systems

Chapter 6 Building Services and Systems is adopted in its entirety with the following amendments

A. Section 606.10.1.2 Manual Operation is hereby amended to read as follows:

606.10.2 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.

B. Section 609.2 of the California Fire Code is hereby amended to read as follows:

609.2 Where required A Type 1 hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposed that produce grease laden vapors.

Exception: Fire stations where the use of the commercial appliance is by station personnel and not for the intention of a commercial cooking facility as defined by the California Mechanical Code.

8.36.080 Fire-Resistance-Rated Construction

Chapter 7 Fire-Resistance-Rated Construction is hereby adopted in its entirety without amendments.

8.36.090 Interior Finish, Decorative Materials and Furnishings

Chapter 8 Interior Finish, Decorative Materials and Furnishings is hereby adopted in its entirety without amendments.

8.36.100 Fire Protection Systems

Chapter 9 Fire Protection Systems is adopted in its entirety with the following amendments

A. Section 901.3.1 is hereby added to the California Fire Code:

901.3.1 Modifications. No person shall remove or modify any fire protection system installed or maintained under the provisions of the California Fire Code without approval by the fire marshal and the building official.

B. Section 901.6 of the California Fire Code is hereby amended to read as follows:

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 approval shall be obtained from the fire marshal or building official.

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

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

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

903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists

1. New buildings: Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area exceeds 3,600 square feet (465 m^2) as defined in Section 202, regardless of fire areas or allowable area. 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.

   Exception: Group R-3 occupancies. Group R-3 occupancies shall comply with Section 903.2.8.

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

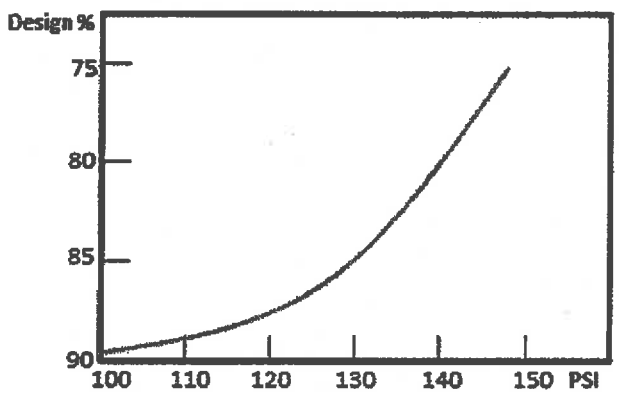
a. When an addition is 33% or more of the existing building area, and the resulting building area exceeds 3,600 square feet (465 m^2) as defined in Section 202; or
b. When an addition exceeds 1500 square feet (186 m^2) and the resulting building area exceeds 3,600 square feet (465 m^2) as defined in Section 202.

E. Section 903.3.5.3 of the California Fire Code is hereby amended to read 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.

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

TABLE 903.3.5.3
Hydraulically Calculated Systems



F. Section 903.4 of the California Fire Code is hereby amended to read as follows:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, fire pumps, booster pumps, water supply tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised in accordance with NFPA 72, regardless of the number of sprinklers in 13 and 13R systems.

Exception:

1. Automatic sprinkler systems protecting one- and two-family dwellings.

2. Limited area systems serving fewer than 20 sprinklers.

3. Jockey pump control valves that are sealed or locked in the open position.

4. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.

5. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

F. Section 907.3.1 of the California Fire Code is hereby amended as follows:

907.3.1 Duct smoke detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is installed. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location and shall perform the intended fire safety function in accordance with this code and the California Mechanical Code. Duct smoke detectors shall not be used as a substitute for required open area detection.

Exception:

1. In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an approved location. Smoke detector trouble conditions shall activate a visible or audible signal in an approved location and shall be identified as air duct detector trouble.

G. Section 912.2.1 of the California Fire Code is hereby amended to read as follows:

912.2.1 Visible locations. 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 or his/her designee. The location of fire department connections shall be approved and installed as follows:

1. Within 40 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 or otherwise approved by the fire chief or his/her designee.

2. Within 50 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 shall be required to protect fire department inlet connections from vehicular damage.

L. Section 914.5 of the California Fire Code is hereby amended to read as follows:

914.5 Underground and windowless buildings. Underground buildings shall comply with sections 914.5.1 through 914.5.5 and windowless buildings with a total floor area that exceeds 5000 square feet shall comply with Section 914.5.2 through 914.5.5.

Exception: This section shall not apply to one and two-family residential dwellings.

8.36.110 Means of Egress

Chapter 10 Means of Egress is adopted in its entirety without amendments

8.36.120 Construction Requirements for Existing Buildings

Chapter 11 Construction Requirements for Existing Buildings Adopt only those Sections and Subsections listed below:

1. **1103.7**
2. **1103.7.3**
3. **1103.7.3.1**
4. **11.3.7.8 – 1103.7.8.2**
5. **1103.7.9 – 1103.7.9.10**
6. **1103.8 – 1103.8.5.3**
7. **1106**

8.36.130 Aviation Facilities

Chapter 20 Aviation Facilities is adopted in its entirety without amendments

8.36.140 Dry Cleaning

Chapter 21 Dry Cleaning is adopted in its entirety without amendments.

8.36.150 Combustible Dust –Producing Operations

Chapter 22 Combustible Dust-Producing Operations is adopted in its entirety without amendments.

8.36.160 Motor Fuel-Dispensing Facilities and Repair Garages

Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages is adopted in its entirety without amendments.

8.36.170 Flammable Finishes

Chapter 24 Flammable Finishes is adopted in its entirety without amendments.

8.36.180 Fruit and Crop Ripening

Chapter 25 Fruit and Crop Ripening is adopted in its entirety without amendments.

8.36.190 Fumigation and Insecticidal Fogging

Chapter 26 Fumigation and Insecticidal Fogging is adopted in its entirety without amendments.

8.36.200 Semiconductor Fabrication Facilities

Chapter 27 Semiconductor Fabrication Facilities is adopted in its entirety without amendments

8.36.210 Lumber Yards and Woodworking Facilities

Chapter 28 Lumber Yards and Woodworking Facilities is adopted in its entirety without amendments:

8.36.220 Manufacture of Organic Coatings

Chapter 29 Manufacture of Organic Coatings is adopted in its entirety without amendments.

8.36.230 Industrial Ovens

Chapter 30 Industrial Ovens is adopted in its entirety without amendments.

8.36.240 Tents, and Other Membrane Structures

Chapter 31 Tents and Other Membrane Structures is adopted in its entirety without amendments.

8.36.250 High –Piled Combustible Storage

Chapter 32 High-Piled Combustible Storage is adopted in its entirety without amendments.

8.36.260 Fire Safety During Construction and Demolition

Chapter 33 Fire Safety During Construction and Demolition is adopted in its entirety without amendments.

8.36.270 Tire Rebuilding & Tire Storage

Chapter 34 Tire Rebuilding & Tire Storage is adopted in its entirety without amendments.

8.36.280 Welding and Other Hot Work

Chapter 35 Welding and Other Hot Work is adopted in its entirety without amendments.

8.36.290 Marinas

Chapter 36 Marinas is adopted in its entirety without amendments.

8.36.300 Motion Picture and Television Production Studio Sound Stages, Approved Production Facilities, and Production Locations

Chapter 48 Motion Picture and Television Production Studio Sound Stages, Approved Production Facilities, and Production Locations is adopted in its entirety without amendments.

8.36.310 Requirements for Wildland-Urban Interface Fire Areas

Chapter 49 Requirements for Wildland-Urban Interface Fire Areas is adopted in its entirety with the following amendments:

A. **Section 4906.3 Vegetation** is hereby revised by adding Section "(5)" as follows:

(5) MVFD Vegetation Management Guideline.

B. **Section 4908 Fuel Modification Requirements for New Construction** is hereby added as follows:

4908 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in hazardous fire areas shall comply with the following:

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

8.36.320 Hazardous Materials – General Provisions

Chapter 50 Hazardous Materials – General Provisions is adopted in it's entirely with the following amendments.

8.36.330 Aerosols

Chapter 51 Aerosols is adopted in its entirety without amendments.

8.36.340 Combustible Fibers

Chapter 52 Combustible Fibers is adopted in its entirety without amendments.

8.36.350 Compressed Gases

Chapter 53 Compressed Gases is adopted in its entirety without amendments.

8.36.360 Corrosive Materials

Chapter 54 Corrosive Materials is adopted in its entirety without amendments.

8.36.370 Cryogenic Fluids

Chapter 55 Cryogenic Fluids is adopted in its entirety without amendments.

8.36.380 Explosives and Fireworks

Chapter 56 Explosives and Fireworks. California Fire Code Chapter 33 is adopted in its entirety with the following amendments.

A. **Section 5601.2 Retail Fireworks** is hereby added as follows:

5601.2 Retail Fireworks. The storage, use, sale, possession, and handling of fireworks 1.4G (commonly referred to as Safe & Sane) and fireworks 1.3G is prohibited.

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

B. **Section 5601.3 Seizure of Fireworks** is hereby added as follows:

5601.3 Seizure of Fireworks. The fire chief shall have the authority to seize, take, remove all fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19 CCR, Chapter 6. Any seizure or removal pursuant to this section shall be in compliance with all applicable statutory, constitutional, and decisional law.

C. **Section 5608.1 General** is hereby amended as follows:

5608.1 GENERAL. Outdoor fireworks displays, use of pyrotechnics before proximity audience and pyrotechnic special effects in theatrical, and group entertainment productions, shall comply with California Code of Regulations, Title 19 , Division 1, Chapter 6 – Fireworks, the Moreno Valley Fire Department Guideline for Public Fireworks Displays, and with the conditions of the permit as approved by the fire code official.

D. **Section 5609 Explosives and Blasting** is hereby added as follows:

5609 Explosives and Blasting. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within wildland-urban interface areas, or hazardous fire areas except by permit from the fire code official.

8.36.390 Flammable and Combustible Liquids

Chapter 57 Flammable and Combustible Liquids is adopted in its entirety without amendments.

8.36.400 Flammable Gases and Flammable Cryogenic Fluids

Chapter 58 Flammable Gases and Flammable Cryogenic Fluids is adopted in its entirety without amendments.

8.36.410 Flammable Solids

Chapter 59 Flammable Solids is adopted in its entirety without amendments.

8.36.420 Highly Toxic and Toxic Materials

Chapter 60 Highly Toxic and Toxic Materials is adopted in its entirety without amendments.

8.36.430 Liquefied Petroleum Gases

Chapter 61 Liquefied Petroleum Gases is adopted in its entirety without amendments.

8.36.440 Organic Peroxides

Chapter 62 Organic Peroxides is adopted in its entirety without amendments.

8.36.450 Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids

Chapter 63 Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids is adopted in its entirety without amendments.

8.36.460 Pyrophoric Materials

Chapter 64 Pyrophoric Materials is adopted in its entirety without amendments.

8.36.470 Pyroxylin (Cellulose Nitrate) Plastics

Chapter 65 Pyroxylin (Cellulose Nitrate) Plastics is adopted in its entirety without amendments.

8.36.480 Unstable (Reactive) Materials

Chapter 66 Unstable (Reactive) Materials is adopted in its entirety without amendments.

8.36.490 Water-Reactive Solids and Liquids

Chapter 67 Water-Reactive Solids and Liquids is adopted in its entirety without amendments.

8.36.500 Referenced Standards

Chapter 80 Referenced Standards is adopted in its entirety without the amendments:

8.36.510 Appendices

Appendix 4, A, B, BB, C, CC, E, F, G, H are adopted in their entirety without amendment.

8.36.520 Designation of Fire Code

The provisions of this Chapter, together with the provisions of Chapter 8.38 of this Title may be known collectively as "The Fire Code of the City of Moreno Valley"."

SECTION 6. SEVERABILITY

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

SECTION 7. NOTICE OF ADOPTION:

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

SECTION 8. EFFECTIVE DATE:

This ordinance shall take effect on January 9, 2014.

APPROVED AND ADOPTED this 10th day of December, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 871 had its first reading on November 12, 2013 and had its second reading on December 10, 2013, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 10th day of December, 2013, by the following vote:

AYES: Council Members Baca, Gutierrez, Stewart, Mayor Pro Tem Molina and Mayor Owings

NOES: None

ABSENT: None

ABSTAIN: None

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

AFFIDAVIT OF POSTING
CITY OF MORENO VALLEY

I, JANE HALSTEAD, City Clerk of the City of Moreno Valley, California, certify that on the 18th day of December, 2013, I caused Ordinance No. 871 to be posted in the following places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Dated: December 18, 2013

Jane Halstead

Jane Halstead, City Clerk, CMC

(SEAL)