



January 18, 2011

California Building Standards Commission
2525 Natomas Park Dr. , Suite 120
Sacramento, California 95833

RE: The City of Lake Elsinore, Building Ordinance

Mr. Dave Walls:

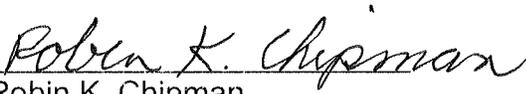
The City of Lake Elsinore has adopted the current Building, Plumbing, Mechanical and Electrical, and Existing Building Codes of the State of California.

The City of Lake Elsinore has recommended changes and modifications to the Codes and have advised that certain said changes and modifications to the 2010 Editions of the California Building and Electrical Codes are reasonably necessary due to local conditions in the City of Lake Elsinore 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 Code or are reasonably necessary to safeguard life and property within the City of Lake Elsinore.

The enclosed City Ordinance is for your files.

If additional information is desired please telephone this office at (951) 674-3124 x226.

Sincerely,


Robin K. Chipman
Building Official


Kevin Lawson
Battalion Chief / County Fire

RECEIVED
CALIFORNIA BUILDING STANDARDS COMMISSION
2011 JAN 27 AM 03

ORDINANCE NO. 2010-1287

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING CHAPTERS 15.02, 15.20, 15.24, 15.38, 15.40, AND 15.56 AND ADDING CHAPTERS 15.06, 15.32, 15.42 AND 15.48 TO LAKE ELSINORE MUNICIPAL CODE ADOPTING THE 2010 CALIFORNIA BUILDING STANDARDS CODE

THE CITY COUNCIL OF THE CITY OF THE CITY OF LAKE ELSINORE DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 15.02.010 of Chapter 15.02, Title 15, of the Lake Elsinore Municipal Code is hereby amended and restated in it's entirely as follows:

15.02.010 California Building Standards Code.

For the purpose of prescribing regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures, the 2010 Edition of the California Building Standards Code (California Code of Regulations, Title 24) are hereby adopted subject to the modifications as set forth in Title 15 of the LEMC. The provisions of the California Building Standards Code as amended pursuant to Title 15 of the LEMC and the chapters set forth therein shall constitute the Building Regulations of the City of Lake Elsinore.

SECTION 2. Section 15.04.010 of Chapter 15.04, Title 15, of the Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.04.0100 Building Code – Established.

Except as provided in this chapter, the California Building Code, 2010 Edition based on the 2009 International Building Code 2009 as published by the International Code Council shall be and become the Building Code of the City, regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, use, height, area maintenance of all structures and certain equipment therein. The California Building Code is on file for public examination in the office of the Building Official.

SECTION 3. Section 15.04.020 of Chapter 15.04, Title 15, of the Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.04.020 Local Amendments.

The 2010 Edition of the California Building Code is hereby amended as follows:

Section 109.2 Fees, is hereby amended to include the following wording as the second and third sentences in the paragraph:

The fees for Plan Check and Permit shall be as set pursuant to Chapter 3.40 of the Lake Elsinore Municipal Code and as adopted in Ordinance 1087.

Said plan check fee shall be 75 percent of the building permit fee as set pursuant to Chapter 3.40 LEMC.

Section 113.3 Appeals, is hereby amended as follows:

The Board of Appeals when referenced in any of the Building Standards Codes shall mean the Planning Commission of the City of Lake Elsinore. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board.

Section 114.4 Violation Penalties; is hereby amended as follows:

Any person, firm, or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of the Ordinances of Lake Elsinore shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the Ordinances of Lake Elsinore shall be punished by a fine of not more than one thousand dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the Ordinances of Lake Elsinore is committed, continued, or permitted by any such person, and shall be punished accordingly.

Section 403 is hereby amended as follows:

High-rise buildings having occupied floors located more than 55 feet above the lowest level of Fire Department vehicle access and group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of Fire Department access.

Section 403.1, the first paragraph, is hereby amended as follows:

New high-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and new Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access shall comply with Sections 403.2 through 403.6.

Section 403.1.1, definition No. 2 is hereby amended as follows:

High-rise structure" means every building of any type of construction or occupancy having floor used for human occupancy located above 55 feet above the lowest floor level having building access (see Section 403.1.2), except

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

- a. Unless otherwise required in accordance with Chapter 7A.

Section 1505.1.3 is amended as follows:

The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

Section 1505.5 is amended, by the deletion of the entire section.

Section 1505.7 is amended, by the deletion of the entire section.

Appendix J is amended by the addition of a new section thereto, as follows:

Section J110.3 Temporary Erosion Control.

- A. Separate plans for temporary drainage and erosion control measures to be used during the rainy season shall be submitted prior to October 1. The control devices shown on said plans shall be installed no later than October 15, and maintained in operable condition until April 15. These plans shall provide the following:
1. Temporary soil stabilization measures shall be installed on graded slopes exceeding a three to one ratio and/or ten feet in height.
 2. Desilting facility shall be provided at all drainage outlets from the graded site, designed for the twenty-five year, six hour storm intensity. They must be detailed on the plans. Design and specific recommendations shall be submitted for the following:
 - Desilting basin volume based on gradient and nature of soils
 - The extent of all graded areas and identification of any temporary soil stabilization measures
 - Size of desilting basin outlet pipe and over flow
 - Dike requirements. Minimum wall width, slope of walls, percent of compaction, etc.
 3. The following notes shall be placed on the plans:
 - In case of emergency, call _____ at _____
(responsible person) (24 hour number)

- The undersigned civil engineer will supervise erosion control and certify that work is in accordance with the approved plans.

(signature, reg. *, expiration date)

(name - printed)

(dated)

4. Indicate on the plan, which streets will be paved and which drainage devices will be completed by October 15.
5. Placement of devices to reduce erosion damage within the tract is left to the discretion of the Engineer. These devices, if any, must be shown on the plan because their presence will affect the required capacity of the desilting basin.
6. Outlet conditions from the desilting basin shall not exceed downstream limitations, with the exception of overflow, which is to be designed to provide capacity of 1.5 times the maximum design flow.

B. Temporary Erosion Control Measures

1. The permittee shall keep a standby crew for emergency work, available at all times during the rainy season. Necessary materials shall be available onsite and stockpiled at convenient locations to facilitate rapid construction of temporary devices or to repair any damaged erosion control measures when rain is imminent.
2. Devices shall not be moved or modified without the approval of the Building Official or, in an emergency by the person responsible for grading operations.
3. All removable protective devices shown shall be in place at the end of each working day when the five-day rain probability forecast exceeds forty percent. Forecasts shall be received from broadcasts provided by the United States Weather Service.
4. After a rainstorm, all silt and debris shall be removed from check berms and desilting basins and the basins pumped dry. Any graded slope surface protection measures damaged during a rainstorm shall also be immediately repaired. Failure to provide effective maintenance may result in penalties as provide per Section 205.
5. Fill slopes at the tract perimeter must drain away from the top of the slope at the conclusion of each working day.

6. At least one guard shall be posted on the site whenever the depth of water in any device exceeds eighteen inches. Additional guards may be required as deemed necessary by the Building Official.
7. After a rainstorm, all silt and debris shall be removed from public drains and pipes, and from drains and pipes of adjacent properties.

C. Subsequent Rainy Seasons

1. For projects extending into subsequent rainy seasons, for temporary drainage and erosion control plans shall be submitted. These plans shall comply with all requirements in Section J110.3 (A) and (B).

SECTION 4. Chapter 15.06, Title 15, of the Lake Elsinore Municipal Code is hereby added as follows:

**CHAPTER 15.06
RESIDENTIAL CODE**

15.06.010 Residential Code -- Established.

Except as provided in this chapter, the California Residential Code, 2010 Edition based on the 2009 International Building Code as published by the International Code Conference, shall be and become the Residential Code of the City, regulating and controlling 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 throughout the State of California. The California Residential Code is on file for public examination in the office of the Building Official.

15.06.020 Amendments.

The 2010 edition of the California Residential Code is hereby amended as follows:

Section R108.2 Fees, is hereby amended to include the following wording as the second and third sentences in the paragraph as follows:

The fees for Plan Check and Permit shall be as set pursuant to Chapter 3.40 of the Lake Elsinore Municipal Code and as adopted in Ordinance 1087.

Said plan check fee shall be 75 percent of the building permit fee as set pursuant to Chapter 3.40 LEMC.

Section R112.3 Appeals, is hereby amended as follows:

The Board of Appeals when referenced in any of the Building Standards Codes shall mean the Planning Commission of the City of Lake Elsinore. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board.

Section R113.4 Violation Penalties, is hereby amended as follows:

Any person, firm, or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of the Ordinances of Lake Elsinore shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the Ordinances of Lake Elsinore shall be punished by a fine of not more than one thousand dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the Ordinances of Lake Elsinore is committed, continued, or permitted by any such person, and shall be punished accordingly.

Table R301.2(1) is amended as follows:

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

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^l	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^o	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	12-24"	Very Heavy	43	No	See Exhibit B	0	60

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 R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D 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 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/fpsf.html.
- 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.

Section R403.1.3 is modified by deleting the exception for masonry stem walls:

In Seismic Design Categories D₀, D₁ and D₂ masonry stem walls without solid grout and vertical reinforcing are not permitted.

Section R405.1 is amended as follows:

.....at least one sieve size larger than the tile joint opening or perforation and covered with not less than 6 inches of the same material.

Section R902.1 is amended by revising it to allow only class A or B roofs as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or B roofing shall be installed in areas designated by this section. Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

- 1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
- 2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

Section R902.1.3 is amended by revising it to require a minimum Class B roof as follows:

R902.1.3 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of

every existing structure, shall be a fire-retardant roof covering that is at least Class B.

Section R902.2, first paragraph is amended by revising it to allow only Class A or B treated wood roofs as follows:

R902.2 Fire-retardant-treated shingles and shakes. Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A or B roofs.

SECTION 5. Section 15.20.010 of Chapter 15.20, Title 15, of the Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.20.010 Mechanical Code - Established.

Except as provided in this chapter, the California Mechanical Code, 2010 Edition, based on the 2009 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Mechanical Code of the City, regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, and refrigeration systems; incinerators; and other miscellaneous heat-producing appliances within this jurisdiction. The California Mechanical Code is on file for public examination in the office of the Building Official.

SECTION 6. Section 15.20.020 of Chapter 15.20, Title 15, of the Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

Section 15.20.020 Amendments.

The 2010 edition of the California Mechanical Code is hereby amended as follows:

Section 110.1 General, is hereby amended as follows:

The Board of Appeals when referenced in any of the Building Standards Codes shall mean the Planning Commission of the City of Lake Elsinore. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board.

Section 115.1 General, is hereby amended as follows:

The fees for each Permit shall be as set pursuant to Chapter 3.40 of the Lake Elsinore Municipal Code.

Section 115.2 is hereby deleted in its entirety.

SECTION 7. Section 15.24.010 of Chapter 15.24, Title 15 of the City of Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.24.010 Plumbing Code - Established.

Except as provided in this chapter, the California Plumbing Code, 2010 Edition, based on the 2009 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Plumbing Code of the City, regulating the erection, installation, alteration, repair, relocation, replacement, addition, to, use, or maintenance of plumbing systems within this jurisdiction. The California Plumbing Code will be on file for public examination in the office of the Building Official.

SECTION 8. Section 15.24.020 of Chapter 15.24, Title 15 of the City of Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.24.020 Amendments.

The 2010 Edition of the California Plumbing Code is hereby amended as follows:

Section 1.11.2.5 Appeals, is hereby amended in its entirety and replaced with the following paragraph:

“The Board of Appeals when referenced in any of the Building Standards Codes shall mean the Planning Commission of the City of Lake Elsinore. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board”.

Section 102.3.2, Penalties, is hereby amended by revising the following text to read as follows:

Any person, firm, or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of the Ordinances of Lake Elsinore shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the Ordinances of Lake Elsinore shall be punished by a fine of not more than one thousand dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the Ordinances of Lake Elsinore is committed, continued, or permitted by any such person, and shall be punished accordingly.

Section 103.4.1, Fees, is hereby amended to read as follows:

The fees for each Permit shall be as set pursuant to Chapter 3.40 of the Lake Elsinore Municipal Code.

SECTION 9. Chapter 15.32 of Title 15 of the City of Lake Elsinore Municipal Code is hereby added as follows:

**CHAPTER 15.32
ENERGY CODE**

15.32.010 Energy Code - Established.

Except as provided in this chapter, the California Energy Code 2010 Edition as published by the International Code Council, shall be and become the Energy Code of the City, regulating all buildings in the City with respect to State energy requirements. The California Energy Code will be on file for public examination in the office of the Building Official.

SECTION 10. Section 15.38.010 of Chapter 15.38, Title 15 of the City of Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.38.010 Electrical Code - Established.

Except as provided in this chapter, the California Electrical Code, 2010 Edition, based on the 2008 National Electrical Code as published by the National Fire Protection Association, shall be and become the Electrical Code of the City, regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the City.

The California Electrical Code will be on file for public examination in the office of the Building Official.

SECTION 11. Section 15.38.010 of Chapter 15.38, Title 15 of the City of Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.38.020 Amendments.

The 2010 Edition of the California Electrical Code is hereby amended as follows:

Section 89.108.4.2 Fees, is hereby amended to include the following wording as the second sentence in the paragraph:

The fees for each Permit shall be as set pursuant to Chapter 3.40 of the Lake Elsinore Municipal Code.

Section 89.108.8.2 Definitions, the definition of Housing Appeals Board and Local Appeals Board shall be amended in its entirety. The following language shall be used for the purposes of defining these terms as hereby amended by the following paragraph:

The Board of Appeals when referenced in any of the Building Standards Codes shall mean the Planning Commission of the City of Lake Elsinore. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board”.

Article 310.2(b) is hereby amended, by the addition of a second paragraph to read as follows:

Copper wire shall be used for wiring No. six (6) and smaller in all installations. Consideration for use of aluminum wiring can be made by the Building Official for feeder lines only on an individual basis where adequate safety measures can be ensured.

Article 310 is amended, by addition of a new Article 310.6, to read as follows:

310.16 Continuous inspection of aluminum wiring.

Aluminum conductors of No. six (6) or smaller used for branch circuits shall require continuous inspection by an independent testing agency approved by the Building Official for proper torquing of connections at their termination point.

SECTION 12. Section 15.40.010 of Chapter 15.40, Title 15 of the City of Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.40.010 Existing Building Code - Established.

Except as provided in this chapter, the 2010 California Existing Building Code Appendix A-1 based on the 2009 International Existing Building Code as published by the International Code Council, shall become the Existing Building Code of the City, for regulating existing buildings in the City. The California Existing Building Code will be on file for public examination in the office of the Building Official.

SECTION 13. Chapter 15.42 of Title 15 of the City of Lake Elsinore Municipal Code is hereby added as follows:

**CHAPTER 15.42
GREEN BUILDING STANDARDS CODE**

15.42.010 Green Building Standards Code - Established.

Except as provided in this chapter, the California Green Building Standards Code as published by the California Building Standards Commission, shall become the Green Building Standards Code of the City, for planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise in this

code, throughout the City of Lake Elsinore. The California Green Building Standards Code will be on file for public examination in the office of the Building Official.

Section 15.42.020 Amendments.

The 2010 Edition of the California Green Building Standards Code is hereby amended as follows:

Section 5.106.8 Light Pollution Reduction, is amended by adding exceptions #3 and #4 to read as follows:

Comply with lighting power requirements in the California Energy Code, CCR, Part 6, and design interior and exterior lighting such that zero direct-beam illumination leaves the building site. Meet or exceed exterior light levels and uniformity ratios for lighting zones 1-4 as defined in Chapter 10 of the California Administrative Code, CCR, Part 1, using the following strategies.

1. Shield all luminaries or provide cutoff luminaries per Section 132 (b) of the California Energy Code.
2. Contain interior lighting within each source.
3. Allow no more than .01 horizontal lumen foot-candles to escape 15 feet beyond the site boundary.
4. Automatically control exterior lighting dusk to dawn to turn off or lower light Levels during incentive periods.

Exceptions:

- i. Part 2, Chapter 12, Section 1205.6 for campus lighting requirements for parking facilities and walkways.
- ii. Emergency lighting and lighting required for night time security.
- iii. Existing facilities which include athletic playing areas, theatrical facilities, theme parks, theme park resorts and similar facilities which have Zoning designations as such, and which have lighting level criteria established by Ordinance.
- iv. New athletic playing areas, theatrical facilities, theme parks, theme park resorts and similar facilities which have Zoning designations as such and which have lighting level criteria adopted by ordinance may be designated as LZ4 in Table 10-114-A in the California Administrative Regulations.

SECTION 14. Chapter 15.48 of Title 15 of the City of Lake Elsinore Municipal Code is hereby added as follows:

**CHAPTER 15.48
HISTORICAL BUILDING CODE**

15.48.010 Historical Building Code - Established.

Except as provided in this chapter, the California Historical Building Code, 2010 Edition, shall be and become the Historical Building Code of the City, regulating historical buildings. The California Historical Building Code is on file for public examination in the office of the Building Official.

15.06.020 Amendments.

The 2010 edition of the California Historical Building Code is hereby amended as follows:

Section 8-104 Appeals, is hereby amended as follows:

The Board of Appeals when referenced in any of the Building Standards Codes shall mean the Planning Commission of the City of Lake Elsinore. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board.

SECTION 15. Section 15.56.010 of Chapter 15.56 of Title 15 of the City of Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.56.010 Fire Code - Established.

Except as provided in this chapter, the California Fire Code, based on the 2009 International Fire Code as published by the International Code Council, shall become the Fire Code of the City, for regulating new structures, alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the California Building Code and located within the City. The California Fire Code will be on file for public examination in the office of the Building Official.

SECTION 16. Section 15.56.020 of Chapter 15.56, Title 15 of the City of Lake Elsinore Municipal Code is hereby amended and restated in its entirety as follows:

15.56.020 Amendments.

The 2010 Edition of the California Fire Code is hereby amended as follows:

Section 108.1 Board of Appeals Established, is hereby amended in its entirety as follows:

The Board of Appeals when referenced in any of the Building Standards Codes shall mean the Planning Commission of the City of Lake Elsinore. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board.

Section 113.2 Schedule of Permit Fees, is hereby amended to include the following wording as the second sentence in the paragraph:

The fees for each Permit shall be as set pursuant to Chapter 3.40 of the Lake Elsinore Municipal Code.

Section 109.3, Violation Penalties, is hereby amended by revising the following text to read as follows:

Any person, firm, or corporation violating any of the provisions or failing to comply with any of the mandatory requirements of the Ordinances of Lake Elsinore shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the Ordinances of Lake Elsinore shall be punished by a fine of not more than one thousand dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the Ordinances of Lake Elsinore is committed, continued, or permitted by any such person, and shall be punished accordingly.

Section 903.2 is hereby amended by revising the following text to read as follows:

Approved automatic sprinkler systems in buildings and structures shall be provided in the following locations:

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, as defined in Section 502.1, exceeds 5,000 square feet (465 m²), or more than two stories in height, regardless of fire areas or allowable area.

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 the addition is 33% or more of the existing building area and the resulting building area, as defined in Section 502.1, exceeds 5000 square feet (465 m²); or
- b. When the addition exceeds 2000 (185.81 m²) square feet and the resulting building area, as defined in Section 502.1, exceeds 5000 square feet (465 m²); or
- c. An additional story is added above the second floor regardless of fire areas or allowable area.

Section 903.2.8 is hereby amended by revising the following text to read as follows:

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:

1. New buildings: An automatic sprinkler system shall be installed throughout all new buildings.
2. Existing buildings: An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
 - a. When an addition is 33% or more of the existing building area, as defined in Section 502.1, and greater than 1000 square feet (92.903 m²) within a two year period; or
 - b. An addition when the existing building is already provided with automatic sprinklers; or
 - c. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

SECTION 17. The City Council of the City of Lake Elsinore hereby expressly finds that amendments to the Building Regulations of the City of Lake Elsinore adopted by this ordinance are necessary for the protection of the public health, safety and welfare, due to local climatic, geologic or topographical condition(s), each of which is specifically addressed in the attached Resolution of Findings.

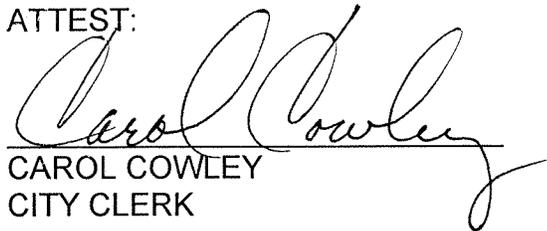
SECTION 18. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance and are hereby declared to be severable.

SECTION 19. This Ordinance shall take effect thirty (30) days after the date of its final passage or such later date as may be designated by the City Council. The City Clerk shall certify as to adoption of this Ordinance and cause this Ordinance to be published and posted in the manner required by law.

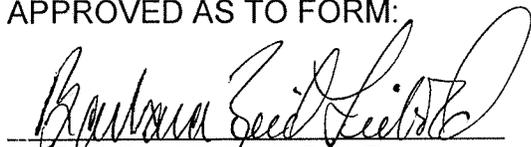
PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Lake Elsinore, California, on this 14th day of December, 2010.


MELISSA MELENDEZ, MAYOR
CITY OF LAKE ELSINORE

ATTEST:


CAROL COWLEY
CITY CLERK

APPROVED AS TO FORM:


BARBARA ZEID LEIBOLD
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)ss.
CITY OF LAKE ELSINORE)

I, Carol Cowley, City Clerk of the City of Lake Elsinore, California, hereby certify that the foregoing Ordinance No. 2010-1287 was introduced at a regular meeting of the City Council of the City of Lake Elsinore on the 23rd day of November 2010, and was finally passed at a regular meeting of the City Council of the City of Lake Elsinore held on the 14th day of December, 2010 by the following roll call vote:

AYES: COUNCIL MEMBERS: HICKMAN, MAGEE, TISDALE, MAYOR
 PRO TEM BHUTTA, AND MAYOR MELENDEZ

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



CAROL COWLEY
CITY CLERK

RESOLUTION NO. 2010- 067

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE
ELSINORE, CALIFORNIA, SETTING FORTH FINDINGS FOR
AMENDMENTS TO THE 2010 CALIFORNIA BUILDING STANDARDS
CODE**

WHEREAS, Health and Safety Code Section 17958 provides that the City of Lake Elsinore ("City") shall adopt ordinances and regulations imposing the same or modified or changed requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Code, the California Green Building Standards Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Energy Code, and the California Electrical Code (hereinafter referred to collectively as "Codes"); and

WHEREAS, Health and Safety Code Section 17958.5(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geographic, or topographic conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic, or topographic conditions; and

WHEREAS, the Building and Safety Division has recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the Codes are reasonably necessary due to local conditions in the City of Lake Elsinore 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 Codes or are reasonably necessary to safeguard life and property within the City of Lake Elsinore.

**THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES
HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. The above recitals are true and correct.

SECTION 2. Amendments related to life and fire safety contained in Sections 403, 403.1, 403.1.1, 403.4.7.2, 403.4.8.1, 412.7, Table 1505.1, and 1505.1.3 of the 2010 Edition of the California Building Code, and Sections R403.1.3, R405.1, R902.1, R902.1.3, and R902.2 of the 2010 Edition of the California Residential Code, and Sections 202 and 4.304.1 of the 2010 Edition of the California Green Building Standards Code are hereby found to be reasonably necessary due to the following local conditions:

A. Climatic Conditions

1. Hot, dry Santa Ana winds are common to all areas within the City of Lake Elsinore. These winds, which can cause small fires to spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupants during fire occurrences.
2. Riverside County and the City of Lake Elsinore are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.

B. Geographic Conditions

1. Riverside County and the City of Lake Elsinore are located in a highly active seismic area. There are earthquake faults that run along both the northeastern and southwestern boundaries of Riverside County including the San Jacinto and Elsinore faults which are branches of the San Andreas Fault. There have been several substantial earthquakes located along these faults in the Inland Empire area in the past few years. The most recent was on February 13, 2010, located in Riverside California, three miles south of Redlands with a magnitude of 4.1 on the Richter scale. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe";
2. Traffic and circulation congestion presently existing in the City of Lake Elsinore often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any

major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.

3. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until fire fighting apparatus and personnel arrive on the scene. The City of Lake Elsinore is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, Section 6, Figure 6-2 of ASCE 7 identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury. The City of Lake Elsinore is located in the middle of the seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.
4. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.

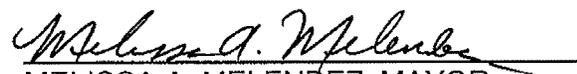
SECTION 3. Amendments to the 2010 Edition of the Codes are found reasonably necessary based on the climatic and/or geographic conditions cited in Section 2 of this resolution and are listed as follows:

<u>Code Section</u>	<u>Findings in Section 2</u>
CBC 403, 403.4.7.2, 403.4.8.1, 907.2.13, 907.6.3.2	A-1, B-2, B-3
CBC 412.7	B-1, B-2, B-3
CBC 903.2 (Sprinkler placeholder)	A-1, A-2, B-2
CBC 1505, CRC R902.1	A-1, A-2, B-2, B-4
CRC R403.1.3, R405.1	B-1

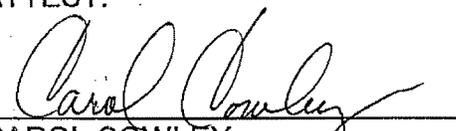
SECTION 4. Additional amendments have been made to the Codes. Such amendments are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such Codes. The changes made include provisions making each of such Codes compatible with other codes enforced by the City.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution and the same shall thereupon take effect and be in force as January 1, 2011.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Lake Elsinore, California, this 23rd day of November, 2010.


MELISSA A. MELENDEZ, MAYOR
CITY OF LAKE ELSINORE

ATTEST:


CAROL COWLEY
CITY CLERK

APPROVED AS TO FORM:

BARBARA ZEID LEIBOLD
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF LAKE ELSINORE)

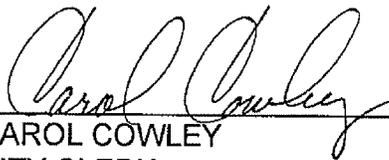
I, CAROL COWLEY, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2010-067 was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on the 23rd day of November 2010, and that the same was adopted by the following vote:

AYES: COUNCIL MEMBERS: BUCKLEY, HICKMAN, MAGEE, MAYOR PRO
 TEM BHUTTA AND MAYOR MELENDEZ

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



CAROL COWLEY
CITY CLERK

