

BUILDING STANDARDS COMMISSION

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



January 10, 2011

Nicholas Hermsen, Deputy City Attorney
City of Rancho Mirage
35-325 Date Palm Drive, Suite 202
Cathedral City, CA 92234

Dear Mr. Hermsen:

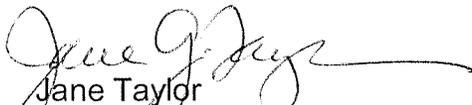
This letter is to acknowledge receipt on December 3, 2010 of the City of Rancho Mirage submittal pertaining to Ordinance NO. 1001 with findings and is acceptable for filing. Per Health and Safety Code Section 17958.8 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

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

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

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

Sincerely,


Jane Taylor
Senior Architect

cc: Chron
Local Filings

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Calabasas, CA 91302
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December 1, 2010

Reply to:
Cathedral City Office

**OFFICE OF THE CITY ATTORNEY
CITY OF RANCHO MIRAGE**

Via Certified Mail, Return Receipt Requested

Dave Walls, Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833

Re: Local Amendments to California Building Standards Codes

Dear Mr. Walls:

As required by law, the City of Rancho Mirage hereby submits its local amendments to the various Building Standards Codes which were adopted with appropriate findings on November 18, 2010 and are scheduled to go into effect on January 1, 2011.

If you have any questions, please do not hesitate to contact me at (760)770-0873.

Very truly yours,

GREEN de BORTNOWSKY & QUINTANILLA
Steven B. Quintanilla, City Attorney

Nicholas Hermsen, Deputy City Attorney
City of Rancho Mirage

Enclosure

RECEIVED
CITY OF RANCHO MIRAGE
DEPUTY CITY ATTORNEY
NICHOLAS HERMSEN
12-1-10

ORDINANCE NO. 1001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE AMENDING TITLE 15 OF THE RANCHO MIRAGE MUNICIPAL CODE BY ADOPTING BY REFERENCE, THE 2010 CALIFORNIA BUILDING STANDARD CODES AND CERTAIN SPECIFIED APPENDICES THEREOF, INCLUDING THE 2010 CALIFORNIA BUILDING CODE, 2010 CALIFORNIA ELECTRICAL CODE, 2010 CALIFORNIA MECHANICAL CODE, 2010 CALIFORNIA PLUMBING CODE, 2010 CALIFORNIA FIRE CODE, 2010 CALIFORNIA ENERGY CODE, 2010 CALIFORNIA EXISTING BUILDING CODE AND THE 2010 HISTORICAL BUILDING CODE AND MAKING CERTAIN FINDINGS IN SUPPORT OF SPECIFIC ADDITIONS, DELETIONS AND/OR AMENDMENTS THERETO.

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

WHEREAS, the BSC will become effective and applicable to any building or structure for which application for a building permit is made on or after January 1, 2011; and

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

WHEREAS, on November 4, 2010, the Rancho Mirage City Council conducted a duly noticed public hearing to consider certain amendments to the building and construction standards set forth as Part 2 of the BSC (24 Cal. Code of Regs. §§ 101 et seq.) which were proposed by the City's Building and Fire Officials as more stringent than the standards established by the BSC and reasonably necessary to protect the health, welfare and safety of the citizens of Rancho Mirage because of local climatic and geological conditions; and

WHEREAS, at the conclusion of the public hearing at which evidence was presented and duly considered, the Rancho Mirage City Council found that the amendments recommended by the Building and Fire Officials were reasonably necessary to protect

the health, welfare and safety of the citizens of Rancho Mirage because of local climatic and geological conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE DOES ORDAIN AS FOLLOWS:

Section 1. FINDINGS

A. Findings in Support of More Stringent Automatic Fire Sprinkler System Requirements:

1. The City of Rancho Mirage has an arid desert climate with annual rainfall of less than 2 inches. Temperatures exceed 100°F degrees on average for four months of the year, with daily highs near 110°F degrees during July and August. Surface area temperatures exceeding 160°F degrees are common. Additionally, the area is subject to hot, dry winds during most months of the year. These hot, dry, windy climate conditions increase fire danger by drying and pre-heating combustible material and by fostering spontaneous combustion of flammable material. These conditions can hasten the spread and heighten the intensity of fires, thus creating a need for an increased level of fire protection. Automatic fire sprinkler systems provide an increased level of fire protection. Requiring automatic fire sprinkler systems to be installed in newly constructed buildings and structures will result in a higher level of fire safety for the community.

2. Rancho Mirage is located on or near several significant sources that have the potential to cause moderate to large earthquakes: San Andreas, Garnet Hill, San Jacinto, Banning, Eureka Peak, Burnt Mountain, San Gorgonio Pass, and Pinto Mountain. Severe seismic activity could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the City's Fire Department. Automatic fire sprinkler systems can partially mitigate the demand for fire protection services following a severe seismic event.

3. Persistent drought conditions in the Colorado River Basin have resulted in water levels of Lake Mead and Lake Powell that are near-historic lows. As a result of this these drought conditions, the City must take extensive steps to reduce the consumption of water, including its

dependency on large volumes of water for fire suppression. Installed automatic fire sprinkler systems provide an increased level of fire protection and reduce the City's dependency on large volumes of water for fire suppression.

4. The local climatic and geological conditions identified above create a heightened fire danger that requires the adoption of stringent fire protection measures. If not amended, the California Building and Fire Codes would permit the construction within the City of many new buildings and structures without installed automatic fire sprinkler systems.

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

B. Findings in Support of Mandatory Use of Copper Wiring:

1. The City of Rancho Mirage has an arid desert climate with annual rainfall of less than 2 inches. Temperatures exceed 100°F degrees on average for four months of the year, with daily highs near 110°F degrees during July and August. Surface area temperatures exceeding 160°F degrees are common.

2. Aluminum wire is more reactive than copper wire to ambient temperature changes as well as natural heating produced from the flow of electricity. When warm it will expand, as it cools it will contract. Additionally, aluminum wiring does not conduct electricity as well as copper wiring and it generates more heat. This overheating can cause fires. Aluminum is also more brittle than copper and is more likely to break or crimp. Arcing can occur if a wire breaks or crimps, causing very high temperatures inside the wall or ceiling. Lastly, aluminum is more likely to corrode (i.e., oxidize) than copper. When excessive corrosion occurs it increases the resistance in the circuit and causes overheating.

3. Under desert conditions, aluminum wiring is more likely than copper wiring to result in mechanical failure and such failures are more likely to result in fires,

electrical shocks and other hazardous conditions than when copper wire is used. As such, mandating the use of copper wiring for conductors used to carry current will provide an increased level of public safety.

4. The local climatic conditions identified above require the adoption of stringent electrical wiring protection measures. If not amended, the California Electrical Code would permit construction within the City using aluminum and copper-coated aluminum electrical wiring.

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

Section 2. ADOPTION OF CHAPTER 15.02 OF THE RANCHO MIRAGE MUNICIPAL CODE

Chapter 15.02 entitled "Adopted California Standard and Uniform Codes" is hereby added to the Rancho Mirage Municipal Code and shall read as follows:

**Chapter 15.02
ADOPTED CALIFORNIA AND UNIFORM CODES**

15.02.010 California Codes Adopted without Amendment

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

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

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

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

D. 2010 California Green Building Standards Code. The 2010 California Green Building Standards Code is adopted by the Commission as Part 10 of Title 24 of the California Code of Regulations. The City adopts the 2010 California Green Building Standards Code without amendment.

E. 2010 California Residential Code. The 2010 California Residential Code is adopted by the Commission as Part 10 of Title 24 of the California Code of Regulations. The City adopts the 2010 California Residential Code without amendment.

15.02.020 California Codes Adopted with Appendices and Amendments

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

Chapter 15.04 Adoption of the 2010 California Building Code and certain Appendices and Amendments

Chapter 15.08 Adoption of the 2010 California Mechanical Code and certain Appendices and Amendments; Adoption of the 2010 California Plumbing Code with certain Appendices and Amendments

Chapter 15.10 Adoption of the 2010 California Electrical Code and certain Appendices and Amendments

Chapter 15.12 Adoption of the 2010 California Fire Code, with certain Appendices and Amendments

15.02.030 Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition Adopted

A. The City adopts, without amendments, the Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition published by the International Association of Plumbing and Mechanical Officials, the provisions of which shall apply to the erection,

installation, alteration, addition, repair, relocation, replacement, maintenance, or use of any swimming pool, spa or hot tub plumbing system within the City. A copy of the code is on file with the Division of Building and Safety.

B. The construction and installation of electrical wiring for and equipment in or adjacent to all swimming, wading, therapeutic, and decorative pools, fountains, hot tubs, and spas shall be governed by the provisions of Article 680 of the California Electrical Code, 2010 Edition and local amendments thereto, which is adopted and amended at Chapter 15.10 of this Municipal Code.

Section 2. AMENDMENT OF CHAPTER 15.04 TO ADOPT THE 2010 CALIFORNIA BUILDING CODE WITH AMENDMENTS

Chapter 15.04 of the Rancho Mirage Municipal Code is hereby re-titled as "California Building Code, 2010 Edition" and is amended to read as follows:

**Chapter 15.04
California Building Code, 2010 Edition**

15.04.010 California Building Code Adopted with Amendments

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

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

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

A. Section 903.2 of Chapter 9 of the Building Code is modified by adding, deleting and amending the following provisions to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety:

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

1. The fire area exceeds 3,000 ~~12,000~~ square feet. *Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.*

(The other provisions of section 903.2.1.1 remain the same)

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

1. The fire area exceeds 3,000 ~~5,000~~ square feet. *Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.*

(The other provisions of section 903.2.1.2 remain the same)

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

1. The fire area exceeds 3,000 ~~12,000~~ square feet. *Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.*

(The other provisions of section 903.2.1.3 remain the same)

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

1. The fire area exceeds 3,000 ~~12,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.4 remain the same)

903.2.3 Group E. Except as provided for in Sections 903.2.3.1 for a new public school campus and 907.2.3.6.1 (fire alarm and detection) for modernization of an existing public school campus buildings(s), an approved automatic fire sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 3,000 ~~20,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.2 remain the same)

903.2.3.1 Public schools - Automatic sprinkler system requirements.

(No amendments are made to this section)

903.2.4 Group F F-1. An approved automatic fire sprinkler system shall be provided throughout all buildings used for Group F-1 and F-2 occupancies where one of the following conditions exists:

1. Where a Group F-1 fire area exceeds 3,000 ~~12,000~~ square feet, regardless of stories. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

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

23. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 3,000 ~~24,000~~ square feet.

903.2.4.1 Woodworking operations.

(No amendments are made to this section)

903.2.5 Group H.

(No amendments are made to this section)

903.2.6 Group I.

(No amendments are made to this section)

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

1. Where a Group M fire area exceeds 3,000 ~~12,000~~ square feet, regardless of stories. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

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

23. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 3,000 ~~24,000~~ square feet.

903.2.7.1 High-piled storage.

(No amendments are made to this section)

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. R-1 occupancies shall have attic fire sprinklers designed and installed to conform to the latest

edition of NFPA 13, Standard for the Installation of Sprinkler Systems.

(No other amendments are made to this section)

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

1. A Group S-1 fire area exceeds 3,000 ~~12,000~~ square feet, regardless of stories. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

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

23. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 3,000 ~~24,000~~ square feet.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406, where the fire area containing a repair garage exceeds 3,000 square feet or where the vehicles serviced are parked in the basement. ~~as shown:~~

~~1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 10,000 square feet.~~

~~2. One-story building with a fire area containing a repair garage exceeding 12,000 square feet (1115 m²).~~

~~3. Buildings with a repair garage servicing vehicles parked in the basement.~~

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 10,000 ~~20,000~~ cubic feet shall be equipped

throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 or where located beneath other groups.

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

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 3,000 ~~5,000~~ square feet.

B. No amendments are made to Sections 903.2.11 through 903.2.17.

C. The following sections 903.2.18 and 903.2.19 are added to Section 903.2 of the Building Code to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety:

903.2.18 Group U. An automatic sprinkler system shall be provided for Group U occupancies where the fire area exceeds 3,000 square feet. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

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

1. The fire area exceeds 3,000 square feet. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

2. The fire area has an occupant load of 100 or more.

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

D. Section 3109.4 of the Building Code is amended to insert a new exception for private residential swimming pool barriers to read as follows:

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

Exceptions.

2. Private pools and spas constructed within gate-guarded communities are not required to be enclosed by a barrier, provided the swimming pool is equipped with one of the six other safety features described in Health and Safety Code Section 115922 of the Swimming Pool Safety Act.

15.04.030 Adoption, Modifications, Amendments and Deletions to Chapter 1 of the Building Code

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

1. Section 101.1 is deleted in its entirety.
2. Section 101.5 is added to define the term "Holiday" and shall read as follows:

101.5 Holidays. "Holiday" as used in the Building Code shall mean New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

3. Section 102.2 is amended to read as follows:

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. In the event of discrepancies between this chapter and Chapter 1, General Code Provision, the latter shall take precedence.

4. Section 103.1 is amended to read as follows:

103.1 Creation of enforcement agency. There is established within the City, a division of the

Community Development Department to be known as the "Building and Safety Division" which shall be under the administrative and operational control of the City Building Official hereinafter referred to as the building official.

5. Section 105.2 is amended by adding a new exemption to the list of structures for which a permit shall not be required:

14. Masonry freestanding block walls not over 30" above grade.

(The other provisions of section 105.2 remain the same)

6. Section 109.1 is amended to read as follows:

109.1 Payment of fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit under this Building Code, a fee for each permit shall be paid as required, in accordance with the fees set forth in Building Permit Fee Table 3A of the California Building Code, 1991 Edition, a copy of which is on file with the Division of Building and Safety.

7. Section 113.4 is added to provide for the filing of appeals and shall read as follows:

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

8. Section 113 is amended to read as follows:

Section 114 VIOLATIONS

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

114.2 Public nuisance; Abatement. Any violation of this Building Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 14.60 of the City's Municipal Code may be abated in accordance with Title 14 of the City's Municipal Code.

114.3 Penalties. Any person who violates a provision of this Building Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Building Code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 14.100 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

9. Section 116 is amended to read as follows:

Section 116 UNSAFE STRUCTURES AND EQUIPMENT

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which

constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed an unsafe condition.

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

10. Section 116 is added to limit the hours of construction work and shall read as follows:

Section 117 HOURS OF WORK

117.1. Restricted hours; Construction Work. Except as otherwise provided herein, no person other than the person actually occupying any buildings to be altered, repaired or improved, shall be engaged or employed, nor shall any person cause any other person to be engaged or employed in any work of construction, erection, alteration, repair, addition to or improvement of any building, structure, road or improvement to realty, between the hours of seven p.m. of each day and seven a.m. of the next succeeding day or on Sundays and holidays, without written permission of the Building Official being first obtained. The Building Official may grant permission to work during those periods under appropriate circumstances after first having determined that such work will not unduly or unreasonably interfere with the peaceful enjoyment of property adjacent to such work.

117.2 Restricted hours; Landscape maintenance. Within gated communities, shopping centers, commercial centers, vacant residential or commercial parcels, or developed residential or commercial parcels, landscape activities such as leaf-blowing, tree trimming, re-seeding, or mowing of grass as associated with the re-seeding process and any other landscaping activities which generate unusual noise, are prohibited between the hours of seven p.m. of each day and seven a.m. of the next succeeding day or on Sundays or on holidays.

117.3 Restricted hours; Golf courses. In order to assure the excellence and readiness of golf courses within the City, mowing and green preparation of golf courses is permitted between 5:30 a.m. and 7 p.m., seven days per week and during all seasons of the year.

11. Section 118 is added to require removal and disposal of trash and debris at building sites and shall read as follows:

Section 118 REMOVAL AND DISPOSAL OF TRASH AND DEBRIS

118.1 Required removal. Any person to whom a building permit has been issued shall keep the building site free and clear of trash and debris. As used in this section, trash and debris shall include papers, cartons, bottles, cans, garbage, roofing materials, plaster, concrete and other substances that may accumulate as a result of construction activities.

118.2 Container. A trash container shall be located on every construction site and shall remain in place until construction is completed. The container shall be adequate in size to store the trash and debris generated on the building site until it can be removed.

118.3 Disposal. Trash and debris shall be removed from the site and transported to a legally established dump site either by the City's refuse contractor or the permittee.

15.04.030 Adoption of Other Appendices of the Building Code without Amendments

A. There is adopted by reference and without amendment, Appendix C: Group U - Agricultural Buildings, which is a part of the Building Code.

B. There is adopted by reference and without amendment, Appendix I: Patio Covers, which is a part of the Building Code.

C. There is adopted by reference and without amendment, Appendix J: Grading, which is a part of the Building Code.

Section 3. AMENDMENT OF CHAPTER 15.08 TO ADOPT THE 2010 CALIFORNIA MECHANICAL CODE AND THE 2010 CALIFORNIA PLUMBING CODE WITH CERTAIN APPENDICES AND AMENDMENTS

Chapter 15.08 of the Rancho Mirage Municipal Code is hereby re-titled as "California Mechanical Code, 2010 Edition; California Plumbing Code, 2010 Edition" and is amended to read as follows:

**Chapter 15.08
California Mechanical Code, 2010 Edition;
California Plumbing Code, 2010 Edition**

15.08.010 California Mechanical Code Adopted

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

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

15.08.020 Modifications, Amendments and Deletions to Appendix Chapter 1 of the Mechanical Code

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

1. Section 109.0 is amended to read as follows:

Section 109.0 UNSAFE EQUIPMENT

109.1 Conditions. Equipment regulated by this Mechanical Code that is unsafe or that constitutes a

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

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

2. Section 110.3 is added to provide for the filing of appeals and shall read as follows:

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

3. Section 111.0 is amended to read as follows:

Section 111.0 VIOLATIONS

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

directive of the building official or of a permit or certificate issued under the provisions of this code.

111.2 Public Nuisance; Abatement. Any violation of this Mechanical Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 14.60 of the City's Municipal Code may be abated in accordance with Title 14 of the City's Municipal Code.

111.3 Penalties. Any person who violates a provision of this Mechanical Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters, extends, repairs, moves, improves, removes, converts or demolishes, equips, uses or maintains mechanical systems or equipment in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 14.100 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

4. Section 115.1 is amended to read as follows:

115.1 Payment of fees. On buildings, structures, and mechanical systems or alterations requiring a permit under this code, a fee for each permit shall be paid as required, in accordance with the fees set forth in Mechanical Permit Fee Table 3A of the California Mechanical Code, 1991 Edition, a copy of which is on file with the Division of Building and Safety.

15.08.030 Adoption of Other Appendices of the Mechanical Code without Amendments

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

Appendix A: Uniform Mechanical Code Standards

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

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

Appendix D: Unit Conversion Tables

15.08.040 California Plumbing Code Adopted

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

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

15.08.050 Modifications, Amendments and Deletions to Appendix Chapter 1 of the Plumbing Code

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

1. Section 102.3 amended to read as follows:

102.3 Violations and Penalties.

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

the building official or of a permit or certificate issued under the provisions of this code.

102.3.2 Public nuisance; Abatement. Any violation of this Plumbing Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 14.60 of the City's Municipal Code may be abated in accordance with Title 14 of the City's Municipal Code.

102.3.3 Penalties. Any person who violates a provision of this Plumbing Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs plumbing in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 14.100 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

2. Section 103.4.1 is amended to read as follows:

103.4.1 Permit fees. On buildings, structures, and plumbing systems or alterations requiring a permit under this code, a fee for each permit shall be paid as required, in accordance with the fees set forth in Plumbing Permit Fee Table 3A of the California Plumbing Code, 1991 Edition, a copy of which is on file with the Division of Building and Safety.

3. Section 103.9 is added to provide for the filing of appeals and shall read as follows:

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

a hearing by the Appeals Board and the appellant shall be notified in writing of the date and time of the hearing.

15.08.060 Adoption of Other Appendices of the Plumbing Code without Amendments

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

Appendix A: Recommended Rules for Sizing the Water Supply System

Appendix B: Explanatory Notes on Combination Waste and Vent Systems

Appendix D: Sizing Stormwater Drainage Systems

Appendix I: Installation Standards

Appendix K: Private Sewage Disposal Systems

Section 4. AMENDMENT OF CHAPTER 15.10 TO ADOPT THE 2010 CALIFORNIA ELECTRICAL CODE WITH AMENDMENTS

Chapter 15.10 of the Rancho Mirage Municipal Code is hereby re-titled as "California Electrical Code, 2010 Edition" and is amended to read as follows:

**Chapter 15.10
California Electrical Code, 2010 Edition**

15.10.010 California Electrical Code Adopted with Amendments

A. Except for the local amendments set forth herein, there is adopted by reference the California Electrical Code, 2010 Edition, which is based upon the 2009 National Electrical Code and is published by the California Building Standards Commission as Part 3 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Division of Building and Safety.

B. The California Electrical Code, 2010 Edition (hereinafter "Electrical Code") shall be the Electrical Code for the City of Rancho Mirage and said Code together with the

adopted appendices and the amendments set forth in this chapter shall regulate and govern the design, construction, reconstruction, installation, quality of materials, location, operation, and maintenance or use of electrical equipment, wiring and systems within the City as well as the issuance of permits and the collection of permit fees.

15.10.020 Modifications, Amendments and Deletions to the Electrical Code

A. Section 110.5 of Article 110 of the Electrical Code is amended to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety:

110.5 Conductors. Conductors normally used to carry current shall be of copper unless ~~otherwise provided in this code.~~ Where the conductor material is not specified, the material and the sizes given in this code shall apply to copper conductors. ~~Where other materials are used, the size shall be changed accordingly.~~

B. Subsection (B) of Section 310.2 of Article 310 of the Electrical Code is amended to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety:

310.2 Conductors.

(B) Conductor Material. Conductors in this article shall be of copper ~~aluminum, copper-clad aluminum, or copper unless otherwise specified.~~

15.10.030 Adoption, Modifications, Amendments and Deletions to Annex G of the Electrical Code

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

1. Section 80.3 is amended to read as follows:

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

2. Section 80.5 is deleted.
3. Section 80.7 is deleted.
4. Section 80.9 is deleted.
5. Section 80.11 is deleted.
6. Section 80.13 is amended to read as follows:

80.13 Authority. There is established within the City, a division of the Community Development Department to be known as the "Building and Safety Division" which shall be under the administrative and operational control of the City Building Official hereinafter referred to as the building official. Where used in this article, the term *authority* shall be construed to mean the City Building Official. This code shall be administered and enforced by the City Building Official as follows:

Subsections 1 through 16 of this section 80.13 remain the same, except that subsection 13 is deleted.

Subsection (17) is added to section 80.13, and shall read as follows:

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

7. Section 80.15 is amended to read as follows:

80.15 Electrical Board. The electrical board shall be the Appeals Board established under the provisions of Section 108.8 of the General Provisions of the Building Code, and any amendments adopted thereto, hereinafter designated as the "Board".

80.15.1 Appeals. The administration of appeals under this code shall be governed by the provisions of Section 89.108.8 of the General Code Provisions of this Electrical Code together with Section 112 of the Administration Provisions of the Building Code, and any amendments adopted thereto.

8. Section 80.19 is amended to read as follows:

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

9. Section 80.21 is deleted.

10. Section 80.23 is amended to read as follows:

80.23 Violations.

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

80.23.2 Public nuisance; Abatement. Any violation of this Electrical Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 14.60 of the City's Municipal Code may be abated in accordance with Title 14 of the City's Municipal Code.

80.23.3 Penalties. Any person who violates a provision of this Electrical Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 14.100 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

11. Section 80.27 is deleted.
12. Section 80.29 is deleted.
13. Section 80.33 is deleted.
14. Section 80.35 is deleted.
15. Section 80.37 is added to provide for fees, and shall read as follows:

80.37 Fees .

80.37.1 Payment of fees. On buildings, structures, and electrical systems or alterations requiring a permit under this Electrical Code, a fee for each permit shall be paid as required, in accordance with the fees set forth per the Uniform Administrative Code applicable to the 1990 Edition of the National Electrical Code Fee Table 3A, a copy of which is on file with the Division of Building and Safety.

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

16. Section 80.39 is added to provide for inspections, and shall read as follows:

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

17. Section 80.41 is added to provide for connection approvals, and shall read as follows:

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

18. Section 80.43 is added to provide for enforcement authority, and shall read as follows:

80.43 Enforcement Authority.

80.43.1 Right of Entry. The right to make entry onto property under this code shall be governed by Section 89.108.5 of the General Code Provisions and subsection 118.3 of the Administration Provisions of the Mechanical Code, and any adopted amendments thereto.

80.43.2 Stop orders. Authority for stop orders under this code shall be governed by subsection 118.4 of the Administration provisions of the Mechanical Code, and any adopted amendments thereto.

80.43.3 Authority to Disconnect Utilities in Emergencies. Authority to disconnect utilities in emergencies under this code shall be governed by subsection 118.5 of the Administration provisions of the Mechanical Code, and any adopted amendments thereto.

80.43.4 Authority to Condemn Equipment. Authority to condemn equipment under this code shall be governed by subsection 118.6 of the Administration provisions of the Mechanical Code, and any adopted amendments thereto.

80.43.5 Connection after Order to Disconnect. The right to make connections from an energy, fuel, or power supply or supply energy or fuel to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the Building Official shall be governed by subsection 118.7 of the Administration provisions of the Mechanical Code, and any adopted amendments thereto.

15.10.040 Adoption of Other Annex Chapters of the Electrical Code without Amendments

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

Annex A: Product Safety Standards

Annex B: Application Information for Ampacity Calculations

Annex C: Conduit and Tubing Fill Tables for Conductors and Fixture Wires of the Same Size

Annex D: Examples

Annex E: Construction Types

Section 5. AMENDMENT OF CHAPTER 15.12 TO ADOPT THE 2010 CALIFORNIA FIRE CODE WITH AMENDMENTS

Chapter 15.12 of the Rancho Mirage Municipal Code is hereby re-titled as "California Fire Code, 2010 Edition" and is amended to read as follows:

**Chapter 15.12
California Fire Code, 2010 Edition**

15.12.010 California Fire Code Adopted with Amendments

A. Except for the local amendments set forth herein, there is adopted by reference the California Fire Code 2010 Edition, which is based upon the 2009 International Fire Code and is published by the California Building Standards Commission as Part 9 of Title 24 of the California Code of Regulations. A copy of the Code together with the local amendments is on file with the Division of Building and Safety.

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

15.12.020 Modifications, Amendments and Deletions to the Fire Code

A. Section 903.2 of Chapter 9 of the Fire Code is modified by adding, deleting and amending the following provisions to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety:

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

1. The fire area exceeds 3,000 ~~12,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.1 remain the same)

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

1. The fire area exceeds 3,000 ~~5,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.2 remain the same)

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

1. The fire area exceeds 3,000 ~~12,000~~ square feet. Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.

(The other provisions of section 903.2.1.3 remain the same)

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

1. The fire area exceeds 3,000 ~~12,000~~ square feet. **Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

(The other provisions of section 903.2.1.4 remain the same)

903.2.1.5 Group A-5.

(No amendments are made to this section)

903.2.3 Group E. Except as provided for in Sections 903.2.3.1 for a new public school campus and 907.2.3.6.1 (fire alarm and detection) for modernization of an existing public school campus buildings(s), an approved automatic fire sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 3,000 ~~20,000~~ square feet. **Fire resistive walls shall not be considered for reducing the fire area of the building for the purposes of this section.**

(The other provisions of section 903.2.2 remain the same)

903.2.3.1 Public schools - Automatic sprinkler system requirements.

(No amendments are made to this section)

903.2.4 Group F F-1. An approved automatic fire sprinkler system shall be provided throughout all buildings used for Group F-1 and F-2 occupancies where one of the following conditions exists:

1. Where a Group F-1 fire area exceeds 3,000 ~~12,000~~ square feet, **regardless of stories. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.**

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

23. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 3,000 ~~24,000~~ square feet.

903.2.3.1 Woodworking operations.

(No amendments are made to this section)

903.2.5 Group H.

(No amendments are made to this section)

903.2.6 Group I.

(No amendments are made to this section)

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

1. Where a Group M fire area exceeds 3,000 ~~12,000~~ square feet, regardless of stories. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

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

23. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 3,000 ~~24,000~~ square feet.

903.2.7.1 High-piled storage.

(No amendments are made to this section)

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

area. R-1 occupancies shall have attic fire sprinklers designed and installed to conform to the latest edition of NFPA 13, Standard for the Installation of Sprinkler Systems.

(No other amendments are made to this section)

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

1. A Group S-1 fire area exceeds 3,000 ~~12,000~~ square feet, regardless of stories. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

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

~~23.~~ The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 3,000 ~~24,000~~ square feet.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406, where the fire area containing a repair garage exceeds 3,000 square feet or where the vehicles serviced are parked in the basement. ~~as shown:-~~

~~1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 10,000 square feet.~~

~~2. One-story building with a fire area containing a repair garage exceeding 12,000 square feet (1115 m²).~~

~~3. Buildings with a repair garage servicing vehicles parked in the basement.~~

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 10,000 ~~20,000~~ cubic feet shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 or where located beneath other groups.

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

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 3,000 ~~5,000~~ square feet.

B. No amendments are made to Sections 903.2.11 through 903.2.17.

C. The following sections 903.2.18 and 903.2.19 are added to Section 903.2 of the Fire Code to provide more stringent fire protection requirements than required by the State which are necessary for the protection of the public's health, welfare and safety:

903.2.18 Group U. An automatic sprinkler system shall be provided for Group U occupancies where the fire area exceeds 3,000 square feet. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

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

1. The fire area exceeds 3,000 square feet. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purposes of this section.

2. The fire area has an occupant load of 100 or more.

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

D. Section 905.11.1 is added to provide for the replacement of existing standpipe systems, which shall read as follows:

905.11.1 Replacement. Existing structures having an existing wet standpipe system which has been determined to need replacement shall be required to replace the hose and nozzle appliances with lined hose tested to three hundred P.S.I. and a listed variable stream fog nozzle.

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

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

1. Section 108.4 is added to provide for the filing of appeals and shall read as follows:

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

1. Section 109 is amended to read as follows:

109 Violations and Penalties.

109.1 Unlawful acts. It shall be unlawful for any person, firm, or corporation to erect, construct, alter, repair, remove, demolish or utilize a building,

occupancy, premises or system regulated by this Fire Code or cause or permit the same to be done in violation of this code. It shall be unlawful for any person to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system in violation of the approved construction documents or directive of the fire code official or of a permit or certificate issued under the provisions of this code. It shall be unlawful for an person to mutilate, destroy or tamper with or remove without authorization from the fire code official any signs, tags or seals posted or affixed by the fire code official.

109.2 Public nuisance; Abatement. Any violation of this Fire Code, including the adopted appendices, which results in a public nuisance pursuant to Chapter 14.60 of the City's Municipal Code may be abated in accordance with Title 14 of the City's Municipal Code.

109.3 Penalties. Any person who violates a provision of this Fire Code, including the adopted appendices, or fails to comply with any of the requirements thereof or who erects, constructs, alters, repairs, removes, demolishes or utilizes a building, occupancy, premises or system in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued under the provisions of this Code shall be guilty of an infraction violation, and the violator shall be subject to the provisions set forth in Chapter 14.100 (Infractions) of the City's Municipal Code, including, but not limited to, the imposition of any and all civil and criminal penalties set forth therein.

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

A. There is adopted by reference and with the additions, deletions and amendments adopted herein, Appendix B, Fire Flow Requirements for Buildings, which is a part of the Fire Code.

B. Section B105 of Appendix B is amended by adding, deleting and amending the following provisions to provide more stringent fire protection requirements, which shall read as follows:

B105 Fire-Flow Requirements for Buildings

The following fire flow requirements are minimum standards for non-fire sprinklered buildings.

Exemption: Single-family dwellings on lots of record.

B105.1 One- and two-family detached dwellings. The minimum fire-flow requirement for one- and two-family detached dwellings is 1500 GPM for a 2 hour duration. Fire hydrants must be within 250 feet of all portions of all buildings. Fire hydrants must have one 4" outlet and two 2-1/2" outlets for engine and hose connections.
~~The minimum fire-flow requirements for one and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet shall be 1,000 gallons per minute. Fire-flow and flow during for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1.~~

Exception: A reduction in required fire flow of 50 percent is allowed when the building is provided with an approved automatic sprinkler system.

B105.2 Multi-family detached dwellings. The minimum fire-flow requirement for multi-family dwellings of 3 or more units is 2500 GPM for 2 hour duration. Fire hydrants must be within 250 feet of all portions of all buildings. Fire hydrants must have one 4" outlet and two 2-1/2" outlets for engine and hose connections.

Exception: A reduction in required fire flow of 50 percent is allowed when the building is provided with an approved automatic sprinkler system.

B105.3 Commercial and industrial buildings. The minimum fire-flow requirement for commercial, industrial buildings, hotels, motels, hospitals, and public assembly buildings is 3000 GPM. Fire hydrants must be within 250 feet of all portions of all buildings and must have one 4" and two 2-1/2" outlets for engine and hose connections.

Exception: A reduction in required fire flow of 50 percent is allowed when the building is provided with an approved automatic sprinkler system.

~~B105.2 Buildings other than one and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one and two-family dwellings shall be as specified in Table B105.1.~~

~~Exception: A reduction in required fire flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.1.1.1 or 903.3.1.2. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1.~~

15.12.050 Adoption of Other Appendices of the Fire Code without Amendments

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

Appendix C: Fire Hydrant Locations and Distributions

Appendix H: Hazardous Materials Management Plans and Hazardous Materials Inventory Statements

Section 6. COPIES OF CODES, ORDINANCE MAINTAINED

A copy of the codes adopted herein, together with a copy of this ordinance, shall be on file with the Division of Building and Safety and maintained by the Building Official for use and examination by the public.

Section 7. SEVERABILITY

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

Section 8. REPEAL OF CONFLICTING PROVISIONS

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

Section 9. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its second reading by the City Council.

Section 10. CITY ATTORNEY REVIEW

The City Attorney prepared and framed this ordinance pursuant to Section 1.04.010 of the Municipal Code and finds that the City Council has the authority to adopt this ordinance, that the ordinance is constitutionally valid and that the ordinance is consistent with the general powers and purposes of the City as set forth in Section 1.04.040 of the Municipal Code.

Section 11. AMENDING OF BAIL SCHEDULE

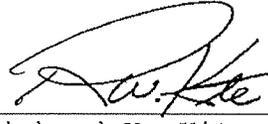
The City Attorney's Office is hereby directed to determine whether this ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

Section 12. CERTIFICATION

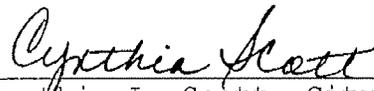
The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on November 18, 2010 by the following vote:

Ayes: Hines, Meehos, Moller, Hobart, Kite
Noes: None
Abstain: None
Absent: None


Richard W. Kite, Mayor

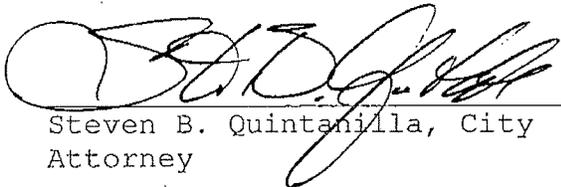
ATTEST:


Cynthia L. Scott, City Clerk

APPROVED AS TO CONTENT:


Steve Buchanan, Chief Building
Official

APPROVED AS TO FORM:


Steven B. Quintanilla, City
Attorney

ORDINANCE CERTIFICATION

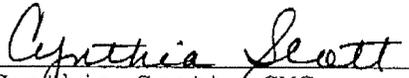
I, Cynthia Scott, City Clerk of the City of Rancho Mirage, California, do hereby certify under penalty of perjury, that the foregoing Ordinance No. 1001 was introduced by first reading at a meeting of the City Council held November 4, 2010, by the following vote:

AYES: Hines, Meepos, Moller, Hobart, Kite
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 1001 was adopted at a regular meeting of the City Council held on November 18, 2010, by the following vote:

AYES: Hines, Meepos, Moller, Hobart, Kite
NOES: None
ABSENT: None
ABSTAIN: None

I further certify that I have caused the Ordinance to be posted and/or published as required by law (GC Sect. 36933).


Cynthia Scott, CMC
City Clerk