

BUILDING STANDARDS COMMISSION

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



February 24, 2014

Doug Clarke
Assistant Fire Marshal
City of Banning Fire Services
99 E. Ramsey Street
Banning, CA 92220

RE: Ordinance #1421

Dear Mr. Clarke:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on February 18, 2014.

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

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

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

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

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

CITY OF BANNING

BANNING FIRE SERVICES

99 E. RAMSEY STREET

(951) 922-3167 - PHONE

(951) 922-3128 - FAX



Date: 2/13/2014

Re: California Fire Code Adoption with amendments

To: Tom Morison-Building Standards Commission
2525 Natomos Park Drive, Suite 130, Sacramento, Ca 95833
Ph: 916-236-0916

Good afternoon and thank you for your time in advance. I know you folks receive hundreds of these for submission.

The package contains a signed Ordinance and justifications from the clerk of the board and the City of Banning Council approvals.

Page 2 of the Ordinance contains why the changes are needed due to Climatic, Geological and Topographical issues, which the County is enriched in these areas.

This ordinance is arranged in order with the California Fire Code and changes are completed as necessary. This was created for ease of application, the California Fire Code Chapters that have been amended.

The expressly marked Justification section within the back of the package is numerically formatted to correspond with the ordinance for ease of use.

If you should have any questions even though I know you are extremely busy, please do not hesitate to call at area code 951-922-3137 or by e-mail dclarke@ci.banning.ca.us

Thank you once again for your time.

Respectfully,

A handwritten signature in black ink, appearing to read 'Doug Clarke', is written over a horizontal line.

Doug Clarke
Assistant Fire Marshal
Banning Fire Services
99 E. Ramsey Street
Banning, CA 92220
(951) 922-3167
dclarke@ci.banning.ca.us

CITY OF BANNING

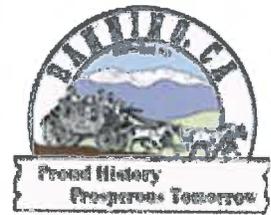
BANNING FIRE SERVICES

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BANNING, CA 92220

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Local Amendment Justification/Statement of Reason

Building Standards Law allows local amendments in accordance with the following:

For purposes of this subdivision, a county or city may make reasonably necessary modifications to the requirements, adopted pursuant to Section 17922, contained in the provisions of the code and regulations on the basis of local conditions.

§17958.7 (a) Except as provided in Section 17922.6, the governing body of county or city, before making any modifications or changes pursuant to Section 17958.5, shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geographical or topographical conditions. Such a finding shall be available as a public record. A copy of those findings, together with the modification or change expressly marked and identified to which each such finding refers, shall be filed with the California Building Standards Commission. No modification or change 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.

CHAPTER 1 – SCOPE AND ADMINISTRATION:

Section 103.4.2: This section has been carried over from the previous Ordinance No. 1421 and has been re-worded to meet the current language of the California Fire Code.

Section 104.2.1: This section has been carried over from the previous Ordinance No. 1421. This amendment is necessary for reproduction costs to coincide with the City of Banning's "Code of Ordinances," Chapter 3.36 Fees and Service Charges, Section 3.36.080, S-99.

Section 104.3.2: This section was carried over from the existing Ordinance No. 1421. It is imperative that cooperation in enforcement be disseminated to other law enforcement entities within the Riverside County area because of its vast topography and diversity. This gives the Riverside County Fire Department greater enforcement capabilities due to logistics and the presence of these other agencies across the County of Riverside.

Section 104.6.5: This new section was amended in Ordinance No. 1421 to clarify that any requests for public information must be requested through the Fire Department's Custodian of Records.

Section 104.12: This section was carried over from the existing Ordinance No. 1421 and grants authority to the Fire Chief, in cooperation with Riverside County's Board of Supervisors and the City of Banning's Council, for closures into any hazardous fire areas due to any climatic events such as, but not limited to, "red flag warnings", damaging weather events and/or dry conditions as determined by the Fire Chief.

CHAPTER 2 – DEFINITIONS:

Fire Chief: This definition has been carried over from the previous Ordinance No. 1421. This definition was added to designate that this title meant the Fire Chief of Riverside County whenever the wording was to appear in the model code. This is to distinguish obligatory authority to the Fire Chief or any of the designated representatives for fire prevention measures and declarations in enforcing codes required because of local climatic, geographical, or topographical conditions.

Hazardous Fire Area: This section has been carried over from the previous Ordinance No. 1421. This definition is provided due to requirements required pursuant to Government Code Sections (c), 51178, 51179 and 51189(a). A local agency shall designate, by ordinance, very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the director pursuant to subdivisions. This definition provides clarity into the description of what constitutes these topographical areas and provides maps as required by state law for public view and designation.

Fire Protection Engineer: This was added to give guidance when requiring section 3204.2 of Ordinance 1468 in what a Fire Protection Engineer scope of practice is and how it relates to the requirement of the section.

Sky Lantern: This new definition was added to correlate with proposed changes to the 2014 International Fire Code to define Sky Lanterns. Section 308.1.6.3 was added to correlate with a proposed amendment to the 2014 IFC to prohibit sky lanterns. The California State Fire Marshal's office issued Information Bulletin 12-005 regarding the known hazards associated to significant travel distances from the point of release that poses a serious fire and safety hazard which includes the potential to start an unintended fire on or off the property from which they are released.

CHAPTER 3 – GENERAL REQUIREMENTS

Section 304.1.2.1: This new section was added to provide some guidance to contractors and developers for fuel modification guidelines.

Section 304.1.2.2: This new section allows the fire department the ability to suspend enforcement for vegetation management due to unusual circumstances in problem areas and to determine alternative measures.

Section 304.1.2.3: This section has been carried over from the previous Ordinance No. 1421. This allows the Fire Chief the ability to close and post signs for hazardous fire areas to keep the public out or for trespassing.

Section 304.1.2.4: This section is a reversed section to add that a fire permit is required for outdoor fires in hazardous fire areas. This section also defines items that cannot be burned in an outdoor fire in any area of the City of Banning.

Section 308.1.6.3: This new section was added to prohibit untethered sky lanterns that have been identified by the California State Fire Marshal's office as a known hazard associated to significant travel distances from the point of release that poses a serious fire and safety hazard which includes the potential to start an unintended fire on or off the property from which they are released. The added section was taken from a code change proposal to the 2014 International Fire Code.

CHAPTER 4 – EMERGENCY PLANNING AND PREPAREDNESS

Section 404.2 #16: This section has been carried over from the previous Ordinance No. 1421. Due to the difficulty of access as well as evacuation issues in regards to these types of structures and topographical and geographical issues of where these structures are located, it is necessary to provide provisions that will help in evacuation procedures to help ensure better fluidity of exiting.

CHAPTER 5 – FIRE SERVICE FEATURES

Section 501.2: This section has been carried over from the previous Ordinance No. 1421, which allows the fire department to require two points of access and permanent water within the building of commercial and residential properties.

Section 503.1.1: This section was added to allow only the fire department the responsibility to authorize fire lanes.

Section 503.1.1: The new exception was added to correlate with a code amendment proposal to the 2014 International Fire Code for fire apparatus access requirements to photovoltaic facilities. The following justification is taken from the proposed amendment to the International Fire Code.

Exception two (other exceptions are existing and renumbered) is provided to address photovoltaic panel system/array power generation facilities. The 2012 IFC does not specifically require or exempt these types of facilities. This proposal intends to provide additional guidance to afford jurisdictions avenues to determine if a fire apparatus road is needed for hazard mitigation or if it can be exempted.

Section 503 is specifically scoped to "buildings and facilities." Power generation sites that utilize a ground mounted photovoltaic system/array would not be considered a building. However, they would be considered a facility as defined in Section 202 and are therefore subject to Section 503.

A ground mounted photovoltaic panel system/array is also considered a structure as defined in IFC Section 202. Although, where ground mounted photovoltaic panel systems/arrays are mounted on a support structure and the support structure does not create or allow for a use below (e.g. parking, lunch/shade structures, etc.), the structure should be considered equipment.

Therefore, sound rational judgment should be made if IFC Section 503 is to be applied to a solar generation facility. Not all conditions or facilities of similar type or function necessitate fire apparatus access roads and not all structures are subject to IFC Section 503. The IFC is not clear in its application or scope when applying Section 503 to equipment, specifically ground mounted photovoltaic systems/arrays. However, when other buildings or structures are located on the site, an evaluation and/or classification of the use may require fire apparatus access.

Thus, consideration must be given to the purpose of fire apparatus access roads within these facilities and how the section would be applied.

It is important to note that Section 503 does provide exceptions for length, dimensions, and other specifications based on conditions such as terrain, climate, or other similar concerns.

Several issues arise when applying Section 503 to ground mounted photovoltaic systems/arrays. When considering the issues listed below, one should also consider other available code requirements that provide for appropriate hazard mitigation and risk reduction. Issues for consideration include:

1. Risk/hazard to be mitigated
2. Risk/hazard to firefighters or other emergency responders
3. Interest of public safety and welfare
4. Economics
5. Intended access use
6. Fuel load of the facility and adjacent areas that impact the facility
7. Array configuration (tightly spaced, access aisles, height)
8. Actual hazard to public safety and welfare

Section 503.2.2: This section was relocated to Section 503.2.2 from the previous Ordinance No. 1421, Section 503.8 to correlate with current the California Fire Code section.

Section 503.3: This section has been carried over from the previous Ordinance No. 1421. This section is further enhancement to Section 503.1 in ensuring proper identification of the fire lanes.

Section 503.7: This section has been carried over from the previous Ordinance No. 1421. This section provides additional width for apparatus access roads due to topography enhancements by owners that may interfere with operational access needs.

Section 504.1: This section has been carried over from the previous Ordinance No. 1421. This section is amended to ensure that the site has a flat finished surface for ground ladder access which is not currently addressed in code and due to Riverside County's (CalFire) diverse topography is necessary to provide means for first responders to safely deploy ladders for rescue operations.

Section 505.1: This is a new section which follows the Riverside County's Fire standards for addressing commercial buildings. These types of buildings are tall and not always next to the roadway, and addresses cannot be seen. It is recommended that the addresses be larger for commercial buildings for response to emergencies.

Section 507.1: This section has been carried over from the previous Ordinance No. 1421, which allows the fire department to require proper fire flow and fire hydrant locations for all construction areas prior to combustibles being brought onto the site.

Section 507.5.5: This new amendment was added to include other exterior fire protection water supply appliances such as Fire Department connections, and other exterior fire protection system control valves, or any other exterior fire protection system component that may require immediate access.

Section 507.5.7: This section was amended to define the size and quantities of outlets for residential standard, super hydrant standard, and super hydrant enhanced fire hydrants. The section was further amended to give direction to

reference a Fire Department Standard for specific requirements for the installation of blue reflective markers for fire hydrants.

Section 511: This section has been carried over from the previous Ordinance No. 1421. It is acknowledged that a major fire in a high-rise structure requires an extraordinary amount of personnel to suppress the fire, as well as to communicate, provide breathing support functions, evacuation teams, officers for command operations, truck companies and engine companies. The majority of the personnel will be assigned to logistic functions, specifically to Ground Support. The function of Ground Support is to move equipment and supplies from Base (ground level parking for fire apparatus) to the Staging Area inside of the building, normally two to three floors below the fire floor. With a fully evolved fire it could encompass as many as 250 to 300 support personnel and with any type of terrorist involvement it could easily double the amount with different agencies involved.

The primary item needed by fire fighters to help ensure a tenable environment in which to suppress the fire and provide rescue operations is air bottles. This is needed so the responding personnel who are working the fire do not breathe the toxic and superheated gases associated with materials of combustion. Recognizing that Riverside County is still a suburban/rural county, with a vast amount of topographical, climatic and geographical diversities, the Riverside County Fire Department can become overwhelmingly taxed of resources to quickly assemble personnel on scene of a major high-rise fire in a timely manner. Therefore it is necessary and prudent to place into high-rise structures a system to mitigate the need for a large number of fire department personnel to be assigned to Ground Support. A pre-plumbed system that allows for the filling of air bottles inside of the building will accomplish this objective. Geographically, Riverside County is crossed with major fault lines including, but not limited, to the San Andreas Fault. 47,375 earthquakes were recorded in and adjacent to Riverside County between 1868 and August, 1999. From 1932 to 1981, as the SCSN grew, so did the catalog of smaller earthquakes. Since 1983, the SCSN has had a complete record of earthquakes to about the magnitude level 1.8. This adds a huge number of earthquakes to the catalog, as the number of earthquakes increases approximately ten-fold with each decrease in magnitude point. So, for every magnitude 4 that occurs, there are 10 magnitude 3 earthquakes, 100 magnitude 2 earthquakes, and 1000 magnitude 1 earthquakes. Topographically these structures are located near these seismically active areas where an event as described can easily occur requiring vast resources to control. The personnel that are traditionally utilized in the breathing support operations of transporting bottles back and forth from ground level to the fire floor could be utilized in other lifesaving operations.

CHAPTER 6 – BUILDING SERVICES AND SYSTEMS

Section 606.10.1.2: This section has been carried over from the previous Ordinance No. 1421. This provides a clear location for placement of the emergency controls for employee safety.

Section 609.2: This section has been carried over from the previous Ordinance No. 1421. This allows fire stations to have a Type 1 hood and exempts them a fire extinguishing system. The fire stations have commercial stoves and hoods due to the fact they are manned 24/7, and cooking is essential. The commercial stoves and hoods have a tendency to have a longer usage life. The fire station feeds the staff on duty, but does not provide commercial cooking operations.

CHAPTER 9 – FIRE PROTECTION SYSTEMS

Section 903.2: This section has been carried over from the previous Ordinance No. 1421. The base amendment requires a base square footage requirement for all new commercial, industrial, and residential occupancies other than one- and two-family dwellings. Though the amendment includes a reference to the requirement for one- and two-family dwellings, the authority for sprinkler requirements resides in Title 24, Part 2.5, of the 2014 California Residential Code.

Section 912.2.1: This new section has been amended to provide guidance on the where to locate fire department connections. With the different types of apparatus that can be purchased and the different types still employed it is mandatory that the Fire Chief make the determinations of where to connect to, how to connect to it and to supply the system based on the hazard being protected and available water sources and department operating procedures. By developing this language it will require the builder to discuss in detail what the fire department would like to see in order to meet the operating procedures that best meets the Fire Department's capabilities and insures the best safety practices. Topographically it is difficult enough with the type of terrain that the Fire Department faces and this language will provide the necessary means to coincide with Fire Department Standard Operating Guideline.

With the different types of apparatus that can be purchased and the different types still employed it is mandatory that the Fire Chief make the determinations of where to connect to, how to connect to it and to supply the system based on the hazard being protected and available water sources and department operating procedures. By developing this language it will require the builder to discuss in detail what the Fire Department would like to see in order to meet the operating procedures that best meets the Fire Department's capabilities and insures the best safety practices. Topographically it is

difficult enough with the type of terrain that the Fire Department faces and this language will provide the necessary means to coincide with Fire Department Standard Operating Guideline.

CHAPTER 32 – CRYOGENIC FLUIDS

Section 3204.2: This section has been carried over from the previous Ordinance No. 1421. Requiring client leased or occupant owned warehouses to have a technical report completed by a fire protection engineer will eliminate problems concerning commodity and sprinkler protection. Having an engineer complete a technical report for the proposed or existing building will ensure that adequate protection for the commodities that are proposed will be sufficient. Not having adequate sprinkler protection could be detrimental to the building and could also cause loss of life in the event of a fire. Geographically this can be a significant problem due to the seismic activity that Riverside County experiences. The engineer can assess the adequate protection for the correct commodity classifications, ensure the correct seismic provisions are in place for the type of system to be installed, and provide a professional assurance to a very volatile type of occupancy. It takes a vast number of resources to extinguish a fire of this type. Adding this requirement will ensure an added level of safety.

CHAPTER 49 – REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS

Section 4904.3: This section has been carried over from the previous Ordinance No. 1421. This section was required under State Law, Section 51178.5.

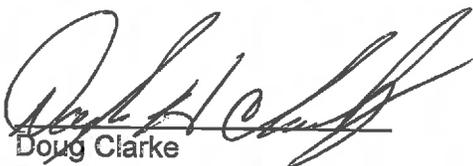
Within 30 days after receiving a transmittal from the director that identifies very high fire hazard severity zones, a local agency shall make the information available for public review. The information shall be presented in a format that is understandable and accessible to the general public, including, but not limited to, maps.

APPENDIX B

Section B-105.2 of Appendix B, Exception 1: This section has been carried over from the previous Ordinance No. 1421. This amendment has been standard policy within the county/city for many years. This allows the fire department to still have adequate fire flow mitigation with sprinkler protection and not jeopardize main distribution systems by inadequately under sizing them and have costly upgrades for future projects. With the geographical diversity that the County has it is mandatory that this requirement be added to ensure adequate water in the event of a fire.

APPENDIX C

Section C102.1: This new amendment has been added to clarify the additional location of fire hydrants to be at intersections and the frontage requirements, as stated by Table C105.1, shall be on the building side of fire department access roads and adjacent public streets. These requirements have been standard policy within the county for many years.



Doug Clarke
Banning Fire Services
Assistant Fire Marshal
(951) 922-3167
dclarke@ci.banning.ca.us

ORDINANCE NO. 1468

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA REPEALING CHAPTER 8.16 OF THE BANNING MUNICIPAL CODE AND ADOPTING THE 2013 CALIFORNIA FIRE CODE AS IT IS AMENDED IN THIS ORDINANCE FOR: 1) REGULATING AND GOVERNING THE SAFEGUARD 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 IN THE CITY OF BANNING, AND 2) PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFOR.

WHEREAS, the California Fire Code contains regulations consistent with nationally recognized accepted practices for safeguarding, to a reasonable degree, life and property from the hazards of (i) fire and explosion, (ii) dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and (iii) hazardous conditions in the use or occupancy of buildings or premises; and

WHEREAS, the City of Banning has historically adopted and followed the most current standards set forth in California Fire Code (the "Fire Code"); and

WHEREAS, the California Fire Code was recently updated to a 2013 Edition;

NOW THEREFORE BE IT HEREBY ORDAINED that an Ordinance of the City of Banning adopting the 2013 Edition of the California Fire Code in its entirety be referred to as the Fire Code of the City of Banning, regulating and governing 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 in the City of Banning providing for the issuance of permits and collection of fees. The above-referenced codes are adopted in their entirety as amended herein below.

SECTION 1. FINDINGS IN SUPPORT OF ADOPTING THE INTERNATIONAL AND STATE CODES

The City Council of the City of Banning hereby finds as follows:

- (1) Every three years the State of California adopts a new California Fire Code, as part of the California Building Standards Code, which becomes effective as to the City of Banning 180 days after publication by the California Building Standards Commission.

- (2) The California Fire Code, California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code 2013 Edition, and the California Fire Code Standards published by International Code Council, are nationally recognized compilations of proposed rules, regulations, and standards of said organization.
- (3) The International Fire Code has been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the California Government Code and said code has been adopted and amended by the California Building Standards Commission into the California Code of Regulations (CCR) as Title 24 Part 9, Title 24 Part 2, Title 24 Part 3, Title 24 Part 5, California Building Code, California Mechanical Code, California Plumbing Code, and California Electrical Code 2013 Edition.
- (4) That one (1) copy of each of the California Fire Code and the California Code Standards, California Building Code, California Plumbing Code, California Mechanical Code, California Residential Code and California Electrical Code, has been certified by the City Clerk of the City of Banning to be a true copy, and has been filed for use and examination by the public in the office of the City Clerk of the City of Banning prior to the adoption of this ordinance.
- (5) That the sections of the California Fire Code and California Fire Code Standards may be referred to by the same number used in said published compilation preceded by the words "City of Banning Fire Code Section" or "International Fire Code Section" or "Fire Code Section."
- (6) That added protection for new development is necessary to supplement normal Fire Department response resources available in areas impacted by new development to provide immediate fire protection for life and safety of single-family residential and multiple occupancy occupants during fire occurrence. The additional requirements and standards herein, including, but not limited to, enhanced on-site protection of property and occupants, are necessary to properly protect the health, safety, and welfare of the existing and future residents and workers of the City of Banning, and based thereon, Riverside County may establish more restrictive standards reasonably necessary to provide fire protection for life and property because of local climatic, geological or topographical conditions.
 - (a) Climatic Conditions: Generally, the City of Banning has an arid climate. Annual rainfall averages about 15 inches. Hot, strong, dry Santa Ana winds are common to areas within the City. These winds constitute a contributing factor that causes small fires originating in high density development presently being constructed in the City of Banning that spread quickly and create the need for an increased level of fire protection. This added protection, including, but not limited to, on-site protection, will supplement normal Fire Department response available in new development, and provide immediate fire protection

for life and safety of multiple occupancy occupants during fire occurrence.

(b) Geologic and Topographic:

1. The City of Banning includes mountainous, brush covered wildlands, and agricultural lands. Elevation ranges from twenty-two hundred (2,200) feet above sea level to over six thousand (6,000) feet high. Topography extends from flat to 25% slope for habitable land. Travel distances in rural and wildland areas often place Fire Department response times to emergencies at risk. This condition makes the need for enhanced on-site protection for property occupants necessary.
2. Traffic and circulation in urban areas are an impetus to extreme travel distances in rural and wild land areas, often increasing Fire Department response time to emergencies, thus increasing risk to life and property, thus creating a need for enhanced on-site protection.
3. There is a major earthquake fault, the San Andreas, which bisects the City. In addition, there are numerous minor faults. There are numerous areas within the City that are subject to earthquakes, landslides, wind erosion, blown sand, flooding, and wildfires. Placement of multiple occupancy buildings, location of arterial roads, and Fire Department staffing constraints due to revenue limiting State legislation, have made it difficult for the Fire Department to locate additional fire stations and provide staffing to fire companies and personnel sufficient to control fires in single and multi-story retail, commercial and industrial buildings, making enhanced built-in protection necessary.

SECTION 2. ADOPTION OF INTERNATIONAL AND STATE FIRE CODES

Chapter 8.16 of the City of Banning's Municipal Code is hereby repealed in its entirety and fully replaced to read as follows:

“Chapter 8.16 FIRE PROTECTION CODE

- 8.16.010 Adoption of the international and state codes.
- 8.16.020 Amendments to California Fire Code
- 8.16.030 Full copy of codes; maintenance of codes
- 8.16.040 ‘Municipality’ defined
- 8.16.050 Penalties

Section 8.16.010 Adoption of the international and state codes.

The City Council of the City of Banning hereby adopts as amended, revised and supplemented the California Fire Code edition 2013 California Code of Regulations Title 24 Part 9 and Part 2 in its entirety. The provisions of the above referenced codes,

standards and appendices shall apply to all the unincorporated areas and to incorporated areas of the City of Banning through ratification.

The provisions of the above-referenced codes, chapters, standards, and appendices adopted shall include any amendments, revisions, and supplements made subsequent to the adoption of this ordinance.

Section 8.16.020 Amendments to California Fire Code.

The codes, chapters, standards and appendices are amended as specifically set forth in the following chapters herein:

CHAPTER 1. ADMINISTRATION PERMITS

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

Section 101.4 SEVERABILITY

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

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

Section 103.4 LIABILITIES

Any liability against the City of Banning or any officer or employee shall be as provided for in California Government Code and case law.

Fire suppression, investigation and rescue or emergency medical costs are recoverable in accordance with California Health and Safety Code Sections 13009 and 13009.1.

Any person who negligently or intentionally, or in violation of law, causes an emergency response, including but not limited to, a traffic accident or spill of toxic or flammable fluids or chemicals, is liable for the costs of securing such emergency, including those costs set out in Government Code Section 53150, et seq. Any expense incurred by the fire department for securing such an emergency situation shall constitute a debt of such person and shall be collectable by the City of Banning or political subdivision thereof, if incorporated, in the same manner as in the case of an obligation under contract, expressed or implied.

GENERAL AUTHORITY AND RESPONSIBILITIES

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

Section 104.3.2 AUTHORITY OF THE FIRE CHIEF AND FIRE DEPARTMENT

1. The Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the Board of Supervisors.
2. The Fire Chief is authorized to administer, interpret and enforce this ordinance. Under the Fire Chief's direction, the Riverside County Fire Department is authorized to enforce ordinances of Riverside County pertaining to the following:
 - a. The prevention of fires.
 - b. The suppression or extinguishment of dangerous or hazardous fires.
 - c. The storage, use and handling of hazardous materials.
 - d. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment.
 - e. The maintenance and regulation of fire escapes.
 - f. The maintenance of fire protection and the elimination of fire hazards on land, in buildings, structures and other property, including those under construction.
 - g. The maintenance of means of egress.
 - h. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials.
3. The following persons are hereby authorized to interpret and enforce the provisions of this ordinance and to make arrests and issue citations as authorized by law:
 - a. The Unit Chief, Peace Officers and Public Officers of the California Department of Forestry and Fire Protection.
 - b. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.
 - c. The Riverside County Sheriff and any deputy sheriff.
 - d. The Police Chief and any Police Officer of any city served by the Riverside County Fire Department.
 - e. Officers of the California Highway Patrol.
 - f. Code Officers of the Riverside County Code Enforcement Department.
 - g. Peace Officers of the California Department of Parks and Recreation.
 - h. The law enforcement officer of the Federal Bureau of Land Management.

Section 104.6.5 of the California Fire Code is hereby added to read as follows:

Section 104.6.5 RECORDS AND REPORTS

Requests for copies of public and legal documents, photographs, etc., relating to department activities are available as authorized by law through the Fire Department's Custodian of Records. All document requests shall be in writing,

accompanied by a check made payable to the City of Banning, in the amount(s) set forth in the City of Banning's municipal code.

Section 104.12 of the California Fire Code is hereby added to read as follows:

104.12 AUTHORITY OF THE FIRE CHIEF

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

Section 113.6 of the California Fire Code is hereby added to read as follows:

Section 113.6 INSPECTION AND PERMIT FEES

A fee shall be charged for each inspection and permit issued. The fee schedule shall be established by the City of Banning's City Council and reviewed annually.

CHAPTER 2. DEFINITIONS are adopted in its entirety with the following amendments:

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

FIRE CHIEF or **CHIEF** shall mean the Fire Chief of the County of Riverside or his authorized representative.

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

HAZARDOUS FIRE AREA is land other than State designated fire hazard severity zone of FHSZ or local designation of FHSZ which is covered with grass, grain, brush, or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion.

SKY LANTERN is an unmanned device that incorporates an open flame in order to make the device airborne

CHAPTER 3. GENERAL PRECAUTIONS AGAINST FIRE is adopted in its entirety with the following amendments:

Section 304.1.2.1 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.1 FUEL MODIFICATION REQUIREMENTS FOR NEW CONSTRUCTION

All new buildings to be built or installed in areas containing combustible vegetation shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the Banning Fire Marshal's office concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the Banning Fire Marshal's office prior to the issuance of a grading permit.
3. The fuel modification plan shall meet the criteria set forth in the fuel modification policy of the Banning Fire Marshal's office guidelines.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall be approved by the Banning Fire Marshal's office.
5. All elements of the fuel modification shall be maintained in accordance with the California Fire Code.

Section 304.1.2.2 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.2 UNUSUAL CIRCUMSTANCES

The Banning Fire Marshal's office may suspend enforcement of the vegetation management requirements and require reasonable alternative measures designed to advance the purpose of this code if determined that in any specific case any of the following conditions exist:

1. Difficult terrain
2. Danger of erosion

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

Section 304.1.2.3 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.3 TRESPASSING ON POSTED PROPERTY

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

1. Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.
2. Trespassing. Entering and remaining within areas closed and posted is prohibited. Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

Section 304.1.2.4 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.4 OUTDOOR FIRES

Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas, except by permit from the Riverside County Fire Department.

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

Section 308.1.6.3 of the California Fire Code is hereby added to read as follows:

SECTION 308.1.6.3 SKY LANTERNS

No person shall release or cause to be released an untethered sky lantern

Section 309.7 of the California Fire Code is hereby added to read as follows:

309.7 SPILL CONTAINMENT

Each track of batteries or group of racks shall be provided with a liquid tight four (4) inch spill control barrier which extends at least one (1) inch beyond the battery rack or group of racks in all directions.

CHAPTER 4. EMERGENCY PLANNING AND PREPAREDNESS is adopted in its entirety with the following amendments:

Section 404 of the California Fire Code is hereby amended to add as follows:

Section 404.2 - #16 FIRE SAFETY AND EVACUATION PLANS

An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings:

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

CHAPTER 5. FIRE SERVICE FEATURE FIRE is adopted in its entirety with the following amendments:

Section 501.2 of the California Fire Code is hereby amended to add as follows:

501.2 TIMING OF INSTALLATION

Fire apparatus access roads and a permanent water supply for fire protection shall be installed and made serviceable prior to and during the time of construction. Temporary/permanent street signs shall be installed at each intersection when construction of new roadways allows passage by vehicles.

Exception: When alternative methods are approved by the Chief.

Section 503.1 of the California Fire Code is hereby amended to add as follows:

503.1 WHERE REQUIRED

Fire apparatus access roads shall be provided and maintained in accordance with Section 503.1.1 through 503.1.3 set forth herein below. The Riverside County Fire Department shall be the only authority authorized to designate fire lanes.

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

Section 503.1.1 Exception 2

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

Section 503.2.2 of the California Fire Code is amended to add the following exception:

Section 503.2.2 AUTHORITY

The Riverside County Fire Department shall be the only authority authorized to designate fire apparatus access roads and fire lanes as defined in Section 502. The fire code official shall have the authority to modify the minimum fire lane access widths where they are inadequate for fire or rescue operations.

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

Section 503.3 MARKING

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

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

Section 503.2 of the California Fire Code is hereby amended to add as follows:

503.2 FIRE APPARATUS ACCESS ROADS

Fire apparatus access roads, where required, shall be identified by curbs painted red on both the top and face along the entire length of the fire apparatus access road. Where no curb exists or a rolled curb is installed, a 6 inch wide red strip or approved posted signs applied the full length of the fire apparatus access road shall be installed.

Exception: On school grounds this requirement shall be implemented as approved by the Chief.

Section 503.7 of the California Fire Code is hereby amended to add as follows:

Section 503.7 LOADING AREAS AND PASSENGER DROP-OFF AREAS

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

Section 504.1 of the California Fire Code is amended to add the following language to the end of the first paragraph:

Section 504.1 REQUIRED ACCESSES:

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

Section 505.1 of the California Fire Code shall be further amended to read as the follows:

505.1 PREMISES IDENTIFICATION

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where access is by means of private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Commercial, multi-family residential and industrial buildings shall have a minimum of twelve (12) inch numbers with suite numbers being a minimum of six (6) inches in size. All suites shall have a minimum of six (6) inch high letters and/or numbers on both front and rear doors. Single-family residences and multi-family residential units shall have four (4) inch letters and/or numbers, as approved by the fire code official.

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

507.1 REQUIRED WATER SUPPLY

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

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

507.5.5 CLEAR SPACE AROUND HYDRANTS

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

Section 507.5.7 of the California Fire Code is hereby amended to add as follows:

507.5.7 FIRE HYDRANT SIZE AND OUTLETS

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

- A. Residential Standard—one 4 inch outlet, and one 2 ½ inch outlet.
- B. Super Hydrant Standard—one 4 inch outlet, and two 2 ½ inch outlet.
- C. Super Hydrant Enhanced—two 4 inch outlet, and one 2 ½ inch outlet.

Fire hydrant locations shall be visually indicated with approved blue dot hydrant marker. Any hydrant marker damaged or removed during the course of street construction or repair shall be immediately replaced by the contractor, developer, or person responsible for the removal or damage.

CHAPTER 6. BUILDING SERVICES AND SYSTEMS is adopted in its entirety with the following amendments:

Section 606.10.1.2 of the California Fire Code is amended to read as follows:

606.10.1.2 MANUAL OPERATION

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

Section 609.2 of the California Fire Code is hereby amended to add as follows:

Added 609.2 WHERE REQUIRED

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

CHAPTER 7. FIRE RESISTIVE-RATED CONSTRUCTION shall be adopted in its entirety without amendments or deletions.

CHAPTER 8. INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS shall be adopted in its entirety without amendments or deletions.

CHAPTER 9. FIRE PROTECTION SYSTEMS is adopted in its entirety with the following amendments:

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

Section 903.2 WHERE REQUIRED

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

- a. Exception in Section 903.2.3
- b. Exception in Section 903.2.6.2
- c. Exception in Section 903.2.8
- d. Exception in Section 903.2.11.3

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

CHAPTER 10. MEANS OF EGRESS shall be adopted in its entirety without amendments or deletions.

CHAPTER 11. CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS shall only adopt the California State Fire Marshal's amendments.

CHAPTERS 12 THROUGH 19 ARE RESERVED

CHAPTER 20. AVIATION FACILITIES shall be adopted in its entirety without amendments or deletions.

CHAPTER 21. DRY CLEANING shall be adopted in its entirety without amendments or deletions.

CHAPTER 22. COMBUSTIBLE DUST-PRODUCING OPERATIONS shall be adopted in its entirety without amendments or deletions.

CHAPTER 23. MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES shall be adopted in its entirety without amendments or deletions.

CHAPTER 24. FLAMMABLE FINISHES shall be adopted in its entirety without amendments or deletions.

CHAPTER 25. FRUIT AND CROP RIPING shall be adopted in its entirety without amendments or deletions.

CHAPTER 26. FUMIGATION AND INSECTICIDAL FOGGING shall be adopted in its entirety without amendments or deletions.

CHAPTER 27. SEMICONDUCTOR FABRICATION FACILITIES shall be adopted in its entirety without amendments or deletions.

CHAPTER 28. LUMBER YARDS AND WOODWORKING FACILITIES shall be adopted in its entirety without amendments or deletions.

CHAPTER 29. MANUFACTURE OF ORGANIC COATINGS shall be adopted in its entirety without amendments or deletions.

CHAPTER 30. INDUSTRIAL OVENS shall be adopted in its entirety without amendments or deletions.

CHAPTER 31. TENTS AND OTHER MEMBRANE STRUCTURES shall be adopted in its entirety without amendments or deletions.

CHAPTER 32. HIGH-PILED COMBUSTIBLE STORAGE is adopted in its entirety with the following amendments:

Section 3204.2 of the California Fire Code is hereby added as follows:

3204.2.1 MINIMUM REQUIREMENTS FOR CLIENT LEASED OR OCCUPANT OWNED WAREHOUSES

Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The fire protection engineer shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the onsite survey and discussions with the building owner or operator. The technical report shall describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include referenced design document(s), including NFPA 13 or the current applicable factory mutual data sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

CHAPTER 33. FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION shall be adopted in its entirety without amendments or deletions.

CHAPTER 34. TIRE REBUILDING AND TIRE STORAGE shall be adopted in its entirety without amendments or deletions.

CHAPTER 35. WELDING AND OTHER HOT WORK shall be adopted in its entirety without amendments or deletions.

CHAPTER 36. MARINAS shall be adopted in its entirety without amendments or deletions.

CHAPTERS 37 THROUGH 47 – RESERVED

CHAPTER 48. MOTION PICTURE AND TELEVISION PRODUCTION STUDIO SOUND STAGES, APPROVED REPRODUCTION FACILITIES AND PRODUCTION LOCATIONS shall be adopted in its entirety without amendments or deletions.

CHAPTER 49. REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS is adopted in its entirety with the following amendments:

Section 4904 of the California Fire Code is hereby amended to add a new Section 4904.3 to read as follows:

Section 4904.3 HIGH FIRE HAZARD SEVERITY ZONE MAPS

The County of Riverside Board of Supervisors hereby designates Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection and pursuant to Government Code Sections 51175 through 51189, as designated on a map titled "Very High Fire Hazard Severity Zones in LRA", dated 4/8/2010, and retained on file at the Clerk of this Board, the office of the County and pursuant to Government Code Sections 51175 through 51189, as designated by the Fire Chief of Riverside County, the Office of the State Fire Marshal, and is more readily available at:

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones.php.

This map will supersede other maps previously adopted by the County of Riverside designating high fire hazard areas.

Within the designated land areas as adopted by the County of Riverside Board of Supervisors and in accordance with the Government Code Sections 51175 through 51189, and in accordance with section 104.3 the following shall apply when required: Per section 51182(a) A person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by the local agency (Riverside County Fire Department) pursuant to Section 51179, shall at all times do all of the following:

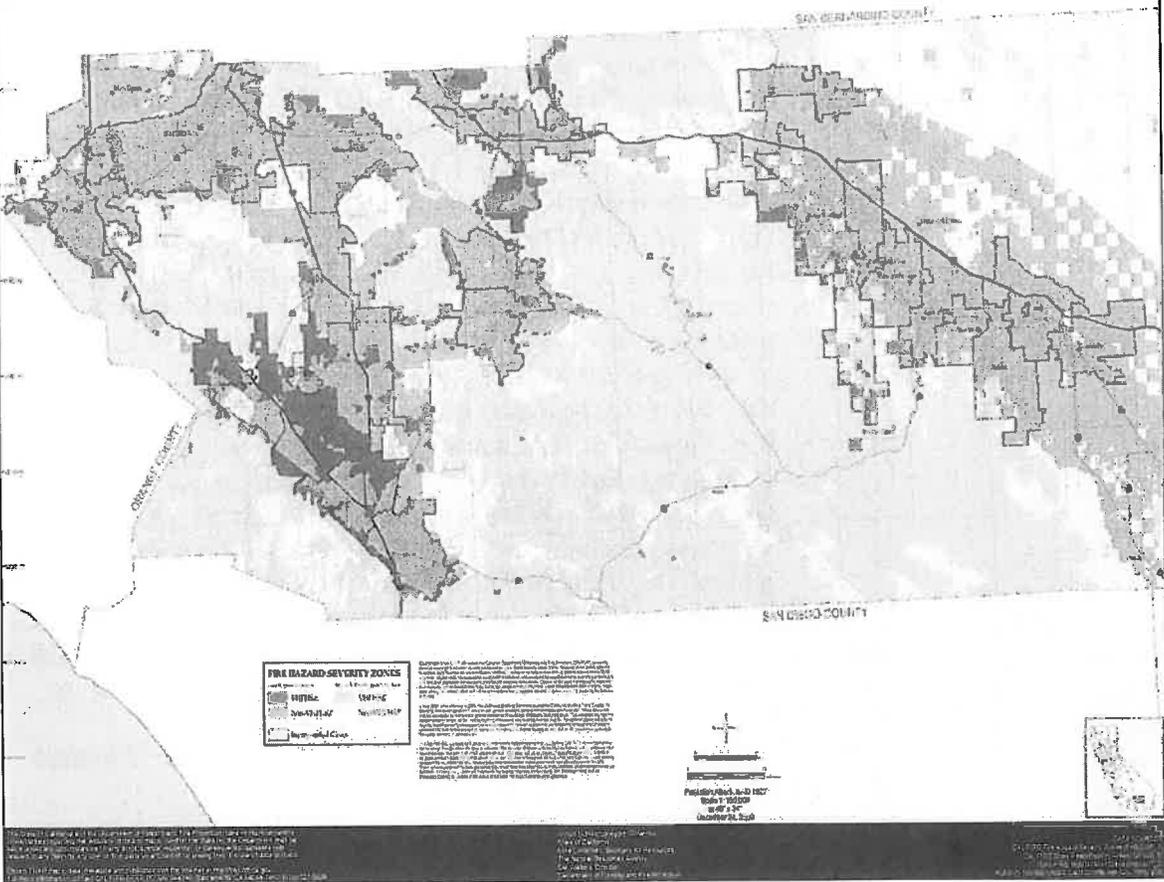
- (1) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in following paragraphs.
- (2) The amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This paragraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100 foot perimeter of the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion.
- (3) A greater distance than that required under paragraph (1) may be required by state law, local ordinance, rule, or regulation. Clearance beyond the property line may only be required if the state law, local ordinance, rule, or regulation includes findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. Clearance on adjacent property shall only be conducted following written consent by the adjacent landowner.
- (4) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the fire chief or fire official from the authority having jurisdiction, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.
- (5) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.
- (6) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.
- (7) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

- (8) Prior to constructing a new dwelling or structure that will be occupied or rebuilding an occupied dwelling or occupied structure damaged by a fire in that zone, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification (approved building plan/job card) from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official, a copy of the final inspection report that demonstrates the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure. (b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property. (c) The Department of Forestry and Fire Protection shall develop, periodically update, and post on its internet website a guidance document on fuels management pursuant to this chapter. Guidance shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat, and suggestions to minimize or eliminate the risk of flammability of non-vegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture.

See the following maps for reference and contact the Riverside County Fire Department for further information.



VERY HIGH FIRE HAZARD SEVERITY ZONES IN LRA As Recommended By CAL FIRE



CHAPTER 50. HAZARDOUS MATERIALS – GENERAL PROVISIONS shall be adopted in its entirety without amendments or deletions.

CHAPTER 51. AEROSOLS shall be adopted in its entirety without amendments or deletions.

CHAPTER 52. COMBUSTIBLE FIBERS shall be adopted in its entirety without amendments or deletions.

CHAPTER 53. COMPRESSED GASES shall be adopted in its entirety without amendments or deletions.

CHAPTER 54. CORROSIVE MATERIAL shall be adopted in its entirety without amendments or deletions.

CHAPTER 55. CRYOGENIC FLUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 56. EXPLOSIVES AND FIREWORKS shall be adopted in its entirety without amendments or deletions.

CHAPTER 57. FLAMMABLE AND COMBUSTIBLE LIQUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 58. FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 59. FLAMMABLE SOLIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 60. HIGHLY TOXIC AND TOXIC MATERIALS shall be adopted in its entirety without amendments or deletions.

CHAPTER 61. LIQUIFIED PETROLEUM GASES shall be adopted in its entirety without amendments or deletions.

CHAPTER 62. ORGANIC PEROXIDES shall be adopted in its entirety without amendments or deletions.

CHAPTER 63. OXIDIZERS, OXIDIZING GASES AND OXIDIZING CRYOGENIC FLUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 64. PYROPHORIC MATERIALS shall be adopted in its entirety without amendments or deletions.

CHAPTER 65. PYROXYLIN (CELLULOSE NITRATE) PLASTICS shall be adopted in its entirety without amendments or deletions.

CHAPTER 66. UNSTABLE (REACTIVE) MATERIALS shall be adopted in its entirety without amendments or deletions.

CHAPTER 67. WATER-REACTIVE SOLIDS AND LIQUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTERS 67 THROUGH 79 RESERVED

CHAPTER 80. REFERENCE AND STANDARDS shall be adopted in its entirety without amendments or deletions.

APPENDICES

All Appendices to the California Fire Code are adopted in their entirety except as follows:

APPENDIX B

Section B-105.2 EXCEPTION FIRST SENTENCE

A reduction in required fire flow of up to 50 percent as approved is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with section 903.3.1.1 or 903.3.1.2 of the California Fire Code.

APPENDIX BB shall NOT be adopted or amended.

APPENDIX C Fire hydrant locations are amended to read as follows:

Section C102.1

Fire hydrants shall be provided at street intersections and along required fire apparatus access roads and adjacent public streets. Fire hydrants used or installed for the frontage requirements as stated by Table C105.1 shall be on the building side of fire department access roads and adjacent public streets.

APPENDIX CC shall NOT be adopted or amended.

APPENDIX D shall NOT be adopted or amended.

APPENDIX E shall be adopted in its entirety without amendments or deletions.

APPENDIX F shall be adopted in its entirety without amendments or deletions.

APPENDIX G shall be adopted in its entirety without amendments or deletions.

APPENDIX H shall be adopted in its entirety without amendments or deletions.

APPENDIX I shall NOT be adopted or amended.

APPENDIX J shall NOT be adopted or amended.

APPENDIX K shall NOT be adopted or amended.

Section 8.16.030 Full copy of codes; maintenance of codes

One full copy of the state fire codes described in this chapter has been deposited in the office of the city clerk and shall be at all times maintained by the city clerk for use and examination by the public, excepting that one copy of the adopted codes may be kept in the office of the chief enforcement officer for such codes.

Section 8.16.040 'Municipality' defined

Wherever the word "municipality" is used in the fire prevention code adopted by this chapter, it means the city.

Section 8.16.050 Penalties

It shall be unlawful for any person, firm, corporation or association of persons to violate any provision of this ordinance, or to violate the provisions of any permit granted pursuant to this ordinance. Any person, firm, corporation or association of persons violating any provision of this ordinance or the provisions of any permit granted pursuant to this ordinance, shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person or entity shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance or the provisions of any permit granted pursuant to this ordinance is committed, continued or permitted.

Any person, firm, corporation or association of persons so convicted shall be (1) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a first violation; (2) guilty of an infraction offense and punishable by a fine not exceeding three hundred dollars (\$300.00) for a second violation on the same site. The third and any additional violations on the same site shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person or entity from the responsibility for correcting the violation."

SECTION 3. FURTHER PROCESS FOR ADOPTION

After first reading, this ordinance shall be adopted pursuant to the procedures set forth in Government Code Section 50022.3. To wit, after the first reading of the title of the adopting ordinance and of the title of the code to be adopted hereby the City Clerk is directed to schedule a public hearing thereon. Notice of the hearing shall be published pursuant to Section 6066 in a newspaper of general circulation. The notice shall state the time and place of the hearing. It shall also state that copies of the codes being adopted by reference are on file with the Clerk and are open to public inspection. The notice shall also contain a description which the legislative body deems sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

SECTION 4. SEVERABILITY

If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidance or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

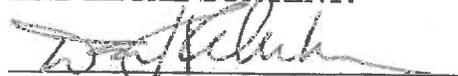
PASSED, APPROVED AND ADOPTED this 11th day of February, 2014.


Deborah Franklin, Mayor
City of Banning

ATTEST:


Marie A. Calderon, City Clerk
City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**


Dave J. Aleshire, City Attorney
Aleshire & Wynder, LLP

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance No. 1468 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 12th day of November, 2013, and was duly adopted at a regular meeting of said City Council on the 11th day of February, 2014, by the following vote, to wit:

AYES: Councilmembers Miller, Peterson, Welch, Westholder, Mayor Franklin

NOES: None

ABSENT: None

ABSTAIN: None



Marie A. Calderon, City Clerk
City of Banning, California