

BUILDING STANDARDS COMMISSION

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



February 7, 2014

Nicholas Hermsen
Deputy City Attorney
City of Rancho Mirage
41750 Rancho Las Palmas Drive, Suite P-1
Rancho Mirage, CA 92270

RE: Ordinance #1075

Dear Mr. Hermsen:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 16, 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,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

23801 Calabasas Road
Suite 1015
Calabasas, CA 91302
818.704.0195
Fax 818.704.4729



Green, de Bortnowsky & Quintanilla, LLP
Attorneys at Law
www.gdqlaw.com

41750 Rancho Las Palmas Drive
Suite P-1
Rancho Mirage, CA 92270
760.770.0873
Fax 760.770.1724

Direct E-mail Address:
nhermsen@gdqlaw.com

Reply to:
Rancho Mirage Office

January 15, 2014

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

Via Federal Express

Jim McGowan, 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 which went into effect on January 1, 2014.

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

A handwritten signature in blue ink, appearing to read 'N. Hermsen', with a long horizontal flourish extending to the right.

Nicholas Hermsen, Deputy City Attorney
City of Rancho Mirage

Enclosure

ORDINANCE NO. 1075

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 2013 CALIFORNIA BUILDING STANDARD CODES AND CERTAIN SPECIFIED APPENDICES THEREOF, INCLUDING THE 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA FIRE CODE, 2013 CALIFORNIA ENERGY CODE, 2013 CALIFORNIA EXISTING BUILDING CODE AND THE 2013 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 2013 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, 2014; 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 7, 2013, 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 Fire Code 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 faster auto-ignition 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. Fire Command Centers in very large buildings will provide for faster and more efficient on-scene response to emergencies. Refrigeration system manual controls allow emergency operations when automatic operation fails. Prohibition of sky lanterns and similar devices and additional requirements for fire apparatus access roads, fire hydrants and access to building openings and roofs also assist in mitigating these local conditions.

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 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. In addition, Fire Command Centers in very large buildings will provide for faster and more efficient on-scene response to emergencies thereby potentially reducing amounts of water needed for fire protection. Prohibition of sky lanterns and similar devices and additional requirements for fire apparatus access road, fire hydrants and access to building openings and roofs can positively impact amounts of water needed to address emergency situations.

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 and other fire protection features as identified in this ordinance.

5. The City Council therefore finds that the amendments set forth herein afford more stringent requirements for fire protection 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. 2013 California Energy Code. The 2013 California Energy Code is adopted by the Commission as Part 6 of Title 24 of the California Code of Regulations. The City adopts the 2013 California Energy Code without amendment.

B. 2013 California Historical Building Code. The 2013 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 2013 California Historical Building Code without amendment.

C. 2013 California Existing Building Code. The 2013 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 2012 International Existing Building Code. The City adopts the 2013 California Existing Building Code without amendment.

D. 2013 California Green Building Standards Code. The 2013 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 2013 California Green Building Standards Code without amendment.

E. 2013 California Residential Code. The 2013 California Residential Code is adopted by the Commission as Part 10 of Title 24 of the California Code of Regulations. The City adopts the 2013 California Residential Code without amendment.

15.02.020 California Codes Adopted with Appendices and Amendments

The City adopts these other 2013 California Building Standards Code and Appendices, with the local additions, deletions and amendments provided in the following chapters:

Chapter 15.04 Adoption of the 2013 California Building Code and certain Appendices and Amendments

Chapter 15.08 Adoption of the 2013 California Mechanical Code and certain Appendices and Amendments; Adoption of the 2013 California Plumbing Code with certain Appendices and Amendments

Chapter 15.10 Adoption of the 2013 California Electrical Code and certain Appendices and Amendments

Chapter 15.12 Adoption of the 2013 California Fire Code, with certain Appendices and Amendments

Section 2. AMENDMENT OF CHAPTER 15.04 TO ADOPT THE 2013 CALIFORNIA BUILDING CODE WITH AMENDMENTS

Chapter 15.04 of the Rancho Mirage Municipal Code is hereby re-titled as "California Building Code, 2013 Edition" and is amended to read as follows:

**Chapter 15.04
California Building Code, 2013 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 2013 Edition, which is based upon the 2012 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, 2013 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 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 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 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 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. 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 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 903.2.3 remain the same)

903.2.4 Group F. 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 fire area exceeds 3,000 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.

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

(The other provisions of section 903.2.4. remain same)

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 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.

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

(The other provisions of section 903.2.7 remain the same)

903.2.7.1 High-piled storage.

(No amendments are made to this section)

903.2.9 Group S-1. An automatic fire sprinkler system 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 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.

3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines,

exceeds 3,000 square feet.

(The other provisions of section 903.2.9 remain the same)

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.

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 3,000 square feet.

(The other provisions of the section 903.2.10 remain the same)

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 square feet.

B. No amendments are made to Sections 903.2.11 through 903.2.19.

C. The following sections 903.2.20 and 903.2.21 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:

903.2.20 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.

903.2.21 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, Chapter 1, Division II Scope and 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 Development Services 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 114 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

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

Appendix C: Group U - Agricultural Buildings

Appendix I: Patio Covers

Section 3. AMENDMENT OF CHAPTER 15.08 TO ADOPT THE 2013 CALIFORNIA MECHANICAL CODE AND THE 2013 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, 2013 Edition; California Plumbing Code, 2013 Edition" and is amended to read as follows:

**Chapter 15.08
California Mechanical Code, 2013 Edition;
California Plumbing Code, 2013 Edition**

15.08.010 California Mechanical Code Adopted

A. There is adopted by reference the California Mechanical Code, 2013 Edition, which is based on the 2012 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, 2013 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
Chapter 1, Division II Administration of
the Mechanical Code**

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

1. Section 107.0 is amended to read as follows:

Section 107.0 UNSAFE EQUIPMENT

107.1 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.

107.2 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 118.3 is added to provide for the filing of appeals and shall read as follows:

118.3 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 109.0 is amended to read as follows:

Section 109.0 VIOLATIONS

109.1 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.

119.2 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.

4. Section 110 is amended to read as follows:

110.1 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 114.1 is amended to read as follows:

114.1 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 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

Appendix G: Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed for the use with Type B Vents

15.08.040 California Plumbing Code Adopted

A. There is adopted by reference the California Plumbing Code, 2013 Edition, which is based on the 2012 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, 2013 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
Chapter 1, Division II Administration of
the Plumbing Code**

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

1. Section 102.3.2 is added to provide for the filing of appeals and shall read as follows:

102.3.2 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.

2. Section 102.4 amended to read as follows:

102.4 Violations

102.4.1 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.

102.4.2 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.

3. Section 102.5 amended to read as follows:

102.5 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.

4. Section 103.4 is amended to read as follows:

103.4 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.

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 Storm water Drainage Systems

Appendix G: Sizing of Venting Systems serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed for the use with Type B Vents

Appendix H: Private Sewage Disposal Systems

Appendix I: Installation Standards

Section 4. AMENDMENT OF CHAPTER 15.10 TO ADOPT THE 2013 CALIFORNIA ELECTRICAL CODE WITH AMENDMENTS

Chapter 15.10 of the Rancho Mirage Municipal Code is hereby re-titled as "California Electrical Code, 2013 Edition" and is amended to read as follows:

**Chapter 15.10
California Electrical Code, 2013 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, 2013 Edition, which is based upon the 2011 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, 2013 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. Where the conductor material is not specified, the material and the sizes given in this code shall apply to copper conductors.

B. Subsection (B) of Section 310.106 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:

310.106 Conductors.

(B) Conductor Material. Conductors in this article shall be of copper.

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

A. There is adopted by reference and with the following additions, deletions and amendments, Annex H (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.G 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.A.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.A.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.B 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
2013 CALIFORNIA FIRE CODE WITH AMENDMENTS**

Chapter 15.12 of the Rancho Mirage Municipal Code is hereby re-titled as "California Fire Code, 2013 Edition" and is amended to read as follows:

**Chapter 15.12
California Fire Code, 2013 Edition**

**15.12.010 California Fire Code Adopted with
Amendments**

A. Except as provided in this chapter, the California Fire Code, Title 24, Part 9, 2013 Edition, (CFC), is adopted in its entirety including Chapters B, C, E, F, G and H based on the 2012 International Fire Code as published by the International Code Council (ICC), except as amended herein, shall become the "Fire Code" of the City of Rancho Mirage, establishing the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to firefighters and emergency responders during emergency operations within the City. The California Fire Code is on file for public examination in the office of the Building Official.

B. The California Fire Building Code, 2013 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, Additions and
Deletions to the Fire Code**

A. **Additions/Amendments to the California Fire Code**

The following sections 202, 308.1.6.3, 404.2, 503.2.2, 503.3, 503.7, 504.1, 507.5.5, 507.5.7, 507.5.8, 508.1, 508.1.5, 606.10.1.2, 903.2, 903.3.5.3, 3204.2.1 and 4904.3 are added/amended to the California Fire Code and shall read as follows:

D. Section 202.2 Definitions. The following definitions are added to Chapter 2, Section 202:

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

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

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

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

E. Section 308.1.6.3 is added to the California Fire Code to read as follows:

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

Exception: Upon approval of the fire code official, sky lanterns may be used as necessary for religious or cultural ceremonies providing that adequate safeguards have been taken as approved by the fire code official. Sky Lanterns

must be tethered in a safe manner to prevent them from leaving the area and must be constantly attended until extinguished.

F. Section 404.2 of the California Fire Code is amended to add the following:

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

G. Section 503.2.2 is amended as follows:

Section 503.2.2 Authority. The fire code official of Riverside County Fire Department shall be the only authority authorized to designate fire apparatus access roads, fire lanes and as defined in Section 502. The fire code official shall have the authority to modify the minimum fire lane access widths for fire or rescue operations.

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

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

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

I. Section 503.7 is added to California Fire Code to read 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.

J. Section 504.1 is amended to add the following language to the end of the first paragraph:

Where ground ladder access is the only means to reach the

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

K. 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.

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

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

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

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

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

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

1. Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, and buildings greater than 300,000 square feet in area, and Group I-2 occupancies

having occupied floors located more than 75 feet above the lowest level of fire department vehicle access, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1 through 508.1.5.

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

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

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

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

O. 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.

P. Section 903.2 of Chapter 9 of the California 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 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 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 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 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. 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 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 903.2.3 remain the same)

903.2.4 Group F. 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 fire area exceeds 3,000 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.

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

(the other provisions of section 903.2.4 remain the same)

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 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.

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

(The other provisions of section 903.2.7 remain the same)

903.2.7.1 High-piled storage.

(No 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 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.

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

(The other provisions of section 903.2.9 remain the same)

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.

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 3,000 square feet.

(The other provisions of section 903.2.10 remain the same)

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 square feet.

B. No amendments are made to Sections 903.2.11 through 903.2.19.

C. The following sections 903.2.20 and 903.2.21 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:

903.2.20 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.

903.2.21 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.

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

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

Q. Section is added to Section 3204.2 of the California Fire Code to read as follows:

3204.2.1 Minimum requirements for client leased or occupant owned warehouses. Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The fire protection engineer shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the onsite survey and discussions with the building owner or operator. The technical report shall describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include referenced design document(s), including NFPA 13 or the current applicable factory mutual data sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

R. Section is added to Section 4904 of the California Fire Code to read as follows:

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

**15.12.030 Modifications, Amendments and Deletions to
Chapter 1, Division II Administration of
the Fire Code**

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

A. 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 Rancho Mirage City Council.
2. The Fire Chief is authorized to administer, interpret and enforce this Ordinance. Under the Fire Chief's direction, the Riverside County Fire Department is authorized to enforce the City of Rancho Mirage Ordinances 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 City of Rancho Mirage.

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

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

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.

109.4 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.

109.4.1 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.

(No other amendments are made to this section)

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

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

Exception 1: A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or

903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

**15.12.050 Modifications, Amendments and Deletions to
Appendix C of the Fire Code**

Appendix C, Section C102.1 Fire hydrant locations. Fire hydrants shall be provided at street intersections and along required fire apparatus access roads and adjacent public streets.

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.

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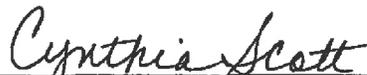
The foregoing Ordinance was approved and adopted at a meeting of the City Council held on November 21, 2013 by the following vote:

Ayes: Hobart, Smotrich, Weill, Kite
Noes: None
Abstain: None
Absent: Hines



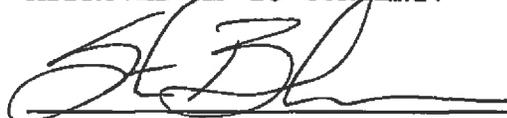
Richard W. Kite, Mayor

ATTEST:



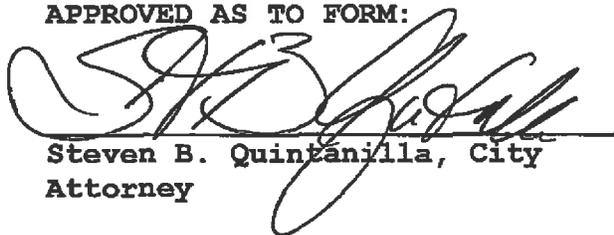
Cynthia L. Scott, City Clerk

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. 1075 was introduced by first reading at a regular meeting of the City Council held on November 7, 2013 by the following vote:

AYES: Hines, Hobart, Smotrich, Weill, Kite
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 1075 was adopted at a regular meeting of the City Council held on November 21, 2013 by the following vote:

AYES: Hobart, Smotrich, Weill, Kite
NOES: None
ABSENT: Hines
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