

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING CHAPTERS 15.02, 15.04, 15.20, 15.24, 15.38, 15.40, AND 15.56 AND ADDING CHAPTERS 15.06, 15.32, 15.42 AND 15.48 TO LAKE ELSINORE MUNICIPAL CODE ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODE

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

SECTION 1. Section 15.02.010 of Chapter 15.02 of the Lake Elsinore Municipal Code is hereby amended and restated in its entirety to read as follows:

15.02.010 California Building Standards Code.

For the purpose of prescribing regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures, the 2022 Edition of the California Building Standards Code (California Code of Regulations, Title 24) are hereby adopted subject to the modifications as set forth in Title 15 of the LEMC. The provisions of the California Building Standards Code as amended pursuant to Title 15 of the LEMC and the chapters set forth therein shall constitute the Building Regulations of the City of Lake Elsinore.

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

15.04.0100 Building Code – Established.

Except as provided in this chapter, the California Building Code, 2022 Edition based on the 2021 International Building Code as published by the International Code Council shall be and become the Building Code of the City, regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, use, height, area maintenance of all structures and certain equipment therein. The California Building Code is on file for public examination in the office of the Building Official.

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

15.04.020 Local Amendments.

The 2022 Edition of the California Building Code is hereby amended as follows:

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

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

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

Section 113.3 Appeals is hereby amended as follows:

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

Section 114.4 Violation Penalties; is hereby amended as follows:

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

Section 1505.1 is amended by the deletion of Table 1505.1 and the addition of a new Table 1505.1 thereto, to read as follows:

TABLE 1505.1^a
MINIMUM ROOF COVERING CLASSIFICATIONS
TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

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

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

Section 1505.1.3 is amended as follows:

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

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

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

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

Section J110.3 Temporary Erosion Control.

A. Separate plans for temporary drainage and erosion control measures to be used during the rainy season shall be submitted prior to October 1. The control devices shown on said plans shall be installed no later than October 15 and maintained in operable condition until April 15. These plans shall provide the following:

1. Temporary soil stabilization measures shall be installed on graded slopes exceeding a three to one ratio and/or ten feet in height.
2. Desilting facility shall be provided at all drainage outlets from the graded site, designed for the twenty-five-year, six-hour storm intensity. They must be detailed on the plans. Design and specific recommendations shall be submitted for the following:
 - Desilting basin volume based on gradient and nature of soils
 - The extent of all graded areas and identification of any temporary soil stabilization measures
 - Size of desilting basin outlet pipe and over flow
 - Dike requirements. Minimum wall width, slope of walls, percent of compaction, etc.
3. The following notes shall be placed on the plans:
 - In case of emergency, call _____ at _____
(Responsible person) (24 hour number)
 - The undersigned civil engineer will supervise erosion control and certify that work is in accordance with the approved plans.

(Signature, reg. *, expiration date)

(Name - printed)

(Dated)

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

B. Temporary Erosion Control Measures

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

C. Subsequent Rainy Seasons

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

D. Pool Barrier Rules Apply to Private Pools

The following definition is added to section 3109.4.4.3

1. The first paragraph of section 3109.4.4.3 is revised to provide:

3109.4.4.3 Enclosure: required characteristics. An enclosure shall have all of the following characteristics:

1. Any access gate through the enclosure open away from the swimming pool and are self-closing with a self-closing latching device placed no lower than 60 inches above the ground.
2. A minimum fence height of 60 inches
3. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches.
4. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches in diameter.
5. An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb a fence.

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

CHAPTER 15.06 RESIDENTIAL CODE

15.06.010 Residential Code -- Established.

Except as provided in this chapter, the California Residential Code, 2022 Edition based on the 2021 International Building Code as published by the International Code Conference, shall be and become the Residential Code of the City, regulating and controlling the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one-and-two-family dwelling, townhouse not more than three stories above grade plane in height with a separate means of egress, and structures accessory thereto throughout the State of California. The California Residential Code is on file for public examination in the office of the Building Official.

15.06.020 Amendments.

The 2022 edition of the California Residential Code is hereby amended as follows:

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

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

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

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

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

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

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

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

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

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k		Weathering ^a	Frost line Depth ^b	Termite ^c					
Zero	110	No	D or E	Negligible	12-24"	Very Heavy	43	No	Yes	0	60

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

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 971/2-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/psf.html.

- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

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

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

Section R405.1 is amended as follows:

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

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

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

Exceptions:

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

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

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

Section R326 Swimming Pools, Hot Tubs and Spas is amended as follows:

- . Pool Barrier Rules Apply to Private Pools, Hot Tubs and Spas

The following definition is added to section R326

1. The first paragraph of section R326 is revised to provide:

Enclosure: required characteristics. An enclosure shall have all of the following characteristics:

3. Pool alarms mounted 60 inches above finish floor at 80 decibels for all doors leading to the pool area.
4. Any access gate through the enclosure open away from the swimming pool and are self-closing with a self-closing latching device placed no lower than 60 inches above the ground.
5. A minimum fence height of 60 inches
6. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches.
7. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches in diameter.
8. An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb a fence.

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

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

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

15.20.010 Mechanical Code - Established.

Except as provided in this chapter, the California Mechanical Code, 2022 Edition, based on the 2021 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Mechanical Code of the City, regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, and refrigeration systems; incinerators; and other miscellaneous heat-producing appliances within this jurisdiction. The California Mechanical Code is on file for public examination in the office of the Building Official.

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

Section 15.20.020 Amendments.

The 2022 edition of the California Mechanical Code is hereby amended as follows:

Section 110.1 General, is hereby amended as follows:

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

Section 115.1 General, is hereby amended as follows:

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

Section 115.2 is hereby deleted in its entirety.

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

15.24.010 Plumbing Code - Established.

Except as provided in this chapter, the California Plumbing Code, 2022 Edition, based on the 2021 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Plumbing Code of the City, regulating the erection, installation, alteration, repair, relocation, replacement, addition, to, use, or maintenance of plumbing systems within this jurisdiction. The California Plumbing Code will be on file for public examination in the office of the Building Official.

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

15.24.020 Amendments.

The 2021 Edition of the California Plumbing Code is hereby amended as follows:

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

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

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

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

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

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

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

CHAPTER 15.32 ENERGY CODE

15.32.010 Energy Code - Established.

Except as provided in this chapter, the California Energy Code 2022 Edition as published by the International Code Council, shall be and become the Energy Code of the City, regulating all buildings in the City with respect to State energy requirements. The California Energy Code will be on file for public examination in the office of the Building Official.

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

15.38.010 Electrical Code - Established.

Except as provided in this chapter, the California Electrical Code, 2022 Edition, based on the 2020 National Electrical Code as published by the National Fire Protection Association, shall be and become the Electrical Code of the City, regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the City. The California Electrical Code will be on file for public examination in the office of the Building Official.

SECTION 11. Section 15.38.020 of Chapter 15.38 of the Lake Elsinore Municipal Code is hereby amended and restated in its entirety to read as follows:

15.38.020 Amendments.

The 2022 Edition of the California Electrical Code is hereby amended as follows:

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

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

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

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

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

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

Article 310 is amended, by addition of a new Article 310.106, to read as follows:

310.16 Continuous inspection of aluminum wiring.

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

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

15.40.010 Existing Building Code - Established.

Except as provided in this chapter, the 2022 California Existing Building Code Appendix A-1 based on the 2021 International Existing Building Code as published by the International Code Council, shall become the Existing Building Code of the City, for regulating existing buildings in the City. The California Existing Building Code will be on file for public examination in the office of the Building Official.

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

**CHAPTER 15.42
GREEN BUILDING STANDARDS CODE**

15.42.010 Green Building Standards Code - Established.

Except as provided in this chapter, the California Green Building Standards Code as published by the California Building Standards Commission, shall become the Green Building Standards Code of the City, for planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise in this code, throughout the City of Lake Elsinore. The California Green Building Standards Code will be on file for public examination in the office of the Building Official.

Section 15.42.020 Amendments.

The 2022 Edition of the California Green Building Standards Code is hereby amended as follows:

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

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

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

Exceptions:

- i. Part 2, Chapter 12, Section 1205.6 for campus lighting requirements for parking facilities and walkways.
- ii. Emergency lighting and lighting required for night time security.
- iii. Existing facilities which include athletic playing areas, theatrical facilities, theme parks, theme park resorts and similar facilities which have Zoning designations as such, and which have lighting level criteria established by Ordinance.

- iv. New athletic playing areas, theatrical facilities, theme parks, theme park resorts and similar facilities which have Zoning designations as such and which have lighting level criteria adopted by ordinance may be designated as LZ4 in Table 10-114-A in the California Administrative Regulations.

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

**CHAPTER 15.48
HISTORICAL BUILDING CODE**

15.48.010 Historical Building Code - Established.

Except as provided in this chapter, the California Historical Building Code, 2022 Edition, shall be and become the Historical Building Code of the City, regulating historical buildings. The California Historical Building Code is on file for public examination in the office of the Building Official.

15.06.020 Amendments.

The 2022 edition of the California Historical Building Code is hereby amended as follows:

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

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

SECTION 15. Chapter 15.56 of the Lake Elsinore Municipal Code is hereby amended and restated in its entirety to read as follows:

**CHAPTER 15.56
FIRE CODE**

15.56.010 Fire Code - Established.

Except as provided in this chapter, the California Fire Code, based on the 2021 International Fire Code as published by the International Code Council, shall become the Fire Code of the City, for regulating new structures, alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the California Building Code and located within the City. The California Fire Code will be on file for public examination in the office of the Building Official.

PURPOSE. The purpose of this ordinance is to adopt the 2022 California Fire Code, California Code of Regulations, Title 24, Part 9, as amended, to govern the safeguarding of life and property from fire, explosion hazards and hazardous conditions and to regulate the issuance of permits and collection of fees.

AUTHORITY. This ordinance is adopted pursuant to Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 which allow a city or county to adopt modifications or changes to the California Fire Code that are reasonably necessary because of local climatic, geological and topographical conditions.

APPLICATION AND ADOPTION OF THE CALIFORNIA FIRE CODE. Except as stated in this Section or as amended below in Section 5 of this Ordinance, all of the provisions of the 2022 California Fire Code, inclusive of all of the inclusions and exclusions set for in each chapter's matrix, are hereby adopted and shall apply throughout the City of Lake Elsinore. In addition, the following provisions that are excluded in the 2022 California Fire Code are hereby adopted - Chapter 1, Division II of the California Fire Code is hereby adopted, except that Sections 103.2 and 111.3 are not adopted, and Chapters 3, 25, and Sections 403.11, 503, 510.2, 1103.2, and 5707 are adopted.

15.56.020 Amendments.

The 2022 California Fire Code is adopted in its entirety except as follows:

A. SCOPE AND GENERAL REQUIREMENTS

1. Section 101.4 is deleted in its entirety and replaced with the following:

101.4 Severability. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

B. APPLICABILITY.

1. Section 102.5 of the California Fire Code is amended as follows:

102.5 Application of residential code. Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access, and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.6 of this code shall apply.

2. Administrative, operational and maintenance provisions of this code shall apply.

3. Automatic fire sprinkler system requirements of this code shall apply to detached accessory buildings 5,000 square feet or greater in accordance with Section 903.2. The provisions contained in Section 903.2.18 of the California Fire Code or Section R309.6 of the California Residential Code may be used for the design of the automatic fire sprinkler system for detached private garages.

C. DUTIES AND POWERS OF THE FIRE CODE OFFICIAL

1. A new Section 104.1.1 is added to Section 104.1 of the California Fire Code to read as follows:

104.1.1 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 Lake Elsinore 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 ordinances of The City of Lake Elsinore pertaining to the following:
 - 2.1. The prevention of fires.
 - 2.2. The suppression or extinguishment of dangerous or hazardous fires.
 - 2.3. The storage, use and handling of hazardous materials.
 - 2.4. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment.
 - 2.5. The maintenance and regulation of fire escapes.
 - 2.6. The maintenance of fire protection and the elimination of fire hazards on land, in buildings, structures and other property, including those under construction.
 - 2.7. The maintenance of means of egress.
 - 2.8. 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:
 - 3.1. The Unit Chief, Peace Officers and Public Officers of the California Department of Forestry and Fire Protection.
 - 3.2. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.
 - 3.3. The Riverside County Sheriff and any deputy sheriff.
 - 3.4. The Police Chief and any police officer of any city served by the Riverside County Fire Department.
 - 3.5. Officers of the California Highway Patrol.
 - 3.6. Code Officers of the City of Lake Elsinore.
 - 3.7. Building Official and Building Officials Public Officers of the City of Lake Elsinore.
 - 3.8. Peace Officers of the California Department of Parks and Recreation.
 - 3.9. The law enforcement officer of the Federal Bureau of Land Management.
4. A new Section 104.6.5 is added to Section 104 of the California Fire Code to read as follows:

104.6.5 Requests for Public Records. Request for copies of public and legal documents, photographs, etc. Relating to department activities are available as authorized by law through the City Clerk all documents requests shall be in writing.
5. Section 104.7 is deleted in its entirety and replaced with the following:

104.7 Liability. Any liability against the City of Lake Elsinore, Riverside County or any officer or employee for damages resulting from the discharge of their duties shall be as provided by law.
6. A new Section 104.13 is added to Section 104 of the California Fire Code to read as follows:

104.13 Authority of the Fire Chief to close hazardous fire areas. 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 Riverside County 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. For the purpose of this section, "hazardous fire area" shall mean public or private land that 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.

D. FEES

1. Section 107.2 is deleted in its entirety and replaced with the following:

107.2 Schedule of permit fees. Fees for services and permits shall be as set forth in Chapter 3.40 of the LEMC.

2. A new Section 107.7 is added to Section 106 of the California Fire Code to read as follows:

107.7 Cost recovery. Fire suppression, investigation, rescue or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1, as may be amended from time to time. Additionally, any person who negligently, intentionally or in violation of law causes an emergency response, including, but not limited to, a traffic accident, spill of toxic or flammable fluids or chemicals is liable for the costs of securing such emergency, including those costs pursuant to Government Code Section 53150, et. seq., as may be amended from time to time. Any expense incurred by the Riverside County Fire Department for securing such emergency shall constitute a debt of such person and shall be collectable by Riverside County in the same manner as in the case of an obligation under contract, express or implied.

E. MEANS OF APPEALS

1. Section 111.1 of the California Fire Code is deleted in its entirety and replaced with the following:

111.1. Board of Appeals established. The Board of Appeals shall be the City Manager. If he or she determines an outside board is needed, he or she shall designate an outside hearing officer to hear the appeal. The Fire Chief shall be notified of any appeal and the Fire Chief or designee shall be in attendance at the appeal hearing. Depending on the subject of the appeal, specialized expertise may be solicited, at the expense of the applicant, for the purpose of providing input to the Appeals Board.

F. VIOLATIONS.

1. Section 112.4 is deleted in its entirety and replaced with the following:

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

G. DEFINITIONS.

1. Section 202, definition of "Fire Chief" in the California Fire Code is deleted in its entirety and replaced with the following:

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

H. OPEN FLAMES.

1. Section 308.1.6.3 of the California Fire Code is deleted in its entirety and replaced with the following:

308.1.6.3 Sky lanterns or similar devices. A person shall not release or cause to be released a sky lantern or similar device.

I. FIRE APPARATUS ACCESS ROADS.

1. Section 503.2.1 is deleted in its entirety and replaced with the following:

503.2.1 Dimensions. Fire apparatus roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches. For additional requirements or alternatives see Riverside County Fire Department Standards and Policies, as may be amended from time to time.

2. Section 503.2.2 is deleted in its entirety and replaced with the following:

503.2.2 Authority. The fire code official shall be the only authority authorized to designate, require, or permit modifications to the required access widths where they are inadequate for fire or rescue operations.

3. A new Section 503.6.1 is added to Section 503.6 of the California Fire Code to read as follows:

503.6.1 Automatic opener. New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicles in accordance with Riverside County Fire Department standards and policies, as may be amended from time to time.

Exception: Gates serving individual one- and two-family dwelling parcels.

4. A new Section 503.7 is added to Section 503 of the California Fire Code to read as follows:

503.7 Parking, Loading and passenger drop-off areas. On private properties, where fire apparatus access roads are utilized for parallel parking, 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. FIRE PROTECTION WATER SUPPLIES

1. A new 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. As determined by the fire code official, fire hydrant sizes and outlets shall be based on the following:

a. Residential Standard – one (1) four (4) inch outlet and one (1) two and half (2 ½) inch outlet.

b. Super Hydrant Standard – one (1) four (4) inch outlet and two (2) two and one half (2 ½) inch outlet.

c. Super Hydrant Enhanced – two (2) four (4) inch outlet and one (1) two and one half (2 ½) inch outlet.

2. A new 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 policies and standards, as may be amended from time to time. 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 removal or damage.

K. FIRE COMMAND CENTER

1. Section 508.1 of the California Fire Code is deleted in its entirety and replaced with the following:

508.1 General. Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, in all buildings greater than 300,000 square feet in area, and in 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 comply with Sections 508.1.1 through 508.1.7.

2. Section 508.1.1 of the California Fire Code is deleted in its entirety and replaced with the following:

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

3. Section 508.1.3 of the California Fire Code is amended as follows:

508.1.3 Size. The fire command center shall be not less than 0.015 percent of the total building area of the facility served or 200 square feet (19 m²) in area, whichever is greater, with a minimum dimension of 0.7 times the square root of the room area or 10 feet (3048 mm), whichever is greater.

Where a fire command center is solely required because a building is greater than 300,000 square feet (27,870 m²), the fire command center shall have a minimum size of 96 square feet (9 m²) with a minimum dimension of 8 feet (2438 mm) where approved by the fire code official.

L. FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS.

1. Section 509.2.1 of the California Fire Code is amended to add the following:

509.2.1 Minimum clearances. A 3-foot (914 mm) clear space shall be maintained around 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.

M. MECHANICAL REFRIGERATION.

1. Section 608.11.1.2. of the California Fire Code is deleted in its entirety and replaced with the following:

608.11.1.2 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.

N. AUTOMATIC SPRINKLER SYSTEMS.

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

903.2 Where required. Automatic Fire Sprinklers shall be provided for the following:

1. In all new buildings and structures which are 5,000 square feet or greater, an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where Sections 903.2.1 –903.2.21 of the California Fire Code has more restrictive requirements than those listed below, the more restrictive requirement shall take precedence.

Exception: Unless required elsewhere in this code or the California Building Code, automatic fire sprinkler systems shall not be required for the following:

1. Detached Group U occupancies used for agricultural purposes constructed in accordance with the California Building Code.
2. Detached non-combustible equestrian arena shade canopies that are open on all sides and used for riding only - no commercial, assembly or storage uses.
3. Detached fabric or non-combustible shade structures that are open on all sides and used to shade playground equipment, temporary storage of vehicles and dining areas with no cooking.
4. Where determined by the Fire Chief that no major life safety hazard exists, and the fuel load does not pose a significant threat to firefighter safety or to other structures or property, automatic fire sprinklers may be exempted.

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 multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

The following exceptions in the California Fire Code shall not be allowed:

a. Exception in Section 903.2.3.

b. Exception in Section 903.2.11.3.

2. Any existing building shall retrofit with automatic fire sprinklers when a structure exceeds 5,000 square feet and changes are made to the building including any of the following: change of occupancy, removal of an existing Fire Wall as defined by the California Building Code, or additions are made to the original building square footage.

2. A new Section 903.3.5.3 is added to Section 903 of the California Fire Code to read as follows:

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

O. DESIGNATION OF HIGH-PILED STORAGE AREAS.

1. A new Section 3204.2.1 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 references to design document(s). 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.

P. FIRE HAZARD SEVERITY ZONES.

1. A new Section 4904.2.1 is added to Section 4904 of the California Fire Code to read as follows:

4904.2.1 High Fire Hazard Severity Zone Maps. In accordance with Government Code Sections 51175 through 51189, Very High Fire Hazard Severity Zones (VHFHSZ), located in the Local Responsibility Areas (LRA), are designated as shown on the most recently published VHFHSZ IN LRA map, as recommended and published by the Director of the California Department of Forestry and Fire Protection (CAL FIRE), which may be revised from time to time. The most recent VHFHSZ IN LRA map is on file at the office of the Fire Chief, which supersedes other maps previously adopted by Riverside County designating high fire hazard areas.

Q. APPENDIX B.

1. Table B105.2 of the California Fire Code is amended as follows:

TABLE B105.2

REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2)a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2)b	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

a. The reduced fire-flow shall be not less than 1,000 gallons per minute.

b. The reduced fire-flow shall be not less than 1,500 gallons per minute.

R. APPENDIX C.

1. Section C103.1 is deleted in its entirety and replaced with the following:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3. Fire hydrants shall also be provided at street intersections.

SECTION 16. The City Council of the City of Lake Elsinore hereby expressly finds that amendments to the Building Regulations of the City of Lake Elsinore adopted by this ordinance are necessary for the protection of the public health, safety and welfare, due to local climatic, geologic or topographical condition(s), each of which is specifically addressed in the Resolution of Findings attached hereto as Exhibit A and incorporated herein by reference.

SECTION 17. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance and are hereby declared to be severable.

SECTION 18. This Ordinance shall take effect thirty (30) days after the date of its final passage or such later date as may be designated by the City Council. The City Clerk shall certify as to adoption of this Ordinance and cause this Ordinance to be published and posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Lake Elsinore, California, on this ___ day of _____ 2022.

Timothy J. Sheridan
Mayor

Attest:

Candice Alvarez, MMC
City Clerk

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

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Ordinance No. 2022-____ was introduced by the City Council of the City of Lake Elsinore, California, at the Regular meeting of October 25, 2022 and adopted at the Regular meeting of _____, 2022 and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk

EXHIBIT A

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,
CALIFORNIA, SETTING FORTH FINDINGS FOR AMENDMENTS TO THE 2022
CALIFORNIA BUILDING STANDARDS CODE**

[Attached]