



City Council Staff Report

DATE: NOVEMBER 17, 2010 CONSENT CALENDAR

SUBJECT: SECOND READING AND ADOPTION OF PROPOSED ORDINANCE NOS. 1780 AND 1781, ADOPTING AND AMENDING THE 2010 CALIFORNIA BUILDING STANDARDS CODE AND ADOPTING AND AMENDING THE 2010 CALIFORNIA FIRE CODE

FROM: David H. Ready, City Manager

BY: Office of the City Clerk

SUMMARY:

The City Council will consider adoption of Ordinance Nos. 1780 and 1781.

RECOMMENDATION:

1. Waive further reading and adopt Ordinance No. 1780, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING ARTICLE VII TO CHAPTER 8.04 RELATING TO SWIMMING POOL SAFETY STANDARDS, ADOPTING AND AMENDING THE 2010 EDITIONS OF THE CALIFORNIA BUILDING CODE WITH APPENDICES C, I, AND J, THE 2010 CALIFORNIA RESIDENTIAL CODE, INCLUDING APPENDIX H, THE 2010 CALIFORNIA ELECTRICAL CODE, THE 2010 CALIFORNIA MECHANICAL CODE, THE 2010 PLUMBING CODE AND ADOPTING THE 2010 EDITIONS OF THE CALIFORNIA GREEN BUILDING STANDARDS, ENERGY, AND EXISTING BUILDING CODES; AND THE 1997 EDITION OF THE UNIFORM HOUSING CODE."
2. Waive further reading and adopt Ordinance No. 1781, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING ARTICLE VI OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE ADOPTION AND AMENDMENT OF THE CALIFORNIA FIRE CODE, 2010 EDITION."

STAFF ANALYSIS:

At its November 3, 2010, meeting Ordinance Nos. 1780 and 1781 were introduced by the following vote:

AYES: Councilmember Foat, Councilmember Mills, Councilmember Weigel, Mayor Pro Tem Hutcherson, and Mayor Pougnet.

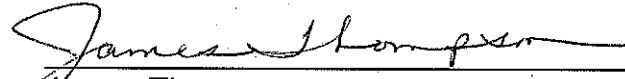
NOES: None.

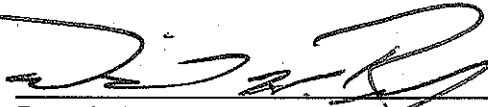
ABSENT: None.

ABSTAIN: None.

Item No. **2.D.**

This report provides for the City Council to waive further reading and adopt the ordinances. The ordinances shall be effective 30-days from adoption.


James Thompson
City Clerk


David H. Ready, Esq., Ph.D.
City Manager

/kdh

Attachments:

Ordinance No. 1780

Ordinance No. 1781

ORDINANCE NO. 1780

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING ARTICLE VII TO CHAPTER 8.04 RELATING TO SWIMMING POOL SAFETY STANDARDS, ADOPTING AND AMENDING THE 2010 EDITIONS OF THE CALIFORNIA BUILDING CODE WITH APPENDICES C, I, AND J, THE 2010 CALIFORNIA RESIDENTIAL CODE, INCLUDING APPENDIX H, THE 2010 CALIFORNIA ELECTRICAL CODE, THE 2010 CALIFORNIA MECHANICAL CODE, THE 2010 PLUMBING CODE AND ADOPTING THE 2010 EDITIONS OF THE CALIFORNIA GREEN BUILDING STANDARDS, ENERGY, AND EXISTING BUILDING CODES; AND THE 1997 EDITION OF THE UNIFORM HOUSING CODE.

CITY ATTORNEY SUMMARY

This Ordinance adopts the 2010 Editions of the California Building, Residential, Green Building Standards Code, Plumbing, Electrical, Mechanical, California Energy Code and Existing Building Codes, adopted by the State of California and amends the 2010 Edition of the California Building Code, Residential Code, Plumbing Code, Mechanical Code and Electrical Code. This Ordinance readopts the 1997 Edition of the Uniform Housing Code.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:

SECTION 1. Article I of Chapter 8.04 of the Palm Springs Municipal Code is hereby amended and restated to read:

**ARTICLE I
BUILDING CODES**

Section:

- 8.04.005 Citation of building Code.**
- 8.04.010 California Building Code- Adopted.**
- 8.04.015 California Building Code- Additions, amendments and deletions.**
- 8.04.016 California Residential Code- Adopted.**
- 8.04.017 California Residential Code- Additions, amendments and deletions.**
- 8.04.020 California Mechanical Code- Adopted.**
- 8.04.021 California Mechanical Code- Amended.**
- 8.04.030 California Plumbing Code- Adopted.**
- 8.04.031 California Plumbing Code- Amended.**
- 8.04.035 Uniform Housing Code- Adopted**
- 8.04.040 California Existing Building Code Appendix A-1-Adopted.**
- 8.04.050 California Electrical Code- Adopted**

- 8.04.055 California Electrical Code- Additions and Amendments
- 8.04.065 California Energy Code- Adopted
- 8.04.070 California Seismic Safety Commission Model Ordinance- Adopted.
- 8.040.72 California Seismic Safety Commission Model Ordinance- Additions and Amendments.
- 8.04.090 California Green Building Standards Code- Adopted.

SECTION 2. Section 8.04.005 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.005 Citation of Building Code.

This chapter, the California Building Code, Volumes 1 & 2, 2010 edition; the California Residential Code, 2010 edition; the California Green Building Standards Code, 2010 edition; the Mechanical Code, 2010 edition; the California Plumbing Code, 2010 edition; the California Electrical Code, 2010 edition; the California Existing Building Code, 2010 edition; the California Energy Code, 2010 edition; the Uniform Housing Code, 1997 edition; and the California Seismic Safety Commission Model Ordinance, may be collectively referred to and cited as the "Palm Springs Building Code."

SECTION 3. Section 8.04.010 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.010 California Building Code - Adopted.

These certain documents, a copy of each of which are on file in the office of the City Clerk, being marked and designated as "California Building Code, Volumes 1 & 2, 2010 edition; and appendices C, I and J, including tables and indices thereto, except as hereinafter modified, are hereby adopted as the Building Code of the City of Palm Springs by reference, pursuant to the provisions of Section 50022.1 et seq. of California Government Code."

SECTION 4. Section 8.04.015 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.015 California Building Code - Additions, Amendments and Deletions.

The California Building Code adopted herein by reference is hereby amended by the following additions, deletions and amendments:

- 1) **Chapter 1 Division II, Scope and Administration**, Subsection 105.2, Work exempt from permit is amended as follows: Under "Building" list, items 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12 are deleted.
- 2) Section 202 Definitions is amended by adding the following definitions:

FIVE MINUTE FIRE DEPARTMENT RESPONSE TIME: The Five-Minute Fire Department Response Time is defined as the time the fire station or response personnel receive notification of a call for emergency service, allowing one-minute for "firefighter turnout" and four-minutes for travel on paved streets. The Palm Springs Fire Department Five-Minute Response Time Map is identified in Appendix L.

MID RISE BUILDING: Every building of any type of construction or occupancy having floors used for human occupancy located 60 feet above the lowest floor level of fire department access at ground level to the top of the structure shall be enhanced with high-rise provisions as set forth in Section 508.1 of the California Fire Code.

MODEL ROCKET: shall mean any toy or educational device which weighs not more than 500 grams, including the engine and any payload that is propelled by model rocket engines.

MODEL ROCKET ENGINE: shall mean a commercially manufactured, non-reusable rocket propulsion device which is constructed of a nonmetallic casing and solid propellant, wherein all of the ingredients are self-contained so as not to require mixing or handling by the user and which have design and construction characteristics determined by the State Fire Marshal to provide a reasonable degree of safety to the user.

3) Add subsection 901.6.1.1 **Approval required.**

Prior to the removal of any fire protection system, approval shall be obtained from the fire code official.

4) Amend subsection 903.2 **Where required.**

Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in sections 903.2.1 through 903.2.20 as amended by this code. For purposes of this code subsection regarding building size, fire resistive construction shall not be considered for purposes of reducing the gross fire area of that building

(Exception: Group U Occupancies of non combustibile Construction)

An approved automatic fire sprinkler system shall be installed in every Group A Occupancy per section 903.2.1 including those that result from a change of use in an existing building or portion thereof.

- 5) Delete subsection 903.2.1.1 Group A-1
- 6) Delete subsection 903.2.1.2 Group A-2
- 7) Delete subsection 903.2.1.3 Group A-3
- 8) Delete subsection 903.2.1.4 Group A-4
- 9) Delete subsection 903.2.1.5 Group A-5

10) Amend subsection 1 of subsection 903.2.3 **Group E**.

1. Throughout all Group E fire areas greater than 3,000 square feet in area.

11) Amend Exception to subsection 903.2.3 **Group E**.

Exception: An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level and the fire area does not exceed 3,000 square feet

12) Amend subsection 1 and 3 of subsection 903.2.4 **Group F** to read as follows:

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

13) Amend subsection 1, 3 and 5 of subsection 903.2.7 **Group M** to read as follows:

1. Where a Group M fire area exceeds 3,000 square feet;
3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 3,000 square feet.
5. The structure exceeds 3,000 square feet, contains more than one fire area containing a group M occupancy and is separate into two or more buildings by fire walls of less than 4-hour fire-resistance rating.

14) Amend subsection 1, 3 and 4 of subsection 903.2.9 **Group S-1** to read as follows:

1. A Group S-1 fire area exceeds 3,000 square feet;
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 3,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 3,000 square feet.

15) Amend subsection 1, 2 and 4 of subsection 903.2.9.1 **Repair garages** to read as follows:

1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 3,000 square feet.
2. One-story buildings with a fire area containing a repair garage exceeding 3,000 square feet.

4. Group S-1 fire area used for repair of commercial trucks or buses where the fire area exceeds 3,000 square feet.

16) Amend subsection 903.2.10 **Group S-2.**

An automatic sprinkler system shall be provided throughout all buildings containing Group S-2 occupancy where one of the following conditions exists:

1. A Group S-2 fire area exceeds 3,000 square feet;

17) Amend subsection 1 of subsection 903.2.10.1 **Commercial parking garages.**

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

18) Add subsection 903.2.19 **Group B.** An automatic sprinkler system shall be provided throughout all new buildings containing a Group B occupancy that exceeds 3,000 square feet.

19) Add subsection 903.2.20 **Group F-2.** An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-2 occupancy that exceeds 3,000 square feet.

20) Add Subsection 903.3.1.3.1 **Pilot Heads.** Pilot heads shall be required in attic areas every 1,000 square feet or portion thereof.

21) Amend subsection 903.4.3 **Floor control valves.**

Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in buildings three or more stories in height unless otherwise approved by the Fire Chief. Valve locations will be determined and approved by the fire code official.

22) Add subsection 903.6.3 **Increased square footage.**

Any existing building or structure undergoing construction or alteration which adds square footage exceeding the total area as prescribed in section 903.2, said building shall require an approved automatic fire sprinkler system.

Exception: One and two-family dwellings adding gross floor area that results in the total floor area of the building where not more than 1,500 GPM fire flow is required. (1,500 GPM fire flow equals 3,600 square feet in Type V wood frame buildings)

23) Add subsection 907.2.11.6 **Smoke alarms** to read as follows:

Upon sale of any residential dwelling and factory-built housing, the seller shall have installed therein, permanently wired or battery powered approved detectors of products of combustion other than heat only, commonly known as smoke detectors. The smoke detectors are required to be State Fire Marshal approved and listed. The seller must obtain certification from the Palm Springs Fire Department of the installation and proper operation prior to close of sale of property. Smoke alarms shall be maintained as originally approved at the time of construction, or remodel.

24) Amend subsection 907.2.13 **High-rise buildings.**

High-rise buildings and buildings with a floor used for human occupancy located more than 60 feet above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and emergency voice/alarm communication systems in accordance with Section 907.2.12.3.

25) Amend subsection 907.2.19 **Deep Underground buildings.**

All underground buildings shall be equipped throughout with a manual fire alarm system, including an emergency voice/alarm communication system installed in accordance with section 907.6.2.2 of the 2010 California Fire Code.

26) Amend 912.2.1 **Visible location**

Fire department connections shall be located on the front access side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the fire code official. The location of the fire department connections shall be approved and installed as follows:

1. Within 50 feet of an approved roadway or driveway and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, plantings, or other fire department connections and or otherwise approved by the fire code official.
2. Within 30 feet of an approved hydrant.
3. So that the inlet height shall not be less than 18 inches or more than 48 inches above grade.
4. Guard posts or other approved means may be required to protect fire department inlet connections from vehicular damage.
5. Fire department connection shall not be allowed in the rear of any building.
6. Fire department connections for NFPA 13R sprinkler systems shall be determined by the fire code official.

27) The following is added to Section 1207.1; Purpose and Scope, is amended to read as follows: The purpose of this section is to establish uniform minimum noise insulation performance standards to protect persons within hotels, motels, dormitories, apartment houses, attached dwellings, and those detached single-family dwellings located within

the airport 'N' zone overlay from the effects of excessive noise, including, but not limited to, hearing loss or impairment and interference with speech and sleep.

28) The following is added to Section 1505, Fire Classification: all wood, shakes or shingles, as defined in Section 1505, shall be pressure treated fire retardant with a minimum Class B rating.

29) Subsection 1509, Rooftop Structures, is amended by the addition of the following paragraph: All roof top equipment, unless exempted by the Building Official, shall be provided with an approved six (6) inch high platform equipped with a sheet metal cover. Design of the platform shall be as per City detail or approved equal.

30) The following is added to Appendix J, Grading:

For the purpose of administration and enforcement of this Appendix Chapter, Grading, the building official shall mean the director of public works or his or her designated representative.

31) The following is added to Appendix J, Section J104.1 "Submittal Requirements":

Grading Designation: Grading in excess of 2,000 cubic yards shall be performed in accordance with an approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading". Grading involving less than 2,000 but more than 50 cubic yards shall be performed in accordance with an approved grading plan prepared by an appropriate design professional as allowed by the building official, and shall be designated "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the building official determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading. Grading involving less than 50 cubic yards shall be exempt from the requirements for a grading plan, unless determined otherwise by the building official, in which case grading shall conform to the requirements for regular grading.

Exception: Grading in excess of 2,000 cubic yards which is primarily of a landscaping and "fine grading" nature, where no flood hazard is present, may be designated "regular grading" at the discretion of the building official.

32) The following is added to Appendix J, Section J104.2 "Site Plan Requirements":

An effective means of dust control, which shall include provisions or adequate watering during the grading provisions for adequate watering during the grading process and provision for continuance of dust control after grading, until such time that the graded surface presents sufficient protective cover against wind or water erosion so that special dust control measures are no longer necessary.

Engineered Grading Requirements. Application for a grading permit shall be accompanied by two sets of plans and specifications, and a soils report meeting the requirements of Section J104.3. The plans and specifications shall be prepared and signed by an individual licensed to practice as a civil engineer by the California Board of Professional Engineers and Land Surveyors.

Specifications, when required, shall contain information covering construction and material requirements.

Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall give the location of the work, the name and address of the owners, and the person by whom they were prepared.

The plans shall include the following information:

1. General vicinity of the proposed site.
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.
3. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a hydrology study including a map showing the drainage area and the calculations of the estimated stormwater runoff of the area served by any drains.
5. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet of the property or that may be affected by the proposed grading operations.
6. Recommendations included in the soils report shall be incorporated in the grading plans or specifications. When approved by the building official, specific recommendations contained in the soils report, which are applicable to grading, may be included by reference.
7. The dates of the soils report together with the names, addresses and phone numbers of the firms or individuals who prepared the report.

Regular Grading Requirements. Application for a grading permit shall be accompanied by two sets of plans and specifications, and a soils report meeting the requirements of

Section J104.3. The plans and specifications shall be prepared and signed by an individual appropriately licensed to practice civil engineering, architecture, or a similar field by the state of California, with experience preparing grading plans, or as allowed by the building official.

Plans and specifications for regular grading shall conform to the requirements for engineered grading; however, particular requirements may be waived at the discretion of the building official given the particular nature of proposed grading designated as "regular grading".

(Ord. 1767 § 1, 2010; Ord. 1735 § 3, 2008; Ord. 1731 § 3, 2007; Ord. 1641 § 1, 2003; Ord. 1618 § 3, 2002; Ord. 1571 § 3, 1999; Ord. 1522 § 3, 1995; Ord. 1414 § 3, 1992; Ord. 1336 § 3, 1989; Ord. 1296 § 3, 1988)

Exception: Grading in excess of 2,000 cubic yards which is primarily of a landscaping and "fine grading" nature, where no flood hazard is present, may be termed "regular grading" at the discretion of the Building Official.

33) The following paragraph is added to Appendix J, Section J104.2, Site Plan Requirements: An effective means of dust control, which shall include provisions or adequate watering during the grading provisions for adequate watering during the grading process and provision for continuance of dust control after grading, until such time that the graded surface presents sufficient protective cover against wind or water erosion so that special dust control measures are no longer necessary."

SECTION 5. 8.04.16 of the Palm Springs Municipal Code is hereby added to read as follows:

"8.04.016 California Residential Code - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "California Residential Code, 2010 edition", is hereby adopted as the California Residential Code of the City of Palm Springs by reference, pursuant to the provisions of Section 50022.1 et seq., of the California Government Code"

SECTION 6. 8.04.17 of the Palm Springs Municipal Code is hereby added to read as follows:

"8.04.017 California Residential Code – Additions, Amendments and Deletions.

The California adopted herein by reference is hereby amended by the following additions, deletions and amendments:

1) Amending Section R 105.2. Work exempt from permit

Building: Work exempt from permit is amended as follows: Items 2, 3, 4, 5, 7, 8, and 9 are deleted.

2) Add subsection R313.1.2 **Townhouse increased square footage.**

Any existing building or structure undergoing construction or alteration which adds square footage exceeding the total area as prescribed in subsections 903.2 and 903.6.3 of the Palm Springs Fire Code, Article VI of the City Palm Springs Municipal Code, said building shall require an approved automatic fire sprinkler system.

Exception: One and two-family dwellings adding gross floor area that results in the total floor area of the building where not more than 1,500 GPM fire flow is required. (1,500 GPM fire flow equals 3,600 square feet in Type V wood frame buildings)

3) Add subsection R313.2.2 **Increased square footage.**

Any existing building or structure undergoing construction or alteration which adds square footage exceeding the total area as prescribed in the subsections 903.2 and 903.6.3 of the Palm Springs Fire Code, said building shall require an approved automatic fire sprinkler system.

Exception: One and two-family dwellings adding gross floor area that results in the total floor area of the building where not more than 1,500 GPM fire flow is required. (1,500 GPM fire flow equals 3,600 square feet in Type V wood frame buildings)

4) Subsection R801.2 Requirements, is amended:

Add the following paragraph to the end of subsection R801.2 "All rooftop equipment unless exempt by the Building Official, shall be provided with an approved six inch high platform equipped with a sheet metal cover. Design of the platform shall be as per City detail or approved equal."

5) The following is added to Section 905.7: Wood Shingles

"All wood shingles as defined in this section, shall be pressure treated, fire retardant with a minimum Class B rating."

6) The following is added to Section 905.8, Wood Shakes:

"All wood shakes as defined in this section shall be pressure treated, fire retardant with a minimum Class B rating."

SECTION 7. Section 8.04.020 of the Palm Springs Municipal Code is amended to read

as follows:

"8.04.020 California Mechanical Code - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "California Mechanical Code, 2010 edition", and all appendices, tables and indices thereto, except as hereinafter modified, is hereby adopted as the Mechanical Code for the City of Palm Springs, by reference, pursuant to the provisions of Section 50022.1 et seq. of the California Government Code."

SECTION 8. Section 8.04.021 of the Palm Springs Municipal Code is hereby added to read as follows:

"8.04.021 California Mechanical Code- Amended.

Section 115.2 **Permit fees.** On buildings, structures, mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the scheduled as established by the applicable governing authority.

SECTION 9. Section 8.04.030 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.030 California Plumbing Code - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "California Plumbing Code, 2010 edition", including A, B, D, G, I and K, including tables and indices thereto, except as hereinafter modified, is hereby adopted as the Plumbing Code for the City of Palm Springs by reference, pursuant to the provisions of Section 50022.1 et seq. of the California Government Code."

SECTION 10. Section 8.04.031 of the Palm Springs Municipal Code is hereby added to read as follows:

8.04.031 California Plumbing Code, Amended

1) Section 103.4.1 Permit Fees: On buildings, structures, plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

2) Section 103.4.2 Plan Review Fees: Delete following verbiage: "When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in Table 1.1."

SECTION 11. Section 8.04.035 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.035 Uniform Housing Code - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "Uniform Housing Code, 1997 edition", and all appendices, tables and indices thereto, is hereby adopted as the Uniform Housing Code of the City of Palm Springs by reference, pursuant to the provisions of Section 50022.1 et seq. of the California Government Code."

SECTION 12. Section 8.04.040 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.040 California Existing Building Code Appendix A-1 - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "California Existing Building Code Appendix A-1, 2010 edition", is hereby adopted as the Existing Building Code of the City of Palm Springs by reference, pursuant to the provisions of Section 50022.1 et seq. of the California Government Code."

SECTION 13. Section 8.04.050 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.050 California Electrical Code - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "California Electrical Code, 2010 Edition", and all appendices, tables and indices thereto except as amended herein, is hereby adopted as the Electrical Code of the City of Palm Springs by reference, pursuant to all the provisions of Section 50022.1 et seq. of the California Government Code; and all of its provisions (except as hereinafter modified) shall regulate the installation, arrangement, alternative, repair, use, and generation of electric wiring, connections, fixture, apparatus, machinery, appliances, and other electric devices on premises within the City."

SECTION 14. Section 8.04.055 of the Palm Springs Municipal Code is hereby amended as follows:

"8.04.055 California Electrical Code - Additions and Amendments.

The California Electrical Code adopted herein by reference is hereby amended by the following additions and amendments:

1. Add the following to the end of Subsection 90-8(A):

SERVICE LOAD. The main switch and/or distribution panel of a single family dwelling or condominium occupancy shall have an adequate capacity and space to carry the calculated load, plus an 8 KW future with four (4) spare spaces at the time of final inspection. The 8 KW load is not to be reduced by any demand factor.

2. Add the following to the end of Subsection 310-2(B):

ALUMINUM CONDUCTOR LIMITATIONS. No aluminum wiring shall be used. **EXCEPTION:** Aluminum wiring in sizes 1/0 and larger may be used for main feed to sub-panels only and shall be enclosed in a raceway."

SECTION 15. Section 8.04.065 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.065 California Energy Code - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "California Energy Code, 2010 edition", is hereby adopted as the California Energy Code of the City of Palm Springs by reference, pursuant to the provisions of Section 50022.1 et seq., of the California Government Code"

SECTION 16. 8.04.090 of the Palm Springs Municipal Code is hereby amended to read as follows:

"8.04.090 California Green Building Standards Code - Adopted.

That certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as "California Green Building Standards Code, 2010 edition", is hereby adopted as the California Green Building Standards Code of the City of Palm Springs by reference, pursuant to the provisions of Section 50022.1 et seq., of the California Government Code"

SECTION 17. Article VII of Chapter 8.04 of the Palm Springs Municipal Code is hereby added to read:

ARTICLE VII SWIMMING POOL SAFETY STANDARDS

8.04.700 General
8.04.710 Definitions
8.04.720 Requirements

8.04.700 General: The provisions of this article apply to the design and construction of barriers for swimming pools, spas and hot tubs provided for the use by no more than three families and their guests.

8.04.710 Definitions: For the purpose of this Article, certain terms, words and phrases are defined as follows:

Above Ground/On Ground Pool. See definition of swimming pool.

Barrier is a fence, wall, building wall, safety cover complying with American Society for Testing Materials (ASTM) Standard F 1346-91 or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool, spa or hot tub. When approved by the enforcement agency, barriers may also incorporate natural or manmade features, such as topography, geographically isolated areas which provide an effective access barrier to the pool area.

GRADE. is the underlying surface, such as earth or a walking surface.

HOT TUB. See definition of spa.

IN-GROUND POOL. See definition of swimming pool.

SEPARATION FENCE is a barrier which separates all doors of a dwelling unit or building accessory thereto with direct access to a swimming pool, spa or hot tub from that swimming pool, spa or hot tub.

SPA is a structure intended for recreational bathing, designed to contain water over 18 inches deep and outside dimensions not exceeding 160 square feet.

SWIMMING POOL is any structure intended for swimming or recreational bathing that is designed to contain water over 18 inches deep. This includes in-ground, above-ground and on-ground swimming pools and fixed-in-place wading pools, and excludes spas.

SWIMMING POOL, OUTDOOR, is any swimming pool which is totally outside the residential structure.

8.04.720 Requirements:

Outdoor Swimming Pool. An outdoor swimming pool, hot tub or spa shall be provided with a barrier. With respect to the installation or construction of an outdoor swimming pool, spa or hot tub, the City may require, either prior to plastering and/or filling with water, that the barrier be installed, inspected and approved.

Outdoor swimming pools with electrically operated or manual tracking safety covers that comply with the ASTM Standard F 1346-91 shall not be required to provide other barriers. When electrically operated safety covers are provided, the control for the pool cover shall be mounted at least 54 inches above grade.

When barriers are required, the barrier shall comply with the following:

a) The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to four inches when grade is a solid surface impenetrable by a child, such as a concrete deck. Where the barrier is mounted on top of the above-ground pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches when grade is a solid surface impenetrable by a child, such as a concrete deck. Where the barrier is mounted on top of the above-ground pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches. When barriers have horizontal members, the tops of which are spaced less than 45 inches apart (1) the horizontal members shall be placed on the pool side of the barrier and (2) spacing between vertical members shall not exceed 1 ¼ inches in width. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.

EXCEPTIONS: 1. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to four inches when the distance between the tops of horizontal members is 45 inches or more.

2. Existing fences surrounding property at pool area, which are at least 60 inches above grade, measured on the side of the barrier which faces away from the swimming pool, has a maximum vertical clearance between grade and the bottom of the barrier of two inches and has no openings that will allow the passage of a four inch diameter sphere are permitted.

b. Openings in the barrier for chain link fences shall not allow passage of a 1 ¾ inch diameter sphere. The wire size shall not be smaller than 11 gauge.

EXCEPTION: Maximum mesh size for chain link fences shall be as provided in paragraph 2 above unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1 ¾ inches.

c. Access gates shall comply with the requirements of Items a. and b. and shall be equipped to accommodate a locking device. Separation fence gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than separation fence gates are only required to have a self-latching device. Where the release mechanism of the self-latching devices is located less than 54 inches from grade, (1) the release mechanism shall be located on the pool side of the barrier at least three inches below the top of the gate, and (2) the gate and barrier shall have no opening greater than one-half inch within 18 inches of the release mechanism. Any gates other than pedestrian access shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.

d. Where a wall of a dwelling serves as part of the barrier, and contains door openings providing direct access to the pool, those door openings shall be protected by one of the following means:

- (1) A self-closing and self-latching device installed on all doors with the release mechanism located a minimum of 54 inches above the floor.
- (2) An alarm capable of providing a sound pressure level of not less than 85 dba when measured indoors at a distance of 10 feet. The alarm shall activate within 15 seconds after the door and its screen if present, are opened and shall sound continuously for a minimum of 10 seconds then automatically reset. The alarm shall be equipped with a manual reset, such as a touchpad or switch, located on the interior side of the wall not less than 54 inches above the threshold of the door to permit entry and exiting without activation of the alarm. The alarm shall automatically reset under all conditions. The alarm may be battery operated or connected to the building wiring.
- (3) Other means of protection may be acceptable so long as the degree of protection afforded is substantially the same as that afforded by any of the devices described above.

e. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier which meets the requirements of Items a. through d. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Items a. through d.

2. Spas & Hot Tubs. A spa or hot tub with a locking safety cover which complies with the ASTM Standard F 1346-91 shall not be required to provide other barriers. Where a locking safety cover is not provided, the spa or hot tub shall comply with the requirements of Section 1.

3. Indoor Swimming Pools. For an indoor swimming pool, protection shall comply with the requirements of Section 1.d.

SECTION 18. Section 15.04.050 is added to the Palm Springs Municipal Code to read:

15.04.050 Graywater Systems.

Nothing in this Chapter shall be deemed a limitation, restriction, or prohibition on any graywater system installed pursuant to the provisions of Appendix G of the Plumbing Code, as adopted pursuant to Section 8.04.030 of this Code, as such provisions may be amended from time to time.

SECTION 19. OPERATIVE DATE. The provisions of this Ordinance shall become operative on January 1, 2011, which is the effective date of the 2010 edition of the California Building Standards Code, published by the State of California.

SECTION 20. EFFECTIVE DATE. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

SECTION 21. SEVERABILITY. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining section, subsection and clauses shall not be affected thereby.

PASSED, APPROVED, AND ADOPTED THIS,

ATTEST:

STEPHEN P. POUCKET, MAYOR

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PALM SPRINGS)

ss.

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at an adjourned regular meeting of the Palm Springs City Council on _____, and adopted at a regular meeting of the City Council held on the _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

ORDINANCE NO. 1781

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND SESTATING ARTICLE VI OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE ADOPTION AND AMENDMENT OF THE CALIFORNIA FIRE CODE, 2010 EDITION.

City Attorney's Summary

This ordinance adopts and amends the 2010 Edition of the California Fire Code, adopted by the State of California and effective on January 1, 2011.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:

SECTION 1. Article VI of Chapter 8.04 of the Palm Springs Municipal Code is hereby amended and restated to read:

**Article VI
Fire Code**

Sections

8.04.500
8.04.510
8.04.500

**California Fire Code Adopted.
Additions, Deletions, and Amendments.
California Fire Code Adopted.**

That certain document, a copy of which is on file in the office of the City Clerk, entitled, "California Fire Code, 2010 Edition" including Appendix Chapter 4, Appendices A, B, BB, C, CC, E, F, G, H, I, J, K, L and M thereto, except as hereinafter modified, are hereby adopted as the *Fire Code of the City of Palm Springs* by reference, pursuant to the provisions of *Government Code* Section 50022.1 *et seq.*

8.04.510 Additions, Deletions, and Amendments.

The *California Fire Code*, 2010 Edition, adopted herein by reference, is amended by the following additions, deletions, and amendments:

- 1) Amend Chapter 1, Division II Administration, and Section 101.1 Title.

These regulations shall be known as the *Palm Springs Fire Code*, hereinafter referred to as "this code".

- 2) Amend subsection 101.4 Severability.

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

- 3) Amend subsection 103.4 Liability.

Any liability against the Palm Springs Fire Department or any officer or employee shall be as provided for in *California Government Code* and case law. Fire suppression, investigation and rescue or emergency medical costs are recoverable in accordance with *California Health and Safety Code* Sections 13009 and 13009.1.

- 4) Amend subsection 109.3 Violation penalties.

The provisions of Title 1 of the *Palm Springs Municipal Code* shall be applicable to and govern the enforcement of this Title. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The imposition of one (1) penalty for one (1) violation shall not excuse the violation, or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time. The application of the above penalty shall not be held to prevent the enforced removal or correction of prohibited conditions.

- 5) Amend subsection 111.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this code.

- 6) Amend Section 202 General Definitions to include:

FIVE MINUTE FIRE DEPARTMENT RESPONSE TIME: The Five-Minute Fire Department Response Time is defined as the time the fire station or response personnel receive notification of a call for emergency service, allowing one-minute for "firefighter turnout" and four-minutes for travel on paved streets. The Palm Springs Fire Department Five-Minute Response Time Map is identified in Appendix "L".

MID RISE BUILDING: Every building of any type of construction or occupancy having floors used for human occupancy located 60 feet above the lowest floor level of fire department access at ground level to the top of the structure shall be

enhanced with high-rise provisions as set forth in Section 508.1 of the *California Fire Code*.

MODEL ROCKET: shall mean any toy or educational device which weighs not more than 500 grams, including the engine and any payload that is propelled by model rocket engines.

MODEL ROCKET ENGINE: shall mean a commercially manufactured, non-reusable rocket propulsion device which is constructed of a nonmetallic casing and solid propellant, wherein all of the ingredients are self-contained so as not to require mixing or handling by the user and which have design and construction characteristics determined by the State Fire Marshal to provide a reasonable degree of safety to the user.

7) Add Section 318 Parade floats.

8) Add subsection 318.1 Decorative materials.

Decorative materials on parade floats shall be non-combustible or flame retardant.

9) Add subsection 318.1.1 Combustible Clearance

A 12" minimum clearance of decorative materials shall be maintained around vehicle and/or generator exhaust pipe(s).

10) Add subsection 318.2 Fire protection.

Motorized parade floats and towing apparatus shall be provided with a minimum 2A 10B:C rated portable fire extinguisher readily accessible to the operator.

11) Add subsection 318.3 Portable Generators.

Portable generators shall be secured from tipping and subject to approval by the fire code official.

12) Add subsection 503.1.1.1 Gates.

When fences are installed that cause the distance from an approved fire department access road to exceed the maximum distance allowed in Section 503 herein, a gate shall be provided in the fence to maintain the required fire department access. The gate shall be a minimum four (4) feet in width and be equipped with a key box and/or lock accessible from both sides in accordance with Section 506 herein.

13) Amend subsection 503.2.3 Surface.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

14) Amend subsection 503.2.4 Turning radius.

The required turning radius of a fire apparatus access road shall be determined by the fire code official. Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet.

15) Amend subsection 503.2.5 Dead ends.

Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 43 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.

16) Add subsection 503.2.9 Aerial fire access roads.

Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

17) Add subsection 503.2.9 Width.

Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height.

18) Add subsection 503.2.10 Proximity to building.

At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

19) Amend subsection 503.6 Security gates.

Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch when required by the fire code official. Secured non-automated vehicle

gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) when required by the fire code official.

Gate arms securing parking lots and parking structures shall be equipped with a fire department approved dual-keyed Knox key electric switch. When activated, the arm or arms shall open to allow fire and law enforcement access.

Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

20) Add subsection 506.1.2 Height.

The nominal height of Knox lock box installations shall be 5 feet above grade.

21) Amend subsection 508.1 General.

Where required by other sections of this code and in all buildings classified as high-rise or mid-rise buildings by the *California Building Code* and as amended by the *Palm Springs Municipal Code* for buildings over 60 feet in height to the top of the structure, a fire command center for fire department operations shall be provided. 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.

22) Add Section 510.4 Palm Springs Fire Department Radio Communications.

23) Add subsection 510.4.1 Features and requirements.

All new buildings, four stories in height or taller and all subterranean levels of parking structures or existing altered buildings over 20% shall meet the City of Palm Springs Public Safety Radio System Coverage Specifications as stated in Chapter 11.03 of the *Palm Springs Municipal Code*.

- 24) Add subsection 901.6.1.1 Approval required.

Prior to the removal of any fire protection system, approval shall be obtained from the fire code official.

- 25) Amend subsection 903.2 Where required.

Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through 903.2.20 as amended by this code. For purposes of this code subsection regarding building size, fire resistive construction shall not be considered for purposes of reducing the gross fire area of that building.

(Exception: Group U Occupancies of non combustible construction)

An approved automatic fire sprinkler system shall be installed in any building, regardless of gross fire area, which is built beyond a five-minute fire department emergency response time as defined in Section 202.

(Exception: Group U Occupancies of non combustible construction)

An approved automatic fire sprinkler system shall be installed in every Group A Occupancy per 903.2.1 including those that result from a change of use in an existing building or portion thereof.

- 26) Delete subsection 903.2.1.1 Group A-1
27) Delete subsection 903.2.1.2 Group A-2
28) Delete subsection 903.2.1.3 Group A-3
29) Delete subsection 903.2.1.4 Group A-4
30) Delete subsection 903.2.1.5 Group A-5

- 31) Amend #1 in subsection 903.2.3 Group E.

1. Throughout all Group E fire areas greater than 3,000 square feet in area.

- 32) Amend Exception to subsection 903.2.3 Group E.

Exception: An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level and the fire area does not exceed 3,000 square feet.

- 33) Amend subsection 903.2.4 Group F-1 #1 & #3 to read as follows:

1. Where a Group F-1 fire area exceeds 3,000 square feet;

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

34) Amend subsection 903.2.7 Group M #1 & #3 to read as follows:

1. Where a Group M fire area exceeds 3,000 square feet;
3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 3,000 square feet.
5. The structure exceeds 3,000 square feet, contains more than one fire area containing a group M occupancy and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating.

35) Amend subsection 903.2.9 Group S-1 #1; #3 & #4 to read as follows:

1. A Group S-1 fire area exceeds 3,000 square feet;
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 3,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 3,000 square feet.

36) Amend subsection 903.2.9.1 Repair garages #1; #2 & #4 to read as follows:

1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 3,000 square feet.
2. One-story buildings with a fire area containing a repair garage exceeding 3,000 square feet.
4. A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 3,000 square feet.

37) Amend subsection 903.2.10 Group S-2.

An automatic sprinkler system shall be provided throughout all buildings containing Group S-2 occupancy where one of the following conditions exists:

1. A Group S-2 fire area exceeds 3,000 square feet;

38) Amend subsection 903.2.10.1, #1 Commercial parking garages.

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

39) Add Section 903.2.19 Group B. An automatic sprinkler system shall be provided throughout all new buildings containing a Group B occupancy that exceeds 3,000 square feet.

40) Add Section 903.2.20 Group F-2. An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-2 occupancy that exceeds 3,000 square feet.

41) Add subsection 903.3.1.3.1 Pilot heads.

Pilot heads shall be required in attic areas every 1,000 square feet or portion thereof.

42) Amend subsection 903.3.8 Floor control valves.

Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in buildings three or more stories in height unless otherwise approved by the fire code official. Valve locations will be determined and approved by the fire code official.

43) Add subsection 903.6.3 Increased square footage.

Any existing building or structure undergoing construction or alteration which adds square footage exceeding the total floor area as prescribed in Section 903.2, said building shall require an approved automatic fire sprinkler system.

Exception: One and two-family dwellings and manufactured homes adding gross floor area that results in the total floor area of the building where not more than 1,500 GPM fire flow is required within the five-minute fire department emergency response time as defined in Section 202. (1,500 GPM fire flow equals 3,600 square feet in Type V wood frame buildings).

44) Add subsection 907.2.11.5 Smoke alarms.

Upon sale of any residential dwelling and factory-built housing, the seller shall have installed therein, permanently wired or battery powered approved detectors of products of combustion other than heat only, commonly known as smoke detectors. The smoke detectors are required to be State Fire Marshal approved and listed. The seller must obtain certification from the Palm Springs Fire Department of the installation and proper operation prior to close of sale of property. Smoke alarms shall be maintained as originally approved at the time of construction, or remodel.

45) Amend subsection 907.2.13 High-rise buildings.

High-rise buildings and buildings with a floor used for human occupancy located more than 60 feet above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and emergency voice/alarm communication systems in accordance with Section 907.2.12.3.

46) Amend subsection 907.2.19 Deep Underground buildings.

All underground buildings shall be equipped throughout with a manual fire alarm system, including an emergency voice/alarm communication system installed in accordance with section 907.6.2.2

47) Amend subsection 912.2.1 Visible location.

Fire department connections shall be located on the front access side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the fire code official. The location of fire department connections shall be approved and installed as follows:

1. Within 50 feet of an approved roadway or driveway and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, plantings, or other fire department connections and or otherwise approved by the fire code official.
2. Within 30 feet of an approved hydrant.
3. So that the inlet height shall not be less than 18 inches or more than 48 inches above grade.
4. Guard posts or other approved means may be required to protect fire department inlet connections from vehicular damage.
5. Fire department connection shall not be allowed in the rear of any building.
6. Fire department connections for *NFPA 13R* sprinkler systems shall be determined by the fire code official.

48) Delete "Exception" to subsection 914.2.1 Automatic sprinkler system.

49) Delete "Exception" to subsection 914.3.1 Automatic sprinkler system.

50) Add Section 3310 "Safe and Sane" and Dangerous Fireworks.

51) Add subsection 3310.1 Prohibition to read as follows:

The manufacture, sale, possession, storage, handling or use of "safe and sane" fireworks as currently defined in the *California Health and Safety Code* section 12529 or "dangerous fireworks" as currently defined in the *California Health and Safety Code* section 12505 or thereafter amended by state statute is prohibited in the City of Palm Springs. The provisions of this section do not apply to fireworks displays conducted in accordance with the provisions of any permit issued by the Palm Springs Fire Department.

52) Add subsection 3310.2 Seizure of fireworks.

Any authorized City of Palm Springs fire code official, peace officer or other city official authorized to enforce the *Palm Springs Municipal Code* may seize, take, remove, or cause to be removed at the expense of the owner all prohibited fireworks and explosives. This will include all persons, firms or corporations, who manufacture, sell, possess, store, handle or use any prohibited fireworks or explosives as currently described in the *California Fire Code* sections 3309 and 3310.

53) Add Section 3311 Explosives.

54) Add subsection 3311.1 Prohibition.

The manufacture, sale, possession, storage, handling or use of non permitted "explosives" as currently defined in *Title 19 of the California Code of Regulations*, Section 1550 or thereafter amended by state law is prohibited in the City of Palm Springs.

55) Add Section 3312 Model Rockets.

56) Add subsection 3312.1 General to read as follows: The storage, handling, and use of model rockets shall be in accordance with *Title 19 of the California Code of Regulations*, Section 1020 *et seq.* and approved by the fire code official.

57) Add #4 to subsection 3404.2.11.2 Location.

4. The installation of underground combustible/flammable liquid tanks is hereby prohibited in all residential districts. The fire official may authorize installation of underground combustible/flammable liquid tanks in agricultural, commercial and manufacturing districts.

58) Amend subsection 3808.1 General.

Fire protection shall be provided for installations having LP-gas storage containers with a water capacity of more than 2,000 gallons.

59) Add subsection 3808.3 New Installation of Liquefied Petroleum Gas.

All new installation of liquefied petroleum gas with an aggregate capacity of 2,000 gallons or more shall be protected by an approved automatic fixed water spray system. The system shall protect the entire surface area of the tank and the cargo tanker transfer area. The system shall be calculated to provide a minimum density of .25 gallons per minute per square foot with a one-hour duration water supply.

60) Add subsection 4603.8 Increase Hazard Class in Change of Use

An approved fire alarm system shall be installed in existing, non-sprinklered buildings when a change of use occurs resulting in a higher hazard classification than the previous occupancy.

- 61) DELETE subsection B104.2 in Appendix B.
- 62) Add Appendix "K" Palm Springs Fire Department Development Guidelines.
- 63) Add the following language to Appendix "K".

A copy of the Palm Springs Fire Department Development Guidelines is on file with the City Clerk.

- 64) Add Appendix "L" Palm Springs Fire Department Five Minute Response Time Map.
- 65) Add the following language to Appendix "L".

The Five-Minute Fire Department Response Time is the time the fire station or response personnel receive notification of a call for emergency service, allowing one-minute for "firefighter turnout" and four-minutes for travel on paved streets. The map, the Palm Springs Fire Department five-minute response time for emergency service, is on file with the City Clerk.

- 66) Add Appendix "M" City of Palm Springs Fire Hazard Severity Zone Map.

SECTION 2. SEVERABILITY. If any section, subsection, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Palm Springs, hereby declares that it would have passed this ordinance and each section of subsection, sentence, clause and phrase thereof, irrespective of the clauses or phrases being declared invalid.

SECTION 3. OPERATIVE DATE. The provisions of this Ordinance shall become operative on January 1, 2011.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effective thirty (30) days after passage.

SECTION 5. PUBLICATION. The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance, and to cause the same or a summary thereof to be duly prepared according to law, to be published in accordance with law.

PASSED, APPROVED, AND ADOPTED THIS, ____ DAY OF _____, NEW YEAR.

STEPHEN P. POUGET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS.)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. ____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California