

ORDINANCE NO. 22-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, AMENDING SECTIONS 10.06 AND 10.07 OF TITLE 10 (BUILDINGS AND CONSTRUCTION) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE BY ADOPTING THE 2022 EDITION OF THE CALIFORNIA FIRE CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9) INCLUDING APPENDICES B, BB, C, CC, AND H BASED ON THE 2021 INTERNATIONAL FIRE CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS

WHEREAS, pursuant to California Government Code Section 50022.1 *et seq.*, the City of Rancho Santa Margarita ("City") may adopt by reference the California Fire Code, 2022 Edition, as provided in Title 24 of the California Code of Regulations; and

WHEREAS, the California Building Standards Commission ("Commission") recently adopted new amendments to the California Fire Code; and

WHEREAS, California Health & Safety Code Sections 17958 *et seq.*, and 18941.5 authorize cities to modify the California Fire Code by adopting more restrictive standards and modifications if such standards and modifications are accompanied by express findings that they are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, based upon the recommendations of the Fire Official and the Building Official, the City Council finds that the proposed amendments to the 2022 California Fire Code set forth in this Ordinance, which are more restrictive than the standards adopted by the California Building Standards Commission, would decrease the potential incidence of property damage, injury and death due to fires, and are reasonable and necessary to mitigate local climatic, geological or topographical conditions; and

WHEREAS, on October 26, 2022, the City Council introduced this Ordinance for first reading at a regular meeting of the City Council, and set a public hearing and second reading of the Ordinance for November 9, 2022; and

WHEREAS, the City Council held a public hearing on November 9, 2022, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the 2022 California Fire Code as amended herein; and

WHEREAS, pursuant to Government Code Section 6066, the City published notice of the aforementioned public hearing; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds that the proposed amendments to the 2022 California Fire Code are reasonably necessary because of local climatic, geological and topographical conditions and adopts the findings provided below to support the modifications to the 2022 California Fire Code.

1. Climatic Conditions

- A. Orange County is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 110 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles will greatly impact the response time to reach an incident scene.
- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County Fire Authority's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.
- C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population over the next quarter of a century with 50 percent of the projected growth in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water allocation is not fully dependable. This necessitates additional on-site fire protection features.
- D. These dry climatic conditions and winds contribute to the potential for rapid spread of even small fires, creating a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

2. Topographical Conditions

- A. Natural slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change caused by the hills creates the geological foundation on which communities with Orange County is built and will continue to build. With much of the populated flatlands already built upon, future growth will occur on steeper slopes and with greater constraints in terrain.

- B. Road circulation features located throughout the County also make amendments reasonably necessary. Located through the County are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design, accompanied by occasional heavy rainfall, causes roadway flooding and landslides and, at times may make an emergency access route impassable. There are areas in Orange County that naturally have extended emergency response times that exceed the 5-minute goal.
- C. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until fire-fighting apparatus and personnel arrive on the scene.
- D. These topographical conditions combine to create a situation that places fire department response time to fire occurrences at risk and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.
- E. Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets and the expected infrastructure damage inherent in seismic zone described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) requirements for given structures. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Orange County Fire Authority.

### 3. Geological Conditions

- A. Orange County and the City of Rancho Santa Margarita are located in a highly active seismic area. There are earthquake faults that run along both the northeastern and southwestern boundaries of Orange County. The Newport-Inglewood Fault Zone (NIFZ) which runs through Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation. There was also an earthquake in December 1989, with the epicenter located near the City of Irvine. The fault on which this quake occurred was unknown prior to this activity. The October 17, 1989, Santa Cruz earthquake resulted in only one major San

Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe."

- B. Traffic and circulation congestion presently existing in the City of Rancho Santa Margarita often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
- C. The City of Rancho Santa Margarita is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, Section 6, Figure 6-2 of ASCE 7 identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire-fighting apparatus above this height would place rescue personnel at increased risk of injury.
- D. The City of Rancho Santa Margarita is located in the middle of the seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.
- E. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.

- F. Soils throughout the County possess corrosive properties that reduce the expected usable life of water services when metallic pipes are in contact with soils are utilizes.
- G. Portions of the County contain active or former oil production fields. These areas contain a variety of naturally occurring gases, liquids and vapors. These compounds present toxicity or flammability hazards to building occupants. Evaluation of these hazards and the risks they pose to development is necessary to implement appropriate mitigation.

#### 4. Administrative Amendments

Additional amendments have been made to the 2022 California Fire Code that are hereby found to be administrative or procedural in nature.

The amendments to the 2022 California Fire Code set forth herein, and indexed in the following table, are reasonably necessary because of the local climatic, geological and topographical conditions presented or are administrative in nature.

### 2022 California Fire Code Amendment Findings Legend

Code Section	Title/Subject	Findings
112.4	Violation penalties	Administrative
112.4.2	Infraction & misdemeanor	Administrative
202	Definitions	Administrative
304.1.2	Vegetation	1
305.6	Hazardous conditions	1 & 2
305.7	Disposal of rubbish	1 & 2
307	Open burning, recreational fires, fire pits, fire rings, and outdoor fireplaces	Administrative
307.6	Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies	1 & 2
307.6.1	Gas-fueled devices	1 & 2
307.6.2	Devices using wood or fuels other than natural gas or LPG	1 & 2
307.6.2.1	Where prohibited	1 & 2
324	Fuel modification requirements for new construction	1
325	Clearance of brush or vegetation growth from roadways	1
326	Unusual circumstances	Administrative
327	Use of equipment	1
327.1	Use of equipment and devices generating heat, sparks or open flames	1
327.2	Spark arresters	1
407.5	Hazardous material inventory statement	1 & 2
501.1	Scope	Administrative, 1, 2 & 3

510.1	Emergency responder radio coverage in new buildings	Administrative
903.2	Where required (Sprinklers)	1, 2 & 3
903.2.8	Group R (Sprinklers)	1, 2 & 3
903.3.5.3	Hydraulically calculated systems	1 & 2
1205.2	Building Integrated PV System, Roof Ventilation	1
2801.2	Permit (Miscellaneous combustible storage)	Administrative
2808.2	Storage site	Administrative
2808.3	Size of piles	1
2808.4	Pile separation	1
2808.7	Pile fire protection	1
2808.9	Material-handling equipment	1
2808.11	Temperature control	1
2808.11.1	Pile temperature control	1
2808.11.2	New material temperature control	1
2808.12	Water availability	1
2808.13	Tipping area	1
2808.14	Emergency contact	Administrative
2808.15	Maximum grid of piles & rows	1
2808.16	Push out / Clear area	1
4903.3	Fuel modification plans	1
5001.5.2	Hazardous materials inventory statement	Administrative
5003.1.1.1	Extremely hazardous substances	1 & 3
5608.2	Firing (Fireworks)	Administrative
5608.3	Application for permit	Administrative
Chapter 80	Referenced Standards	N/A
	2022 NFPA 13	Administrative, 2 & 3
	2022 NFPA 13D	1 & 2
	2019 NFPA 24	Administrative & 3

SECTION 2. Chapter 10.06 of Title 10 of the Rancho Santa Margarita Municipal Code is hereby amended and restated in its entirety to read as follows:

**Chapter 10.06 California Fire Code – Adoption**

**Sec. 10.06.010. - Adoption of California Fire Code.**

- (a) The City Council adopts and incorporates, as though set forth in full in this section, the 2022 California Fire Code, including Appendices B, BB, C, CC, and H based on the 2021 International Fire Code as published by the International Code Council, as amended by this Chapter.
- (b) The provisions of the California Fire Code, as amended by this Title 10 shall constitute the Fire Code of the City of Rancho Santa Margarita and shall be known as the "Rancho Santa Margarita Fire Code".

**SECTION 3.** Chapter 10.07 of Title 10 of the Rancho Santa Margarita Municipal Code is hereby amended and restated in its entirety to read as follows:

**Chapter 10.07 Amendments to the California Fire Code**

**Sec. 10.07.010. - Chapter 1 – Scope and Administration.**

Chapter 1 Scope and Administration is adopted in its entirety, with the following amendments:

- (a) Section 112.4 Violation penalties is hereby revised as follows:

**112.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or shall fail to comply with any issued orders or notices or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to penalties assessed as prescribed in the OCFA Prevention Field Services adopted fee schedule. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (b) Section 112.4.2 Infraction and misdemeanor is hereby added as follows:

**112.4.2 Infraction and misdemeanor.** Persons operating or maintaining any occupancy, premises or vehicle subject to this code that shall permit any fire or life safety hazard to exist on premises under their control shall be guilty of an infraction. Persons who fail to take immediate action to abate a fire or life safety hazard when ordered or notified to do so by the chief or a duly authorized representative are guilty of a misdemeanor.

**Sec. 10.07.020. - Chapter 2 – Definitions.**

Chapter 2 Definitions is adopted in its entirety as amended by SFM with the following amendments:

- (a) Section 202 General Definitions is hereby revised by adding "OCFA" and "Spark Arrester" as follows:

**OCFA:** Orange County Fire Authority, authority having jurisdiction.

**SPARK ARRESTER.** A listed device constructed of noncombustible material specifically for the purpose of meeting one of the following conditions:

1. Removing and retaining carbon and other flammable particles/debris from the exhaust flow of an internal combustion engine in accordance with California Vehicle Code Section 38366.



2. Fireplaces that burn solid fuel in accordance with California Building Code Chapter 28.

**Sec. 10.07.030. - Chapter 3 – General Requirements.**

Chapter 3 General Requirements is adopted in its entirety with the exception of Sections 308.1.4, 311.5 through 311.5.5, 318, and 319, and with the following amendments:

- (a) Section 304.1.2 Vegetation is hereby revised as follows:

**304.1.2 Vegetation.** Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirement in urban-wildland interface areas shall be in accordance with Chapter 49. Type, amount, arrangement, and maintenance of vegetation in a fuel modification area, interior slope, or similarly hazardous area shall be in accordance with OCFA Guideline C-05 "Vegetation Management Guideline—Technical Design for New Construction, Fuel Modification Plans, and Maintenance Program."

- (b) Section 305.6 Hazardous Conditions is hereby added as follows:

**305.6 Hazardous conditions.** Outdoor fires burning wood or other solid fuel are not allowed when any of the following conditions applies:

1. when predicted sustained winds exceed 8 MPH and relative humidity is less than 25%, or a red flag condition has been declared
2. when an official sign was caused to be posted by the fire code official, or a public announcement is made

No outdoor fires using any fuel type are permitted when predicted sustained winds exceed 20 MPH or when such fires present a hazard as determined by the fire code official.

- (c) Section 305.7 Disposal of rubbish is hereby added as follows:

**305.7 Disposal of rubbish.** Rubbish, trash or combustible waste material shall be burned only within an approved incinerator and in accordance with Section 307.2.1.

- (d) Section 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES is hereby revised as follows:

**SECTION 307 OPEN BURNING, RECREATIONAL FIRES, FIRE PITS, FIRE RINGS, AND PORTABLE OUTDOOR FIREPLACES**



- (e) Sections 307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies is hereby added as follows:

**307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies.** Outdoor fireplaces, fire pits, fire rings, or similar exterior devices used at Group R occupancies shall comply with this section.

**Exception:** Barbeques, grills, and other portable devices intended solely for cooking.

- (f) Section 307.6.1 Gas-fueled devices is hereby added as follows:

**307.6.1 Gas-fueled devices.** Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction and vegetation shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. At other R occupancies, the minimum distance shall be ten feet. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester as defined in Section 202.

- (g) Section 307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas is hereby added as follows:

**307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas.** Permanent outdoor fireplaces burning wood or other solid fuel shall be constructed in accordance with the California Building Code with clearance from combustible construction and building openings as required therein. Fires in a fireplace shall be contained within a firebox with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks.

The burning of wood or other solid fuel in a device is not allowed within 25 feet of combustible structures unless within an approved permanent fireplace. Conditions which could cause a fire to spread within 25 feet of a structure or to vegetation shall be eliminated prior to ignition. Fires in devices burning wood or solid fuel shall be in accordance with Sections 305, 307, and 308.

**Exceptions:**

1. Portable fireplaces and fire rings/pits equipped with a device to arrest sparks shall be located at least 3' from combustible construction at R-3 occupancies,

2. Portable fireplaces, and fire pits/rings equipped with a device to arrest sparks, shall be located at least 15 feet from combustible structures at other R occupancies.

(h) Section 307.6.2.1 Where prohibited is hereby added as follows:

**307.6.2.1 Where prohibited.** The burning of wood and other solid fuels shall not be conducted within a fuel modification zone, Wildfire Risk Area (WRA), Wildland-Urban Interface Area (WUI), or in locations where conditions could cause the spread of fire to the WRA or WUI.

Exceptions:

1. Permanent fireplaces that are not located in a fuel modification zone
2. Where determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.

(i) Section 324 Fuel Modification Requirements for New Construction is hereby added as follows:

**324 Fuel Modification Requirements for New Construction.** All new structures and facilities adjoining land containing hazardous combustible vegetation shall be approved and in accordance with the requirements of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."

(j) Section 325 Clearance of brush or vegetation growth from roadways is hereby added as follows:

**325 Clearance of brush or vegetation growth from roadways.** The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic, to be cleared of flammable vegetation and other combustible growth. Measurement shall be from the flow-line or the end of the improved edge of the roadway surfaces.

**Exception:** Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

(k) Section 326 Unusual Circumstances is hereby added as follows:

**326 Unusual circumstances.** The fire code official may suspend enforcement of the vegetation management requirements and require reasonable alternative measures designed to advance the purpose of this code if determined that in any specific case that any of the following

conditions exist:

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

(m) Section 327 Use of Equipment is hereby added as follows:

**327 Use of equipment.** Except as otherwise provided in this section, no person shall use, operate, or cause to be operated in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester as defined in Section 202 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire.

**Exceptions:**

1. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.
2. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in good mechanical condition

(n) Section 327.1 Use of Equipment and Devices Generating Heat, Sparks or Open Flames is hereby added as follows:

**327.1 Equipment and devices generating heat, sparks or open flames.** During any time of the year within Wildfire Risk Areas, within or immediately adjacent to any forest- or brush-covered land or non-irrigated grass-covered land, no person shall use or operate any welding equipment, cutting torches, tar pots, grinding devices, or other tools or equipment that may produce a spark, fire, or flame that could result in a wildfire without doing the following:

1. First clearing away all flammable material, including snags, from the area around such operation for a distance of 30 feet or other approved method to reduce fire spread into the wildlands. If 30-foot clearing cannot be achieved, then an alternate method shall be approved by the AHJ prior to work starting.

2. Maintain one serviceable round point shovel with an overall length of not less than forty-six (46) inches and one backpack pump water-type fire extinguisher fully equipped and ready for use at the immediate area during the operation.
3. Stop work when winds are 8 MPH or greater during periods when relative humidity is less than 25%, or a red flag condition has been declared or public announcement is made, when an official sign was caused to be posted by the fire code official, or when such fires present a hazard as determined by the fire code official.
4. Keep a cell phone nearby and call 911 immediate in case of fire.

(o) 327.2 Spark Arresters is hereby added as follows:

**327.2 Spark arresters.** Spark arresters shall comply with Section 202, and when affixed to the exhaust system of engines or vehicles subject to Section 327 shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

**Sec. 10.07.040. - Chapter 4 – Emergency Planning and Preparedness.**

Chapter 4: Emergency Planning and Preparedness is adopted with only those sections and subsections adopted by SFM with the following amendment.

(a) Section 407.5 is revised as follows:

**407.5 Hazardous Materials Inventory Statement.** Where required by the fire code official, each application for a permit shall OCFA's Chemical Classification Guideline in accordance with Section 5001.5.2.

**Sec. 10.07.050. - Chapter 5 – Fire Service Features.**

Chapter 5 Fire Service Features is adopted in its entirety as amended by SFM with the following amendments:

(a) Section 501.1 Scope is revised as follows:

**501.1 Scope.** Fire service features for buildings, structures and premises shall comply with this chapter and, where required by the fire code official, with OCFA Guideline B-01, "Fire Master Plan for Commercial & Residential Development."

(b) Section 510.1 Emergency responder radio coverage in new buildings is revised as follows:

**510.1 Emergency responder radio coverage in new buildings.** Prior to issuance of a Certificate of Occupancy, all new buildings shall have approved radio coverage for emergency responders within the building

based upon the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The Emergency Responder Radio Coverage System shall comply with the Orange County Sheriff's Department, Communications and Technology Division guidelines and specifications and, where the functionality or performance requirements in the California Fire Code are more stringent, this code.

**Exceptions:**

1. In buildings or structures where it is determined by the fire code official that the radio coverage system is not needed, including but not limited to the following:
  - a. Existing buildings or structures, unless required by the Building Official and OCFA for buildings and structures undergoing extensive remodel and/or expansion.
  - b. Elevators.
  - c. Structures that meet all of the following:
    - i. Three stories or less, and
    - ii. Do not have subterranean storage or parking, and
    - iii. Do not exceed 50,000 square feet on any single story.
  - d. Structures that meet all of the following:
    - i. Residential structures four stories or less, and
    - ii. Constructed of wood, and
    - iii. Do not have subterranean storage or parking, and
    - iv. Are not built integral to an above ground multi-story parking structure.

Should a structure that is three stories or less and 50,000 square feet or smaller on any single story include subterranean storage or parking, then this ordinance shall apply only to the subterranean areas.

2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of the facility, the fire code official shall have the authority to accept an automatically activated emergency radio coverage system.

**Sec. 10.07.060. - Chapter 9 – Fire Protection and Life Safety Systems.**

**Chapter 9 Fire Protection and Life Safety Systems** is adopted in its entirety as amended by SFM with the following amendments:

- (a) Section 903.2 Where required is hereby revised as follows:

**903.2 Where required.** Approved automatic fire sprinkler systems in buildings and structures shall be provided when one of the following conditions exists:

1. **New buildings:** Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19, an automatic fire sprinkler system shall also be installed in all occupancies when the total building area exceeds 5,000 square feet as defined in Section 202, regardless of fire areas or allowable area, or is more than two stories in height.  
**Exception:** Subject to approval by the Fire Code Official, open parking garages in accordance with Section 406.5 of the California Building Code that are smaller than the area specified in section 903.2.10 (3) or 903.2.10.1 of the California Fire Code.
2. **Existing Buildings:** Notwithstanding any applicable provisions of this code, an automatic fire sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:
  - a. When an addition is 33% or more of the existing building area, and the resulting building area exceeds 5000 square feet
  - b. When an addition exceeds 2000 square feet, and the resulting building area exceeds 5000 square feet
  - c. An additional story is added above the second floor regardless of fire areas or allowable area.

Exception: Group R-3 occupancies shall comply with Section 903.2.8 (2).

- (b) Section 903.2.8 Group R is hereby revised as follows:

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

1. **New Buildings:** An automatic fire sprinkler system shall be installed throughout all new buildings.
1. **Existing R-3 Buildings:** An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
  - a. When the floor area of alterations or additions within any two-year period exceeds 50 percent of gross floor area of the existing structure and the building gross floor area exceeds 5,500 square feet; or:
  - b. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that

the complexity of installing a sprinkler system would be similar as in a new building.

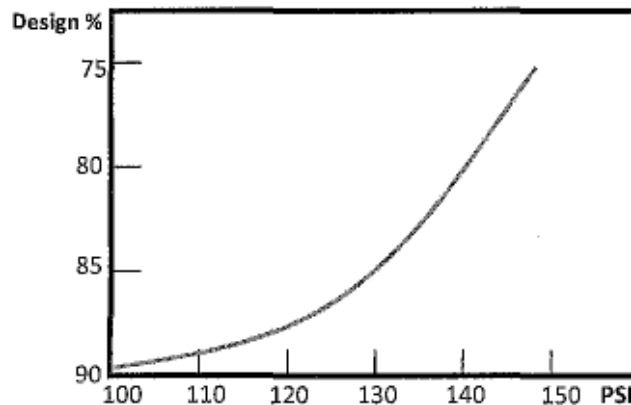
- c. When the existing building is already provided with automatic sprinklers.

(c) Section 903.3.5.3 Hydraulically calculated systems is hereby added as follows:

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

**Exception:** When static pressure exceeds 100 psi, and when required by the fire code official, the fire sprinkler system shall not exceed the water supply capacity specified by Table 903.3.5.3.

**TABLE 903.3.5.3**  
**Hydraulically Calculated Systems**



### Section 10.07.070. - Chapter 12 – Energy Systems

**Chapter 12 Energy Systems** is adopted in its entirety as amended by the State Fire Marshall with the following amendment:

- (a) Section 1205.2 Access and Pathways. Exception 3 is revised as follows:

Building-Integrated photovoltaic (BIPV) systems where the BIPV systems are approved, integrated into the finished roof surface, and are listed in accordance with a national test standard developed to address Section 690.12(B)(2) of the California Electrical Code need to have smoke ventilation opportunity areas. The removal or cutting away of portions of the BIPV system during firefighting operations shall not expose a firefighter to electrical shock hazard.



**Sec. 10.07.080. - Chapter 28 – Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities**

**Chapter 28 Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities** is adopted in its entirety with the following amendments:

- (a) Section 2801.2 Permit is hereby revised as follows:

**2801.2 Permit.** Permits shall be required as set forth in Section 105.6 and 105.6.29.

- (b) Section 2808.2 Storage site is hereby revised as follows:

**2808.2 Storage site.** Storage sites shall be level and on solid ground, elevated soil lifts or other all-weather surface. Sites shall be thoroughly cleaned and approval obtained from the fire code official before transferring products to the site.

- (c) Section 2808.3 Size of piles is hereby revised as follows:

**2808.3 Size of piles.** Piles shall not exceed 15 feet in height, 50 feet in width and 100 feet in length.

**Exception:** The fire code official is authorized to allow the pile size to be increased where a fire protection plan is provided for approval that includes, but is not limited to, the following:

1. Storage yard areas and materials-handling equipment selection, design and arrangement shall be based upon sound fire prevention and protection principles.
2. Factor that lead to spontaneous heating shall be identified in the plan, and control of the various factors shall be identified and implemented, including provisions for monitoring the internal condition of the pile.
3. The plan shall include means for early fire detection and reporting to the public fire department; and facilities needed by the fire department for fire extinguishment including a water supply and fire hydrants.
4. Fire apparatus access roads around the piles and access roads to the top of the piles shall be established, identified and maintained.
5. Regular yard inspections by trained personnel shall be included as part of an effective fire prevention maintenance program.

Additional fire protection called for in the plan shall be provided and shall be installed in accordance with this code. The increase of the pile size shall be based upon the capabilities of the installed fire protection system and features.

- (d) Section 2808.4 Pile Separation is hereby revised as follows:

**2808.4. Pile separation.** Piles shall be separated from adjacent piles by a minimum distance of 20 feet. Additionally, piles shall have a minimum separation of 100 feet from combustible vegetation.

- (e) Section 2808.7 Pile fire protection is hereby revised as follows:

**2808.7 Pile fire protection.** Automatic sprinkler protection shall be provided in conveyor tunnels and combustible enclosures that pass under a pile. Combustible conveyor systems and enclosed conveyor systems shall be equipped with an approved automatic sprinkler system. Oscillating sprinklers with a sufficient projectile reach are required to maintain a 40% to 60% moisture content and wet down burning/smoldering areas.

- (f) Section 2808.9 Material-handling equipment is hereby revised as follows:

**2808.9 Material-handling equipment.** All material-handling equipment operated by an internal combustion engine shall be provided and maintained with an approved spark arrester. Approved material-handling equipment shall be available for moving wood chips, hogged material, wood fines and raw product during fire-fighting operations.

- (g) Section 2808.11 Temperature control is hereby added as follows:

**2808.11 Temperature control.** The temperature shall be monitored and maintained as specified in Sections 2808.11.1 and 2808.11.2.

- (h) Section 2808.11.1 Pile temperature control is hereby added as follows:

**2808.11.1 Pile temperature control.** Piles shall be rotated when internal temperature readings are in excess of 165 degrees Fahrenheit.

- (i) Section 2808.11.2 New material temperature control is hereby added as follows:

**2808.11.2 New material temperature control.** New loads delivered to the facility shall be inspected and tested at the facility entry prior to taking delivery. Material with temperature exceeding 165 degrees Fahrenheit shall not be accepted on the site. New loads shall comply with the requirements of this chapter and be monitored to verify that the temperature remains stable.

- (j) Section 2808.12 Water availability is hereby added as follows:

**2808.12 Water Availability.** Facilities with over 2500 cubic feet shall provide a water supply. The minimum fire flow shall be no less than 500 GPM

@ 20 psi for a minimum of 1 hour duration for pile heights up to 6 feet and 2-hour duration for pile heights over 6 feet. If there is no water purveyor, an alternate water supply with storage tank(s) shall be provided for fire suppression. The water supply tank(s) shall provide a minimum capacity of 2500 gallons per pile (maximum 30,000 gallons) for piles not exceeding 6 feet in height and 5000 gallons per pile (maximum 60,000) for piles exceeding 6 feet in height. Water tank(s) shall not be used for any other purpose unless the required fire flow is left in reserve within the tank at all times. An approved method shall be provided to maintain the required amount of water within the tank(s).

- (k) Section 2808.13 Tipping area is hereby added as follows:

**2808.13 Tipping areas** shall comply with the following:

1. Tipping areas shall not exceed a maximum area of 50 feet by 50 feet.
2. Material within a tipping area shall not exceed 5 feet in height at any time.
3. Tipping areas shall be separated from all piles by a 20-foot wide fire access lane.
4. A fire hydrant or approved fire water supply outlet shall be located within 150 feet of all points along the perimeter of the tipping area.
5. All material within a tipping area shall be processed within 5 days of receipt.

- (l) Section 2808.14 Emergency Contact is hereby added as follows:

**2808.14 Emergency Contact.** The contact information of a responsible person or persons shall be provided to the Fire Department and shall be posted at the entrance to the facility for responding units. The responsible party should be available to respond to the business in emergency situation.

- (m) Section 2808.15 Maximum Grid of Piles and Rows is hereby added as follows:

**2808.15 Maximum Grid of Piles and Rows.** Rows of Piles shall not exceed 500 feet by 500 feet. Grids shall be separated by a minimum 50 foot clear space used for no other purpose.

- (n) Section 2808.16 Push-out / Clear area is hereby added as follows:

**2808.16 Push-out / Clear area.** Piles exceeding 20 cubic yards shall be provided with push-out areas. Push-out areas shall be maintained clear at all times to allow for the largest pile to be spread out to a depth of 2 feet in height. Push-out areas shall be located within 250 feet of all edges of any pile and shall be located a minimum of 20 feet from any building.

**Sec. 10.07.090. - Chapter 49 – Requirements for Wildland-Urban Interface Fire Areas.**

Chapter 49 Requirements for Wildland-Urban Interface Fire Areas is adopted in its entirety with the following amendment:

- (a) Section 4903.3 Fuel Modification Plans is hereby added as follows:

**4903.3 Fuel Modification Plans.** Fuel modification plans shall be reviewed and approved by OCFA for all new buildings to be built or installed in a wildfire risk area. Plans shall meet the criteria set forth in OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."

**Sec. 10.07.100. - Chapter 50 – Hazardous Materials – General Provisions**

Chapter 50 Hazardous Materials – General Provisions is adopted in its entirety as amended by SFM with the following amendments.

- (a) Section 5001.5.2 Hazardous Materials Inventory Statement (HMIS) is hereby revised as follows:

**5001.5.2 Hazardous Materials Inventory Statement (HMIS).** Where required by the fire code official, an application for a permit shall include Orange County Fire Authority's-Chemical Classification Guideline, which shall be completed and approved prior to approval of plans, and/or the storage, use or handling of chemicals on the premises.

- (b) Section 5003.1.1.1 Extremely Hazardous Substances is hereby added as follows:

**5003.1.1.1 Extremely Hazardous Substances.** No person shall use or store any amount of extremely hazardous substances (EHS) in excess of the disclosable amounts (see Health and Safety Code Section 25500 et al) in a residential zoned or any residentially developed property.

**Sec. 10.07.110. - Chapter 56 – Explosives and Fireworks**

Chapter 56 Explosives and Fireworks is adopted in its entirety as amended by SFM with the following amendments:

- (a) Section 5608.2 Firing is hereby added as follows:

**5608.2 Firing.** All fireworks displays, regardless of mortar, device, or shell size, shall be electrically fired.

- (b) Section 5608.3 Application for Permit is hereby added as follows:

**Section 5608.3 Application for Permit.** A diagram of the grounds on which the display is to be held showing the point at which the fireworks

are to be discharged, the fallout area based on 100 feet per inch of shell size, the location of all buildings, roads, and other means of transportation, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone line, or other overhead obstructions shall be provided to OCFA.

**Sec. 10.07.120. - Chapter 80 – Referenced Standards.**

Chapter 80 Referenced Standards is adopted in its entirety with the following amendments:

(a) NFPA 13, 2022 Edition, Standard for the Installation of Sprinkler Systems is hereby amended as follows:

(1) Section 16.12.3.3 is hereby revised as follows:

**Section 16.12.3.3** Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of 2½" inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2½" inlets shall be provided.

(2) Section 9.4.3.1 is hereby revised as follows:

**Section 9.4.3.1** When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

- (1) Quick-response type as defined in 3.6.4.8
- (2) Residential sprinklers in accordance with the requirements of 8.4.5
- (3) Quick response CMSA sprinklers
- (4) ESFR sprinklers
- (5) Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
- (6) Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

(3) Section 9.2.1.7 is hereby revised as follows:

**Section 9.2.1.7** Concealed spaces filled with noncombustible insulation shall not require sprinkler protection when approved by fire code official.

- (b) NFPA 13D, 2022 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes is hereby amended as follows:

- (1) Section 7.1.2 is hereby revised as follows:

**Section 7.1.2** The sprinkler system piping shall not have separate control valves installed unless supervised by a central station, proprietary, or remote station alarm service.

- (c) NFPA 24, 2019 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances is hereby amended as follows:

- (1) Section 6.2.8.1 is hereby added as follows:

**Section 6.2.8.1** All indicating valves controlling fire suppression water supplies shall be painted OSHA red.

**Exceptions:**

1. Brass or bronze valves on sprinkler risers mounted to the exterior of the building may be left unpainted.
2. Where OS&Y valves on the detector check assembly are the only control valves, at least one OS&Y valve shall be painted red.

- (2) Section 6.2.9 (5) is hereby amended as follows:

**Section 6.2.9 (5)** All connections to private fire service mains for fire protection systems shall be arranged in accordance with one of the following so that they can be isolated:

1. A post indicator valve installed not less than 40 ft. (12 m) from the building
  - (a) For buildings less than 40 ft. (12 m) in height, a post indicator valve shall be permitted to be installed closer than 40 ft. (12 m) but at least as far from the building as the height of the wall facing the post indicator valve.
2. A wall post indicator valve
3. An indicating valve in a pit, installed in accordance with Section 6.4
4. A backflow preventer with at least one indicating valve not less than 40 ft. (12 m) from the building

(a) For buildings less than 40 ft. (12 m) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than 40 ft. (12 m) but at least as far from the building as the height of the wall facing the backflow preventer.

5. Control valves installed in a fire-rated room accessible from the exterior
6. Control valves in a fire-rated stair enclosure accessible from the exterior

(3) Section 10.1.5 is hereby added as follows:

**Section 10.1.5** All ferrous pipe and joints shall be polyethylene encased per AWWA C150, Method A, B, or C. All fittings shall be protected with a loose 8-mil polyethylene tube or sheet. The ends of the tube or sheet shall extend past the joint by a minimum of 12 inches and be sealed with 2-inch-wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

**Exception:** 304 or 316 Stainless Steel pipe and fittings

(4) Section 10.4.1.1 is hereby revised as follows:

**Section 10.4.1.1** All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material after installation.

**Exception:** Bolted joint accessories made from 304 or 316 stainless steel.

(5) Section 10.4.1.1.1 is hereby added as follows:

**Section 10.4.1.1.1** All bolts used in pipe-joint assembly shall be 316 stainless steel.

(6) Section 10.4.3.2 is hereby deleted in its entirety.

**Sec. 10.07.130. – Appendices.**

**Appendix A** is deleted in its entirety.

**Appendix B** is adopted in its entirety.

**Appendix BB** is adopted in its entirety.

**Appendix C** is adopted in its entirety.



**Appendix CC** is adopted in its entirety.

**Appendix D** is deleted in its entirety.

**Appendix E** is deleted in its entirety.

**Appendix F** is deleted in its entirety.

**Appendix G** is deleted in its entirety.

**Appendix H** is adopted in its entirety.

**Appendix I** is deleted in its entirety.

**Appendix J** is deleted in its entirety.

**Appendix K** is deleted in its entirety.

**Appendix L** is deleted in its entirety.

**Appendix M** is deleted in its entirety.

**Appendix N** is deleted in its entirety.

**Appendix O** is deleted in its entirety.

**SECTION 4.** This Ordinance shall become effective January 1, 2023. Upon the effective date of this Ordinance, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the codes herein adopted by reference and any other ordinance in conflict herewith are hereby repealed and declared to be of no further force and effect.

**SECTION 5.** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(3) (the activity is not a project as defined in Section 153710) because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 6.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held out to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Rancho Santa Margarita hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsection, sentence clause, phrases or portions be declared valid or unconstitutionally.

SECTION 7. Adoption includes the whole each thereof together with accumulative supplements, and associated standards referenced therein, including such portions as may be added by the provisions of this Ordinance, except such portions as may be deleted or modified by the provisions of this Ordinance.

SECTION 8. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

SECTION 9. This Ordinance shall take effect January 1, 2023. The City Clerk, or his or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED, APPROVED AND ADOPTED THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2022,  
BY VOTE AS FOLLOWS:

AYES: Council Members Beall, Gamble, McGirr, Mayor Pro Tempore  
Holloway and Mayor Figueroa (5)

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

  
\_\_\_\_\_  
ANNE D. FIGUEROA, MAYOR

ATTEST:

  
\_\_\_\_\_  
AMY DIAZ, CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF RANCHO SANTA MARGARITA )

I, Amy Diaz, City Clerk of the City of Rancho Santa Margarita, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 22-02 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 26<sup>th</sup> day of October, 2022, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 9<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
AMY DIAZ, CITY CLERK

AFFIDAVIT OF POSTING  
AND PUBLICATION

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF RANCHO SANTA MARGARITA )

AMY DIAZ, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Rancho Santa Margarita;

That in compliance with State Laws of the State of California, ORDINANCE NO. 22-02, being:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, AMENDING SECTIONS 10.06 AND 10.07 OF TITLE 10 (BUILDINGS AND CONSTRUCTION) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE BY ADOPTING THE 2022 EDITION OF THE CALIFORNIA FIRE CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9) INCLUDING APPENDICES B, BB, C, CC, AND H BASED ON THE 2021 INTERNATIONAL FIRE CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS

on the 28<sup>th</sup> day of October, 2022, was published in the Coto De Caza News; and was in compliance with City Resolution No. 00-01-06-07, on the 28<sup>th</sup> day of October, 2022, caused to be posted in three places in the City of Rancho Santa Margarita, to wit:

Rancho Santa Margarita City Hall  
Fire Station 45  
Trabuco Canyon Water District

  
\_\_\_\_\_  
AMY DIAZ, CITY CLERK  
Rancho Santa Margarita, California

ORDINANCE NO. 22-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, AMENDING TITLE 10 (BUILDINGS AND CONSTRUCTION) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE BY ADOPTING THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24) CONSISTING OF THE 2022 CALIFORNIA BUILDING CODE, INCLUDING APPENDIX B AND I, BASED ON THE 2021 INTERNATIONAL BUILDING CODE; THE 2022 CALIFORNIA RESIDENTIAL CODE, INCLUDING APPENDIX AH, AO AND AV, BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2022 GREEN BUILDING STANDARDS CODE; THE 2022 CALIFORNIA PLUMBING CODE, BASED ON THE 2021 UNIFORM PLUMBING CODE; THE 2022 CALIFORNIA MECHANICAL CODE, BASED ON THE 2021 UNIFORM MECHANICAL CODE; THE 2022 CALIFORNIA ADMINISTRATIVE CODE; THE 2022 CALIFORNIA ELECTRICAL CODE, BASED ON THE 2020 NATIONAL ELECTRICAL CODE; THE 2022 CALIFORNIA REFERENCED STANDARDS CODE; THE 2022 CALIFORNIA ENERGY CODE; THE 2022 CALIFORNIA HISTORICAL BUILDING CODE; AND THE 2022 CALIFORNIA EXISTING BUILDING CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND ADOPTING THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE AND 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE

WHEREAS, pursuant to California Government Code Section 50022.1 *et seq.*, the City of Rancho Santa Margarita ("City") may adopt by reference the California Building Standards Code, 2022 Edition, as provided in Title 24, Parts 1-12, of the California Code of Regulations; the 2021 International Swimming Pool and Spa Code and International Property Maintenance Code; and

WHEREAS, the California Building Standards Commission ("Commission") recently adopted new amendments to the California Building Standards Code; and

WHEREAS, California Health & Safety Code Sections 17958 *et seq.*, and 18941.5 authorize cities to modify the California Building Standards Code by adopting more restrictive standards and modifications if such standards and modifications are accompanied by express findings that they are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, based upon the recommendations of the Building Official, the City Council finds that the proposed amendments to the 2022 California Building Standards Code set forth in this Ordinance, which are more restrictive than the standards adopted by the California Building Standards Commission, would decrease the potential incidence of property damage, injury and death due to fires and earthquakes, and are reasonable and necessary to mitigate local climatic, geological or topographical conditions; and

WHEREAS, on October 26, 2022, the City Council introduced this Ordinance for first



reading at a regular meeting of the City Council, and set a public hearing and second reading of the Ordinance for November 9, 2022; and

WHEREAS, the City Council held a public hearing on November 9, 2022, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the 2022 California Code of Regulations, Title 24, Parts 1-12, as amended herein, as well as, the adoption of the 2021 International Swimming Pool and Spa Code and International Property Maintenance Code; and

WHEREAS, pursuant to Government Code Section 6066, the City published notice of the aforementioned public hearing; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 10.01 of Title 10 of the Rancho Santa Margarita Municipal Code is hereby amended and restated in its entirety to read as follows:

**Chapter 10.01 – Authority, Purpose and Findings**

**Sec. 10.01.010. – Authority, Purpose and Findings.**

- (a) *Authority.* Health and Safety Code Section 17958 et seq., authorizes the City to adopt ordinances and regulations imposing the same requirements as are contained in the California Building Standards (California Code of Regulations, Title 24) adopted by the State pursuant to Health and Safety Code Section 17922. Health and Safety Code Sections 17958.5 and 18941.5 permit the City to make changes or modifications to the California Building Standards as are reasonably necessary because such changes or modifications are needed due to climatic, geological, or topographical conditions.
- (b) *Purpose.* The Fire Official and City Building Official recommend that certain changes and modifications to the 2022 California Building Standards are reasonably necessary due to local conditions within the City, certain changes and modifications are of an administrative or procedural nature or concern themselves with subjects not covered by the California Building Standards, and certain changes and modifications are reasonably necessary to safeguard life and property within the City of Rancho Santa Margarita.
- (c) Findings of local conditions.
  - 1. Climatic Conditions:
    - A. Orange County and the City of Rancho Santa Margarita are located in a semi-arid Mediterranean type climate. It annually

experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 110 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles will greatly impact the response time to reach an incident scene.

- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County Fire Authority's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.
- C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population over the next quarter of a century with 50 percent of the projected growth in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water allocation is not fully dependable. This necessitates additional on-site fire protection features.
- D. These dry climatic conditions and winds contribute to the potential for rapid spread of even small fires, creating a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

2. Topographical Conditions:

- A. Natural slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change cause by the hills creates the geological foundation on which communities within Orange County are built and will continue to be built. With much of the populated flatlands already built upon, future growth will occur in areas with steeper slopes and greater constraints in terrain.
- B. Road circulation features located throughout the County also make amendments reasonably necessary. Located through



the County are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanied with occasional heavy rainfall, cause roadway flooding and landslides, and at times may make an emergency access route impassable. There are areas in Orange County that naturally have extended Fire Department emergency response times that exceed the 5-minute goal.

- C. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in on-site fire protection systems to protect occupants and property until firefighting apparatus and personnel arrive on the scene.
- D. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

3. Geological Conditions:

- A. Orange County and the City of Rancho Santa Margarita are located in a highly active seismic area. There are earthquake faults that run along both the northeastern and southwestern boundaries of Orange County. The Newport-Inglewood Fault Zone (NIFZ) which runs through Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation. There was also an earthquake in December 1989, with the epicenter located near the City of Irvine. The fault on which this quake occurred was unknown prior to this activity. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires

and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe."

- B. Traffic and circulation congestion presently existing in the City of Rancho Santa Margarita often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
- C. The City of Rancho Santa Margarita is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, Section 6, Figure 6-2 of ASCE 7 identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type firefighting apparatus above this height would place rescue personnel at increased risk of injury.
- D. The City of Rancho Santa Margarita is located in the middle of the seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated

under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

- E. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.
- F. Soils throughout the County possess corrosive properties that reduce the expected usable life of water services when metallic pipes in contact with soils are utilized.
- G. Portions of the County contain active or former oil production fields. These areas contain a variety of naturally occurring gases, liquids and vapors. These compounds present toxicity or flammability hazards to building occupants. Evaluation of these hazards and the risks they pose to development is necessary to implement appropriate mitigation.

Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets and the expected infrastructure damage inherent in seismic zone described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) requirements for given structures. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Orange County Fire Authority.

Additional amendments have been made to the California Building Standards Code and other supplementary codes. Such amendments are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such codes. The changes made include provisions making each of said codes compatible with other codes enforced by the City.

The amendments to the 2022 California Building Standards Code (California Code of Regulations, Title 24) set forth herein, and indexed in the following table, are reasonably necessary because of the local climatic, geological and topographical conditions presented.

Amendments to the California Building Code	Findings as identified in Sections 1, 2, or 3, above
104.8, 105.2, 113.1, 113.3	3
903.2, 903.2.8	2 & 3
Table 1505.1	1, 2 & 3
3109.2	2
Amendments to the California Residential Code	Findings as identified in Sections 1, 2, or 3, above
R105.2, Table R301.2(1), R313.2, R902.1, R902.1.3, R902.2	1, 2 & 3

**SECTION 2.** Chapter 10.02 of Title 10 of the Rancho Santa Margarita Municipal Code is hereby amended and restated in its entirety to read as follows:

**Chapter 10.02 – Codes Adopted by Reference**

**Sec. 10.02.010. – Adoption of California Building Standards Code and Related Model Codes.**

- (a) The City Council adopts and incorporates by reference, as though set forth in full in this Section, the following construction codes subject to the modifications set forth in this Title 10:
1. The California Building Code, 2022 Edition, including Chapter 1, Division II, and Appendix B and I based on the 2021 International Building Code as published by the International Code Council;
  2. The California Residential Code, 2022 Edition, with Appendix AH, AO and AV Swimming Pool Safety Act, based on the 2021 International Residential Code as published by the International Code Council;
  3. The California Green Building Standards Code, 2022 Edition, as published by the International Code Council;
  4. The California Plumbing Code, 2022 Edition, based on the 2021 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials;
  5. The California Mechanical Code, 2022 Edition, based on the 2021 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials;
  6. The California Electrical Code, 2022 Edition, based on the 2020 National Electrical Code as published by the National Fire Protection Association;
  7. The California Referenced Standards Code, 2022 Edition, as published by the International Code Council;
  8. The California Energy Code, 2022 Edition, as published by the International Code Council;

9. The California Historical Building Code, 2022 Edition, as published by the International Code Council;
10. The California Existing Building Code, 2022 Edition, as published by the International Code Council;
11. The California Administrative Code, 2022 Edition, as published by the International Code Council;
12. The 2021 International Property Maintenance Code, as published by the International Code Council
13. The 2021 International Swimming Pool and Spa Code, as published by the International Code Council.

- (b) The provisions of the codes, as amended by this Title 10, shall constitute the Building Regulations of the City of Rancho Santa Margarita and shall be known as the "Rancho Santa Margarita Building Code."

SECTION 3. Chapter 10.03 of Title 10 of the Rancho Santa Margarita Municipal Code is deleted in its entirety and replaced as follows:

#### **Chapter 10.03 – Amendments to California Building Code**

##### **Sec. 10.03.010. – Amendment to Section 104.**

- (a) Section 104.8 is amended by adding a sentence to the end of the paragraph to read as follows:

**104.8. Liability.** The provisions of this section shall apply if the Building Official or his/her authorized representative are employees of this jurisdiction and shall also apply if the Building Official or his/her authorized representative are acting under contract as agents of this jurisdiction.

##### **Sec. 10.03.020. – Amendment to Section 105.**

- (b) Section 105.2 is amended by revising "Building" exemption 2 to read as follows:

2. Fences not over 6 feet (2134 mm) high.

##### **Sec. 10.03.030. – Amendments to Section 113.**

- (a) Section 113.1 is amended to read as follows:

**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. Any decision of the board of appeals may be appealed to City Council pursuant to Section 9.08.100 of the Rancho Santa Margarita Municipal Code.

The board of appeals shall consist of five members, composed of the Planning Commission. Said members shall hold their respective membership on said board of appeals by reason of, and concurrently with their terms of service as Planning Commission members and shall cease to be such members upon their ceasing to be Planning Commission members. The building official shall be the secretary of the board. The board may adopt reasonable rules and regulations for conducting its investigations and shall render all its decisions and findings on contested matters in writing to the building official, with duplicative copy thereof to any appellant or contestant affected by any such decision of finding.

Three members of the board shall constitute a quorum. The Planning Commission Chair shall be the presiding officer of the board. Meetings shall be conducted in accordance with the Brown Act.

The board shall have the right, subject to such limits as the City Council may prescribe by resolution, to employ at the cost and expense of the applicant, such qualified individuals as the board, in its discretion, may deem reasonably necessary in order to assist it in its investigations and making its findings and decisions.

(b) Section 113.3 is deleted in its entirety without replacement.

**Sec. 10.03.040. – Amendments to Section 903.**

(a) Section 903.2 is amended to read as follows:

**903.2 Where required.** Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists:

1. **New buildings:** Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area exceeds 5,000 square feet (465 m<sup>2</sup>) as defined in the CBC 202, regardless of fire areas or allowable area, or more than two stories in height.

**Exception:** Subject to approval by the Fire Code Official, open parking garages in accordance with Section 406.5 of the California Building Code.

2. **Existing Buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:
  - a. When an addition is 33% or more of the existing building area, and the resulting building area exceeds 5,000 square feet (465 m<sup>2</sup>) as defined in Section 202; or

- b. When an addition exceeds 2,000 square feet (186 m<sup>2</sup>) and the resulting building area exceeds 5,000 square feet (465 m<sup>2</sup>) as defined in Section 202; or
- c. An additional story is added above the second floor regardless of fire areas or allowable area.

**Exception:** Group R-3 occupancies shall comply with Section 903.2.8.

(b) Section 903.2.8 is amended to read as follows:

**903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R occupancy as follows:

1. **New Buildings:** An automatic sprinkler system shall be installed throughout all new buildings.
2. **Existing R-3 Buildings:** An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
  - a. When the floor area of alterations or additions within any two-year period exceeds 50 percent of gross floor area of the existing structure and the building gross floor area exceeds 5,500 square feet; or:
  - b. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.
  - c. When the existing building is already provided with automatic sprinklers.

**Exceptions:**

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies and not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 435.8.3.3 of the California Building Code.



3. Pursuant to Health and Safety Code, Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill children or children with intellectual disabilities, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and building or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.
4. Pursuant to Health and Safety Code, Section 13143.6, occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

**Sec. 10.03.050. – Amendments to Section 1505.**

(a) Table 1505.1 is amended to read as follows:

**TABLE 1505.1<sup>a</sup>**  
**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 m<sup>2</sup>.

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

**Sec. 10.03.060. – Amendment to Section 3109.**

(a) **Section 3109.2 California swimming pool safety act (statewide)** of the California Building Code is hereby amended to read as follows:

**115922** (a) Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa, at a private, single-family home the respective swimming pool or spa shall be equipped with item #1. And at least one additional of the following six drowning prevention safety features:

1. An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home. Any walls of the single-family structure or accessory structures used to complete the isolation enclosure must have door openings equipped with protection as required in item #4 or #5. Any such door protection device provided for this purpose may not be used to comply with the second drowning prevention feature.
2. Removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key

lockable device. The mesh fencing setback shall be not less than 20 inches from the water's edge.

3. An approved safety pool cover, as defined in subdivision (d) of Section 115921.
4. Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as repeating notification that "the door to the pool is open".
5. A self-closing, self-latching device with a release mechanism placed no lower than 54 inches (1372mm) above the floor on the private single-family home's doors providing direct access to the pool or spa.
6. An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms" which includes surface motion, pressure, sonar, laser and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning safety prevention feature.
7. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Testing Mechanical Engineers (ASME).

Prior to the issuance of any final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention devices required by this act and if no violations are found, shall give final approval.

SECTION 4. Chapter 10.04 of Title 10 of the Rancho Santa Margarita Municipal Code is hereby amended and restated in its entirety to read as follows:

#### **Chapter 10.04 – Amendments to California Residential Code**

##### **Sec. 10.04.010. – Amendment to Section R105.2**

(a) Section R105.2 Work Exempt From Permits is amended by revising "Building" exemption 2 to read as follows:

2. Fences not over 6 feet (2134 mm) high.

##### **Sec. 10.04.020. – Amendment to Section R301.2.**

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

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

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	Speed <sup>a</sup> (mph)	Topographic effects <sup>k</sup>	Special wind region <sup>l</sup>	Wind borne debris zone		Weathering <sup>a</sup>	Frost line Depth <sup>b</sup>	Termite <sup>c</sup>					
Zero	110	No	No	No	D <sub>2</sub> or E	Negligible	12-24"	Very Heavy	43	No	Yes <sup>*</sup>	0	60

\* (a) NFIP Ordinance adoption date - June 21, 2001; (b) Flood Insurance Study date - December 3, 2009; (c) FIRM Panel Numbers: 06059C0319J, 06059C0336J, 06059C0337J, 06059C0338J, 06059C0339J, 06059C0345J, 06059C0432J, 06059C0451J, 06059C0452J, 06059C0453J, and 06059C0460J

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 *California 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/fpsf.html](http://www.ncdc.noaa.gov/fpsf.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](http://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.
- l. In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

**Sec. 10.04.030. – Amendment to Section R313.2**

(a) Section R313.2 is amended as follows:

1. **Existing R-3 Buildings:** An automatic residential fire sprinkler system shall be installed in one-and two family dwellings throughout when one of the following conditions exists:
  - a. When the floor area of alterations or additions within any two-year period exceeds 50 percent of gross floor area of the existing structure and the building gross floor area exceeds 5,500 square feet; or:
  - b. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.
  - c. When the existing building is already provided with automatic sprinklers.

**Section 10.04.040. – Amendments to Section R902.**

(a) Section R902.1 is amended to read 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 roofing shall be installed in areas designated by this section. Class A 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.
3. Class A roof assemblies include minimum 16 ounces per square foot copper sheets installed over combustible decks.

4. Class A roof assemblies include slate installed over underlayment over combustible decks.

(b) Section R902.1.3 is amended to read as follows:

**R902.1.3 Roof coverings in 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 A.

(c) Section R902.2 is amended to modify the beginning paragraph 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.** This Ordinance shall become effective January 1, 2023. Upon the effective date of this Ordinance, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the codes herein adopted by reference and any other ordinance in conflict herewith are hereby repealed and declared to be of no further force and effect.

**SECTION 6.** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(3) (the activity is not a project as defined in Section 153710) because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 7.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held out to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Rancho Santa Margarita hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsection, sentence clause, phrases or portions be declared valid or unconstitutionally.

**SECTION 8.** Adoption includes the whole each thereof together with accumulative supplements, and associated standards referenced therein, including such portions as may be added by the provisions of this Ordinance, except such portions as may be deleted or modified by the provisions of this Ordinance.

SECTION 9. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

SECTION 10. This Ordinance shall take effect January 1, 2023. The City Clerk, or his or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED, APPROVED AND ADOPTED THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2022,  
BY VOTE AS FOLLOWS:

AYES: Council Members Beall, Gamble, McGirr, Mayor Pro Tempore  
Holloway and Mayor Figueroa (5)

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

  
\_\_\_\_\_  
ANNE D. FIGUEROA, MAYOR

ATTEST:

  
\_\_\_\_\_  
AMY DIAZ, CITY CLERK



STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF RANCHO SANTA MARGARITA )

I, Amy Diaz, City Clerk of the City of Rancho Santa Margarita, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 22-01 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 26<sup>th</sup> day of October, 2022, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 9<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
AMY DIAZ, CITY CLERK

AFFIDAVIT OF POSTING  
AND PUBLICATION

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF RANCHO SANTA MARGARITA )

AMY DIAZ, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Rancho Santa Margarita;

That in compliance with State Laws of the State of California, ORDINANCE NO. 22-01, being:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, AMENDING TITLE 10 (BUILDINGS AND CONSTRUCTION) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE BY ADOPTING THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24) CONSISTING OF THE 2022 CALIFORNIA BUILDING CODE, INCLUDING APPENDIX B AND I, BASED ON THE 2021 INTERNATIONAL BUILDING CODE; THE 2022 CALIFORNIA RESIDENTIAL CODE, INCLUDING APPENDIX AH, AO AND AV, BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2022 GREEN BUILDING STANDARDS CODE; THE 2022 CALIFORNIA PLUMBING CODE, BASED ON THE 2021 UNIFORM PLUMBING CODE; THE 2022 CALIFORNIA MECHANICAL CODE, BASED ON THE 2021 UNIFORM MECHANICAL CODE; THE 2022 CALIFORNIA ADMINISTRATIVE CODE; THE 2022 CALIFORNIA ELECTRICAL CODE, BASED ON THE 2020 NATIONAL ELECTRICAL CODE; THE 2022 CALIFORNIA REFERENCED STANDARDS CODE; THE 2022 CALIFORNIA ENERGY CODE; THE 2022 CALIFORNIA HISTORICAL BUILDING CODE; AND THE 2022 CALIFORNIA EXISTING BUILDING CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND ADOPTING THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE AND 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE

on the 28<sup>th</sup> day of October, 2022, was published in the Coto De Caza News; and was in compliance with City Resolution No. 00-01-06-07, on the 28<sup>th</sup> day of October, 2022, caused to be posted in three places in the City of Rancho Santa Margarita, to wit:

Rancho Santa Margarita City Hall  
Fire Station 45  
Trabuco Canyon Water District

  
\_\_\_\_\_  
AMY DIAZ, CITY CLERK  
Rancho Santa Margarita, California