

MEMORANDUM

To: Tom Owings, Mayor
 From: Michelle Dawson, Assistant City Manager
 Date: January 21, 2013
 Subject: Project/Work Item Update

CITY COUNCIL
 MORENO VALLEY
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Attached for your information is the "Things To Do" list you prepared on January 2. I have included my notations on the status/progress of those items. The following include my list of projects and work items that you and I have discussed since that time; I will provide you with status updates as we progress:

- List of developers from last 20 projects with the City; schedule meetings with Mayor Owings and City Manager/Assistant City Manager.
- Meet with Nef Cortez (*Cindy has scheduled this mtg.*) *Reschedule*
- Mayors Advisory Committees:
 - Utility; Education; Neighborhoods —
 - Formalize process/procedures; take to full Council
 - Business card info to Dr. White; press release announcing her as Chair/partnership w/City & businesses to address grad rate*o utility formation*
- "Green Sheet": other departments should use format to provide information.
- Meet with Anne Schneider and Al Brady. *reschedule -*
- History of Directly-Elected Mayor proposal (*staff report & attachments from when this last went to Council forwarded via e-mail on 1/18*).
- PD/City Attorney: can the City sue the homeowner to recoup costs to respond to recent gang party & shooting?
- Code: is the building previously used by Michael Geller for his office on Sunnymead now a medicinal marijuana shop?



RIVERSIDE COUNTY
DISTRICT ATTORNEY

3960 ORANGE STREET
RIVERSIDE, CALIFORNIA 92501-3643
951-955-5520

PAUL E. ZELLERBACH
DISTRICT ATTORNEY

October 22, 2013

Ms. Jane Halstead
Moreno Valley City Clerk
14177 Frederick St.
Moreno Valley, CA 92552

Subject: **Preservation of Evidence Demand**

Dear Ms. Halstead:

The Riverside County District Attorney's Office has learned that the Moreno Valley City Council will consider adopting Resolution No. 2013-82, a "Resolution Adopting Updated Records Retention Schedules and Authorizing Destruction of Certain City Records" at its regular meeting on October 22, 2013.

The District Attorney's Office has reason to believe that litigation may result from matters currently under investigation with regard to the City of Moreno Valley and that relevant evidence potentially may be destroyed if Resolution No. 2013-82 is passed and implemented. This information may be in the City of Moreno Valley's possession or control and the City has a duty to preserve that information.

Therefore, the District Attorney's Office demands that the City of Moreno Valley immediately take action to protect and preserve until further notice any of that information that is in its possession or under its control until further notice.

Specifically, the District Attorney's Office demands that the City of Moreno Valley immediately suspend deletion, overwriting and/or any other destruction of records and electronic stored information (hereinafter "ESI") connected, either directly or indirectly, to the following:

- All records and ESI associated with or concerning Highland Fairview, Iddo Benzeevi, Jerry Stephens, Tom Owings, Marcelo Co, Jesse Molina, Victoria Baca, Richard Stewart, Yxstian Gutierrez and Michael Geller.
- All records and ESI associated with or concerning all City of Moreno Valley elected and appointed public officials and Department Heads.

- All records and ESI associated with or concerning pending or approved development construction projects, infrastructure and/or new infrastructure projects located in the City of Moreno Valley.
- All records and ESI associated with or concerning communications to and from City of Moreno Valley employees, elected and/or appointed public officials regarding the hiring, employment and discharge of former City Manager Henry Garcia.
- All records and ESI associated with or concerning the following development projects: Skechers, World Logistic Center, Prologis, Aquabella Development, Ridge Property Development and Nason Street infrastructure improvements.

The District Attorney's Office is specifically demanding that you preserve all documents, tangible things and ESI potentially associated with or concerning the matters identified above for the time frame of January 1, 2008 to present.

ESI, as used in this demand, should be afforded the broadest possible definition and includes (by way of example and not as an exclusive list) any and all information electronically, magnetically or optically stored as:

- Digital communications (e.g., e-mail, voice mail, instant messaging);
- Word processed documents (e.g., Word or WordPerfect documents and drafts);
- Spreadsheets and tables (e.g., Excel or Lotus 123 worksheets);
- Accounting Application Data (e.g., QuickBooks, Money, Peachtree data files);
- Image and Facsimile Files (e.g., .PDF, .TIFF, .JPG, .GIF images);
- Sound Recordings (e.g., .WAV and .MP3 files);
- Video and Animation (e.g., .AVI and .MOV files);
- Databases (e.g., Access, Oracle, SQL Server data, SAP);
- Contact and Relationship Management Data (e.g., Outlook, ACT!);
- Calendar and Diary Application Data (e.g., Outlook PST, Yahoo, blog tools);
- Online Access Data (e.g., Temporary Internet Files, History, Cookies);
- Presentations (e.g., PowerPoint, Corel Presentations)
- Network Access and Server Activity Logs;
- Project Management Application Data;
- Computer Aided Design/Drawing Files; and,
- Back Up and Archival Files (e.g., Zip, .GHO)

All ESI must be preserved so that it can be retrieved at a later time. The information must be preserved in its original electronic form so that all information contained within it,

Jane Halstead, Moreno Valley City Clerk

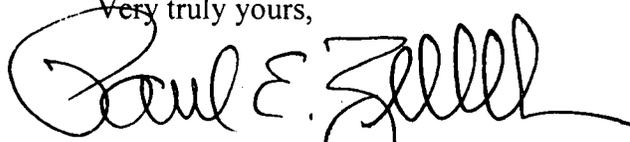
October 22, 2013

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whether visible or not, is also available for inspection. It is not sufficient to make a hard copy of electronic communication.

Thank you for your anticipated cooperation.

Very truly yours,



PAUL E. ZELLERBACH
Riverside County District Attorney

Cc: Michelle Dawson
Moreno Valley City Manager
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Moreno Valley, CA 92552

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CITY CLERK
MORENO VALLEY
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13 OCT 22 PM 2:33

Victoria Baca
Moreno Valley City Council
14177 Frederick St.
Moreno Valley, CA 92552

CITY COUNCIL
MORENO VALLEY
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13 OCT 22 PM 2:43

ORDINANCE NO. 759

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING TITLES 8, 9, 10 AND 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY AMENDING CHAPTERS 8.14, 8.20, 8.21, 8.22, 8.24, 8.26, 8.28, 8.36, 8.60, 9.08, 9.09, 9.10, 9.12, 9.15, 10.02, 11.06 AND 11.20, ADOPTING, AS MODIFIED, THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24: INCORPORATING THE 2006 INTERNATIONAL BUILDING CODE, THE 2006 UNIFORM MECHANICAL CODE, THE 2006 UNIFORM PLUMBING CODE, THE 2006 INTERNATIONAL FIRE CODE EXCLUDING APPENDIX D, AND THE 2005 NATIONAL ELECTRICAL CODE; AND ADOPTING OTHER REGULATIONS RELATING TO BUILDING AND FIRE PREVENTION REQUIREMENTS; AND FURTHER AMENDING TITLE 8 BY DELETING CHAPTERS 8.16, 8.18 AND 8.38.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date on which this Ordinance becomes effective and operative.

SECTION 2. CONTINUING EFFECT:

2.1 Notwithstanding Section 1.1 of the Ordinance, and solely for the purposes of this Section 2.1, this Ordinance shall be construed as a continuation of said prior enactments as the same may have been heretofore amended from time to time, and compliance therewith prior to the effective date hereof shall be deemed to be compliance with this Ordinance unless provided otherwise herein.

2.2 Except as specifically or by necessary implication required to the contrary by this Ordinance, no right or entitlement granted, or obligation imposed, or action or proceeding commenced or taken pursuant to a prior resolution or ordinance repealed or modified hereby shall be deemed to be invalidated, waived, terminated or otherwise affected by the enactment hereof.

SECTION 3. EFFECT OF ENACTMENT:

3.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4. FINDINGS:

4.1 The International Code Council is a private organization which has been in existence for at least three (3) years.

4.2 The 2006 International Building Code, the 2006 International Fire Code, the California Building Standards Code, and the International Fire Code Standards published by said organization, are a nationally recognized compilation of proposed rules, regulations, and standards of said organization.

4.3 The International Building Code and the International Fire Code have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the California Government Code and said code has been adopted and amended by the California Building Standards Commission into the California Code of Regulations (CCR) as Title 24, 2007 edition.

4.4 That one (1) copy of the 2007 California Building Code based on the 2006 International Building Code and one (1) copy of the 2007 California Fire Code based on the 2006 International Fire Code have been on file for use and examination by the public in the office of the Building Official prior to adoption of this Ordinance.

4.5 That the sections of the International Building Code and California Building Code Standards may be referred to by the same number used in said published compilation preceded by the words "City of Moreno Valley International Building Code Section" or "International Building Code Section" or "Building Code Section". Said amendments to the California Building Standards Code under the California Building Code shall be referred to in the same manner as listed above for ease of application.

4.6 That the sections of the International Fire Code and International Fire Code Standards may be referred to by the same number used in said published compilation preceded by the words "City of Moreno Valley International Fire Code Section" or "International Fire Code Section" or "Fire Code Section". Said amendments to the California Building Standards Code under the California Fire Code shall be referred to in the same manner as listed above for ease of application.

4.7 Pursuant to Section(s) 17958.5(a) and (b) as well as Section 17958.7 of the California Health and Safety Code, the Section contained herein shall be submitted as the "Findings of Need" with regard to the specific International Building Code and International Fire Code Ordinance Amendments adopted by the City of Moreno Valley and addressed herein in this Ordinance. That the additional requirements and standards herein are necessary to properly protect the health, safety and welfare of the

existing and future residents as well as workers of the City of Moreno Valley. Under the provisions of Section 17958.7 of the Health and Safety Code, local amendments shall be based on climatic, geographical, or topographical conditions. The "Findings of Need" contained herein shall address each of these situations and shall present the local situation which singularly or in combination cause the established amendments to be adopted. Each such modification is identified as to which each such finding refers.

4.7.1 Life Safety: That the additional requirements and standard established herein are needed to properly protect the health, safety, life and limb, and welfare of existing and future residents, workers and guests of the City of Moreno Valley. (Finding 1 refers to amendments made to the International Building Code, California Code of Regulations, Title 24 as specified in this Ordinance).

4.7.2 That these changes and modifications to the standards published in the International Building Code and International Fire Code are reasonably necessary because of local climatic, geological, and topographical conditions. The following are hereby adopted as non-inclusive specific findings in respect to such local conditions and refer to amendments made to the International Building Code, California Code of Regulations, Title 24, and International Fire Code as more particularly set forth below.

Climatic Conditions:

4.7.2.1 The City of Moreno Valley receives relatively low amounts of precipitation, low humidity and high temperatures. Such climate conditions are conducive to the spread of fire (Information from the University of California, Riverside, Meteorological Weather Station). This finding refers to and supports modifications or changes to Section 202 as well as Appendix Chapter 1 Section 103.4 and 104.1 of the California Fire Code, 2007 edition.

4.7.2.2 Strong winds, commonly referred to as the Santa Ana Winds, have reached speeds up to 57 miles per hour in Moreno Valley during various months of past years. Damage that can occur during such winds includes the creation of highly flammable conditions of brush, downed trees, utility poles, utility circuits, and power line (Wind speeds documented at March Air Reserve Base). This finding refers to and supports modifications or changes to Appendix Chapter 1 Section 105.2 of the California Building Code, 2007 edition. This finding also refers to and supports modifications or changes to Section 202 and 606.8 of the California Fire Code, 2007 edition.

4.7.2.3 Other areas within the City of Moreno Valley are subject to landslides, wind erosion, blown sand, flooding and wildfires. This finding refers to and supports modifications or changes to Appendix Chapter 1 Section 105.2 of the California Building Code, 2007 edition. This finding also refers to and supports modifications or changes to Section 202 and 606.8 of the California Fire Code, 2007 edition.

Geological:

4.7.2.4 Within the city limits of Moreno Valley, there are two (2) earthquake faults; the San Jacinto Fault and the Casa Loma Fault. There are also other faults in the immediate adjacent areas. In the event of a severe earthquake, these faults present the potential for catastrophic damage including fire, damage to roadways, and other impairments of emergency apparatus (Fault information from California Division of Mines and Geology). This finding refers to and supports modifications or changes to Appendix Chapter 1, Section 105.2 of the California Building Code, 2007 edition.

4.7.2.5 There is a lack of fire hydrants and water supply to new construction hillside areas in the City of Moreno Valley. This finding refers to and supports modifications or changes to Sections 508.2.1, 508.4, 508.5.7, 912.2, 2306.4.1 and Appendix Chapter 1 Section 103.4 of the California Fire Code, 2007 edition.

4.7.2.6 In Moreno Valley there are known areas where the radio coverage is insufficient to ensure the life safety of emergency personnel due to the mountainous and hilly terrain at the City's northern and eastern boundaries. These areas include the Reche Vista area, the Hidden Springs area near Box Springs Mountain, and the entrance to San Timoteo Canyon off of both Moreno Beach Boulevard and Redlands Boulevard near the northern City limits. This finding refers to and supports modifications or changes to Sections 511, 511.01, 511.02, 511.03 and 511.03.1 of the California Fire Code, 2007 edition.

Topographical:

4.7.2.7 Development has occurred and continues to occur in Moreno Valley at a rapid pace. Traffic congestion occurs during certain peak business hours, weekends, and on holidays along main thoroughfares such as Sunnymead Blvd, Perris Blvd., Alessandro Blvd., Heacock St., Pigeon Pass/Frederick St., and at some points along Indian St. and Cactus Ave. (Information provided by the Transportation Engineering Division of the Public Works Department). This finding refers to and supports modifications or changes to Sections 406.1.4 item #1, 406.1.4 item #2, and Section 907.2.10.12 item #6 of the California Building Code, 2007 edition. This finding also refers to and supports modifications or changes to 404.2, 509.1, 509.2, 512, 901.3.1, 901.6, 903.2.10.1.1, 903.4.3, 905.3.11, 907.2.12.2, 907.2.19, 912.2.1, 914.5, 2301.1 item #7 and 2505.8 of the California Fire Code, 2007 edition.

4.7.2.8 The distance between fire stations, and the response time in our City compared to the time when flashover generally occurs creates a need for on-site fire suppression capability in all structures, and also the need for specific turning radius and turnaround requirements for fire apparatus. This finding refers to and supports modifications or changes to Sections 406.1.4 item #1, 406.1.4 item #2, and Section 907.2.10.12 item #6 of the California Building Code, 2007 edition. This finding

also refers to and supports modifications or changes to Sections 202, 503.1.1.1, 503.1.1.2, 503.2.2, 509.1, 509.2, 509.3, 512, 901.3.1, 901.6, 903.2.10.1.1, 903.4, 903.4.3, 905.3.11, 907.2.12.5 item #5, 907.2.19, 912.2.1, 912.4, 914.5, 2301.1 #7, 2505.8, and Appendix Chapter 1 Section 104.1 of the California Fire Code, 2007 edition.

4.7.2.9 Moreno Valley has a number of different water companies serving the area, with varying capacity to deliver water flows for fire suppression purposes. This finding refers to and supports modifications or changes to Sections 508.1, 508.3 and 2306.4.1 of the California Fire Code, 2007 edition.

4.7.2.10 In order to accommodate fire equipment during emergency response, we find that fire apparatus roads, grades, turning radius and turnaround dimensions are required as set forth. This finding refers to and supports modifications or changes to Sections 202, 501.4, 502.1, 503.1, 503.1.1, 503.2.1, 503.2.7, 503.3 and 912.2 of the California Fire Code, 2007 edition.

4.7.2.11 Radio communications can be hindered by topographical features in Moreno Valley as well as building design which can include subterranean structures. It is vital to ensure there is adequate radio coverage throughout the City for the life safety of the emergency response personnel. This finding refers to and supports modifications or changes to Sections 511, 511.01, 511.02, 511.03 and 511.03.1 of the California Fire Code, 2007 edition.

SECTION 5. MUNICIPAL CODE AMENDED:

5.1 Chapters 8.16, 8.18, and 8.38 are hereby deleted in their entirety.

5.2 Chapters 8.14, 8.20, 8.21, 8.60, 9.08, 9.09, 9.12, 9.15, and 11.06 of Titles 8, 9, and 11 of the City of Moreno Valley Municipal Code are hereby amended to change any and all references to the Uniform Building Code to the International Building Code.

5.3 Chapters 8.14, 8.36, 9.08, 9.10, 10.02, and 11.20 of Titles 8, 9, 10 and 11 of the City of Moreno Valley Municipal Code are hereby amended to change any and all references to the Uniform Fire Code to the International Fire Code.

5.4 The list of chapters of Title 8 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

“Title 8

BUILDINGS AND CONSTRUCTION

Chapter 8.04 STANDARDS AND PRACTICES

Chapter 8.12 FLOOD DAMAGE PREVENTION AND IMPLEMENTATION
OF NATIONAL FLOOD INSURANCE PROGRAM

<u>Chapter 8.14</u>	<u>GENERAL</u>
<u>Chapter 8.20</u>	<u>INTERNATIONAL BUILDING CODE</u>
<u>Chapter 8.21</u>	<u>GRADING REGULATIONS</u>
<u>Chapter 8.22</u>	<u>UNIFORM MECHANICAL CODE</u>
<u>Chapter 8.24</u>	<u>UNIFORM PLUMBING CODE</u>
<u>Chapter 8.26</u>	<u>NATIONAL ELECTRICAL CODE</u>
<u>Chapter 8.36</u>	<u>INTERNATIONAL FIRE CODE</u>
<u>Chapter 8.60</u>	<u>THREATENED AND ENDANGERED SPECIES"</u>

5.5 Chapter 8.14 of Title 8 of the City of Moreno Valley Municipal Code is hereby amended in its entirety to read as follows:

"Chapter 8.14

GENERAL

Sections:

8.14.010	Application of Title
8.14.020	Purpose
8.14.030	Scope
8.14.040	Miscellaneous Standards and Regulations
8.14.050	Fees
8.14.060	Copies
8.14.070	Administration of Title
8.14.080	Validity of Permits
8.14.090	Remedies Cumulative
8.14.100	Adoption of Supplements

8.14.010 Application of Title

The provisions of this Title 8 shall apply to all buildings, structures and building service equipment within the City and to all parts thereof except as specifically or by necessary implication provided otherwise in this Title.

8.14.020 Purpose

The purpose of this title is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating the design, construction, quality of materials, use and occupancy, location and maintenance of buildings, equipment, structures and grading within the city; the electrical, plumbing, heating, comfort cooling

and certain other equipment specifically regulated herein; and the moving of buildings within, into, from and through the city.

8.14.030 Scope

The provisions of this title shall apply to the construction, alteration, moving, demolition, rehabilitation, repair and use of all buildings, equipment, and structures within the city, except such as is exempted by law from regulation by the city.

Additions, alterations, repairs, rehabilitations, moving and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures, except as otherwise provided in this title.

Where, in any specific case, different sections of this title specify different materials, methods of construction or installation, or other requirements, those providing the greater safety to life or limb, property or public welfare shall prevail. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

8.14.040 Miscellaneous Standards and Regulations

The provisions of this title shall apply to the construction, alteration, moving, demolition, rehabilitation, repair and use of all buildings, equipment, and structures within the city, except such as is exempted by law from regulation by the city.

Additions, alterations, repairs, rehabilitations, moving and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures, except as otherwise provided in this title.

Where, in any specific case, different sections of this title specify different materials, methods of construction or installation, or other requirements, those providing the greater safety to life or limb, property or public welfare shall prevail. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

A. The finished floor elevation of all residential structures used for human occupancy shall meet the following criteria:

1. If specific floor elevations, recommended by the city engineer or by the Riverside County flood control and water conservation districts in connection with the granting of any permit or approval have been fixed, those elevations shall be used.

2. If no elevations have been fixed in connection with an approved grading plan, the finished floor shall be located at the highest elevation required by the following criteria:

a. Level lots shall have the finished floor elevated a minimum of one foot above the adjacent ground elevation.

b. Sloping lots shall have the finished floor elevated a minimum of one foot above the finished pad elevation measured at the highest adjoining ground surface within a five-foot horizontal distance of the exterior wall of the building.

c. Where the lot drains toward the adjacent road or is subject to water impounded behind an adjacent road, the finished floor shall be elevated a minimum of one foot above the centerline of that adjacent road.

3. The requirements of this section may be waived or modified by the building official or city engineer if a proposed method of construction, prepared by a registered civil engineer, provides equivalent flood protection or if the unique characteristics of a building site make the requirements unnecessary.

B. Other Laws. No building permit shall be issued by the building official for any structure if the construction thereof will violate the provisions of any state law or city ordinance.

C. Special Studies Zones. In addition to the requirements of this title, all applicants for a building permit for a structure used for human occupancy that lies within a special studies zone delineated by the State Geologist pursuant to Sections 2621 and following of the California Public Resources Code, or which is subject to Riverside County Ordinance No. 547, as adopted and in force within the city, or with any ordinance of like purpose, shall comply with all the provisions thereof, and no building permit subject thereto shall be granted except in accordance with the provisions of the statute or ordinance, unless the project has already been approved pursuant to the provisions of the ordinance.

D. Rubbish and Debris. Every person who constructs, alters, adds to, rehabilitates, places or repairs any building structure or building service equipment is subject to the following provisions relating to rubbish and debris:

1. Collection and Disposal. During the process of constructing a building or structure, the construction site and the general area around the site shall be kept clear of rubbish and debris that result from the construction activities. Rubbish and debris shall not be allowed to accumulate on or be blown from the site and shall be placed in appropriate containers or removed from the construction site to an authorized disposal area. All containers shall be emptied periodically at an authorized disposal area so they will remain usable for the collection of rubbish and debris. When the building or structure is completed, a final cleanup of the site shall be conducted by the permittee.

2. Inspections. A permit holder shall not be entitled to, and no building inspector shall make an inspection of any phase of completed construction work, including the final inspection, if the construction site or general area thereof

contains an accumulation of construction rubbish and debris. If a building inspector is unable to conduct a requested inspection because of an accumulation of rubbish and debris, a reinspection fee as established by resolution of the city council shall be paid at the time of the request for reinspection. Failure to maintain a construction site clear of waste or other trash or debris, and in such a manner that constitutes a health and safety hazard or constitutes a public nuisance as defined by Title 6 of this code shall result in the issuance of a stop work order.

3. Rubbish and debris for the purpose of this section, includes, but is not limited to, stub ends of cut lumber, broken lumber and other scrap wood, scrap cement and plaster, scrap metal, paper cartons, wrappings, and similar materials that result from the process of constructing a building or structure.

E. Hours of Construction. Any construction within the city shall only be as follows: Monday through Friday (except for holidays which occur on weekdays), six a.m. to eight p.m.; weekends and holidays (as observed by the city and described in Chapter 2.55 of this code), seven a.m. to eight p.m., unless written approval is obtained from the city building official or city engineer.

8.14.050 Fees

A. Fees authorized by this Title or by a code adopted by reference in this Title, shall be established by resolution of the city council in accordance with applicable law. The provisions of such resolution shall govern in the event of an inconsistency between the resolution and an adopted code.

B. If a fee is authorized and established by a code adopted by this Title, but the amount thereof has not been separately established by resolution of the city council, then the amount of the authorized fee set forth in the incorporated code shall be assessed and collected notwithstanding that such fee may have been deleted from the code prior to adoption by the city.

C. A permit paid for by check or warrant which is dishonored for any reason shall be automatically revoked.

8.14.060 Copies

At least one copy of each code adopted by this Title shall be kept on file in the office of the Community Development Department, Building Division, for reference use by the public.

8.14.070 Administration of Title

The building official shall administer the provisions of this title.

8.14.080 Validity of Permits

Permits required by this Title shall be issued only in accordance with the provisions hereof. Any permit issued contrary to the provisions of this Title shall be void and of no effect.

8.14.090 Remedies Cumulative

Remedies provided to the city for violations of this Title are cumulative with other remedies available to the city, whether set forth in this Title or elsewhere. The conviction and punishment of a person for violating any provision of this Title shall not relieve such person of the obligation to comply herewith in all respects.

8.14.100 Adoption of Supplements

Current supplements to the 2006 International Building Code, the 2006 Uniform Mechanical Code, the 2006 Uniform Plumbing Code, the 2005 National Electric Code, the 2006 International Fire Code, and the 2007 International Fire Code Standards are adopted and shall be applied to all development within the jurisdiction of the city except that provisions which are inconsistent with this title, or as to which the underlying provision have been deleted by this title, shall not enforced or applied.”

5.6 Chapter 8.20 of Title 8 of the City of Moreno Valley Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 8.20

International Building Code

Sections

8.20.010 Adopted

8.20.010 Adopted

The International Building Code, 2006 Edition, as published by the International Code Council, including the Appendix and the Standards referred to therein, is adopted and made part of this title by reference with the following modifications:

A. Appendix Chapter 1, Section 105.2, Exception 2 of the International Building Code is hereby amended to read as follows:

Fences not over six (6) feet high, masonry concrete block walls under four (4) feet, or combination masonry concrete block walls with wrought iron under four (4) feet high.

B. Section 406.1.4 item #1, the first sentence, of the International Building Code is hereby amended to read as follows:

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum 5/8 – inch (15.875 mm) Type X gypsum board applied to the garage side.

C. Section 406.1.4 item #2 of the International Building Code is hereby amended to add the following sentence to the end of the paragraph:

All penetrations shall be protected by a one (1) hour approved fire stop.

D. Section 907.2.10.12 of the International Building Code is hereby amended to add item #6:

6. In a Group U occupancy attached to a Group R-3 occupancy, a listed rate of rise heat alarm/detector of not less than 135° but not more than 185° shall be installed and tested in accordance with UL. The rate of rise heat alarm/detector shall be interconnected with the smoke alarm/detectors for the Group R-3 occupancy.”

5.6 Chapter 8.22 of the Title of the City of Moreno Valley Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 8.22

Uniform Mechanical Code

Sections

8.22.010 Adopted

8.22.010 Adopted

The Uniform Mechanical Code, 2006 Edition, including the Appendix thereto and the Standards incorporated therein, as published by the International Association of Plumbing and Mechanical Officials, is adopted and made a part of this chapter by reference.”

5.7 Chapter 8.24 of Title 8 of the City of Moreno Valley Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 8.24

Uniform Plumbing Code

Sections

8.20.010 Adopted

8.20.010 Adopted

The Uniform Plumbing Code, 2006 Edition, including the Appendices thereto and installation standards incorporated therein, as published by the International Association of Plumbing and Mechanical Officials, is adopted and made part of this chapter by reference.”

5.8 Chapter 8.26 of Title 8 of the City of Moreno Valley Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 8.26

National Electric Code

Sections

8.20.010 Adopted

8.20.010 Adopted

The National Electric Code, 2005 Edition, as published by the National Fire Protection Association, is adopted and made a part of this chapter by reference.”

5.9 Chapter 8.36 of Title 8 of the City of Moreno Valley Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 8.36

INTERNATIONAL FIRE CODE

Sections

8.36.010	Definitions
8.36.020	Adoption of the International Fire Code
8.36.030	California Fire Code Definitions
8.36.040	Emergency Planning and Preparedness
8.36.050	Fire Service Feature
8.36.060	Building Services and Systems
8.36.070	Fire Protection Systems
8.36.080	High Piled Combustible Storage
8.36.090	Tire Rebuilding and Tire Storage
8.36.100	Appendices
8.36.110	Designation of Fire Code
8.36.120	Severability

8.36.010 Definitions

The following definitions shall be added to the existing definition in the 2006 Edition of the International Fire code and the California Fire Code 2007 Edition:

“Corporation Counsel” shall mean the city attorney.

“NFPA” shall mean National Fire Protection Association.

“Municipality” shall mean the city of Moreno Valley.

8.36.020 Adoption of the International Fire Code

A. The city council of the city of Moreno Valley hereby adopts as amended, the 2006 Edition of the International Fire Code, California Fire Code 2007 Edition, California Code of Regulations Title 24 Part 9, Appendices Chapter A, B, C, E, F, G, and H, the California Fire Code Standards and the body of code in its entirety, with the exception of appendix D of the California Fire Code as compiled and adopted by the International Code Council.

8.36.030 California Fire Code Definitions

A. The following definitions of Section 202 of the California Fire Code are hereby amended to read as follows:

Section 202 General Definitions

HAZARDOUS FIRE AREA is land other than state designated fire hazard severity zone (FHSZ) and/or local designated FHSZ which is covered with grass, brush, or dense vegetation, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage

through fire or resulting erosion. Such areas are designated on the maps entitled "Hazardous Fire Areas of Moreno Valley" on file in the office of the city clerk and in the office of the fire chief.

HIGH-RISE STRUCTURE means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level of fire department vehicular access.

A. The following definition is hereby added to Section 202 of the California Fire Code as follows:

MID-RISE STRUCTURE means every building of any type of construction or occupancy having floors used for human occupancy that measures from 55 feet to 75 feet above the lowest floor level of fire department vehicular access.

8.36.040 Emergency Planning and Preparedness

A. Section 404.2 of the California Fire Code is hereby amended to read as follows:

404.2 Where required. An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and building:

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

8.36.050 Fire Service Feature

A. Section 501.4 of the California Fire Code is hereby amended to read as follows:

501.4 Timing of installation. Fire apparatus roads and a permanent water supply for fire protection shall be installed and made serviceable prior to and during the time of construction. Temporary street signs, per City of Moreno Valley standard, shall be installed at each intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.

B. The following definitions of Section 502.1 of the California Fire Code are hereby amended to read as follows:

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as public street, private street, parking lot lane and access roadway.

FIRE LANE. A road or other passageway developed to allow the passage of fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus. A fire lane shall be distinguished from a fire apparatus access road in

that a fire lane shall be the road or passage that is located directly adjacent to the exterior walls and main entrance of the building.

C. Section 503.1 of the California Fire Code is hereby amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Section 503.1.1 through 503.1.3. The fire chief or his/her designee shall be the only authority authorized to designate fire lanes.

D. Section 503.1.1 of the California Fire Code is hereby amended to read as follows:

503.1.1 Exception. Remove item #3 from the Exception clause. Add Sections 503.1.1.2, and 503.1.1.3 as listed below.

E. Section 503.1.1.2 of the California Fire Code is hereby added to read as follows:

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

Exception: This section shall not apply to one and two-family residential dwellings.

F. Section 503.1.1.2 of the California Fire Code is hereby added to read as follows:

503.1.1.3 Other obstructions to access. When other obstructions are installed that cause the distances from an approved fire department access road or exceed the maximum distance allowed in Section 503, the fire chief or his/her designee is authorized to require additional fire protection as specified in Section 901.4.3.

G. Section 503.2.1.1 of the California Fire Code is hereby amended to read as follows:

503.2.1.1 Fire Lane Dimensions. Fire lanes shall have an unobstructed width of not less than 24 feet when the height of a building does not exceed 35 feet. Buildings with heights in excess of 35 feet will require an unobstructed fire lane to be at least 30 feet in width. All roof height dimensions shall be measured on a vertical plane from the lowest level of vehicular access to the highest point of the roofs edge, or to the top of the parapet, whichever is higher.

H. Section 503.2.2 of the California Fire Code is hereby amended to read as follows:

503.2.2 Authority. The fire code official shall have the authority to modify the minimum fire lane access widths where they are inadequate for fire or rescue operations, or otherwise modify the conditions when the minimum fire lane access widths are not practical. The fire code official is authorized to approve alternate, methods, and materials as means of mitigating practical difficulties and require additional fire protection where applicable as specified in Section 901.4.3.

I. Section 503.2.7 of the California Fire Code is hereby amended to read as follows:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire chief or his/her designee based on the fire department's apparatus, however, no grade will exceed twelve (12) percent. Grade transitions shall not exceed Moreno Valley Fire Department apparatus maximum approach and departure angles as determined by the fire chief or his/her designee.

J. Section 503.3 of the California Fire Code is hereby amended to add the following information at the end of the first paragraph:

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

Exception: On school grounds to be implemented as approved by the fire chief or his/her designee.

K. Section 508.1 of the California Fire Code is hereby amended to add the following information at the end of the first paragraph:

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

L. Section 508.2.1 of the California Fire Code is hereby amended to read as follows:

508.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24, and the applicable provisions of NFPA 13, Chapter 10.

M. Section 508.3 of the California Fire Code is hereby amended to read as follows:

508.3 Fire flow. Fire flow requirements for building or portions of buildings and facilities shall be determined by an approved method acceptable to the fire code official or Appendix B.

N. Section 508.4 of the California Fire Code is hereby amended to read as follows:

508.4 Water supply test. The fire code official shall be notified, when required prior to the water supply test. Water supply tests shall be witnessed by the fire code official or when authorized by the fire code official, approved documentation of the test shall be provided to the fire code official prior to final approval of the plans and project specifications.

O. Section 508.5.7 is hereby added to the California Fire Code:

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

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

P. Section 509.1 of the California Fire Code is hereby amended to read as follows:

509.1 Features for high-rise buildings. Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, a fire command center for the fire department shall be provided. The fire command center shall be located adjacent to the main lobby and shall be accessible from fire department vehicular access or as approved by the fire code official. The fire command center shall be separated from the remainder of the building by not less than a two (2) hour fire barrier constructed and in accordance with Section 706 of the California Building Code, or horizontal assembly constructed in accordance with section 711 of the California Building Code, or both. The room shall have direct access from the building exterior at the lowest level of fire department access and be a minimum of 96 square feet with a minimum dimension of eight (8) feet.

A layout of the fire command center shall comply with NFPA 72 and the applicable provisions of the California Electrical Code, and shall contain the following features:

1. The emergency voice/alarm communication units shall comply with Section 907.2.12.2

There is no change to Items #2-16 in 509.1.

Q. Section 509.2 is hereby added to the California Fire Code:

509.2 Features for a mid-rise building. Where required by other sections of this code and in all buildings classified as a mid-rise building as amended by this Code, a fire command center for the fire department shall be provided. The fire command center shall be located adjacent to the main lobby and shall be accessible from fire department vehicular access or as approved by the fire code official. The fire command center shall be separated from the remainder of the building by not less than a two (2) hour fire barrier constructed and in accordance with Section 706 of the California Building Code, or horizontal assembly constructed in accordance with Section 711 of the California Building Code, or both. The room shall have direct access from the building exterior at the lowest level of fire department access and be a minimum of 96 square feet with a minimum dimension of eight (8) feet. A layout of the fire command center shall comply with NFPA 72 and the applicable provisions of the California Electrical Code, and shall contain the following features:

1. The emergency voice/alarm communication units shall comply with Section 907.2.12.2.

2. Fire-detection and alarm system annunciator system.

3. Status indicators and controls for air-handling system.

4. The firefighter's control panel required by section 909.16 for smoke control systems installed in the building.

5. Controls for unlocking stairwell door simultaneously.

6. Sprinkler valve and water-flow detector display panels.

7. Emergency and standby power status indicators.

8. Fire pump status indicators.

9. Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire protection systems, fire-fighting equipment and fire department access.

10. Work table.

11. Generator supervision devices, manual start and transfer features.

12. Public address system, where specifically required by other sections of this Code.

13. Fire command centers shall not be used for the housing of any boiler, heating unit, generator, combustible storage, similar hazardous equipment or storage, mechanical rooms or other areas as determined by the Fire Code Official.

R. Section 509.3 is hereby added to the California Fire Code:

509.3 Fire command center identification. The fire command center shall be identified by permanent easily visible sign stating "Fire Dept. Command Center", located on the door to the fire command center.

S. Section 511 is hereby added to the California Fire Code:

Section 511

FIRE DEPARTMENT EMERGENCY COMMUNICATIONS

T. Section 511.01 is hereby added to the California Fire Code:

511.01 Fire department emergency communication system. When required by the fire chief or his/her designee, approved radios, repeaters, relays, antennas, secondary power source and other equipment as determined shall be provided within buildings to ensure fire department firefighter radio and data communications provide a reasonable degree of reliability for emergency services communications from within certain buildings and structures to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

U. Section 511.02 is hereby added to the California Fire Code:

511.02 Scope. The provisions of this article shall apply to new buildings, modifications to existing buildings or structures, the use of the property is expanded, basements or sub-level parking structures. It is the responsibility of the design professional to ensure that the type of construction and occupancy classification will not interfere with emergency communications for fire department or police department personnel. If emergency communications are inhibited by the type of construction or occupancy classification than the provisions of this article shall apply to the building and/or structure that is being built or modified.

Exception: This section shall not apply to one and two-family residential dwellings.

V. Section 511.03 is hereby added to the California Fire Code:

511.03 Radio Coverage. Except as otherwise provided in this article, no person shall erect, construct, modify any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for firefighters and police officers. A final inspection shall not be approved for any building or structure that fails to comply with this requirement.

Exception: This section shall not apply to one and two-family residential dwellings.

W. Section 511.03.1 is hereby added to the California Fire Code:

511.03.1 The appropriate Communications and Technology Units that support the Moreno Valley Fire Department and the Moreno Valley Police Department, at the time the building permit is issued, shall determine the frequency range or ranges that must be supported. For the purpose of this Section, adequate radio coverage shall constitute a successful communications test between the building and the communications centers for all appropriate emergency service providers for the building.

X. Section 512 is hereby added to the California Fire Code:

512 Fire breathing apparatus air systems. All buildings having floors used for human occupancy located 75 feet or more above or below the lowest level of fire department vehicular access shall be equipped with an approved breathing apparatus air refilling system. Such systems shall provide an adequate pressurized air supply through permanent piping system for the replenishment of self contained breathing apparatus carried by fire suppression, rescue and other personnel in the performance of their duties. Location and specification of access stations, and the installation of such breathing apparatus air refilling system shall be made in accordance with the requirements and standards of the Fire Chief.

8.36.060 Building Services and Systems

A. Section 606.8 of the California Fire Code is hereby amended to read as follows:

606.8 Refrigerant detector. Machinery rooms that use refrigerant shall have a detector with audible and visual alarms. The alarm signaling devices shall comply with the audible and visual requirements in accordance with NFPA 72, and shall annunciate a Hazardous Materials signal to an approved central station monitoring facility. The detector, or a sampling tube that draws air into the detector, shall be located in an area where refrigerant from a leak may be expected to concentrate. The alarm shall be actuated at a value not greater than the corresponding TLV-TWA values shown in the California Mechanical Code for refrigerant classification. Detectors and alarms shall be placed in one or more locations to assure notifications of all occupants.

8.36.070 Fire Protection Systems

A. Section 901.3.1 is hereby added to the California Fire Code:

901.3.1 Modifications. No person shall remove or modify any fire protection system installed or maintained under the provisions of the California Fire Code without approval by the fire marshal and the building official.

B. Section 901.6 of the California Fire Code is hereby amended to read as follows:

901.6 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. It shall be the responsibility of the owner to ensure that these requirements are met. Non required fire protection systems and equipment shall be inspected, tested and maintained ore removed. Prior to the removal of any fire protection system approval shall be obtained from the fire marshal or building official.

C. Section 903.2.10.1.1 of the California Fire Code is hereby amended to read as follows:

903.2.10.1.1 Opening dimension and access. Openings shall have a minimum dimension of not less than 36 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that the fire fighter or rescue cannot be accomplished from the exterior.

D. Section 903.4 of the California Fire Code is hereby amended to read as follows:

903.4 Sprinkler Monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems, fire pumps, booster pumps, water supply tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised in accordance with NFPA 72, regardless of the number of sprinklers in 13 and 13R systems.

Exception:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
3. Jockey pump control valves that are sealed or locked in the open position.
4. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
5. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
6. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

E. Section 903.4.3 of the California Fire Code is hereby amended to read as follows:

903.4.3 Floor control valves. Approved supervised indication control valves shall be provided at the point of connection to the riser on each floor in buildings five (5) or more stories in height unless otherwise approved by the fire chief or his/her designee. Valve locations will be determined and approved by the fire chief or his/her designee.

F. Section 905.3.11 is hereby added to the California Fire Code:

905.3.11 High-rise building fire department connections. Two (2), four (4) – way, fire department connections serving single or combination systems shall be separated from each other and located at opposite sides of the building or as determined by the fire chief or his/her designee. At least one (1) of the fire department connections shall be connected to risers above a riser isolation valve.

G. Section 907.2.12.2 #5 is hereby added to the California Fire Code as follows:

5) Survivability. Interconnection cables between the fire command center and the remote control equipment within evacuation signaling zones, and notification appliance control equipment within notification zones shall be protected from attack by fire.

H. Section 907.2.19 of the California Fire code is hereby amended to read as follows:

907.2.19 Underground buildings. All underground buildings shall be equipped throughout with a manual fire alarm system, including an emergency voice/alarm communication system installed in accordance with Section 907.2.12.2

I. Section 912.2 of the California Fire Code is hereby amended to read as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The locations, number of inlets and size of fire department connections shall be approved by the fire code official.

J. Section 912.2.1 of the California Fire Code is hereby amended to read as follows:

9.12.2.1 Visible locations. Fire department connections shall be located on the front access side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the fire chief or his/her designee. The location of fire department connections shall be approved and installed as follows:

1. Within 40 feet of an approved roadway or driveway and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects including buildings, fences, posts, plantings, or other fire department connections or otherwise approved by the fire chief or his/her designee.
2. Within 200 feet of an approved hydrant.
3. So that the inlet height shall not be less than 18 inches or more than 48 inches above grade.
4. Guard posts or other approved means shall be required to protect fire department inlet connections from vehicular damage.

K. Section 912.4 of the California Fire Code is hereby amended to read as follows:

912.4 Signs. A metal sign with raised letters at least one (1) inch (25 mm) in size or approved method as determined by the fire code official shall be located on all fire department connections serving automatic sprinkler, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or as required and approved by the fire chief or his/her designee.

L. Section 914.5 of the California Fire Code is hereby amended to read as follows:

914.5 Underground and windowless buildings. Underground buildings shall comply with sections 914.5.1 through 914.5.6 and windowless buildings with a total floor area that exceeds 5000 square feet shall comply with Section 914.5.2 through 914.5.6.

Exception: This section shall not apply to one and two-family residential dwellings.

8.36.080 High Piled Combustible Storage

A. Section 2301.1 #7 of the California Fire Code is hereby amended to read as follows:

7. Location and classification of commodities in accordance with Section 2303 and NFPA 13.

B. Section 2306.4.1 is hereby added to the California Fire Code as follows:

2306.4.1 Minimum requirements for client leased or occupant owned warehouses. Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system

design. The engineer shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the onsite survey and discussions with the building owner or operator. The technical report shall clearly define the basis for determining the commodity and sprinkler design selection, along with how the commodities will be isolated or separated, and the referenced design document(s), including NFPA 13 or the current applicable Factory Mutual Data Sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

8.36.090 Tire Rebuilding and Tire Storage

A. Section 2505.8 is hereby added to the California Fire Code as follows:

2505.8 Dead-end aisles. No dead-end aisles shall be allowed within the interior or exterior storage areas.

8.36.100 Appendices

A. Appendix Chapter 1, Section 103.4.1 of the California Fire Code is hereby amended, in name only, to 103.4.2.

B. Appendix Chapter 1, Section 103.4.1 is hereby added to the California Fire Code as follows:

103.4.1 Liability for damages. The costs incurred for suppressing any fire which is the result of a violation of the provisions of this Code or any damage caused by malicious mischief requiring any corrective or preventative action conducted by fire department personnel shall be levied against the person whose violation or action caused the fire or damage, or the property owner. Damages caused by such fire or actions shall constitute a debt of such person and the Fire Chief shall keep an itemized account of the expenses incurred by the City in carrying out expenses with the City Treasurer, together with the names and addresses of those responsible. The City Treasurer shall give notice to such persons, who shall be afforded an opportunity to be heard regarding such charges by requesting to be heard within 15 days after the mailing of such notice. The City Treasurer shall take such reasonable and necessary action to recover such expenses from any and all responsible persons. As used in this Section, "damages" includes, but is not limited to, suppression, police and other public safety expense, and collection expense.

C. Appendix Chapter 1, Section 104.1 of the California Fire code is hereby amended to read as follows:

104.1 General. The fire chief is authorized to administer, interpret and enforce this code. Under the fire chief's direction, the fire department is authorized to enforce all ordinances of the jurisdiction pertaining to:

1. The prevention of fires
2. The suppression of fires
3. The storage, use and handling of hazardous materials
4. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment
5. The maintenance and regulation of fire escapes
6. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction
7. The maintenance of means of egress
8. The investigation of the cause, origin and circumstance of fire and unauthorized releases of hazardous materials.

D. Appendix B, Section 105.2, the first sentence of the exception paragraph of the California Fire Code is hereby amended to read as follows:

Exception: A reduction in required fire flow of up to 50 percent as approved, is allowed when the building is provided with an approved automatic sprinkler system throughout, and is installed in accordance with Section 903.3.1.1 or 903.3.1.2.

E. Appendix C Table C105.1 Footnotes C of the California Fire Code is hereby amended to read as follows:

Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. When serving multi-family, commercial and industrial developments, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards.

8.36.110 Designation of Fire Code

The provisions of this Chapter, together with the provisions of Chapter 8.38 of this Title may be known collectively as "The Fire Code of the City of Moreno Valley."

SECTION 6. SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the meaning portions of this chapter or any part thereof. The city council hereby declares that it would have passed each section, subsection,

subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsection, subdivision, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 7. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 8. EFFECTIVE DATE:

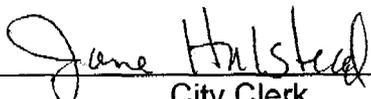
This ordinance shall take effect on January 1, 2008.

APPROVED AND ADOPTED this 27th day of November, 2007.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

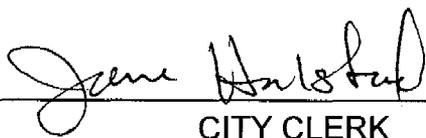
I, JANE HALSTEAD, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 759 had its first reading on November 13, 2007, and had its second reading on November 27, 2007, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 27th day of November, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey,
 and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None



CITY CLERK

(SEAL)