

HESPERIA CITY COUNCIL ADVISORY COMMITTEE AGENDA

Regular Meetings

2nd Wednesday

January, April, July & October

**Date: September 23, 2010
(Special Meeting)**

Time: 6:00 P.M.

COMMITTEE MEMBERS

Craig Sundgren, Chair

Rosemarie Hellmich, Vice Chair

James Bratton

Al Vogler

* - * - * - * - * - * - * - *

Mayor Pro Tem, Paul Bosacki
Council Liaison

Mike Podegracz, City Manager



CITY OF HESPERIA
9700 Seventh Avenue
Council Chambers
Hesperia, CA 92345
City Offices: (760) 947-1000

Documents produced by the City and distributed less than 72 hours prior to the meeting regarding any item on the agenda will be made available in the City Clerk's office located at 9700 Seventh Avenue during normal business hours or on the City's website.



NOTE: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Building Official, Tom Harp, at (760) 947-1220. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

**SEPTEMBER 23, 2010
SPECIAL MEETING
AGENDA
HESPERIA CITY COUNCIL ADVISORY COMMITTEE**

CALL TO ORDER

6:00 p.m.

- A. Pledge of Allegiance
- B. Roll Call:
 - Chair Sundgren
 - Vice Chair Hellmich
 - Member Bratton
 - Member Vogler
 - Vacancy

ITEMS FOR CONSIDERATION

1. Approval of Minutes from the April 14, 2010 meeting.
2. Adoption of Ordinance No. 2010-010 adopting the 2010 California Building Codes

Recommended Action:

It is recommended that the Hesperia City Council Advisory Committee review and provide a recommendation to the City Council for adoption of Ordinance No. 2010-010 which repeals and replaces Hesperia Municipal Code Chapters 15.04 and 15.06; adopting and amending the 2010 California Building Code, the 2010 California Residential Code, the 2010 California Electrical Code, the 2010 California Mechanical Code, the 2010 California Plumbing Code, the 2010 California Fire, the 2010 California Green Building Standards Code, and the 2010 California Referenced Standards Code.

PUBLIC COMMENTS

Please complete a "Comment Card" and give it to the Secretary. Comments are limited to three (3) minutes per individual. State your name and address for the record before making your presentation. This request is optional, but very helpful for the follow-up process.

Under the provisions of the Brown Act, Members are prohibited from taking action on oral requests. However, Members may respond briefly or refer the communication to staff.

COMMITTEE MEMBER AND STAFF COMMENTS

Committee Members may make comments of general interest and/or direct staff to add specific items to the next agenda.

ADJOURNMENT

The Chair will adjourn the meeting of the Committee.

I, Tina Bulgarelli, Hesperia City Council Advisory Committee Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Thursday, September 16, 2010 at 5:30 p.m. pursuant to California Government Code §54954.2.


Tina Bulgarelli
Hesperia City Council Advisory Committee Secretary

**City Council Advisory Committee
Regular Meeting
MINUTES
April 14, 2010**

The meeting of the City Council Advisory Committee (CCAC) was held on April 14, 2010, in the Council Chambers at City Hall, 9700 Seventh Avenue, Hesperia, California. The meeting was called to order by Chair Sundgren at 6:01 p.m.

CALL TO ORDER

- A. Pledge of Allegiance led by Craig Sundgren
- B. Roll Call:

| | | |
|------------------|--------------------|---------|
| Chair | Craig Sundgren | Present |
| Vice Chair | Rosemarie Hellmich | Present |
| Committee Member | James Bratton | Present |
| Committee Member | Al Vogler | Present |

In attendance for Staff: Scott Priester, Director of Development Services

ITEMS FOR CONSIDERATION

- 1. Approval of Minutes from February 24, 2010 and March 3, 2010 meetings.**
Motion by Member Vogler, Second by Vice Chair Hellmich. Pass 4-0

- 2. Proposed 2010-11 Capital Improvement Program**

Mr. Priester presented a staff report and power point to the committee. The CIP map was presented to the Committee as well for their information. The Rancho Road project was highlighted.

Member Vogler questioned how long the escrow was for each property. Mr. Priester answered that it was roughly 45 days to 60 days. Mr. Priester mentioned that we originally needed 52 properties, and that if eminent domain was necessary it would delay the project. None of the property owners has been opposed to the process. The City is actually spending quite a bit less than the 4 million dollars on right-of-way originally anticipated. Mr. Priester also mentioned that some of the property owners have passed away and so the City is in the process of obtaining those properties other ways.

Vice Chair Hellmich asked if construction would be started this year. Mr. Priester stated that he has publicly stated that the project would break ground this year. He stated that there were a few steps left to begin construction.

Member Vogler asked if the potential retroactivity of earmarks could affect the project. Mr. Priester answered that no it could not. Member Vogler also asked if we could have money removed by the legislation. Mr. Priester stated no, but other projects in the plan had that potential.

Mr. Priester did an overview of the CalTrans approval process for the project.

Mr. Priester explained the other projects regarding the undercrossing, including the interchange and the road widening. He talked about the funding for each project and where it would come from. He stated that some of the funds are deferred right now, and not available to us, but we are working on getting approval to buy properties and get reimbursed.

Member Vogler asked when the STIP funding expired. Mr. Priester stated that it was a five year program. He stated that the State had to pay the money by next year or it would be lost.

Mr. Priester discussed the lead track project. He discussed the timing of the project and what was involved in it. Member Vogler asked if the businesses connected by the rail spur would be on sewer. Mr. Priester stated that yes they would be on sewer.

Mr. Priester discussed the fire station projects. He went over the timeline of the projects for the last few years and stated that one of the projects was put on hold to see if it could be funded by ERA funding.

Mr. Priester discussed the township project construction. He discussed the entire scope of the project. He discussed the inclement weather and the effect that it had on the project timing. The annual street improvement project was discussed, it was stated that Matich Construction would be doing the work.

Mr. Priester discussed the rest of the projects that were slated to continue in 2010-11. Member Vogler asked what the project regarding the park and ride expansion would improve. Mr. Priester stated that it would double the 185 parking spaces, and that CMAQ funding through a grant would help if the City could secure it. Member Vogler asked if there were other amenities involved, like road side rest type things. Mr. Priester stated that not it did not, but it included landscape and paving. Member Vogler stated that he really liked the parking lot at Costco because of all the space it provided for each car. He wanted to note that it would be helpful for the commuters if the parking spaces were like Costco's, very roomy. Mr. Priester stated that parking spaces in Victorville were 9 feet wide by 20 feet deep. He stated that dual stripes forced the cars to park closer, which affords more room, and centers the car better. Member Vogler stated that he thought Costco's parking spaces were wider than 9 feet.

Mr. Priester discussed the total amount of funding for the program, which he stated was modest in comparison to the total budget. He stated that staff had to estimate what would be left to do at the end of the fiscal year and roll the remaining funds over to the next budget.

Chair Sundgren asked how wide the Main Street bridge would be after the widening project. Mr. Priester answered that the bridge would be 3 lanes in each direction with a raised landscape median in the center. He stated it would take about 3 years to get the permits to widen the aqueduct lanes from the State. He stated what would eventually happen is that there would be a parallel bridge built for eastbound traffic and the existing bridge would house westbound traffic.

The committee discussed the 804 drainage line. Mr. Priester talked about the project's construction and that we would be raising the road 18" to 2' to accommodate this new drain. Member Bratton asked if compaction was an issue, and Mr. Priester answered, no it would be engineered.

Member Vogler asked about the Carl's Jr., project at Bear Valley and Mariposa. He asked if Planning Commission had approved it. He asked if extra space was allocated to accommodate the Bear Valley widening. Mr. Priester stated yes, and they are paying for a portion of it. He explained other portions of the paving project and that it is moving forward. Mr. Priester also stated that the project would have exactly the same amount of room as the hotel construction. This also applied to the amount of traffic generated by each project.

Member Vogler stated that he wanted it to be mentioned again that he feels that the synchronization of the traffic signals is very important. He stated he has mentioned it for about 8 years. He stated that looking at the total streets budget of 43 million dollars in a variety of categories, each project benefits different people in town. He noticed the amount of money spent on outlying areas for potential development. He stated he cannot think of one project that would benefit more residents than synchronization. He stated there is always a reason to not fund it. He stated some of the reasons that he had heard before. He feels the problem is being ignored. He stated that he sees the need for the signal at Seventh and the new signal at C and Main. He stated that he wanted one of the committee members to suggest that this project go forward immediately. He stated that it would not cost 10 million dollars and that there was wiggle room in the program.

Mr. Priester responded that this project had been mentioned many times and that traffic flow can be increased by the synchronization of signals. He stated that there will be backfill on Main when Rancho is done. He stated that there were gaps in the signals on Main, and until the system was completely in place, it wouldn't be good to do the synchronization because it wouldn't be efficient. He commented on Main and C and stated there was money there to do this type of project. The ultimate plan to fix this intersection is financially infeasible.

Member Vogler commented that his suggestion was to not wait until the underpass was done to get a traffic count. His suggestion was to begin getting a plan together and go forward. He stated that the core of Main Street was

ignored. He mentioned the apartments across the street from the post office, and that he thought the City paid for it. He feels money was found to do this project, which may reduce a little blight in that area. He feels that it does nothing to reduce the Main Street traffic. He mentioned radius corners on driveways on Main, which was not completed.

Vice Chair Hellmich asked if Ranchero Road traffic speed would be regulated, and if 18-wheeled vehicles would be allowed, because this was a residential area.

Mr. Priester responded that this was a major arterial, and that with 6 lanes, it would have very little signalization and speed suppression. It was meant to accommodate traffic from east to west. It would be 50 miles per hour. He stated that there would be 18-wheelers on that road.

Vice Chair Hellmich stated that she was worried about 18-wheelers being allowed at high rates of speed.

Member Vogler stated that he felt that raised medians would slow traffic down instead of speeding it up. He stated that Mr. Priester stated that the idea was to slow down traffic on Main.

Mr. Priester stated that raised medians do not slow down traffic, it takes away a continuous left turn pocket, which speeds it up, but, yes the idea was to slow people down on Main so they would be inclined to stop and shop.

Mr. Vogler stated that he felt it would bottle neck at the turn pockets and slow it down.

Chair Sundgren stated that it actually speeds traffic up, as long as you have volume.

Mr. Priester stated that the median policy was approved by the City Council in the Main Street/I-15 Specific Plan.

Chair Sundgren asked what percentage of miles would be paved and maintained when we are all done with street paving.

Mr. Priester stated that we have about 450 maintained roads and that we do preventative maintenance on all of them.

Member Vogler asked if a vote was needed to move this on to the City Council. Mr. Priester stated no, it did not, but he would forward the comments to City Council. Mr. Priester also mentioned that the Council liaison could pass along the comments of the committee.

Member Vogler motioned for a vote to forward the comments on to City Council. Second by Chair Sundgren.

Motion failed 2-2.

Member Vogler commented that his no vote did not indicate that he didn't approve and appreciate staff's work. It is because he feels Main Street is so important, and a no vote shows importance.

Chair Sundgren adjourned the meeting at 7:52 pm.

City of Hesperia
STAFF REPORT



DATE: September 23, 2010
TO: Chair and Committee Members
FROM: Scott Priester, Director of Development Services
CW Tracy Wrigley, Community Development Supervisor
Mike Hearn, Building Inspection Supervisor
BY: ~~Tom Harp~~ Tom Harp, Deputy Director of Development Services/Community Dev. (Ret.)
SUBJECT: Adoption of Ordinance No. 2010-010 adopting the 2010 California Building Codes

RECOMMENDED ACTION

It is recommended that the City Council Advisory Committee review and provide a recommendation to the City Council for adoption of Ordinance No. 2010-10 which repeals and replaces Hesperia Municipal Code Chapters 15.04 and 15.06; adopting and amending the 2010 California Building Code, the 2010 California Residential Code, the 2010 California Electrical Code, the 2010 California Mechanical Code, the 2010 California Plumbing Code, the 2010 California Fire Code, the 2010 California Green Building Standards Code, and the 2010 California Referenced Standards Code.

BACKGROUND

Every three years, the International Code Council (ICC), the International Association of Plumbing and Mechanical Officials (IAPMO), and the National Fire Protection Agency (NFPA) publish revised versions of their respective codes. This was completed and revised versions were published in 2009.

The California Building Standards Commission (BSC) takes the model codes published by ICC, IAPMO, and NFPA, and makes amendments to them based upon specific requirements in State law. Once the amendments are made, the State sets a publication date and an effective date. The purpose of this is to officially notify local jurisdictions that the codes are completed and when they will take effect.

Earlier this year, the BSC set July 1, 2010 as the publication date and January 1, 2011 as the effective date. Consequently, the model ordinance will take effect "as-is" unless the City makes amendments.

ISSUES/ANALYSIS

The code adoption amends the current ordinance, which was last amended in 2007. In summary, it adopts the model codes by reference; and makes changes to Chapters 15.04 and 15.06 of the Hesperia Municipal Code, which addresses Uniform Codes and grading, respectively. The changes recommended fall into three categories; specific appendix chapters being adopted, revisions to codes, and new codes. Each will be discussed separately.

1. Appendix Chapters Specifically Adopted:

The uniform codes and State law are set up in such a way that Appendix Chapters to the various codes are not included unless specifically adopted. Section 15.04.020 of the Hesperia Municipal Code identifies the Appendix Chapters to be included. All of the Appendix Chapters recommended for adoption have been previously adopted with the exception of California Plumbing Code Appendix G regarding "Greywater Systems".

While the City does not anticipate an increase in demand for private greywater systems, there is a growing support for their use at the State level. Many of the green building programs including the California Green Building Code, LEED, and Build It Green promote their use. Adoption of this appendix chapter provides guidelines should a system be proposed.

Other appendix chapters proposed for adoption are currently adopted in the City and include regulations regarding patio covers, septic systems, plumbing installation standards, and a calculation method for sizing water piping systems.

2. Revisions to Codes:

A total of six revisions are proposed to be made to the California Codes. Four of them pertain to fire protection systems, the fifth, to swimming pools, and lastly Chapter 15.06 which pertains to grading.

Section 15.04.030 in the Hesperia Municipal Code (HMC) requires the installation of an automatic fire sprinkler system when the floor area exceeds 5,000 square feet. This requirement has been in place since the mid-1990's and is well known and understood by local builders and developers.

HMC Section 15.04.040 requires a manual or automatic fire alarm system in non-residential buildings of 2,400 square feet and larger. This item has also been in Hesperia's code since the 1990's.

Third on the list is Section 15.04.050 which requires existing, non-sprinklered buildings of 5,000 square feet or more to install fire sprinklers if the building is added to, or if the occupancy changes to a more hazardous use. Again, this requirement has been in Hesperia's code for 15 years or more.

HMC Section 15.04.060 is added to both modify the State code requirements, but also to consolidate swimming pool safety regulations from three different areas into one. This section makes two changes from the State requirements. It reduces the depth of water required to be considered a swimming pool from 24 inches to 18 inches. The 18 inch depth has been Hesperia's standard since incorporation as it was the County standard prior to incorporation. The second change is to raise the barrier fence around a swimming pool from 48 inches to 60 inches. Again, this has been Hesperia's standard since County days. Staff recommends the increased standards as drowning in swimming pools is the number one building code related cause of death for children in residences.

Section 15.04.070 is new to this code cycle and pertains to the residential fire sprinkler requirements called out in the California Residential Code. This new section prohibits the use of antifreeze in single-family residence and duplex fire sprinkler systems. This prohibition is due to

three separate concerns. The National Fire Protection Association has banned the use of antifreeze in single-family residential fire sprinklers pending further review of an incident where an antifreeze solution in a sprinkler system reacted negatively with a kitchen grease fire and a fatality resulted. In addition, potential cross contamination with the residences domestic system, as well as with the public water system, may be possible. Finally, antifreeze systems require additional annual maintenance including a complete draining and recharging of the system. While this is an additional expense for the homeowner, it is anticipated that most systems will not receive the annual maintenance.

Chapter 15.06, regarding grading, has been revised to make minor changes to code sections and titles. The bulk of the changes pertain to a change in the title of a person responsible for preparing a soils report or geotechnical report. Previous language called them out as a soils engineer or engineering geologist. The soils/geotechnical report became simply "geotechnical report". This code amendment changes the title to geotechnical engineer to better match the report being prepared. The only other changes were to several code section cites as the numbers had changed in the new building code. None of the technical provisions changed.

3. New Codes for 2010:

Two completely new codes were added in California. The California Green Building Standards Code (CalGreen) and the California Residential Code. CalGreen has two major segments, a set of seven mandatory measures which have been in place since August 1, 2009, and a voluntary measures program. The voluntary measures are extensive and constructed similar to LEED or Build It Green check lists. Staff is recommending that the voluntary program remain just that. Adoption of the voluntary program would add significantly to construction costs, putting Hesperia at a competitive disadvantage with other cities, and possibly suppressing economic development.

The California Residential Code is being adopted for the first time. While there was a 2006 International Residential Code, the State was not able to make the necessary amendments in order to publish the 2007 California version in a timely fashion. There are two major changes (and many lesser), one of which has been controversial on a nationwide level. The primary controversy has been over the codes requirement for fire sprinklers in all new residential buildings. While Hesperia has adopted a 5,000 square foot fire sprinkler ordinance, it rarely affected single family residences. This code makes an exception for additions and alterations to existing residences. They, additions and alterations, will not cause the residence to be retrofitted with fire sprinklers if the residence did not contain fire sprinklers previously.

The other major change in the California Residential Code is that it extends prescriptive building codes further than previous codes. Prescriptive codes specify building methods under certain conditions. The 2010 code provides prescriptive standards for steel framing, wood structure panels, masonry construction, and concrete walls. While not popular with southern California tract builders, these provisions will allow home builders much more flexibility in building materials and methods.

In total, staff believes the amendments and revisions better address the specific conditions in Hesperia. The appendix chapters give standards for septic systems, greywater systems, and plumbing sizing and installations, as well as for patio construction. The code revisions provide additional fire protection, increased safety standards for swimming pools, consistent grading regulations, and a ban on the use of antifreeze in residential fire sprinkler systems. Finally, the

two new codes (residential and green) added this year provide increased fire protection in homes, a simplified construction process, and adopted green standards that will conserve City resources (land and water). As such, staff recommends adoption of Ordinance No. 2010-010 which will establish the construction codes used in Hesperia during the next three years.

FISCAL IMPACT

The proliferation of the building codes during the previous six years has been more rapid than any time during the previous 25 years. The expansion of building codes will require more training, plan review, and inspection time, which will require an increase in fees passed on to Hesperia builders. Once fees are adjusted, there should be no fiscal impact to the City.

ALTERNATIVE(S)

1. The City Council may choose to not adopt this Ordinance. In this case, the recommended appendices and code changes would not be included. Staff does support this alternative.
2. The City Council may choose not to adopt a specific appendix chapter or not make one or more of the named code amendments. Staff does not support this alternative.
3. Provide alternative direction to staff.

ATTACHMENT(S)

1. Ordinance No. 2010-010

ORDINANCE NO. 2010-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, REPEALING CHAPTERS 15.04 AND 15.06 OF THE HESPERIA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2010 CALIFORNIA BUILDING CODE, THE 2010 CALIFORNIA RESIDENTIAL CODE, THE 2010 CALIFORNIA ELECTRICAL CODE, THE 2010 CALIFORNIA MECHANICAL CODE, THE 2010 CALIFORNIA PLUMBING CODE, THE 2010 CALIFORNIA FIRE CODE, THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE, AND THE 2010 CALIFORNIA REFERENCED STANDARDS CODE, IN CHAPTER 15.04 WITH AMENDMENTS, AND ADOPTING REVISED GRADING STANDARDS IN CHAPTER 15.06.

WHEREAS, The City of Hesperia has the authority and responsibility to regulate building construction to protect the public health, safety, and welfare; and

WHEREAS, Title 15, Chapters 15.04 and 15.06 of the Hesperia Municipal Code contain such building regulations and grading regulations, for the City of Hesperia; and

WHEREAS, The California Building Standards Commission published the 2010 California Building Code, 2010 California Residential Code, 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Fire Code, 2010 California Green Building Standards Code, and the 2010 California Referenced Standards Code, (hereinafter, 2010 Building Codes) on July 1, 2010; and

WHEREAS, The California Building Standards Commission voted to establish January 1, 2011 as the effective date for the 2010 Building Codes; and

WHEREAS, The California Government Code, Section 50022.2 authorizes cities to adopt Building Codes by reference; and

WHEREAS, The California Health and Safety Code, Section 17922, 17958.5, and 17958.7 allows modifications to the 2010 Building Codes when they are necessary to better protect the public safety by reducing the risk of hazards to life and property of the citizens of Hesperia due to:

1. Topographic conditions. The City of Hesperia is bisected by the Burlington Northern - Santa Fe Railroad, the Southern Pacific Railroad, the California aqueduct, the Interstate 15 Freeway, and two major electrical transmission corridors which cause limited access across and through the City. The limited access slows emergency response times for public safety personnel.
2. Geologic conditions. The City of Hesperia is located within fifteen (15) kilometers of the San Andreas Fault and within ten (10) kilometers of the Cleghorn and North Frontal fault systems. This proximity to known fault systems creates an increased potential for severe ground shaking and damage to water supply, delivery systems roads, and structures. Limited access and diminished water supply could slow emergency response times and fire suppression delivery.
3. Climatic conditions. The City of Hesperia lies within the Western Mojave Desert, an area characterized by summer daytime temperatures in excess of 100 degrees Fahrenheit, relative humidity less than 20 percent, and wind speeds in excess of thirty (30) miles per hour. The combination of these factors, and an average rainfall of less than five (5) inches lead to conditions that can cause the rapid spread of fires; and

WHEREAS, A copy of the 2010 Building Codes identified in this Ordinance have been filed with the City Clerk of the City of Hesperia and are kept in the office of the building official in accordance with California Government Code Section 50022.6; and

WHEREAS, On September 23, 2010, the City Council Advisory Committee reviewed the Ordinance and voted to recommend adoption by the Hesperia City Council; and

WHEREAS, On October 5, 2010 the City Council of the City of Hesperia conducted a duly noticed Public Hearing as required by Government Code Section 50022.3 and concluded said hearing on that date; and

WHEREAS, All legal prerequisites to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE HESPERIA CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. All of the facts set forth in the forgoing recitals are true, correct and are adopted as findings.

Section 2. Chapter 15.04 of the Hesperia Municipal Code entitled Uniform Codes, adopted by Ordinance No. 2007-16 is hereby repealed, provided that said repeal shall not apply to or excuse any violations thereof occurring prior to the effective date of this Ordinance and provided further that the building regulations as adopted by reference and amended by Ordinance 2007-16 shall be applicable to construction projects for which plans have been submitted for plan review and the plan review fees paid as of December 31, 2010; provided that neither the plan review nor permits issued for construction of the structure expire.

Section 3. Chapter 15.04 titled "Uniform Codes" of the Hesperia Municipal Code is hereby added as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Section 4. Chapter 15.06 of the Hesperia Municipal Code titled "Grading" adopted by Ordinance No. 2007-16 is hereby repealed and replaced with the language as set forth in Exhibit "B" attached hereto and incorporated herein by this reference.

Section 5. Ordinance No. 2009-013 amending Section 406.1.4 in the 2007 California Building Code and Section 312 in the 2007 Mechanical Code is hereby repealed.

Section 6. This Ordinance shall take effect on January 1, 2011.

Section 7. The City Council of the City of Hesperia hereby declares that should any provision, section, paragraph, sentence, or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words shall remain in full force and effect.

Section 8. The City Clerk shall certify to the adoption of the Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution 93-78.

ADOPTED AND APPROVED this 19th day of October 2010.

Thurston Smith, Mayor

ATTEST _____
Mike Podegracz, City Clerk

**CHAPTER 15.04
UNIFORM CODES**

SECTIONS:

- 15.04.010 California Codes Adopted**
- 15.04.020 Appendix Chapters Added**
- 15.04.030 Automatic Fire Sprinklers**
- 15.04.040 Automatic Fire Alarm Systems**
- 15.04.050 Previously Constructed Buildings- Sprinkler Systems**
- 15.04.060 Swimming Pool Barriers and Safety Devices**
- 15.04.070 Residential Fire Sprinklers**

15.04.010 California Codes Adopted

The 2010 California Building Code, Volumes 1 and 2, the 2010 California Residential Code, the 2010 California Electrical Code, the 2010 California Mechanical Code, the 2010 California Plumbing Code, the 2010 California Fire Code, the 2010 California Green Building Standards Code, and the 2010 California Referenced Standards Code, are hereby adopted as the Building Regulations for the City of Hesperia, together with the amendments, additions, deletions, and exceptions set forth in this Section.

15.04.020 Appendix Chapters Added

The following appendix chapters are specifically adopted:

- A. Appendix Chapter I of the 2010 California Building Code titled "Patio Covers", is hereby adopted in its entirety.
- B. Appendix Chapter A of the 2010 California Plumbing Code titled "Recommended Rules for Sizing the Water Supply System", is hereby adopted in its entirety.
- C. Appendix Chapter G of the 2010 California Plumbing Code titled "Graywater Systems", is hereby adopted in its entirety.
- D. Appendix Chapter I of the 2010 California Plumbing Code titled "Installation Standards", is hereby adopted in its entirety.
- E. Appendix Chapter K of the 2010 California Plumbing Code titled "Private Sewage Disposal Systems", is hereby adopted in its entirety.

15.04.030 Automatic Fire Sprinklers

In addition to the requirements of Section 903 of the 2010 California Building Code, an automatic fire extinguishing system shall be installed in every building of Group A, B, E, F, H, I, L, M, S or U with 5,000 or more square feet of floor area or two or more stories in height.

EXCEPTIONS:

- 1. Buildings separated into fire areas of less than 5,000 square feet by one or more four (4) hour separation walls constructed in accordance with Table 720.1(2) of the California Building Code, containing no openings and extending from the foundation to a point at least 30-inches above the roof line.
- 2. Canopies constructed entirely of non-combustible materials with no enclosing walls and spaced at least ten (10) feet from adjacent buildings or structures.
- 3. Mini-storage buildings constructed entirely of non-combustible materials and not containing hazardous materials.

4. Buildings with a single, small, low occupancy room on the second floor, when approved by the Fire Chief and Building Official.

15.04.040 Automatic Fire Alarm Systems

An approved manual, automatic, or manual and automatic fire alarm system shall be installed in all buildings of Group A, B, E, F, M or S of 2,400 square feet or larger, but less than 5,000 square feet of floor area except where other provisions of the code require a fire alarm system for a lesser floor area.

EXCEPTION:

1. Canopies constructed entirely of non-combustible materials with no enclosing walls and spaced at least ten (10) feet from adjacent buildings or structures.

15.04.050 Previously Constructed Buildings- Sprinkler Systems

Previously constructed buildings with a floor area of 5,000 square feet or more and which are proposing to add floor area, change their occupancy classification to a more hazardous classification, or significantly alter or remodel the building, shall install an automatic fire extinguisher system.

EXCEPTIONS:

1. Tenant improvements, maintenance and repair such as interior and exterior painting, carpeting, interior window coverings, drapes, interior non-bearing partitions, surface re-roofing or plumbing, mechanical and electrical repairs.

15.04.060 Swimming Pool Barriers and Safety Devices

A. General. Swimming pools shall comply with the requirements of this section and other applicable sections of the California Building Code.

B. Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this chapter, have the meaning shown herein.

APPROVED SAFETY POOL COVER means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with Standard F 1346-91.

BARRIER (ENCLOSURE) means a fence, wall, or other barrier that isolates a swimming pool from access to the home or other buildings and grounds.

EXIT ALARMS means devices that make audible, continuous alarm sounds when any door or window that permits access from the residence to the pool area, that is without any intervening enclosure, is opened, or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.

PRIVATE SWIMMING POOL means a swimming pool located on the grounds of a single-family home.

PUBLIC SWIMMING POOL means a swimming pool for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.

SWIMMING POOL means any structure intended for swimming, recreational bathing, or wading that contains water over 18 inches (457 mm) deep. This includes in-ground, above-ground, and on-ground pools; hot tubs, spas, portable spas, and fixed-in-place wading pools.

C. BARRIERS (ENCLOSURES)

- 1. Barrier Height and Clearances.** The top of the barrier shall be at least 60 inches (1524 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
- 2. Openings.** Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
- 3. Solid Barrier Surfaces.** Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
- 4. Closely Spaced Horizontal Members.** Where the barrier is composed of vertical and horizontal members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 $\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within cutouts shall not exceed 1 $\frac{3}{4}$ inches (44 mm) in width.
- 5. Widely Spaced Horizontal Members.** Where a barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within cutouts shall not exceed 1 $\frac{3}{4}$ inches (44 mm) in width.
- 6. Chain Link Dimensions.** Maximum mesh size for chain link fences shall be 2 $\frac{1}{4}$ inch square (57 mm square) unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1 $\frac{3}{4}$ inches (44 mm) in width.
- 7. Diagonal Members.** Where the barrier is composed of diagonal members, the maximum opening formed by diagonal members shall be no more than 1 $\frac{3}{4}$ inches (44 mm).
- 8. Gates.** Access doors or gates shall be equipped to accommodate a locking device. Pedestrian access doors or gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Doors or gates other than pedestrian access doors or gates shall have a self-latching device.

