

ORDINANCE NO. 2022-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING BY REFERENCE THE 2022 EDITIONS OF THE CALIFORNIA BUILDING CODE; CALIFORNIA MECHANICAL CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA ELECTRICAL CODE; CALIFORNIA ADMINISTRATIVE CODE; CALIFORNIA ENERGY CODE; CALIFORNIA GREEN BUILDING STANDARDS CODE; CALIFORNIA HISTORICAL BUILDING CODE; CALIFORNIA EXISTING BUILDING CODE; CALIFORNIA RESIDENTIAL CODE; AND CALIFORNIA REFERENCED STANDARDS CODE; TOGETHER WITH CERTAIN AMENDMENTS AND DELETIONS, AND AMENDING TITLE 15 OF THE TEMECULA MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Sections 15.04.010 through 15.04.080 of Chapter 15.04 Construction Codes of Title 15 (Building and Construction) of the Temecula Municipal Code are hereby deleted. New Sections 15.04.010 through 15.04.080 are hereby added to Chapter 15.04 to read as follows:

“15.04.010 Codes adopted. Except as hereinafter provided in this Chapter, the following codes are adopted by reference as the Building Codes of the City of Temecula:

- A. California Building Code, 2022 Edition, Volumes 1 and 2 (Part 2 of Title 24 of the California Code of Regulations), including Appendix C-Agricultural Buildings, and Appendix F – Rodent Proofing;
- B. California Historical Building Code, 2022 Edition (Part 8 of Title 24 of the California Code of Regulations);
- C. California Existing Building Code, 2022 Edition (Part 10 of Title 24 of the California Code of Regulations);
- D. California Electrical Code, 2022 Edition (Part 3 of Title 24 of the California Code of Regulations);
- E. California Mechanical Code, 2022 Edition (Part 4 of Title 24 of the California Code of Regulations);
- F. California Plumbing Code, 2022 Edition (Part 5 of Title 24 of the California Code of Regulations), including Appendix A, B, D, H, IAPMO 31-2014 of Appendix I, and J.

- G. California Administrative Code, 2022 Edition (Part 1 of Title 24 of the California Code of Regulations);
- H. California Energy Code, 2022 Edition (Part 6 of Title 24 of the California Code of Regulations),
- I. California Green Building Standards Code, 2022 Edition (Part 11 of Title 24 of the California Code of Regulations), including Appendix A4 Residential Voluntary Measures and Appendix A5 Non Residential Voluntary Measures.
- J. California Reference Standards Code, 2022 Edition (Part 12 of Title 24 of the California Code of Regulations),
- K. California Residential Code, 2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations), including Appendix AX.

A copy of each of the above codes shall be maintained in the office of City Clerk and shall be made available for public inspection while such codes are in force.”

15.04.020 California Building Code. The following amendments, additions and deletions are made to the California Building Code, 2022 Edition, as adopted by this Chapter.

A. **Section 105.2 is hereby amended by modifying subsection 4 under Building, to read as follows:**

- 4. Retaining walls that are not over three (3) feet in height unless supporting a sloped surcharge and garden walls not over four (4) feet in height, measured from the top of footing to top of wall or impounding flammable Class I, Class II or III-A liquids.

B. **Section 105.3 is hereby amended by adding Subsection 8 to read as follows:**

- 8. All contractors and their subcontractors must have current and valid city business licenses.

C. **Section 105.5 is amended to read as follows:**

105.5 Expiration: Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 12 months or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days or if the permit is revoked. Before such work can be recommenced a new permit shall first be obtained by reinstatement of the permit and the fee therefore shall be one half the amount required for reinstating the permit for such work. A permittee may request an extension of a permit. The Building Official may grant in writing, one or more extensions of time for periods of not more than 180 days per extension. The

permittee shall request an extension pursuant to this subdivision in writing and demonstrate justifiable cause for the extension.

D. Section 110.3.8 is amended to read as follows:

110.3.8 Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire resistance-rated assemblies shall not be concealed from view until inspected for all designed fire protection. Required fire seals/fire barriers in fire assemblies at fire-resistant penetrations shall be installed and certified by a third party, state of California licensed fireproofing company and certification of compliance shall be provided for building official's final approval.

E. Section 111.1 is hereby amended by adding the following:

To ensure appropriate continued use of any occupied space the building official will issue a new Certificate of Occupancy upon any change of tenant at the fee rates established by resolution of the City Council.

F. Section 114.4.1 is hereby added to read as follows:

114.4.1 Civil Penalty. Any person, firm or corporation who shall proceed with or commence work for which a permit is required by these building and construction regulations without first having obtained such permit shall, if subsequently permitted to obtain a permit therefor, pay double the fee fixed for such work. The original permit fee shall be for issuance of the permit and the balance shall be a civil penalty. This provision shall not apply to emergency work when it shall be proved to the satisfaction of the building official that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work. In all such cases a permit must be secured as soon as it is practicable to do so, and if there is an unreasonable delay in securing the required permit, the civil penalty as provided in this section shall be charged. In no event shall such civil penalty exceed the permit fee plus five hundred dollars. The civil penalty provided in this section shall be in addition to any other fines and remedies prescribed elsewhere in this code. The payment of such fees and fine shall not relieve any person from fully complying with the requirements of these building and construction regulations in the execution of the work.

G. Section 502.1 is hereby amended to read as follows:

502.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Commercial, multi-family residential and industrial buildings shall have a minimum of twelve (12)

inch numbers with suite numbers being a minimum of six (6) inches in size. All suites shall have a minimum of six (6) inch high letters and/or numbers on both the front and rear doors. Single family residences and multi-family residential units shall have four (4) inch letters and/or numbers, as approved by the Fire Prevention Bureau. Address numbers shall be maintained.

H. Section 901.2.1 is added to read as follows:

901.2.1 As-built/Revised documents. Three (3) sets of as-built/revised drawings shall be submitted to the fire department for approval prior to final of any permits. Redlines are not considered as-builts/revised plans.

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

903.2 Where required. In all new buildings and structures which are 3,600 square feet or greater, an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where Sections 903.2.1 – 903.2.21 of the California Fire Code require more restrictive requirements than those listed below, the more restrictive requirement shall take precedence. In addition the following is required for existing buildings/structures:

- A.
 - 1. All new tenants and new occupancies hereafter constructed, which exceed 3,600 square feet shall have an approved automatic fire sprinkler system installed throughout.
 - 2. All existing occupancies to which additions are made, where either the addition itself or the building and the addition in total exceeds 3,600 square feet, shall have an approved automatic fire sprinkler system installed throughout therein.
 - 3. Change of use or occupancy that exceeds 3,600 square feet shall have an approved automatic fire sprinkler system installed throughout therein.
- B. **Exception:** Unless required elsewhere in this code or the California Building Code, automatic fire sprinkler systems shall not be required for the following:
 - 1. Detached Group U occupancies used for agricultural Constructed in accordance with the California Building Code.
 - 2. Detached non-combustible equestrian arena shade canopies that are open on all sides and used for riding only - no commercial, assembly or storage uses.

3. Detached fabric or non-combustible shade structures that are open on all sides and used to shade playground equipment, temporary storage of vehicles and dining areas with no cooking.

4. Where determined by the Fire Chief that no major life safety hazard exists, and the fuel load does not pose a significant threat to firefighter safety or to other structures or property, automatic fire sprinklers may be exempted.

C. One- and two-family dwellings shall have an automatic fire sprinkler system regardless of square footage in accordance with the California Residential Code. Fire sprinkler systems shall be installed in mobile homes, manufactured homes and multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

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

- a. Exception in Section 903.2.3
- b. Exception in Section 903.2.11.3

J. **Section 903.3.5.3 is added to read as follows:**

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

K. **Section 903.4.3 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 in all buildings. Valve locations will be placed in the fire sprinkler riser room on each riser.

L. **Section 904.2.2.1 is added to read as follows:**

904.2.2.1 Extinguishing system monitoring requirements. All automatic fire-extinguishing systems will be required to be monitored by a fire alarm/sprinkler monitoring system. If a fire alarm/sprinkler monitoring system is not present, one will be required to be installed to provide monitoring for the automatic fire-extinguishing system.

M. **Sections 907.1.6, 907.1.7 and 907.1.8 are added to read as follows:**

907.1.6 Fire alarm control panel (FACP). The main fire alarm control panel shall be located in the same room as, and sharing the same access as the fire sprinkler riser. The FACP shall have a minimum 36 inches of face clearance and 6 inches side clearance from any other wall or equipment.

907.1.7 Notification appliance. New tenant spaces and new occupancy buildings shall require alarm notification appliances. For multi-tenant buildings, an alarm notification appliance shall be placed in each tenant suite. For existing buildings with new tenants an alarm notification appliance shall be required in each tenant space. For existing buildings that are not equipped with a fire alarm system or sprinkler monitoring system, new tenants or owners shall be required to install the appropriate type of fire alarm system.

907.1.8 Duct Detectors. Duct detectors located in any buildings that have a fire alarm system shall be powered from the main building fire alarm power supply.

N. Section 1505.1 is hereby amended to read as follows:

1505.1 General. Roof assemblies shall be divided into the classes defined in this section. Class A, B and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E108 or UL 790. In addition, fire-retardant wood roof coverings shall be tested in accordance with ASTM D2898. The minimum roof coverings installed on buildings shall comply with Table 105.1 base do the type of construction of the building. The roof covering or roofing assembly on any structure regulated by this Code within the Historical District Overlay, generally known as the Old Town Temecula Historical Preservation District, shall not be less than a Class C roofing assembly.

O. Section 1907A.2 is added to read as follows:

1907A.2 Additional requirements. Slab Dowels in all occupancies, slab connection from existing slabs to new construction shall be placed at a minimum twenty-four (24) inches on center with reinforcing steel of one-half inch minimum diameter, eight (18) inches in length. Embedment to existing shall be a minimum of six (6) inches.

P. The following Appendices are deleted in their entirety:

Appendices A, B, D, E, G, H, I, J, K, L, M, N, O and P

Q. Chapter 29 is deleted in its entirety from the California Building Code

15.04.030 California Residential Code. The following amendments, additions and deletions are made to the California Residential Code, 2022 Edition, as adopted by this Chapter.

A. All Appendences, except AX are deleted.

B. Appendix AX is amended by adding item (8) to Section 115922(a) to read as follows:

(8) One (1) of the two (2) required pool safety features of the seven (7) specified above and from the Health and Safety Code 115922, must be an enclosure that meets the

requirements of Section 115923 of that code. The second required pool safety feature must be one of the remaining six (6) features listed in Section 115922.

15.04.040 California Electrical Code. The following amendments, additions and deletions are made to the California Electrical Code, 2022 Edition, as adopted by this Chapter.

A. **Section 90.4 is hereby amended by adding the following to the end of the code section:**

90.4 Enforcement.

Violations of this Code are subject to the prohibitions set forth in Section 15.02.060 and the penalties set forth in Chapter 1.20, of this Municipal Code.

For commercial projects an electrical contractor shall be responsible for obtaining permits for electrical work performed.

B. **Section 90.8 is hereby amended by adding the following:**

(C) Connecting Conductors. Accessory uses or other building, or signs, separately located on the same lot or premises shall have connecting conductors run underground. (Agricultural area excepted.)

(D) Spare Circuits. Where spare circuit protective devices are provided or space for future circuit protective devices are provided on the bus in any flush or semi-flush mounted panel, then raceways of sufficient capacity to permit utilization of such space or spaces shall be provided to an approved accessible location.

(E) Electric Vehicles. Circuits for electric vehicle charging stations shall meet all the requirements of CEC Article 625. Residential garages shall have a minimum one (1) inch metal flex conduit ran from meter box to the garage fire wall and terminated in a metal box at forty-two (42) inches above finished floor for future electric vehicle charging station.

All residential electrical applications shall provide two (2) future expansion conduits from the meter box, one each stubbed to an approved, accessible upper and lower location.

C. **Section 110.5 is hereby amended to read as follows:**

110.5 Conductors. Conductors used to carry current shall be of copper, aluminum, or copper-clad aluminum unless otherwise provided in this *Code*. Where the conductor material is not specified, the sizes given in this Code shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly. Notwithstanding any provision to the contrary, no aluminum conductors smaller than #6 A.W.G. shall be used.

- D. **Table 300.5, Location of Wiring Method or Circuit is amended by revising ‘Under a building’ to read as follows:**

Under a building:

‘Six (6) inches beneath the bottom of slab’, in all corresponding columns.

- E. **Section 334.10 is hereby amended to read as follows:**

334.10 Uses permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

- (1) One and two-family dwellings.
- (2) Multi-family dwellings permitted to be types III, IV, and V construction except as prohibited in Section 334.12.
- (3) No type NM, NMC, or NMS, or non-metallic sheathed cable (Romex) shall be used in commercial applications regardless of mixed-use occupancy.

- F. **Section 690.4 (A) is hereby amended to read as follows:**

(A) **Photovoltaic Systems.** Solar Photovoltaic Systems shall only be installed by registered California Contractors License Board entities with a valid A, B, C-10 or C-46 contractor license or the property owner. Valid copies of the contractor’s City of Temecula Business License and California Contractors License Board license shall be submitted on the plans.

The current carrying conductors of all sources of energy *shall be designed to de-energize, and remain de-energized, from their respective source of energy generation when the utility-supplied service’s main breaker is opened (set to the “off” position) on the electrical system being energized by the aforementioned sources of energy.

*For purposes of this section, “sources of energy” includes alternating current, solar, wind, battery and fuel cell.

The point where the current carrying conductors are to be de-energized and remain de-energized shall be immediately adjacent to the point of energy generation or immediately adjacent to a combiner box, if so equipped. This shall apply to all electrical system installations, regardless of location of conductors inside or outside of any structures.

Solar systems not installed on roofs –

Foundation and/or footings size plans and substantiating design calculations shall be submitted showing supporting member sizes, dimensions, materials and the loads which will be imposed on the foundation or footings. Where the supporting framework of the modules or arrays is shown as part of the

laboratory approved system, design calculations will not be required for the supporting framework of the modules or arrays provided they are included in the approved listing.

15.04.050 California Mechanical Code. The following amendments, additions and deletions are made to the California Mechanical Code, 2022 Edition, as adopted by this Chapter.

A. Section 104.5 is hereby deleted in its entirety and superseded by Sections 15.02.010 through 15.02.050 of this Municipal Code, expressly incorporated herein by reference. All references in the California Mechanical Code to fees, fee schedules, or fee tables shall mean the fee schedule as established by Resolution of the City Council in accordance with Section 15.02.010 herein.

B. **Section 106.3 is hereby amended to read as follows:**

106.3 Penalties. Violations of this Code are subject to the prohibitions set forth in Section 15.02.060 and the penalties set forth in Chapter 1.20, of this Municipal Code.

C. **Section 504.1 is hereby amended by adding the following:**

504.1 General. Where not specified in this chapter, exhaust ducts shall be constructed and installed in accordance with Chapter 6 and shall be airtight as approved by the Authority Having Jurisdiction. Environmental air ducts that have an alternate function as a part of an approved smoke-control system do not require design as Class I product-conveying ducts. Aluminum flex ducts are not permitted to be installed horizontally in rooms that produce steam. An angle greater than forty-five degrees from the vertical is considered a horizontal run.

15.04.060 California Plumbing Code. The following amendments, additions and deletions are made to the California Plumbing Code, 2022 Edition, as adopted by this Chapter:

A. **Section 106.3 is amended to read as follows:**

106.3 Penalties. Violations of this Code are subject to the prohibitions set forth in Section 15.02.060 and the penalties set forth in Chapter 1.20, of this Municipal Code.

B. Section 104.5 is deleted in its entirety and superseded by Sections 15.02.010 through 15.02.050 of this Municipal Code, expressly incorporated herein by reference. All references in the California Plumbing Code to fees, fee schedules, or fee tables shall mean the fee schedule as established by resolution of the City Council in accordance with Section 15.02.010 herein.

- C. Section 211.0 is amended by revising the definition of ‘industrial waste pipe’ to read as follows:

Indirect Waste Pipe. An indirect waste pipe is a pipe that does not connect directly with the drainage system but conveys liquid wastes by discharging through an approved air gap into a plumbing fixture, interceptor or receptacle which is directly connected to the drainage system.

- D. **Section 719.5 is hereby amended to read as follows:**

719.5 Access. Cleanouts installed under concrete or asphalt paving shall be made accessible by yard boxes, or by extending flush in paving with a ‘brass cap’ or other approved material for installation where subject to vehicular traffic.

- E. **Section 1213.3.1 is added to read as follows:**

1213.3.1 Testing. Testing of gas piping two (2) inches or greater or exceeding twenty (20) feet in length shall require a thirty (30) minute test witnessed by the jurisdiction. Such test shall be sixty (60) p.s.i. All welded pipe shall be graph tested for twenty-four (24) hours at sixty (60) p.s.i. witnessed by the jurisdiction. No gas tests shall be performed at less than ten (10) p.s.i and at not less than fifteen (15) minutes witnessed by the jurisdiction.

- F. **Section 1211.8.1 is added to read as follows:**

1211.8.1 Installation. The installation of Seismic Gas Shutoff Valves shall comply with the following requirements:

1. Be installed by a contractor licensed in the appropriate classification by the State of California.

Exception: Seismic gas shutoff valves may be installed by a gas utility provided a permit is obtained and the valves are installed and approved in accordance with this section.

2. Be mounted rigidly to the exterior of the building or structure containing the fuel gas piping.

Exception: This requirement need not apply if the Building Department determines that the seismic gas shutoff valve has been tested and listed for an alternate method of installation.

3. Be listed by an approved testing laboratory and certified by the Office of the State Architect.
4. Be approved by the Building and Safety Department.

5. Have thirty (30) year warranty, which warrants that the valve is free from defects, and will continue to properly operate for thirty (30) years from the date of installation.
 6. Where seismic gas shutoff valves are installed as required by this section, they shall be maintained for the life of the building or structure or be replaced with a valve complying with the requirements of this section.
- H. The following chapter of the 2022 California Plumbing Code IS adopted in its entirety: Chapter 13, Health Care Facilities and Medical Gas and Vacuum Systems.
- I. The following Appendices of the 2022 California Plumbing Code are adopted in their entirety: Appendix A, B, D, H, IAPMO 31-2014 of Appendix I, and J.

15.04.070 Penalties for violation of Chapter 15.04. Any person, firm, partnership, or corporation violating any provision or to failing to comply with any of the requirements of this Chapter or any of the Codes hereby adopted, shall be subject to the penalties set forth in Chapters 1.20, 1.21 and 1.24 of the Temecula Municipal Code. Each and every person, firm, partnership, or corporation shall be deemed guilty of a separate offense for each and every day or any portion thereof during which any violation of any of the provisions of this Chapter or the Codes hereby adopted is committed, continued or permitted by such person, firm, partnership or corporation, and shall be deemed punishable therefore as provided in this Chapter.

15.04.080 Civil remedies available. The violation of any of the provisions of this Chapter or any of the Codes hereby adopted shall constitute a nuisance and may be abated by the City through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisances.”

Section 2. Severability. The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance or the Codes hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance and the Codes hereby adopted shall remain in full force and effect.

Section 3. This Ordinance shall become effective upon the later of January 1, 2023, or thirty (30) days after adoption.

Section 4. The City Clerk of the City of Temecula shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula
this 25th day of October, 2022.

Matt Rahn, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Ordinance No. 2022-13 was duly introduced and placed upon its first reading at a meeting of the City Council of the City of Temecula on the 27th day of September, 2022, and that thereafter, said Ordinance was duly adopted by the City Council of the City of Temecula at a meeting thereof held on the 25th day of October, 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk