

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA, APPROVING THE ADOPTION OF THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, (CALIFORNIA CODE OF REGULATIONS TITLE 24), PART 9, 2022 CALIFORNIA FIRE CODE WITH AMENDMENTS AND AMENDING CHAPTER 15.20 “FIRE CODE,” OF THE BEAUMONT MUNICIPAL CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEAUMONT, RIVERSIDE COUNTY, STATE OF CALIFORNIA AS FOLLOWS:

**SECTION 1. CEQA.** The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act (“CEQA”) pursuant to 15061(b)(3), CEQA review is not required because there is no possibility that this Ordinance may have a significant effect upon the environment and the proposed text amendments constitute a minor alteration in a land use limitation under CEQA Guidelines Section 15305, and such a land use limitation is a permissible exercise of the City's zoning powers.

**SECTION 2. Severability.** The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed, and the balance of the Ordinance enforced.

**SECTION 3. Prosecution of Prior Ordinances.** Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution of any violation of any City ordinance or provision of the City of Beaumont Municipal Code, committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

**SECTION 4. Findings.** The City Council hereby finds that pursuant to California Health & Safety Code Section 17958, 17958.5, 17958.7, and/or 18941.5 that the proposed amendments to the 2022 edition of the California Building Standards Code, (California Code of Regulations, Title 24), Part 9, 2022 California Fire Code are (1) necessary because of local climatic, geological, or topographical conditions, or (2) are of an administrative or procedural nature, and/or do not modify building standards and are reasonably necessary to safeguard life and property within the City; and findings are set forth on Exhibit A, which exhibit is attached hereto and made a part hereof.

**SECTION 5.** The City Council hereby amends Title 15.20, entitled “Fire Code” to the Beaumont Municipal Code, to read as:

**Chapter 15.20**  
**FIRE CODE**

**Sections:**

- 15.20.010 Adoption of 2022 California Fire Code**
- 15.20.020 Amendments to the 2022 California Fire Code**
- 15.20.030 Violation—Penalty**

**15.20.010 Adoption of 2022 California Fire Code.** Except as otherwise provided in this Chapter, the California Fire Code, Title 24, California Code of Regulations, Part 9, including Chapter 1, Division II - Scope and Administration, except that Section 103.2 and 111.3 are not adopted, and Chapters 3, 25, and Sections 403.11, 503, 510.2, 1103.2, and 5707 are adopted, including any and all amendments set forth in this chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Fire Code.

**15.20.020 Amendments to the 2022 California Fire Code.** The 2022 California Fire Code is amended in part as follows:

**A. SCOPE AND GENERAL REQUIREMENTS**

1. Section 101.4 of the California Fire Code is deleted in its entirety and replaced with the following:

**101.4 Severability.** If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

**B. APPLICABILITY**

1. Section 102.5 of the California Fire Code is amended as follows:

**102.5 Application of residential code.** Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

- 1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.6 of this code shall apply.
- 2. Administrative, operational and maintenance provisions of this code shall apply.
- 3. Automatic fire sprinkler system requirements of this code shall apply to detached accessory buildings 3,600 square feet or greater in accordance with Section 903.2. The provisions contained in Section 903.2.18 of the California Fire Code or Section R309.6 of the California Residential Code may be used for the design of the automatic fire sprinkler system for detached private garages.

**C. DUTIES AND POWERS OF THE FIRE CODE OFFICIAL.**

1. A new Section 104.1.1 is added to Section 104.1 of the California Fire Code to read as follows:

**104.1.1 Authority of the Fire Chief and Fire Department.**

1. The Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the City Council.

2. The Fire Chief is authorized to administer, interpret and enforce this ordinance. Under the Fire Chief's direction, the Riverside County Fire Department is authorized to enforce ordinances of the City of Beaumont pertaining to the following:

- 2.1. The prevention of fires.
- 2.2. The suppression or extinguishment of dangerous or hazardous fires.
- 2.3. The storage, use and handling of hazardous materials.
- 2.4. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment.
- 2.5. The maintenance and regulation of fire escapes.
- 2.6. The maintenance of fire protection and the elimination of fire hazards on land, in buildings, structures and other property, including those under construction.
- 2.7. The maintenance of means of egress.
- 2.8. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials.

3. The following persons are hereby authorized to interpret and enforce the provisions of this ordinance and to make arrests and issue citations as authorized by law:

- 3.1. The Unit Chief, Peace Officers and Public Officers of the California Department of Forestry and Fire Protection.
- 3.2. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.
- 3.3. The Riverside County Sheriff and any deputy sheriff.
- 3.4. The Police Chief and any police officer of any city served by the Riverside County Fire Department.
- 3.5. Officers of the California Highway Patrol.
- 3.6. Code Officers of the City of Beaumont Code Enforcement Department.
- 3.7. Peace Officers of the California Department of Parks and Recreation.
- 3.8. The law enforcement officer of the Federal Bureau of Land Management.

2. Sections 104.7 and 104.7.1 of the California Fire Code are deleted in their entirety and replaced with the following:

**104.7 Liability.** Any liability against Riverside County or the City of Beaumont or any officer or employee for damages resulting from the discharge of their duties shall be as provided by law.

3.. A new Section 104.13 is added to Section 104 of the California Fire Code to read as follows:

**104.13 Authority of the Fire Chief to close hazardous fire areas.** Except upon National Forest Land, the Fire Chief is authorized to determine and announce the closure of any hazardous fire area or portion thereof. Any closure by the Fire Chief for a period of more than fifteen (15) calendar days must be approved by the Riverside County Board of Supervisors and/or the City Council within fifteen (15) calendar days of the Fire Chief's original order of closure. Upon such closure, no person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas. During such closure, the Fire Chief shall erect and maintain at all entrances to the closed area sufficient signs giving notice of closure. This section shall not prohibit residents or owners of private property within any closed area, or their invitees, from going in or being upon their lands. This section shall not apply to any entry, in the course of duty, by a peace officer, duly authorized public officer or fire department personnel. For the purpose of this section, "hazardous fire area" shall mean public or private land that is covered with grass, grain, brush or forest and situated in a location that makes suppression difficult resulting in great damage. Such areas are designated on Hazardous Fire Area maps filed with the office of the Fire Chief.

#### **D. PERMITS**

1. A new Section 105.5.55 is added to section 105 of the California Fire Code to read as follows:

**105.5.55 Commercial cooking with grease laden vapors.** An operational permit is required for commercial cooking operations producing grease laden vapors requiring a Type I hood regulated by Chapter 6 and an automatic fire extinguishing system regulated by Chapter 9.

#### **E. FEES**

1. Section 107.2 of the California Fire Code is deleted in its entirety and replaced with the following:

**107.2 Schedule of permit fees.** Fees for services and permits shall be as set forth in the City of Beaumont fee schedule.

2. A new Section 107.7 is added to Section 106 of the California Fire Code to read as follows:

**107.7 Cost recovery.** Fire suppression, investigation, rescue or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1, as may be amended from time to time. Additionally, any person who negligently, intentionally or in violation of law causes an emergency response, including, but not limited to, a traffic accident, spill of toxic or flammable fluids or chemicals is liable for the costs of securing such emergency, including those costs pursuant to Government Code Section 53150, et seq, as may be amended from time to time. Any expense incurred by the Riverside County Fire Department for securing such emergency shall constitute a debt of such person and shall be collectable by Riverside County in the same manner as in the case of an obligation under contract, express or implied.

#### **F. MEANS OF APPEALS**

1. Section 111.1 of the California Fire Code is deleted in its entirety and replaced with the following:

**111.1 Board of appeals established.** The Board of Appeals shall be the City Manager. If he or she determines an outside board is needed, he or she shall designate an outside hearing officer to hear the appeal. The Fire Chief shall be notified of any appeal and the Fire Chief or designee shall be in attendance at the appeal hearing. Depending on the subject of the appeal, specialized expertise may be solicited, at the expense of the applicant, for the purpose of providing input to the Appeals Board.

## **G. VIOLATIONS.**

1. Section 112.4 of the California Fire Code is deleted in its entirety and replaced with the following:

**112.4 Violation and penalties.** It shall be unlawful for any person, firm, corporation or association of persons to violate any provision of this ordinance, or to violate the provisions of any permit granted pursuant to this code or Ordinance. Punishments and penalties for violations shall be in accordance with the City of Beaumont ordinances, fee schedule and Health and Safety Code Sections 17995 through 17995.5.

## **H. DEFINITIONS.**

1. Section 202, definition of “Fire Chief” in the California Fire Code is deleted in its entirety and replaced with the following:

FIRE CHIEF. The Fire Chief of Riverside County or the Fire Chief’s designee.

## **I. OPEN FLAMES.**

1. Section 308.1.6.3 of the California Fire Code is deleted in its entirety and replaced with the following:

**308.1.6.3 Sky lanterns or similar devices.** A person shall not release or cause to be released a sky lantern or similar device.

## **J. FIRE APPARATUS ACCESS ROADS.**

1. Section 503.2.1 of the California Fire Code is deleted in its entirety and replaced with the following:

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). For additional requirements or alternatives see Riverside County Fire Department Standards and Policies, as may be amended from time to time.

2. Section 503.2.2 of the California Fire Code is deleted in its entirety and replaced with the following:

**503.2.2 Authority.** The fire code official shall be the only authority authorized to designate fire apparatus access roads and fire lanes and to modify the minimum fire lane access widths for fire or rescue operations.

3. A new Section 503.6.1 is added to Section 503.6 of the California Fire Code to read as follows:

**503.6.1 Automatic opener.** New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicle in accordance with Riverside County Fire Department standards and Policies, as may be amended from time to time.

**Exception:** Gates serving individual one- and two-family dwelling parcels.

4. A new Section 503.7 is added to Section 503 of the California Fire Code to read as follows:

**503.7 Loading areas and passenger drop-off areas.** On private properties, where fire apparatus access roads are utilized for loading or unloading or utilized for passenger drop-off or pick-up, an additional eight (8) feet of width shall be added to the minimum required width for the fire apparatus access road.

## **K. FIRE PROTECTION WATER SUPPLIES**

1. A new Section 507.5.7 is added to Section 507 of the California Fire Code to read as follows:

**507.5.7 Fire hydrant size and outlets.** As determined by the fire code official, fire hydrant sizes and outlets shall be based on the following:

1. Residential Standard – one (1) four (4) inch outlet and one (1) two and 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.

2. A new Section 507.5.8 is added to Section 507 of the California Fire Code to read as follows:

**507.5.8 Fire hydrant street marker.** Fire hydrant locations shall be visually indicated in accordance with Riverside County Fire Department Technical Policy 06-11, as may be amended from time to time. Any hydrant marker damaged or removed during the course of street construction or repair shall be immediately replaced by the contractor, developer or person responsible for removal or damage.

## **L. FIRE COMMAND CENTER**

1. Section 508.1 of the California Fire Code is deleted in its entirety and replaced with the following:

**508.1 General.** Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, in buildings greater than 300,000 square feet in area (27870 m<sup>2</sup>) and in Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access, a fire command center for fire department operations shall be provided and comply with Sections 508.1.1 through 508.1.7.

2. Section 508.1.1 of the California Fire Code is deleted in its entirety and replaced with the following:

**508.1.1 Location and access.** 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 room shall have direct access from the building exterior at the lowest level of fire department access.

3. Section 508.1.3 of the California Fire Code is amended as follows:

508.1.3 Size. The fire command center shall be not less than 0.015 percent of the total building area of the facility served or 200 square feet (19 m<sup>2</sup>) in area, whichever is greater, with a minimum dimension of 0.7 times the square root of the room area or 10 feet (3048 mm), whichever is greater.

**Where** a fire command center is solely required because a building is greater than 300,000 square feet (27870 m<sup>2</sup>), the fire command center shall have a minimum of 96 square feet (9 m<sup>2</sup>) with a minimum dimension of 8 feet (2438mm) where approved by the fire code official.

4. Section 508.1.6 of the California Fire Code is amended to add the following:

**Exception:** A fire command center solely required because a building is greater than 300,000 square feet in area shall comply with NFPA 72 and contain the features set forth in Section 508.1.6 subsections 5, 8, 10, 12, 13 and 14. The features set forth in Section 508.1.6 subsections 1, 2, 3, 4, 6, 7, 9, 11, 15, 16, 17, 18 and 19 shall be required when such building contains systems or functions related to these features.

5. A new Section 508.1.8 is added to Section 508 of the California Fire Code to read as follows:

**508.1.8 Fire command center identification.** The fire command center shall be identified by a permanent easily visible sign stating “Fire Dept. Command Center,” located on the door to the fire command center.

## **M. FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS**

1. Section 509.2.1 of the California Fire Code is amended to add the following:

**509.2.1 Minimum clearances.** A 3-foot (914 mm) clear space shall be maintained around the circumference of exterior fire protection system control valves, or any other exterior fire protection system component that may require immediate access, except as otherwise required or approved.

## **N. MECHANICAL REFRIGERATION.**

1. Section 608.11.1.2 of the California Fire Code is deleted in its entirety and replaced with the following:

**608.111.2 Manual operation.** When required by the fire code official, automatic crossover valves shall be capable of manual operation. The manual valves shall be located in an approved location immediately outside of the machinery room in a secure metal box or equivalent and marked as Emergency Controls.

## **O. AUTOMATIC SPRINKLER SYSTEMS.**

1. 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 the 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.

**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 purposes 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.

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 mobilehomes, 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

2. A new Section 903.3.5.3 is added to Section 903 of the California Fire Code 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.

## **P. DESIGNATION OF HIGH-PILED STORAGE AREAS.**

1. A new Section is added to Section 3204.2 of the California Fire Code to read as follows:

**3204.2.1 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 fire protection 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 describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include 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.

**Q. FIRE HAZARD SEVERITY ZONES.**

1. A new Section 4904.2.1 is added to Section 4904 of the California Fire Code to read as follows:

**4904.2.1 High Fire Hazard Severity Zone Maps.** In accordance with Government Code Sections 51175 through 51189, Very High Fire Hazard Severity Zones (VHFHSZ), located in the Local Responsibility Area (LRA), are designated as shown on the most recently published VHFHSZ IN LRA map, as recommended and published by the Director of the California Department of Forestry and Fire Protection (CAL FIRE), which may be revised from time to time. The most recent VHFHSZ IN LRA map is on file at the office of the Fire Chief, which supersedes other maps previously adopted designating high fire hazard areas.

**R. APPENDIX B.**

1. Table B105.2 of the California Fire Code is amended as follows:

**TABLE B105.2  
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND  
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

<b>AUTOMATIC SPRINKLER SYSTEM (Design Standard)</b>	<b>MINIMUM FIRE-FLOW (gallons per minute)</b>	<b>FLOW DURATION (hours)</b>
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) <sup>a</sup>	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) <sup>b</sup>	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow shall be not less than 1,000 gallons per minute.
- b. The reduced fire-flow shall be not less than 1,500 gallons per minute.

**S. APPENDIX C.**

1. Section C103.1 of the California Fire Code is deleted in its entirety and replaced with the following:

**C103.1 Hydrant spacing.** Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3. Fire hydrants shall be provided at street intersections.

**15.20.030 Violation—Penalty.** In the discretion of the Enforcement Officer, any person violating the provisions of this Chapter shall be issued an Administrative Citation pursuant to Beaumont Municipal Code Chapter 1.17 or shall be guilty of an infraction pursuant to Beaumont Municipal Code Chapter 1.16. In either case, the amount of the fine shall be the appropriate amount set forth in Section 1.16.030 of this Code. Each such violation shall be deemed a separate offense as specified in Section 1.16.040.

Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor, punishable by a fine of \$1,000.00 or 6 months in jail, or both.

In addition to the penalties provided in this Section, any condition caused or permitted to exist in violation of any of the provision of this Chapter shall constitute a public nuisance and may be abated by the City by civil process by means of a restraining order, preliminary or permanent injunction or in any manner provided by law for the abatement of such nuisance.

All remedies herein are cumulative and non-exclusive.

**SECTION 6. Effective Date and Publication.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36933. This Ordinance shall take effect 30 days after adoption in accordance with Government Code Section 36937.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves an amendment to the City Code.

**INTRODUCED AND READ** for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the 15th day of November, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the 6th day of December, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Mayor

ATTEST: \_\_\_\_\_  
City Clerk

Approved as to form:

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City Attorney