

## **ORDINANCE NO. 1907**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA ADDING, AMENDING AND DELETING CERTAIN ARTICLES, SECTIONS AND SUBSECTIONS OF CHAPTER 5 OF THE CODE OF THE CITY OF FONTANA PERTAINING TO THE CONSTRUCTION AND MAINTENANCE OF BUILDINGS, AND ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, KNOWN AS THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, CONSISTING OF THE CALIFORNIA BUILDING CODE, VOLUMES 1 & 2, BASED ON THE 2021 INTERNATIONAL BUILDING CODE; THE CALIFORNIA PLUMBING CODE, BASED ON THE 2021 UNIFORM PLUMBING CODE; THE CALIFORNIA ELECTRICAL CODE, BASED ON THE 2020 NATIONAL ELECTRICAL CODE; THE CALIFORNIA MECHANICAL CODE, BASED ON THE 2021 UNIFORM MECHANICAL CODE; THE CALIFORNIA EXISTING BUILDING CODE, BASED ON THE 2021 INTERNATIONAL EXISTING BUILDING CODE; THE CALIFORNIA GREEN BUILDING STANDARDS CODE; THE CALIFORNIA RESIDENTIAL CODE, BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE; AND THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE**

**WHEREAS**, the City of Fontana, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, in December 2021 and January 2022, the State Building Standards Commission reviewed and approved the 2022 edition of the California Building Standards Code (Title 24 of the California Code of Regulations); and

**WHEREAS**, Health and Safety Code Sections 18938 and 17958 make the California Building Standards Code applicable to all cities and counties throughout California, including the City of Fontana, 180 days after publication by the State Building Standards Commission or upon a later date established by the Building Standards Commission, which here is January 1, 2023, and

**WHEREAS**, Health and Safety Code Section 18941.5 provides that a City may establish more restrictive building standards if they are reasonably necessary due to local climatic, geological, or topographical conditions; and

**WHEREAS**, Health and Safety Code Section 17958.5 permits cities to make modifications to the requirements contained in the California Building Standards Code if such modifications are found to be reasonably necessary because of local climatic, geographic, or topographic conditions, and Health and Safety Code Section 17958.7 requires that the City Council, before making modifications to such requirements, make an express finding that such modifications are reasonably necessary because of local climatic, geographic, or topographic conditions; and

**WHEREAS**, the City Council of the City of Fontana hereby finds that it is

reasonably necessary to amend certain portions of the 2022 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, to meet the particular climatic, geological, and topographical conditions existing in the City; and

**WHEREAS**, the City Council further finds that some changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code, or are reasonably necessary to safeguard life and property within the City; and

**WHEREAS**, the City Council conducted a duly noticed public hearing to consider and review the California Building Standards Codes and local amendments, at which time hearing testimony and evidence was presented to and considered by the City Council.

**THE CITY COUNCIL OF THE CITY OF FONTANA DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council of the City of Fontana ("City") is informed and finds that it is reasonably necessary to amend certain portions of the 2022 Edition of The California Building Standards Code, known as the California Code of Regulations, Title 24, to meet the particular climatic, geological, and topographical conditions existing in the City. The City Council further finds that some changes and modifications are of an administrative or procedural nature or concern themselves with subjects not covered by the Code, or are reasonably necessary to safeguard life and property within the City. The City Council hereby adopts the following (climatic, geological, and topographical, where applicable) findings to support the proposed amendments to the 2022 California Building Standards Code made herein in this Ordinance:

- (a) The City is subject to relatively low amounts of precipitation, very low humidity levels, and extremely high temperatures. These climatic conditions are conducive to the spread of fire. For example, during July, August, and September, temperatures often exceed 100 degrees Fahrenheit. During the same months, humidity is usually less than 40%, and humidity measurements less than 10% are not uncommon. These conditions contribute to an increased likelihood of fire. Moreover, minor fires have a greater tendency of spreading rapidly due to such conditions.

(Finding applicable to Amendments to California Building Code Sections 903.2 and 1505.5; and California Residential Code Section R313.)

- (b) The City is subject to extremely strong winds, commonly referred to as "Santa Ana Winds," which reach speeds in excess of 90 miles per hour. Extensive damage often occurs during such winds, including: fallen trees; blown sand and debris; downed utility poles, utility circuits, and utility service lines; and structural damage to buildings. These adverse conditions can cause: (1) fires; (2) impairment of emergency apparatus access; (3) delays in response times of emergency apparatus; and (4) the depletion of apparatus readily available for fire suppression activities. These windstorms commonly last from three to seven days.

(Finding applicable to Amendments to California Building Code Sections 502.1, 903.2, 1609.3, 1609.4.3, Table 1504.8, Table 1507.2.7.1(1), Table 1507.2.7.1(2) and I105.2; and California Electric Code Section 225.1; and California Residential Code Sections R301.2.1.4, R313, R319.1, Table R301.2, and AH105.2.)

- (c) The City's neighboring foothills create a unique fire hazard. This is because fire service is provided to the City by the San Bernardino County Fire Department and fire units from the City are often sent to assist in the extinguishment of fast moving, wind-assisted fires in the neighboring foothills which destroy or damage many structures, and as such, these units are then unavailable for fire suppression in the City.

(Finding applicable to Amendments to California Building Code Sections 502.1, 903.2, and 1505.5; and California Residential Code Sections R313 and R319.1.)

- (d) Development has occurred in the City and continues to occur in the City and such development has resulted in severe traffic congestion during peak business hours, weekends, and holidays, thus decreasing response time, particularly on the following streets and highways: Sierra Avenue, Valley Boulevard, Cherry Avenue, Foothill Boulevard, Base Line Road, Highland Avenue, Citrus Avenue, Slover Avenue, Jurupa Avenue, Arrow Route, San Bernardino Avenue, the I-15 Freeway and the I-10 Freeway. Such traffic and circulation congestion is an artificially created, obstructive topographical condition creating a situation which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property from fire hazards. Automatic fire protection systems are the single greatest means of reducing the severity of structural fires; fire loss in un-sprinklered buildings is four times greater than fire loss in sprinklered buildings. Numerous fires have occurred within the City in residential structures (houses, apartments, hotels, and motels) over the past several years that have automatic fire protection systems, and in all of these fires, the automatic fire protection systems have successfully controlled and/or suppressed the fire before the emergency response personnel have been able to arrive at the structure.

(Finding applicable to Amendments to California Building Code Sections 502.1 and 903.2; and California Residential Code Sections R313 and R319.1.)

- (e) An extreme and unusual fire hazard exists in the hillsides and other areas of the City south of Jurupa Avenue and north of the I-15 Freeway due to the presence of highly flammable vegetation, the region's dry climate, and frequent hot, dry Santa Ana winds.

(Finding applicable to Amendments to California Building Code Sections 903.2 and 1505.5; and California Residential Code Section R313.)

- (f) The City is located in Southern California, in an extremely active seismic region, with high levels of historic earthquake shaking in the recent past (earthquakes measuring larger than a magnitude 5 on the Richter Scale) and can be expected to experience significant strong ground shaking within the foreseeable future; and

The seismotectonic setting of the City is dominated by the Sierra Madre-Cucamonga fault, which traverses the Northern portion of the City, and the City's close proximity to the San Andreas fault--7 miles to the East, San Jacinto fault--3 miles to the East and Whittier-Elsinore Fault--19 miles to the Southwest; and

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. (This information is according to maps used by Cal Tech, Pasadena and provided by the U.S. Geological Survey). Existing and planned developments are at risk from structural damage from earthquake faults. Improved standards are necessary to ensure that maximum safety is provided to persons and property.

(Finding applicable to Amendments to California Building Code Sections 502.1 ; and California Electric Code Section 225.1; and California Residential Code Sections R319.1 and Table R301.2.)

- (g) Aluminum expands and shrinks at a much greater rate than other metals. This property becomes critical for smaller wires of aluminum conductors, which may break down at a termination point in a seismic event, causing a fire. As discussed above, the City is located in an extreme active seismic region.

(Finding applicable to Amendment to California Electric Code Section 110.5.)

- (h) Additional amendments and deletions to the California Building Standards Code, known as the California Code of Regulations, Title 24; the International Building Code; and the International Residential Code; are administrative or procedural in nature and reasonable and necessary to safeguard life and property within the City.

(Finding applicable to Amendments to the California Building Code Sections 1.8.8, 102.1, 105.2, 113, 202, 502.1, 3109.2, J103.2, and J104.1; and California Residential Code Sections 1.8.8, R322.1, Table R301.2, and Appendix AX.)

- (i) The topography of the City is mostly rocky with large boulders and stones below grade in much of the northern part of the City, which is rapidly being developed; and

Given the topography of the City, it is impractical and unreasonable to remove all rocks 12 inches or more in diameter from certain development areas or place these rocks at more than 10 feet below grade; and

Geotechnical, civil, and/or soil engineers have opined that due to the rocky topography of the City, the use of rocks with a maximum dimension larger than 12 inches and up to 24 inches as fill material at three feet or more below grade and rocks with a maximum dimension greater than 24 inches as fill material at ten feet or more below grade is safe and prudent.

(Finding applicable to Amendment to California Building Code Section J107.4.)

**Section 2.** Article III of Chapter 5 of the Code of the City of Fontana is hereby amended by rewriting the article in its entirety to read as follows:

“Article III. California Building Code

Sec. 5-61. Adoption; copy on file.

The 2022 Edition of the California Building Code, known as the California Code of Regulations, Title 24, Part 2, Volumes 1 & 2, based on the 2021 Edition of the International Building Code, published by the International Code Council, including Chapter 1 and Appendices B, C, I, and J, are hereby adopted as the Building Code of the City and reference is hereby made to the copy now on file in the Clerk's Office of the City.

Sec. 5-62. Changes and Amendments.

(a) Section 105.2 Building Exemption 2 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended to read as follows:

2. Solid fences not over 3-1/2 feet high and open fences with an open surface area of not less than 90 percent (90%) not over 4 feet high.

(b) Section 105.2 Building Exemption 4 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended to read as follows:

4. Retaining walls which are not over 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a

surcharge or impounding flammable or combustible liquids.

(c) Section 202 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by rewriting the definition for Swimming Pools to read as follows:

Swimming Pools. Any body of water or any structure that contains water over 18 inches (457 mm) deep. This includes without limitation all portable, moveable, collapsible, storable, and permanent in-ground, above-ground and on-ground swimming pools, garden ponds, spas, hot tubs, wading pools, and fountains.

(d) Section 502.1 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by rewriting the section in its entirety to read as follows:

Sec. 502.1 Address identification. New and existing buildings, apartment units, condominium units, suites, tenant spaces, and similar other units or spaces shall be provided with approved address numbers or letters per Section 5-239 of the Fontana Municipal Code.

(e) Section 903.2 of the California Building Code. Known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by adding thereto a paragraph after the first paragraph of the section to read as follows:

Notwithstanding the requirements of Sec. 903.2, an automatic fire-sprinkler system, approved by the Fire Prevention Division of the Fontana Fire Protection District, shall be installed, and maintained in new construction per the requirements of Article II of Chapter 11 of the Code of the City.

(f) Section 1505.5 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by rewriting the section in its entirety to read as follows:

Sec. 1505.5 Non-classified roofing. Non-classified roofing is material that is not listed as a Class A, B, or C roof covering. Non-classified roofing is not approved for use within the City.

(g) Section 1609.3 of the California Building Code, known as the California

Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by adding thereto a paragraph and table to the end of the section to read as follows:

Portions of the City are located within a special wind region. The basic design wind speed V in these special wind region areas shall be:

Risk Category	Basic Design Wind Speed, V
I	116 mph
II	129 mph
III & IV	135 mph

- (h) Section 1609.4.3 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by adding thereto a paragraph to the end of the section to read as follows:

Exposure C, as a minimum, shall apply in all cases unless the architect or engineer in general responsible charge can justify to the building official that the building site and surrounding terrain conform to the criteria for Exposure B.

- (i) Section 115922(a) of Section 3109.2 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code is hereby amended by rewriting the section in its entirety to read as follows:

(a) Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool and/or spa or the remodeling of an existing pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with at least two drowning prevention safety features, one of which shall be an enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home. Any walls of the residential structure or accessory structures used to complete the isolation enclosure must have door openings equipped with protection as required in 115922 (a)(4) or (5). Any such door protection device provided for this purpose may not be used to comply with the second drowning prevention feature requirement. In addition to the foregoing, the respective swimming pool or spa shall be equipped with at least one of the following four drowning prevention safety features:

(1) Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in

conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.

(2) An approved safety pool cover, as defined in subdivision (d) of Section 115921.

(3) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.

(4) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

- (j) Section 115923 of Section 3109.2 of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code is hereby amended by adding the wording to the enclosure characteristics:

Where the barrier is composed of horizontal and vertical members and the distance between the top of the horizontal member is less than 45 inches the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall be not greater than 1 3/4 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1 3/4 inches in width.

- (k) Section I105.2 of Appendix I of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by rewriting the section in its entirety to read as follows:

Sec. I105.2 Footings. A patio cover may be supported on a concrete slab on grade without footings, provided all of the following conditions are met:

1. The supporting slab is not less than 3 1/2 inches thick; and



2. The supporting columns do not support live and dead loads in excess of 750 pounds per column; and

3. The patio cover is constructed solely out of aluminum and/or other similar light weight material, and has a current valid International Code Council Evaluation Report or Council of American Building Officials National Evaluation Report (or equal) clearly stating that: (a), a slab 3 1/2 inches thick is structurally adequate; (b), footings are not required; and (c), how the patio cover is to be anchored/held-down to resist uplift forces based on a minimum nominal design wind speed of 100 miles per hour.

- (l) Section J103.2, Exemption 1 of Appendix J of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by rewriting in its entirety to read as follows:

1. When approved by the building official, grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.

- (m) Section J103.2, of Appendix J of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by adding the following 2 exemptions:

8. An excavation that does not exceed 50 cubic yards (38.3 m<sup>3</sup>) on any one lot and does not obstruct a drainage course that is:

- a. less than 2 feet (610 mm) in depth; or
- b. does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1 1/2 units horizontal (66.7% slope).

9. A fill that does not exceed 50 cubic yards (38.3 m<sup>3</sup>) on any one lot and does not obstruct a drainage course that is:

- a. less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope); or
- b. less than 3 feet (914 mm) in depth, not intended to support structures.

- (n) Section J104.1, of Appendix J of the California Building Code, known as the

California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by adding thereto a paragraph to the end of the section to read as follows:

All grading plans shall be prepared by a state licensed or registered design professional. Grading in excess of 5,000 cubic yards (3825 m<sup>3</sup>) shall be prepared by a state registered civil engineer.

- (o) Section J107.4 of Appendix J of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 and the International Building Code, is hereby amended by adding thereto the following Exception:

Exception: The building official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than 12 inches (305 mm) and up to 24 inches (610 mm) in maximum dimension shall be three feet (914 mm) or more below grade, measured vertically. Rock sizes greater than 24 inches (610 mm) in maximum dimension shall be 10 feet (3048 mm) or more below grade, measured vertically.
3. Rocks shall be placed so as to assure filling of all voids with well-graded soils."

**Section 3.** Article IV of Chapter 5 of the Code of the City is hereby amended by rewriting the article in its entirety to read as follows:

**"Article IV. California Plumbing Code**

**Sec. 5-86. Adoption; copy on file.**

The 2022 Edition of the California Plumbing Code, known as the California Code of Regulations, Title 24, Part 5, based on the 2021 Edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, including Appendices A, B, D, H, I, and K, are hereby adopted as the Plumbing Code of the City and reference is hereby made to the copy now on file in the Clerk's office of the City.

**Sec. 5-87. Changes and Amendments.**

The 2022 Edition of the California Plumbing Code is hereby adopted with no

amendments.”

**Section 4.** Article V of Chapter 5 of the Code of the City is hereby amended by rewriting the article in its entirety to read as follows:

**“Article V. California Electrical Code**

**Sec. 5-111. Adoption; copy on file.**

The 2022 Edition of the California Electrical Code, known as the California Code of regulations, Title 24, Part 3, based on the 2020 Edition of the National Electrical Code, published by the National Fire Protection Association is hereby adopted as the Electrical Code of the City and reference is hereby made to the copy now on file in the Clerk’s office of the City.

**Sec. 5-112. Changes and Amendments.**

(a) Section 110.5 of the California Electrical Code, known as the California Code of regulations, Title 24, Part 3 and the National Electrical Code is hereby amended by adding thereto the following:

Aluminum conductors of No. 6 or smaller shall require continuous inspection by an approved independent testing agency for proper torquing of connections at their termination point.

(b) Section 225.1 of the California Electrical Code, known as the California Code of regulations, Title 24, Part 3 and the National Electrical Code is hereby amended by adding thereto the following:

All new outside wiring on private property shall be underground.

EXCEPTION No. 1: Temporary wiring installed per Article 590.

EXCEPTION No. 2: Services as defined by Article 100 and installed per Article 230, subject to approval by the Administrative Authority.

EXCEPTION No. 3: Wiring in approved conduit and raceways directly attached to a building.”

**Section 5.** Article VI of Chapter 5 of the Code of the City is hereby amended by rewriting the article in its entirety to read as follows:

**“Article VI. California Mechanical Code**

Sec. 5-136. Adoption; copy on file.

The 2022 Edition of the California Mechanical Code, known as the California Code of Regulations, Title 24, Part 4, based on the 2021 Edition of the Uniform Mechanical Code, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted as the Mechanical Code of the City and reference is hereby made to the copy now on file in the Clerk's office of the City.

Sec. 5-137. Changes and Amendments.

The 2022 Edition of the California Mechanical Code is hereby adopted with no amendments.”

**Section 6.** Article VIII of Chapter 5 of the Code of the City is hereby amended by rewriting the article in its entirety to read as follows:

“Article VIII. California Existing Building Code

Sec. 5-186. Adoption; copy on file.

The 2022 Edition of the California Existing Building Code, known as the California Code of Regulations, Title 24, Part 10, based on the 2021 Edition of the International Existing Building Code, published by the International Code Council, is hereby adopted as the Existing Building Code for the City and reference is hereby made to the copy now on file in the Clerk's office of the City.

Sec. 5-187. Changes and Amendments.

The 2022 Edition of the California Existing Building Code is hereby adopted with no amendments.”

**Section 7.** Article XVIII of Chapter 5 of the Code of the City of Fontana is hereby amended by rewriting the Article in its entirety to read as follows:

“Article XVIII. California Green Building Standards Code

Sec. 5-550. Adoption; copy on file.

The 2022 Edition of the California Green Building Standards Code, known as the California Code of Regulations, Title 24, Part 11, is hereby adopted as the Green Building Standards Code of the City and reference is hereby made to the copy now on file in the Clerk's Office of the City.

Sec. 5-551. Changes and Amendments.

The 2022 Edition of the California Green Building Standards Code is hereby

adopted with no amendments.”

**Section 8.** Article XIX of Chapter 5 of the Code of the City of Fontana is hereby amended by rewriting the Article in its entirety to read follows:

“Article XIX. California Residential Code

Sec. 5-600. Adoption; copy on file.

The 2022 Edition of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5, based on the 2021 Edition of the International Residential Code, published by the International Code Council, including Appendix H and Appendix AX, is hereby adopted as the Residential Code of the City and reference is hereby made to the copy now on file in the Clerk's Office of the City.

Sec. 5-601. Changes and Amendments.

(a) Table R301.2, CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA, of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5 and the International Residential Code, is hereby amended by filling in the blanks in the first row to read as follows:

---

<u>CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA</u>	
GROUND SNOW LOAD .....	Zero
WIND DESIGN:	
Speed- Special wind region...	129Vmph. Other areas... 96Vmph
Topographic effects .....	No
SEISMIC DESIGN CATEGORY .....	D2 or E
SUBJECT TO DAMAGE FROM:	
Weathering.....	Negligible
Frost line depth .....	12-24 inches
Termite.....	Very Heavy
WINTER DESIGN TEMP .....	43
ICE BARRIER UNDERLAYMENT REQUIRED.....	No
FLOOD HAZARDS:	
Date of adoption of first ordinance (Ord 881) regarding Flood Damage Prevention: June 6, 1987	
Date of latest update of the Flood Insurance Study: September 2, 2019	
Currently Effective Flood Insurance Rate Maps (FIRMS):	
<u>Panel Numbers:</u> 06071C7895J, 06071C7915H, 06071C8634J, 06071C8635J, 06071C8642J, 06071C8651H, 06071C8652H,	

06071C8653H, 06071C8654H, 06071C8658H, 06071C8666H

Dates: October 3, 2022, for all panels

AIR FREEZING INDEX.....0  
MEAN ANNUAL TEMP ..... 60

(b) Section R301.2.1.4 of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5 and the International Residential Code, is hereby amended by adding thereto a paragraph to the end of the section to read as follows:

Exposure C, as a minimum, shall apply in all cases unless justification, to the satisfaction of the Building Official or his/her designee, is provided that the building site and surrounding terrain conform to the criteria for Exposure B.

(c) Section R313 of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5 and the International Residential Code, is hereby amended by adding thereto the following Section:

Sec. R313.0 General. Notwithstanding the requirements of Section R313, an automatic fire-sprinkler system, approved by the Fire Prevention Division of the Fontana Fire Protection District, shall be installed, and maintained in all new construction per the requirements of Article II of Chapter 11 of the Code of the City.

(d) Section R319.1 of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5 and the International Residential Code, is hereby amended by rewriting the section in its entirety to read as follows:

Sec. R319.1 Site Address. New and existing buildings, apartment units, condominium units, suites, and similar other units or spaces shall be provided with approved address numbers or letters per Section 5-239 of the Fontana Municipal Code.

(e) Section R322.1 of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5 and the International Residential Code, is hereby amended by adding thereto a paragraph to the end of the section to read as follows:

Notwithstanding the requirements of Sec. R322, all construction within a flood hazard area shall comply with the requirements of Article II of Chapter 12 of the Code of the City.

(f) Section AH105.2 of Appendix Chapter H of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5 and the International Residential Code, is hereby amended by rewriting the section in its entirety to read as follows:

Sec. AH105.2 Footings. A patio cover may be supported on a concrete slab on grade without footings, provided all of the following conditions are met:

1. The supporting slab is not less than 3 1/2 inches thick; and
2. The supporting columns do not support live and dead loads in excess of 750 pounds per column; and
3. The patio cover is constructed solely out of aluminum and/or other similar light weight material, and has a current valid International Code Council Evaluation Report or Council of American Building Officials National Evaluation Report (or equal) clearly stating that: (a), a slab 3 1/2 inches thick is structurally adequate; (b), footings are not required; and (c), how the patio cover is to be anchored/held-down to resist uplift forces based on a minimum nominal design wind speed, of 100 miles per hour.

(g) Section 115922(a) of Appendix AX of the California Residential Code, known as the California Code of Regulations, Title 24, Part 2.5 and the International Residential Code is hereby amended by rewriting the section in its entirety to read as follows:

(a) Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool and/or spa or the remodeling of an existing pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with at least two drowning prevention safety features, one of which shall be an enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home. Any walls of the residential structure or accessory structures used to complete the isolation enclosure must have door openings equipped with protection as required in 115922 (a)(4) or (5). Any such door protection device provided for this purpose may not be used to comply with the second drowning prevention feature requirement. In addition to the foregoing, the respective swimming pool or spa shall be equipped with at least one of the following four drowning prevention safety features:

- (1) Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
- (2) An approved safety pool cover, as defined in subdivision (d)

of Section 115921.

(3) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.

(4) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME)."

**Section 9.** Article II of Chapter 5 of the Code of the City of Fontana is hereby amended by renaming and rewriting the Article in its entirety to read follows:

**"Article II. International Property Maintenance Code**

**Sec. 5-36. Adoption; copy on file.**

The 2021 Edition of the International Property Maintenance Code, published by the International Code Council, is hereby adopted and reference is hereby made to the copy now on file in the clerk's office of the city.

**Sec. 5-37. Changes and Amendments.**

- (a) Section 303.2 of the 2021 International Property Maintenance Code is hereby amended by rewriting the section in its entirety to read as follows:

Section 303.2 Enclosures must comply with Section 115922(a) of Appendix AX of the 2022 California Residential Code as amended by the City of Fontana.

- (b) Section 304.3 of the 2021 International Property Maintenance Code is hereby amended by rewriting the section in its entirety to read as follows:

Section 303.2 Site Address. New and existing buildings, apartment units, condominium units, suites, and similar other units or spaces shall be provided with approved address numbers or letters per Section 5-239 of the Fontana Municipal Code.



**Section 10.** Severability/Interpretation. If any provision of this Ordinance, or the application of this Ordinance to any person or circumstance is held to be invalid or void by a court of competent jurisdiction, such invalidity or voidance shall not affect the other provisions or applications which can be given effect without the invalid provision or application; and to this end, the provisions of this Ordinance are required to be severable. This Ordinance shall be liberally construed to achieve the purposes of this Ordinance and to preserve its validity. If any provision of Chapter 5 of the Code of the City or the application thereof to any person or circumstance is determined to be in conflict with any other applicable code, law, or ordinance, the most restrictive requirements shall be deemed applicable and enforced.

**Section 11.** The adoption of the 2022 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, consisting of the California Building Code, Volumes 1 & 2, based on the 2021 International Building Code; the California Plumbing Code, based on the 2021 Uniform Plumbing Code; the California Electrical Code, based on the 2020 National Electrical Code; the California Mechanical Code, based on the 2021 Uniform Mechanical Code; the California Existing Building Code, based on the 2021 International Existing Building Code; the California Green Building Standards Code; the California Residential Code, based on the 2021 International Residential Code, and the 2021 International Property Maintenance Code, does not commit the City to any action that may have a significant effect on the environment, and as per Section 15378 of the State CEQA Guidelines, such action does not constitute a project subject to the requirements of CEQA. Staff is directed to file a Notice of Exemption.

**Section 12.** This ordinance shall take effect thirty (30) days after the date of its adoption.

**Section 13.** The City Clerk shall certify to the adoption of this Ordinance and shall cause a summary thereof to be published at least five (5) days prior to the meeting at which the proposed Ordinance is to be adopted in the Herald News, a newspaper of general circulation in the City, and shall post a certified copy of the proposed Ordinance in the office of the City Clerk, and within fifteen (15) days of its adoption, shall cause a summary of it to be published in the same manner as specified above, including the vote for and against the same, and shall post a certified copy of the adopted Ordinance in the office of the City Clerk, in accordance with California Government Code Section 36933.

**APPROVED AND ADOPTED** this [ ] day of [ ], 2022.

**READ AND APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
City Attorney

I, Germaine McClellan Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Ordinance is the actual Ordinance adopted by the City Council and was introduced at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2022, and was finally passed and adopted not less than five days thereafter on the \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Fontana

\_\_\_\_\_  
Mayor of the City of Fontana

\_\_\_\_\_  
City Clerk

TO: HERALD NEWS  
EMAIL: LEGALS@FONTANAHERALDNEWS.COM  
FROM: FONTANA CITY CLERK'S DEPARTMENT  
DATE:

PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE NO. [REDACTED]

PUBLISH ONE TIME ONLY ON OR BEFORE ONE  
AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF PROPOSED ORDINANCE NO. [REDACTED]

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on October 11, 2022 in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, considered adoption of Ordinance No. [REDACTED], an ordinance of the City of Fontana, California adding, amending, and deleting certain articles, sections, and subsections of Chapter 5 of the Code of the City of Fontana pertaining to the construction and maintenance of buildings, and adopting by reference the 2022 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, consisting of the California Building Code, Volumes 1 & 2, based on the 2021 International Building Code; the California Plumbing Code, based on the 2021 Uniform Plumbing Code; the California Electrical Code, based on the 2020 National Electrical Code; the California Mechanical Code, based on the 2021 Uniform Mechanical Code; the California Existing Building Code, based on the 2021 International Existing Building Code; the California Green Building Standards Code; the California Residential Code, based on the 2021 International Residential Code; and the 2021 Edition of the International Property Maintenance Code; and that the reading of the title constitute the first reading thereof.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA  
Acquanetta Warren, Mayor

Germaine  
McClellan Key  
City Clerk

P.O. #800496

TO: HERALD NEWS  
EMAIL: LEGALS@FONTANAHERALDNEWS.COM  
FROM: FONTANA CITY CLERK'S DEPARTMENT  
DATE:

PUBLICATION OF SUMMARY OF ADOPTED ORDINANCE NO. [REDACTED]

PUBLISH ONE TIME ONLY ON OR BEFORE ONE  
AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF ADOPTED ORDINANCE NO. [REDACTED]

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on October 25, 2022 in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, adopted Ordinance No. [REDACTED], an ordinance of the City of Fontana, California adding, amending, and deleting certain articles, sections, and subsections of Chapter 5 of the Code of the City of Fontana pertaining to the construction and maintenance of buildings, and adopting by reference the 2022 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, consisting of the California Building Code, Volumes 1 & 2, based on the 2021 International Building Code; the California Plumbing Code, based on the 2021 Uniform Plumbing Code; the California Electrical Code, based on the 2020 National Electrical Code; the California Mechanical Code, based on the 2021 Uniform Mechanical Code; the California Existing Building Code, based on the 2021 International Existing Building Code; the California Green Building Standards Code; the California Residential Code, based on the 2021 International Residential Code; and the 2021 Edition of the International Property Maintenance Code.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA  
Acquanetta Warren, Mayor

Germaine  
McClellan Key  
City Clerk

P.O. #800496