



AGENDA

CITY OF NORCO

CITY COUNCIL

REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE

OCTOBER 19, 2011

CALL TO ORDER: 6:00 p.m.

ROLL CALL: Mayor Berwin Hanna
Mayor Pro Tem Kevin Bash
Council Member Kathy Azevedo
Council Member Greg Newton
Council Member Harvey C. Sullivan

THE CITY COUNCIL/CRA WILL RECESS TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS:

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation Pursuant to Section 54956.9(b) 2 Potential Cases

RECONVENE PUBLIC SESSION: 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1)
City Attorney

PLEDGE OF ALLEGIANCE: Council Member Newton

INVOCATION: Corona Church of the Open Doors
Pastor Fred Griffin

PROCLAMATION: Red Ribbon Week Celebration
Corona-Norco Unified School District

CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS: *(All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Council, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Council or the audience request specific items be removed from the Consent Calendar. Items removed from the Consent Calendar will be separately considered under Item No.2 of the Agenda.)*
 - A. City Council Minutes:
Regular Meeting of October 5, 2011
Recommended Action: **Approve the City Council Minutes** (City Clerk)

- B. Recap of Actions Taken at the Planning Commission Regular Meeting of October 12, 2011. **Recommended Action: Receive and File** (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only. **Recommended Action: Approval** (City Clerk)
- D. Quarterly Investment Report for Quarter Ended September 30, 2011. **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance)
- E. Approval of a Resolution Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (Norco Firefighters Association). **Recommended Action: Adopt Resolution No. 2011-___, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act.** (Deputy City Manager/Director of Finance)
- F. Proposed Cancellation of the December 21, 2011 and January 4, 2012 City Council Regular Meetings. **Recommended Action: Cancel the December 21, 2011 and January 4, 2012 City Council regular meetings.** (City Clerk)
- G. Conditional Use Permit 2002-14, Modification 2 to Allow the Service of Food and Alcoholic Beverages on an Existing Outdoor Deck and Front Fenced Area at 3841 Old Hamner Avenue in the C-G (General Commercial) Zone. **Recommended Action: Adopt Resolution No. 2011-___, overturning the Planning Commission approval of Conditional Use Permit 2001-14 Modification 2 as conditioned in order to adopt revised conditions of approval.** (Planning Director)
- H. Acceptance of Bids and Award of Contract for the 2011/12 Equestrian Trail Fence Capital Improvement Project. **Recommended Action: Award a contract for the Installation of the 2011/12 Equestrian Trail Fence Capital Improvement Project to Valley Cities/Gonzales Fence, Inc. in the amount of \$63,000 and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.** (Director of Public Works)
- I. Acceptance of the Installation and Programming of Smart Water Meters in the City of Norco as Complete. **Recommended Action: Accept the installation and programming of the Smart Water Meters Project as complete and direct the City Clerk to file the Notice of Completion with the County Recorder's Office.** (Director of Public Works)

2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:

3. CITY COUNCIL ACTION ITEM:

- A. Naming of the South Arena at the George Ingalls Equestrian Event Center as the "Hal H. Clark Arena"

The Department of Parks, Recreation and Community Services has received a Park and Public Building Dedication Application requesting the south arena at the George Ingalls Equestrian Event Center be named after former Mayor, Council Member and resident Hal H. Clark. At its October 10, 2011 meeting, the Parks and Recreation Commission determined that Hal H. Clark meets the established criteria for such recognition due to his dedication and devoted involvement with various Norco equestrian groups, youth sports organizations and community groups. His family, friends and good neighbors would like to have him remembered for all of his unselfish contributions towards the youth and the lifestyle of our community.

Recommended Action: Consider the Parks and Recreation Commission recommendation to approve the naming of the south arena at the George Ingalls Equestrian Event Center as the "Hal H. Clark Arena." (Director of Parks, Recreation & Community Services)

4. CITY COUNCIL PUBLIC HEARING:

- A. Ordinance Replacing Title 15, Chapters 15.01 - 15.09 of the Norco Municipal Code, Adopting by Reference the 2010 Edition of the California Building Standards Code Including the 2010 California Building Code, 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code, 1997 Uniform Housing Code, 2010 California Residential Code, 2010 Green Building Code and the 2010 California Fire Code; Code Change 2011-04.

State law allows local governments to amend California Model Codes, providing the amendments are more restrictive and are necessary in order to provide the highest level of life-safety standards. The proposed ordinance will adopt and amend the 2010 editions of the California Building Code (CBC), the California Electrical Code (CEC), Mechanical Code (CMC), the California Plumbing Code (CPC), the 1997 Uniform Housing Code (UHC), the California Residential Code (CRC), the California Green Building Code (CGBC) and the California Fire Code (CFC). State law requires that local governments enforce these code editions beginning January 1, 2011.

Recommended Action: Adopt Ordinance No. ___ for first reading.
(Building Official and Fire Chief)

5. PUBLIC COMMENTS OR QUESTIONS - THIS IS THE TIME WHEN PERSONS IN THE AUDIENCE WISHING TO ADDRESS THE CITY COUNCIL REGARDING MATTERS NOT ON THE AGENDA MAY SPEAK. PLEASE BE SURE TO COMPLETE THE CARD IN THE BACK OF THE ROOM AND PRESENT IT TO THE CITY CLERK SO THAT YOU MAY BE RECOGNIZED.
6. OTHER MATTERS – COUNCIL:
7. OTHER MATTERS – STAFF:
8. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office, (951) 270-5623. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

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Staff reports are on file in the Office of the City Clerk. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be available for public inspection at the City Clerk's Counter in City Hall located at 2870 Clark Avenue.

/bj-79297



**MINUTES
CITY OF NORCO**

**CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
OCTOBER 5, 2011**

CALL TO ORDER: Mayor Hanna called the meeting to order at 6:00 p.m.

ROLL CALL: Mayor Berwin Hanna, **Present**
Mayor Pro Tem Kevin Bash, **Present**
Council Member Kathy Azevedo, **Absent**
Council Member Greg Newton, **Present**
Council Member Harvey C. Sullivan, **Present**

Staff Present: Bryan, Groves, Jacobs, King, Okoro, Petree and Thompson

City Attorney Harper – **Present**

THE CITY COUNCIL/CRA RECESSED TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS:

Section 54956.9(c) – Conference with Legal Counsel - Anticipated Litigation

Number of Potential Cases: 1

RECONVENE PUBLIC SESSION: Mayor Hanna reconvened the meeting at 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1): **City Attorney Harper stated that there were no reportable actions resulting from the item discussed in Closed Session.**

PLEDGE OF ALLEGIANCE: Boy Scout Troup No. 999

INVOCATION: Assembly of God – Beacon Hill
Pastor Rene Parish

CITY COUNCIL AGENDA AS FOLLOWS:

M/S Sullivan/Bash to adopt the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

AYES: BASH, HANNA, NEWTON, SULLIVAN
NOES: NONE
ABSENT: AZEVEDO
ABSTAIN: NONE

1. CITY COUNCIL CONSENT CALENDAR ITEMS:
 - A. City Council Minutes:
Regular Meeting of September 21, 2011
Recommended Action: **Approve the City Council Minutes** (City Clerk)
 - B. Acceptance of the Ridge Ranch Park Project as Complete.
Recommended Action: Accept the Ridge Ranch Park Project as complete and direct the City Clerk to file a Notice of Completion with the County Recorder's Office. (Director of Parks, Recreation & Community Services)
 - C. Acceptance of Spirit Knoll Court for Public Utility Purposes.
Recommended Action: Adopt Resolution No. 2011-66, accepting the offer to dedicate to the public use, Spirit Knoll Court for public utility purposes and authorize the Mayor to sign the Certificate of Acceptance. (Director of Public Works)
 - D. Acceptance of the Community Center Parking Lot Expansion and Hamner Avenue Improvements Project. **Recommended Action: Accept the Community Center Parking Lot Expansion and Hamner Avenue Improvements Project as complete and direct the City Clerk to file the Notice of Completion with the County Recorder's Office.** (Deputy City Engineer and Director of Parks, Recreation & Community Services)
2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR: **No items pulled for discussion.**
3. CITY COUNCIL ACTION ITEM:
 - A. Approval of a Cooperative Agreement with the County of Riverside to Provide Fire Protection, Fire Prevention, Rescue and Medical Emergency Services for the City of Norco

On September 7, 2011, the City Council declared the City's intent to enter into a Cooperative Agreement with the County of Riverside for the provision of comprehensive fire protection and medical emergency services. The provision of comprehensive fire protection and emergency medical services to the City of Norco under the proposed Cooperative Agreement will be accomplished through a County contract with the California Department of Forestry and Fire Protection (CAL FIRE).

Recommended Action: Approve the Cooperative Agreement with the County of Riverside to provide fire protection, fire prevention, rescue and medical emergency medical services for the City of Norco. (City Manager and Deputy City Manager/Director of Finance)

City Manager Groves introduced the item for City Council discussion. She stated that the Cooperative Agreement incorporates the provision that were presented at a previous meeting, with the addition of the Fire Use Agreement. She added that the terms of the transition from the existing Norco Fire Department personnel into State of California employees will be in a separate transitional MOU, which is currently being formalized. She welcomed County Fire Chief John Hawkins to the meeting, noting that she appreciates the cooperative efforts between the County Fire Department/CAL FIRE and the Norco Firefighters.

Deputy City Manager/Director of Finance Okoro commented on the Fire Use Agreement and presented the options available to the City. He summarized his presentation by stating that the required annual payment to the County for major repairs/betterments and future engine replacements is considered very reasonable; the City does not have to worry about future engine replacement; this Agreement addresses the problem of inconsistent contributions for replacement; and ownership transfer of title for two engines to the County eliminates insurance needs and potentially significant liabilities arising from the operation and use of these fire engines. He further stated that staff recommends executing the Fire Engine Use Agreement and the subsequent transfer of titles of two engines to the County.

Council Member Newton received confirmation from Deputy City Manager/Director of Finance Okoro that the annual replacement funding for all four trucks is estimated to be \$115,000. In response to Council Member Newton's question regarding the retention of the two remaining engines as reserves, Chief Bryan stated that they would be used for additional staffing or during maintenance on another engine. Council Member Newton commented on the City assuming liability of the two engines retained. City Manager Groves noted that the Cooperative Agreement provides the City access to a lot of equipment and the two reserves would remain. She added that it is yet to be determined if they will be retained by the City, but at this point both of those reserves will be located at the City's stations.

County Fire Chief Hawkins stated that he also recommends the transfer of the two frontline engines, as it is like buying a modest insurance policy in always having an engine available and it is the most cost effective way to go. He added that In the future, the City may want to consider how many pieces of equipment the City wants to continue to maintain and insure.

Karen Leonard. Ms. Leonard questioned the transfer of the two engines and the costs involved and saved. Deputy City Manager/Director of Finance Okoro responded that the City is self-insured, which means that the City covers any losses. Also in response to Ms. Leonard, he noted that as it is not currently known which engines will be transferred to CAL FIRE, he would not be able to comment on depreciated values.

Vern Showalter. Mr. Showalter commented on his concerns regarding transferring the title of the fire engines. City Manager Groves noted that it could be an option in the future to transfer the remaining two fire engines.

John Koscki. Mr. Koscki stated his opposition to the Agreement, noting that there should be further negotiations with the Norco Firefighters. He further stated that he supports a "custom" fire department with volunteer assistance.

Closing comments were made by the Council Members, with the majority noting that this Agreement will reduce the liability exposure to the City and the residents will be happy with the service they will receive.

M/S Bash/Newton to approve the Cooperative Agreement with the County of Riverside to provide fire protection, fire prevention, rescue and medical emergency medical services for the City of Norco. The motion was carried by the following roll call vote:

AYES: BASH, HANNA, NEWTON
NOES: SULLIVAN
ABSENT: AZEVEDO
ABSTAIN: NONE

4. CITY COUNCIL PUBLIC HEARING:

- A. **Appeal Hearing:** Planning Commission Approval of Resolution 2011-54 Amending Conditional Use Permit 2002-14 (Modification 2) to Allow the Service of Food and Alcoholic Beverages on an Existing Outdoor Deck and Front Fenced Area on Property Located at 3841 Old Hamner Avenue in the C-G (General Commercial) Zone

On August 31, 2011 the Planning Commission approved a modification to the existing CUP to allow the use of an outdoor deck and front fenced area to serve food and alcohol. Currently only smoking is allowed in these areas. Modification 1 was approved with the condition that the applicant could, after one year from approval, approach the Planning Commission requesting permission to use an existing deck to expand the service of food and alcohol outside the restaurant.

25. *No eating, drinking, or possession of alcoholic beverages shall be allowed on the outside patio deck as shown on the required Site Plan Exhibit. This outside patio deck shall be an allowed area for smoking. One year after approval the owner may apply to use the outdoor patio for more than smoking.*

It has been more than a year since Modification 1 was approved. In addition to the outdoor deck, the request is to expand the service of food and alcohol into a front fenced area that is outside the restaurant. This was required by the City as a condition to accommodate accessibility requirements for the disabled since there was no ramp access to the outdoor deck.

Recommended Action: Uphold the Planning Commission approval of Modification 2 to Conditional Use Permit 2002-14 to expand the service of food and alcohol to an existing outdoor deck and front fenced area.

Alternate Recommended Action: The Norco Municipal Code requires that an application to appeal an action of the Planning Commission must state the reason for the appeal. Just a general appeal is not permitted. The appellant has been contacted to provide a written statement of the reason for the appeal. Additional attempts to contact him have not been successful and as of the writing of this staff report the reason had not been submitted. If a written statement for the reason is not submitted to staff by noon on the Tuesday prior to the meeting the recommendation of staff will be for continuance of the appeal hearing. (Planning Director)

City Manager Groves introduced the Council item restating the information presented in the staff report presented to the Council.

Planning Director King provided an overview of the Planning Commission's action. He presented comments on the nine conditions appealed by Mr. Koziel, noting the concerns of the Sheriff's Department, the Building Division and the Fire Department.

City Council Members made some brief comments regarding the conditions being appealed.

Robbin Koziel, the appellant, presented his appeal remarks. He noted that on some of the items, his only concerns were the wording. In regards to the recording, he stated that he does not have someone there all the time when the business is open that knows how to operate the equipment and asked that that sentence be removed. Regarding the gates, he stated that he can see panic hardware on the side gate, but not on another gate where there is transfer from one area to the other that serve the same functions. He asked that the requirement for the panic hardware on the gate at the bottom of steps be removed from the conditions. In regards to the acrylic panel, he would like to be able to use another product, as air does not go through acrylic and the deck would get very hot in the summer. He also noted concerns regarding the height requirement of the panel, suggesting that six feet above the dirt would be adequate. In regards to the lighting study, he noted that this should be removed as a condition. In regards to the hours of operation, he stated that he would be the only business in the City with that condition, and asked for that condition to be removed. Lastly, he noted concerns regarding payment of City Attorney fees noted in the conditions.

Council Member Sullivan addressed his concerns regarding the panic hardware on two gates and also on the heater. In response to his concerns regarding the heater, Fire Chief Bryan stated that he recommends a permanently mounted heater because of the condition and materials of the deck. He further added that a free standing screwed down heater would need to be reviewed by the Fire Department.

Mayor Pro Tem Bash addressed his concerns regarding security, lighting and the deck panel material. In response to his concerns regarding the panel, he stated that the acrylic material was a recommendation from the Sheriff's Department. Captain Feltenberger from the Riverside Sheriff's Department stated that the Sheriff's Department likes the acrylic just because it is clear and can be seen through in the case of a response, he noted that he would not be opposed to an alternate material that is not solid and can be seen through at all times.

Council Member Newton addressed his concerns regarding the security equipment tapes and noted the provision of those tapes to the Sheriff's Department. In response, City Attorney Harper stated that the wording could be changed to read "as soon as reasonably available". Council Member Newton also addressed his concerns with both gates requiring panic hardware.

Mayor Hanna addressed his concerns regarding the hours of operation. In response, Planning Director King stated that this condition was recommended to the Planning Commission by the Sheriff's Department.

Mayor Hanna OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Vernon Showalter. Mr. Showalter commented on the use of the security camera and also noted that instead of an acrylic panel, Mr. Koziel could use a wire mesh screen.

Karen Leonard. Ms. Leonard noted that typically when you transition from one intended use to another it is not uncommon to be required to condition the requirements of upgraded codes, adding that these conditions are not unreasonable. She stated that the restriction on the hours does not make sense, adding that it should be the same requirement for everybody.

Norvah Williams. Ms. Williams noted her concerns regarding the acrylic panel requirement and the two gates requirement if there was a fire.

Mayor Hanna CLOSED the public hearing.

The City Council Members presented their final comments. Staff noted that none of the conditions approved by the Planning Commission were placed in the CUP with the intent to harm the business.

M/S Newton/Bash to make the following revisions to the conditions of Conditional Use Permit 2002-14 (modification 2) and bring back a resolution for City Council approval and adoption:

1. **Condition No. 15:** The exterior of the premises, including the outdoor deck and front-fenced area, and all parking areas under the control of the licensee, shall be illuminated during the hours of darkness the business is open at a minimum of one-half foot-candle of light at property line and one-foot candle in interior areas. ~~The applicant shall provide a lighting~~

~~and photometric plan for existing conditions on the outdoor deck and front-fenced area prior to the use of those areas for the service of food and alcoholic beverages for approval by the Planning Commission. If the existing lighting does not meet the minimum illumination standards, the applicant shall be required to provide a new plan for lighting the outside area along with a photometric plan indicating illumination levels for approval by the Planning Commission. Service of food and alcoholic beverages on the outdoor deck and front-fenced area shall not be permitted until lighting has been installed pursuant to plans approved by the Planning Commission. In all instances exterior lighting shall not exceed one foot-candle at property lines and one and one-half foot-candles in the interior areas including the outdoor deck and front-fenced area.~~

2. **Condition No. 19: DELETE THIS CONDITION** – This condition is repetitive as it is a past requirement still holding.
3. **Condition No. 20:** All security equipment shall be able to record reasonably sufficient quality images to enable law enforcement personnel to identify persons, and identify makes and models of vehicles. The security equipment must operate while the business is occupied, recording all activity at the premises, using video or digital memory to record the images. All recordings are to be maintained for a minimum 60 day period. ~~Unedited recordings must immediately be provided to Sheriff's staff upon request to assist in official investigations.~~ **All unedited recordings are to be provided to the Sheriff's Department as soon as reasonably available.**
4. **Condition No. 21:** Access to the outdoor deck shall only be from the interior of the restaurant and not from the front-fenced area or parking areas. Access to the front-fenced area shall only be from the interior of the restaurant or from the front main access to the building. ~~An~~ **A** automatic locking, emergency exit-only gates with panic hardware shall be installed ~~at the bottom of the stairs to the outdoor deck and~~ at the north side of the front-fenced area prior to food and alcoholic beverages being served on the outdoor deck or in the front-fenced area.
5. **Condition No. 22:** ~~Acrylic or plexiglass~~ **Acrylic or plexiglass** Panels **made by a material reviewed and approved by the Sheriff's Department** shall be installed around **inside** all existing railing and fencing around the outdoor deck and front-fenced area to a height not less than ~~six~~ **three** feet ~~above the top of the railing.~~ Railing and fencing around the outdoor deck and front-fenced area shall be maintained at a height not less than three feet.
6. **Condition No. 23: DELETE THIS CONDITION**
7. **Condition No. 24: DELETE THIS CONDITION** – This condition is repetitive as it is a past requirement still holding.

8. **Condition No. 25: DELETE THIS CONDITION**
9. **Condition No. 26: Roof or wall mounted radiant heaters, or permanently mounted heaters Heating fixtures shall be allowed prohibited on the outdoor deck, subject to the approval by the Fire Department.**

The motion was carried by the following roll call vote:

AYES: BASH, HANNA, NEWTON, SULLIVAN

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

5. PUBLIC COMMENTS OR QUESTIONS:

Linda Dixon. Ms. Dixon invited everyone to RURAL's "Meet the Candidates" night to be held on October 27th at 7 p.m.

Richard Waldt. Mr. Waldt stated his support of the arena at the Ingalls Equestrian and Event Center be open for public use and also noted his concerns regarding trash in the riverbed.

Danny Azevedo. Mr. Azevedo recognized the Council for the work they do, noting its decision four years ago to keep marijuana out of Norco.

6. OTHER MATTERS – COUNCIL:

Council Member Sullivan:

- ✚ Stated that he attended the WRCOG Executive Committee meeting on Monday, as he is the alternate for Council Member Azevedo. He noted that at that meeting, the Committee voted to extend the 50 percent reduction for TUMF fees to December 2012. He further stated that in April of this year, the Council voted not to continue with that program; however, the Council can come back and vote to participate in the 50 percent reduction TUMF program again if they so choose.
- ✚ Stated that he would like to see one of the arenas at the Ingalls Equestrian and Event Center open 24/7 for Norco residents. He added that there would be no need for supervision.
- ✚ Commented that Hal Clark and Richard Hallam originated the UNLOAD Committee, adding that Council Member Azevedo later became the President and has taken it to a new level.
- ✚ Noted that the opportunity to receive money from the Riverside Sheriff's Association is open to all candidates to apply and the support is then based on an interview.

Council Member Newton:

- ✚ Asked for an update on the Tuesday schedule for open riding at the arena at the Ingalls Equestrian and Event Center. Director of Parks, Recreation & Community Services Petree stated that out of the three Tuesdays it has been open, it was

used only one of those days. City Manager Groves added that there has been good support from volunteers to make that happen, adding that a report will be brought back to Council regarding its success.

Mayor Pro Tem Bash:

- ✚ Stated that at the most recent Riverside Conservation Authority (RCA) meeting he attended, the trail system in western Riverside County was presented, which did not include the Norco trails. He asked Public Works Director Thompson to provide the RCA with the Norco trail system to include on that map.
- ✚ Commented on the money donated to one of the candidates by the Riverside County Sheriff's Association, noting that he is disappointed and offended that the union gave a significant amount of money to one candidate without speaking to the other candidates.

Mayor Hanna:

- ✚ Stated that with completion of the new arena at the Ingalls Equestrian and Event Center, it could be open Monday, Tuesday and Wednesday. He added that the days it is open should be advertised better and published in the newspaper.
- ✚ Noted that he received word that there were two cases of the West Nile Virus detected in the Inland Empire, one in Norco and one in Lake Elsinore. He further warned everyone to be careful.

7. OTHER MATTERS – STAFF:

City Manager Groves:

- ✚ Provided a status update on the scheduling of the appeal hearing for Tentative Parcel Map 36392 known as the Norco Distribution Center. Based on the availability of the Council Chambers, the City Attorney and Council Members, October 26, 2011 was the soonest date for the appeal hearing. Therefore, that date was provided to the appellant, the Alere Property Group (APG). A letter was received from APG today requesting an extension to that date because they had business conflicts on that date. They have further agreed to waive their right to setting the hearing date within 40 days of the filing of the appeal. Staff will begin checking calendars to set a date for that appeal hearing that is agreeable to all parties involved.

8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 9:06 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK



RECAP OF ACTIONS TAKEN AGENDA
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
October 12, 2011

1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL: **Chair Wright, Vice Chair Henderson, Commission Members Hedges, Jaffarian and Leonard**
3. STAFF PRESENT: **Planning Director King, Senior Planner Robles, Deputy City Clerk Germain**
4. PLEDGE OF ALLEGIANCE: **Commissioner Leonard**
5. APPEAL NOTICE: **Read by Staff**
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA:
None
7. APPROVAL OF MINUTES: Minutes of August 31 (Special Meeting), September 6, 2011 (Special Meeting) and September 14, 2011 (Regular Meeting)
Recommended Action: Approval (Deputy City Clerk): Approved 5-0
8. CONTINUED ITEMS: Conditional Use Permit 2011-16 (Arroyo): A Request for Approval to Allow an Accessory Building Consisting of a 938 Square-Foot Carport and Storage Building at 3764 Sierra Avenue Located within the A-1-20 Zone. **Recommended Action: Approval (SP Robles): Approved 5-0. This action is final unless appealed to the City Council within 10 calendar days.**
9. PUBLIC HEARINGS: Conditional Use Permit 2011-17 (Rissman): A Request for Approval to Allow an Accessory Building Consisting of a 1,489 Square-Foot Barn at 3243 Temescal Avenue Located within the A-1-20 Zone. **Recommended Action: Approval (SP Robles): Approved 5-0. This action is final unless appealed to the City Council within 10 calendar days.**

AGENDA ITEM 1.B.

10. BUSINESS ITEMS:
 - A. Site Plan 2011-18 (Arambula/Valencia): A Request for Approval to Allow an Accessory Building Consisting of an 864 Square-Foot Barn at 3251 Cutting Horse Road Located within the Norco Ridge Ranch Specific Plan (NRRSP). **Recommended Action: Approval (SP Robles): Approved 5-0. This action is final unless appealed to the City Council within 10 calendar days.**
 - B. Proposed Zone Code Amendment (City): To Amend Sections 18.13.06D and 18.13.08R of the Norco Municipal Code to Change Regulations Regarding the Allowed Number of Roosters on a Lot. **Recommended Action: Set for public hearing (PD King): Direction was received and this Zone Code Amendment will be set for a public hearing before the Planning Commission on October 26, 2011.**
11. CITY COUNCIL: **Received and Filed**
 - A. Recap of Actions Taken at the October 5, 2011 City Council/Community Redevelopment Agency Meeting.
 - B. City Council Minutes dated September 7 and September 21, 2011
12. PLANNING COMMISSION: Oral Reports from Various Committees: **None**
13. STAFF: Current Work Program: **Received and Filed**
14. OTHER MATTERS: **Received and Filed**
 - A. Follow-up on Items from Previous Meetings (Director King)
15. ADJOURNMENT: **8:12 p.m.**

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Andy Okoro, City Treasurer 

DATE: October 19, 2011

SUBJECT: Quarterly Investment Report for Quarter Ended September 30, 2011

RECOMMENDATION: Staff recommends that the City Council receive and file the Quarterly Investment Report for the Quarter Ended September 30, 2011.

SUMMARY: Staff is recommending that the City Council receive and file the City's quarterly investment report for the quarter ended September 30, 2011. This report has been prepared to meet the requirements of the City's Investment Policy and applicable sections of the State of California Government Code.

BACKGROUND/ ANALYSIS: The City's Investment Policy requires the Treasurer to render a quarterly report to the legislative body. The report is to be prepared in accordance with Government Code Section 53646 (b)(1) and should contain detailed information on all securities, investments, and monies of the local agency; a statement of compliance of the portfolio with the Statement of Investment Policy; and a statement of the City's ability to meet its cash flow requirements for the next six months. The law further requires that the quarterly report be submitted to the legislative body within 30 days from the end of the quarter. This report which is for the quarter ended September 30, 2011 meets the requirements of the Investment Policy and Government Code. It covers the City as well as the Norco Community Redevelopment Agency.

The attached schedules (attachments 1 through 4) have been prepared to meet the detailed requirements of the Government Code and the City's Investment Policy as approved by the Council on April 6, 2011. It is to be noted that the Investment Policy excludes certain investments of the City (bond proceeds) from these requirements. This means that funds from bond proceeds are invested in accordance with the provisions of the bond indentures rather than the provisions of the Investment Policy. Consequently, in determining whether the portfolio holdings are in compliance with the Government Code and the approved Investment Policy, investments of bond proceeds have been excluded.

Attachment 1 provides a summary schedule of the City's operating portfolio holdings by type as of September 30, 2011. This summary also provides information on whether or not each investment category complies with the limitations imposed by law and the City's Investment Policy. Investments that are subject to the Statement of Investment Policy are operating/idle funds invested by the Treasurer within the provisions of the approved Investment Policy. During the quarter ended September 30, 2011, operating portfolio

decreased by a net amount of \$3.9 million from \$36.7 million to \$32.8 million due to cash outflows from expenditures exceeding cash receipts from revenues. This is typical of the first quarter of the fiscal year when the City and the Agency receives minimal tax revenues.

Attachment 2 provides a graphical breakdown of the operating portfolio holdings by investment type as of September 30, 2011. This chart is for investments that are subject to the Investment Policy. More than 87% of the City and Redevelopment Agency operating cash is invested in the State of California Local Agency Investment Fund (LAIF). The remaining 13% comprises of cash and certificates of deposit.

A summary of investments not subject to the provisions of the Investment Policy (bond proceeds and debt service reserve funds) is also shown on Attachment 1. These funds are invested in accordance with applicable bond indenture provisions. During the quarter ended September 30, 2011, bond proceeds and debt service reserve fund portfolio decreased by a net amount of \$1.4 million from \$36.1 million to \$34.7 million due to expenditures for capital projects and debt service payments.

Attachment 3 provides a detailed listing of the City's portfolio holdings as required by the Government Code. In this listing, "N/A" is used to denote that the information is either not available or applicable. The market value of investments LAIF has been reported to equal cost because the City's investments in the pool are readily liquid and the market value of these investments approximates cost. Agency Securities issued by United States Government Sponsored Entities (GSEs) are rated "AAA" by Moody's and Fitch rating agencies. On August 6, 2011, Standard and Poors (S&P) Investor Service downgraded these securities to "AA+" from "AAA" rating. This action has had no impact on the market value of these securities.

CASH FLOWS

Staff has completed a cash flow projection for the six months ending March 31, 2012. Based on this projection, staff estimates that meeting General Fund cash flow needs in the months of November and December 2011 will be challenging. However, staff also estimates based on the timing of revenue receipts, cash flows will improve after December 2011 resulting in sufficient General Fund cash flows being available to meet expenditure requirements over the next six months ending March 31, 2012.

FINANCIAL IMPACT: Not Applicable.

/jk-79554

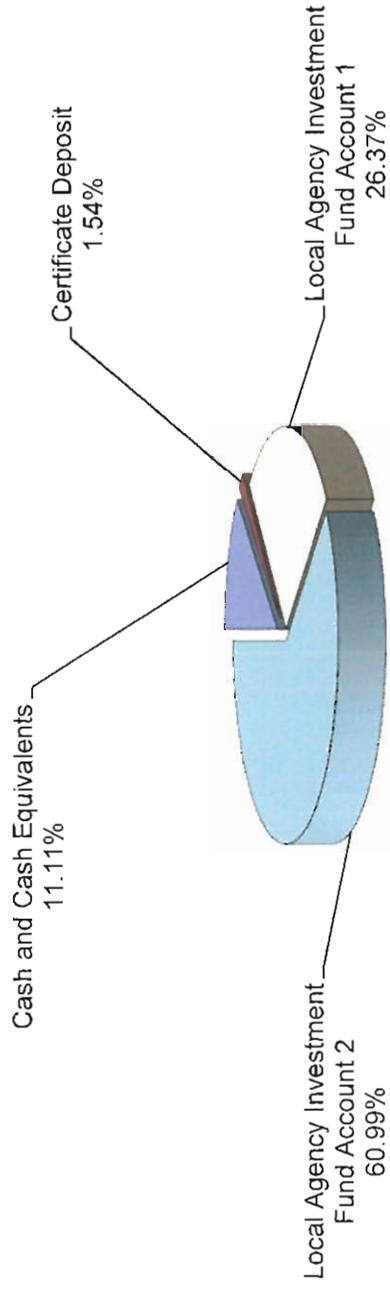
Attachments: 1) Portfolio Summary
2) Summary Graph
3) Portfolio Details – "Investments Not Subject..."
4) Certification Form

City of Norco, California
 Portfolio Summary
 As of September 30, 2011

<u>City Investments Subject to Investment Policy</u>	<u>Market Value</u>	<u>Percentage</u>	<u>Policy Maximum</u>	<u>Compliance</u>
Cash and Cash Equivalents	\$ 3,645,978	11.11%	15.00%	In Compliance
Certificate Deposit	504,194	1.54%	30.00%	In Compliance
Local Agency Investment Fund Account 1	8,657,929	26.37%	\$50.0 Million	In Compliance
Local Agency Investment Fund Account 2	20,021,926	60.99%	\$50.0 Million	In Compliance
Total	<u>\$ 32,830,027</u>	<u>100.00%</u>		

<u>City Investments Not Subject to Investment Policy</u>	<u>Market Value</u>	<u>Percentage</u>
Community Facilities Districts	\$ 2,783,797	8.03%
Sewer and Water System	17,075,981	49.25%
Refunding Tax Allocation Bonds	14,814,074	42.72%
Total	<u>\$ 34,673,852</u>	<u>100.00%</u>

**Summary of City Portfolio
(Investments Subject to Investment Policy)
As of September 30, 2011**



City of Norco, California
 Portfolio Details
 As of September 30, 2011
 Investments Subject to Policy

Cash & Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Checking Accounts	Wells Fargo	N/A	N/A	0.000%	N/A	3,645,978	3,645,978
			Subtotal	Wells Fargo					3,645,978	3,645,978
10/21/2010	10/21/2011	3120019132	Certificate Deposit	Allstate Bank	N/A	1.490%	Various	N/A	152,778	152,778
4/8/2011	4/8/2013	3240002117	Certificate Deposit	Allstate Bank	N/A	2.230%	Various	N/A	99,502	99,502
4/21/2010	4/20/2012	2329958022	Certificate Deposit	Citizen Business Bk	N/A	0.900%	Various	N/A	100,822	100,822
5/20/2011	5/20/2012	2329958065	Certificate Deposit	Citizen Business Bk	N/A	0.700%	Various	N/A	151,092	151,092
			Subtotal	Wells Fargo					504,194	504,194

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 1	State of California	N/A	N/A	N/A	N/A	8,657,929	8,657,929
N/A	N/A	N/A	Local Agency Investment Fund Account 2	State of California	N/A	N/A	N/A	N/A	20,021,926	20,021,926
			Subtotal						28,679,855	28,679,855
			Total Investments Subject to Policy						32,830,027	32,830,027

City of Norco, California
 Portfolio Details
 As of September 30, 2011
Investments Not Subject to Policy (Bond Proceeds)
Community Facilities Districts

Cash and Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	First American Treasury Obligation	94496805 US Bank	N/A	N/A	0.000%	N/A	160,675	160,675
N/A	N/A	N/A	First American Treasury Obligation	94644000 US Bank	N/A	N/A	0.000%	N/A	1	1
N/A	N/A	N/A	First American Treasury Obligation	94644004 US Bank	N/A	N/A	0.000%	N/A	189,124	189,124
N/A	N/A	N/A	First American Treasury Obligation	791884000 US Bank	N/A	N/A	0.000%	N/A	19,199	19,199
N/A	N/A	N/A	First American Treasury Obligation	791884004 US Bank	N/A	N/A	0.000%	N/A	844	844
N/A	N/A	N/A	First American Treasury Obligation	794148000 US Bank	N/A	N/A	0.000%	N/A	77,338	77,338
N/A	N/A	N/A	First American Treasury Obligation	794148002 US Bank	N/A	N/A	0.000%	N/A	452	452
			Subtotal						447,633	447,633

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 1 (CFD)	93-1 State of California	N/A	N/A	N/A	N/A	58,191	58,191
			Subtotal						58,191	58,191

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
5/17/2011	12/8/2015	3136FRNJ8	Federal National Mtg Assn	794148002 US Bank	AAA*	2.000%	2.000%	1,741,000	1,741,000	1,745,119
9/28/2011	9/28/2016	3136FR3E1	F N M A M T N	791884004 US Bank	AAA*	1.400%	1.400%	533,000	533,000	531,854
			Subtotal					2,274,000	2,274,000	2,277,973
			Total Community Facilities Districts						2,779,824	2,783,797

Investments Not Subject to Policy (Bond Proceeds)
Sewer and Water System

Cash and Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	U.S. Bank N.A. Open Ib Monthly	130584001 US Bank	N/A	N/A	0.000%	N/A	969	969
N/A	N/A	N/A	U.S. Bank N.A. Open Ib Monthly	130584004 US Bank	N/A	N/A	0.000%	N/A	3,218,964	3,218,964
1/11/2011	11/1/2011	313396NS8	F H L M C	130584004 US Bank	AAA*	0.260%	0.260%	3,000,000	2,993,630	2,993,630
			Subtotal						6,213,563	6,213,563

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 1 (Sewer/Water)	2009 State of California	N/A	N/A	N/A	N/A	419,812	419,812
			Subtotal						419,812	419,812

City of Norco, California
 Portfolio Details
 As of September 30, 2011

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
9/28/2011	9/28/2016	3134G2G71	F N M A M T N	130584001	AAA*	1.250%	1.250%	1,475,000	1,475,000	1,465,767
9/6/2011	9/6/2013	3134G2ZB1	F N M A M T N	130584004	AAA*	0.500%	0.500%	3,000,000	3,000,000	2,995,320
9/16/2011	9/16/2014	313375KZ9	Federal Home Loan Bks	130584004	AAA*	0.700%	0.700%	3,000,000	3,000,000	2,986,620
9/22/2011	9/22/2014	3136FR2U6	F N M A M T N	130584004	AAA*	0.500%	0.500%	3,000,000	3,000,000	2,994,900
Subtotal										10,442,607
Total Sewer and Water System										17,075,981

Investments Not Subject to Policy (Bond Proceeds)
Refunding Tax Allocation Bonds

Cash & Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	First American Treasury Obligations	94432435	N/A	N/A	0.00%	N/A	143	143
N/A	N/A	N/A	First American Treasury Obligations	94432445	N/A	N/A	0.00%	N/A	319	319
N/A	N/A	N/A	First American Treasury Obligations	94662503	N/A	N/A	0.00%	N/A	309	309
N/A	N/A	N/A	First American Treasury Obligations	94662507	N/A	N/A	0.00%	N/A	7,470,057	7,470,057
N/A	N/A	N/A	First American Treasury Obligations	787891004	N/A	N/A	0.00%	N/A	1,381	1,381
N/A	N/A	N/A	First American Treasury Obligations	792126000	N/A	N/A	0.00%	N/A	4,995	4,995
N/A	N/A	N/A	First American Treasury Obligations	792126004	N/A	N/A	0.00%	N/A	1,504	1,504
N/A	N/A	N/A	First American Treasury Obligations	129543003	N/A	N/A	0.00%	N/A	1,013	1,013
N/A	N/A	N/A	US Bank Money Market	140828001	N/A	N/A	0.05%	N/A	22,812	22,812
N/A	N/A	N/A	US Bank Money Market	140828004	N/A	N/A	0.05%	N/A	9,517	9,517
N/A	N/A	N/A	US Bank Money Market	140828005	N/A	N/A	0.00%	N/A	4	4
Subtotal										7,512,055

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 2	2010 TABs	N/A	N/A	N/A	N/A	22,558	22,558
N/A	N/A	N/A	Local Agency Investment Fund Account 2	2003 TABs	N/A	N/A	N/A	N/A	49,130	49,130
Subtotal										71,688

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
4/12/2011	11/29/2013	313373F49	Federal Home Loan Bks	792126003	AAA*	1.200%	1.200%	1,530,000	1,530,000	1,553,822
6/7/2011	12/7/2015	3136FRMF7	F N M A M T N	129543003	AAA*	2.000%	2.000%	973,000	973,000	982,633
9/28/2011	9/28/2016	3134G2G71	Federal Home Loan Mtg	140828004	AAA*	1.250%	1.250%	1,460,000	1,460,000	1,450,860
Subtotal										3,987,315

City of Norco, California
 Portfolio Details
 As of September 30, 2011

Investment Agreements

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	3/1/2030	N/A	Guaranteed Investment Contract	94432433 US Bank	N/A	N/A	5.71%	N/A	2,161,566	2,161,566
N/A	3/1/2030	N/A	Guaranteed Investment Contract	94432443 US Bank	N/A	N/A	5.16%	N/A	347,000	347,000
N/A	2/27/2015	N/A	Guaranteed Investment Contract	787891003 US Bank	N/A	N/A	3.41%	N/A	734,450	734,450
Subtotal									3,243,016	3,243,016
Total Refunding Tax Allocation Bonds									14,789,759	14,814,074
<u>Total Investments Not Subject to Policy</u>									34,677,958	34,673,852

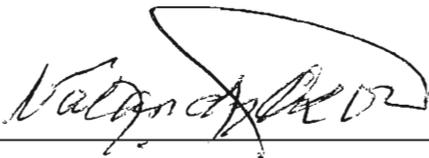
* On August 5, 2011 S&P Lowered US Debt Rating to AA+, Fitch and Moody's Ratings are Still AAA

Attachment 4

Quarterly Investment Portfolio

For the Quarter Ended September 30, 2011

As required by the Government Code, the Treasurer certifies that the investments reported in the accompanying schedules (Attachments 1 through 3) comply with the City of Norco Investment Policy and that sufficient liquidity along with anticipated revenues are available to meet the City and Redevelopment Agency budgeted expenditure requirements for the next six months ending March 31, 2012.

A handwritten signature in black ink, appearing to read 'Andy Okoro', is written over a horizontal line.

Andy Okoro, City Treasurer

/jk-79555

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Andy Okoro, Deputy City Manager/Director of Finance 

DATE: October 19, 2011

SUBJECT: Approval of Resolution Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (Norco Firefighters Association)

RECOMMENDATION: Adopt **Resolution No. 2011** ____, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act.

SUMMARY: Staff is recommending approval of the attached resolution required by CalPERS in order to implement changes in the amount of health insurance subsidy to be paid by the City for members of the Norco Firefighters Association. These changes which were previously adopted by the Council on June 1, 2011 are now being implemented for the 2012 calendar year.

BACKGROUND/ANALYSIS: On June 1, 2011 the City Council approved a one year Memorandum of Understanding (MOU) with the Norco Firefighters Association (NFFA). Under the MOU and effective January 1, 2012, the City agreed to contribute up to a maximum of \$1,250 per month for each employee and their dependents enrolled in any of the available PERS health plans.

The attached resolution is required by CalPERS in order to implement the change for the calendar year 2012 coverage period. Even though current fire employees are in the process of transitioning to CAL FIRE, should the City have to pay the premium for any part of 2012, City subsidy will be limited to \$1,250 per month for employee and dependents. Additionally, this change also applies to existing fire retirees by limiting City subsidy to \$1,250 for employee and dependents. Currently, the City pays full cost (100%) of HMO or PPO plans for fire employees and dependents except for PERS Care Plan participants who are required to pay the difference between PERS Care and PORAC Plan.

FINANCIAL IMPACT: This change will result in minimal savings to the City which has been included in the FY 2011-2012 adopted budget.

Attachment: Resolution No. 2011-_____

/mp-78948

RESOLUTION NO. 2011-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO,
CALIFORNIA, FIXING THE EMPLOYER'S CONTRIBUTION UNDER
THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT**

WHEREAS, Government Code Section 22892(a) provides that a local agency contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b)(1) of the Act, and

WHEREAS, the City of Norco is a local agency contracting under the Act.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Norco does hereby resolve as follows:

Section 1. That, effective January 1, 2012, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of:

CODE	BARGAINING UNIT	CONTRIBUTION PER MONTH
002	Safety	\$ 1,250

Plus administrative fees and Contingency Fund Assessments.

Section 2. That the City of Norco has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on October 19, 2011.

Mayor of the City of Norco, California

Brenda Jacobs, CMC, City Clerk
City of Norco, California

Resolution No. 2011-_____

Page 2

October 19, 2011

I, BRENDA JACOBS, City Clerk of the City of Norco, California do hereby certify that the foregoing Resolution was introduced and adopted by the City Council of the City of Norco at a regular meeting held on October 19, 2011 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California on October 19, 2011.

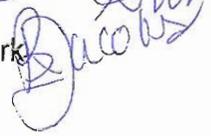
Brenda Jacobs, CMC, City Clerk
City of Norco, California

/78949

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: October 19, 2011

SUBJECT: Proposed Cancellation of the December 21, 2011 and January 4, 2012 City Council Regular Meetings

RECOMMENDATION: Cancel the December 21, 2011 and January 4, 2012 City Council regular meetings.

SUMMARY: It is being proposed to the City Council that the December 21, 2011 and January 4, 2012 regular meetings be cancelled due to seasonal activities and the closure of the Corona-Norco Unified School District for an extended period of time over the holidays.

BACKGROUND/ANALYSIS: It has come to the attention of staff that the Corona-Norco Unified School District (CNUSD) will be completely closed down for a three week period from December 19, 2011 through January 6, 2012. During that period of time, there are two regular meetings of the City Council scheduled (December 21, 2011 and January 4, 2012) in the City Council Chambers, which is located in the CNUSD building.

In previous years, the Council has voted to cancel the first regular meeting in January, due to extended holiday activities and closures. It is being recommended at this time that the second regular meeting in December 2011 be cancelled, as well as the first regular meeting in January 2012, due to the full closure of the CNUSD.

If there are any time-sensitive items that necessitate City Council action during that period of time, a special City Council meeting could be called and held in the conference rooms at City Hall.

/bj-79535

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Steve King, Planning Director 

DATE: October 19, 2011

SUBJECT: Conditional Use Permit 2002-14, Modification 2 to Allow the Service of Food and Alcoholic Beverages on an Existing Outdoor Deck and Front Fenced Area at 3841 Old Hamner Avenue in the C-G (General Commercial) Zone

RECOMMENDATION: Adopt **Resolution No. 2011-___**, overturning the Planning Commission approval of Conditional Use Permit 2001-14 Modification 2 as conditioned in order to adopt revised conditions of approval.

SUMMARY: On August 31, 2011, the Planning Commission approved Modification 2 to the existing CUP with conditions of approval for an existing business located at 3841 Old Hamner Avenue. Nine of those conditions were appealed by the applicant (Robbin Koziel) and an appeal hearing was held at the October 5, 2011 City Council meeting. After closing the public hearing, the Council recommended that revisions be made to the conditions of approval and directed staff to bring back a resolution for consideration and approval by the Council at its next meeting.

BACKGROUND: On October 3, 2007 the Norco City Council adopted Resolution 2007-64 approving Modification 1 to CUP 2002-14 that included a condition that restricted use of the outdoor deck for smoking only at a business located at 3841 Old Hamner Avenue. Another condition allowed the owner, after at least one year from approval, to apply for another modification to expand the service of food and alcohol to the deck. Modification 2 to expand service onto the outdoor deck and front-fenced area is approved subject to the attached conditions of approval. The approval does not expand the capacity of the restaurant (including the outdoor deck and front-fenced area) beyond 264 occupants, which was established by conditions with Modification 1.

The conditions that were identified and recommended by the Council for revision have been revised and are included in the attached resolution. Approval of this resolution supplants Planning Commission Resolution 2011-54.

FISCAL IMPACT: It is anticipated that there will not be any direct fiscal impact to the City.

/sk-79595

Attachments: Resolution No. 2011-___
Planning Commission Resolution 2011-54

RESOLUTION NO. 2011-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO MODIFYING CONDITIONAL USE PERMIT 2002-14 TO ALLOW THE SERVICE OF FOOD AND ALCOHOLIC BEVERAGES ON AN EXISTING OUTDOOR DECK AND FRONT FENCED AREA FOR AN EXISTING BUSINESS LOCATED AT 3841 OLD HAMNER AVENUE. (CONDITIONAL USE PERMIT 2002-14, MODIFICATION 2)

WHEREAS, Robbin Koziel submitted a conditional use application to the City of Norco, California, requesting approval to allow the service of food and alcoholic beverages on an existing outdoor deck and in a front-fenced area under the provisions of the Norco Municipal Code; and

WHEREAS, said conditional use permit was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, said application review was scheduled for public hearing on August 31, 2011 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, said Planning Commission approved Modification 2 to Conditional Use Permit 2002-14 subject to conditions contained in Planning Commission Resolution 2011-54; and

WHEREAS, the applicant, Robbin Koziel, filed an appeal with the City Council on nine of the conditions of approval from the Planning Commission; and

WHEREAS, said conditional use permit was duly submitted to said City's City Council for an appeal hearing in a public hearing for which proper notice was given; and

WHEREAS, said application review was scheduled for public hearing on October 5, 2011 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, the public hearing was closed and said application was continued to October 19, 2011; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is categorically exempt from California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Section 3.13.

NOW, THEREFORE, the City Council of the City of Norco hereby finds as follows:

A. The business has been in operation for several years, starting as a restaurant serving beer and wine and approved in 2002 to operate as a restaurant with liquor sales.

B. The City Council approved Modification 1 with Resolution 2007-64 with the condition that after at least one year of compliance the applicant could make a request to the Planning Commission for approval to use the outdoor deck for the service of food and alcoholic beverages. It has been more than a year since Modification 1 was approved.

C. The City required a front-fenced area to allow the owner to maintain and use the outdoor deck so as to comply with accessibility requirements of the Americans with Disabilities Act (ADA).

D. Approval of Modification 2 does not increase the allowed maximum occupancy for the business assigned and approved with the site plan and floor plan approved with Modification 1.

E. The City of Norco acting as Lead Agency has determined that the project is categorically exempt from California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Section 3.13 (Existing Facilities).

NOW, THEREFORE, the City Council of the City of Norco hereby resolves as follows:

SECTION 1: That the foregoing recitals are true and correct and incorporated hereat as if set forth in full.

SECTION 2: Conditional Use Permit 2002-14 Modification 2 is approved subject to the conditions provided in Section 18.45 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval shall be based on the Site Plan of the property approved with Modification 1, including the interior layout and floor plan of the business.
2. The use of the property shall be conducted in accordance with the approved conditions of approval contained in City Council Resolution 2007-64 for Modification 1 and in accordance with the conditions of approval contained herein for Modification 2.
3. The use of the property shall be conducted in accordance with the approved plans and conditions of approval for the modified CUP. The use of the property, along with a layout of all tables and booths as shown on the floor plan, shall be consistent with the approved plans. Any major changes to the site plan and layout of the business shall be approved by the City.
4. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures

shall constitute cause for review of the business operations and may be cause for modification of the approvals granted or revocation of Conditional Use Permit 2002-14, including any modifications.

5. At all times the allowed maximum occupancy of the business including the outdoor deck and front-fenced area shall be 284 in accordance with the building occupancy limits established with the Certificate of Occupancy (Permit # 2008BD0322), per City Council Resolution 2007-64 based on the approved business layout and floor plan with Modification 1. The maximum occupancy of the outdoor deck shall be established by the Building Division prior to use of that facility for the service of food or alcohol. The maximum occupancy of the outdoor deck is part of the overall occupancy of 284 for the business.
6. At all times that the business is open to the public, food and non-alcoholic beverages shall be available for sale and consumption, including the outdoor deck and front-fenced area.
7. No person under the age of 21 shall be permitted to enter or remain at the premises after 10:00 p.m., including the outdoor deck and front-fenced area, with the exception of employees of the business operation who are working after 10:00 p.m.
8. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division prior to record purposes for approval of any grading and/or building permits.
9. The business operation shall have a valid City of Norco business license at all times in order for the conditional use permit, including any modifications, to remain valid.
10. The business operation shall at all times be in substantial compliance with all provisions for licensing and certification from the Riverside County Health Department (RCHD) and Department of Alcoholic Beverage Control (ABC). The owner shall obtain all necessary permits from RCHD and ABC needed for serving food and alcoholic beverages on the outdoor deck and front-fenced area prior to those areas being used for said uses.
11. Any live entertainment shall be in compliance with all City entertainment, special event requirements and Entertainment Permit 2002-02.
12. The owner/operator of the business, regardless of any changes in ownership, shall provide a self audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. The report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of

the modified conditional use permit, and then by December of every year thereafter. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval if the City prevails in a revocation or in legal proceedings.

13. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 48 hours of notification.
14. Signs shall comply with all City of Norco sign ordinance requirements. No more than 33% of the total window area and clear doors shall bear advertising or signs of any type. Windows signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the right-of-way and entrance to the premises.
15. The exterior of the premises, including the outdoor deck and front-fenced area, and all parking areas under the control of the licensee, shall be illuminated during the hours of darkness the business is open. The maximum lighting level at property line shall be one-foot-candle, one foot off the property line. The minimum lighting level for all other exterior areas (excluding property lines) shall be an average of one and one-half foot-candles over the entire lot including the outdoor deck and front-fenced area.
16. The operation of the business shall not violate any federal, state, or local laws or ordinances, including the rules, regulations, and orders of the State Alcoholic Beverage Control (ABC) Department. Failure to comply with these requirements shall constitute grounds for further modification or revocation of the conditional use permit including any modifications.
17. Amplified music may be permitted within the building but the sound emitted from the premises shall not be audible outside the walls of the business establishment. No exterior sound equipment for music, entertainment, or a PA system, shall be allowed on the outdoor deck or the front-fenced area.
18. Employees engaged in the sale or service of alcoholic beverages for on-site consumption shall be 18 years and older (per City Council, August 7, 2002).
19. All security equipment shall be able to record reasonably sufficient quality images to enable law enforcement personnel to identify persons, and identify makes and models of vehicles. The security equipment must operate while the business is occupied, recording all activity at the premises, using video or digital memory to record the images. All unedited recordings are to be provided to the Sheriff's Department as soon as reasonably available.
20. Access to the outdoor deck shall only be from the interior of the restaurant and not from the front-fenced area or parking areas. Access to the front-fenced area shall only be from the interior of the restaurant or from the front main access to the

building. An automatic locking, emergency exit-only gate with panic hardware shall be installed at the north side of the front-fenced area prior to food and alcoholic beverages being served on the outdoor deck or in the front-fenced area.

21. Panels made by a material reviewed and approved by the Sheriff's Department shall be installed inside all existing railing and fencing around the outdoor deck and front-fenced area to a height not less than six feet. Railing and fencing around the outdoor deck and front-fenced area shall be maintained at a height not less than three feet.
22. Roof or wall mounted radiant heaters, or permanently mounted heaters shall only be allowed on the outdoor deck, subject to the approval of the Fire Department. The owner shall be responsible to ensure that the Fire Department has approved plans for said fixtures prior to installation and that the Fire Department has made a final inspection after installation prior to use of the fixtures. Temporary, non-permanently mounted heating fixtures and/or open flames shall not be allowed.
23. Planning Commission Resolution 2011-54 is replaced with this adopted City Council Resolution. City Council Resolution 2007-64 is still valid and in force and shall work in concert with this adopted City Council Resolution.

SECTION 3: EFFECTIVE DATE. This resolution shall become effective upon approval by the City Council of the City of Norco.

PASSED AND ADOPTED by the City Council of the City of Norco at a meeting held on October 19, 2011.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, CMC
City Clerk

Resolution No. 2011-____

Page 6

October 19, 2011

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California do hereby certify that the foregoing Resolution was introduced and adopted by the City Council of the City of Norco at a meeting held on October 19, 2011 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California on October 19, 2011.

Brenda K. Jacobs, CMC
City Clerk

/sk-79597

RESOLUTION 2011-54



DRAFT

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO MODIFYING CONDITIONAL USE PERMIT 2002-14 TO ALLOW THE SERVICE OF FOOD AND ALCOHOLIC BEVERAGES ON AN EXISTING OUTDOOR DECK AND FRONT FENCED AREA FOR AN EXISTING BUSINESS LOCATED AT 3841 OLD HAMNER AVENUE. (CONDITIONAL USE PERMIT 2002-14, MODIFICATION 2)

WHEREAS, ROBIN KOZIEL submitted a conditional use application to the City of Norco, California, requesting approval to allow the service of food and alcoholic beverages on an existing outdoor deck and in a front-fenced area under the provisions of the Norco Municipal Code, on property generally described as:

That portion of the Southwest one-quarter of Section 6, Township 3 South, Range 6 West, San Bernardino Meridian in the City of Norco, County of Riverside, as per map recorded in Book 6, Page 70 of Maps, in the Office of the County Recorder of said County.

More generally described as an irregular-shaped area of about 0.66 acres, having a frontage of about 97 feet on the east side of Hamner Avenue, and a maximum depth of about 200 feet, and being further described as 3841 Old Hamner Avenue.

WHEREAS, said conditional use permit was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, said application review was scheduled for public hearing on August 31, 2011 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is categorically exempt from California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Section 3.13.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATIONS:

FINDINGS:

A. The business has been in operation for several years, starting as a restaurant serving beer and wine and approved in 2002 to operate as a restaurant with liquor sales.

B. The City Council approved Modification 1 with Resolution 2007-64 and the condition that the applicant could approach the Planning Commission after one year of compliance and operation under the conditions of approval in said Resolution to request the use of the outdoor deck for the service of food and alcoholic beverages.

C. The City required a front-fenced area to allow the owner to maintain and use the outdoor deck so as to comply with accessibility requirements of the Americans with Disabilities Act (ADA).

D. Approval of Modification 2 does not increase the allowed maximum occupancy for the business assigned and approved with the site plan and floor plan approved with Modification 1.

E. The City of Norco acting as Lead Agency has determined that the project is categorically exempt from California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Section 3.13 (Existing Facilities).

DETERMINATION:

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NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled August 31, 2011, that Conditional Use Permit 2002-14 Modification 2, is approved subject to the conditions provided in Section 18.45 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval shall be based on the Site Plan of the property approved with Modification 1, including the interior layout and floor plan of the business.
2. The use of the property shall be conducted in accordance with the approved conditions of approval contained in City Council Resolution 2007-64 for Modification 1 and in accordance with the conditions of approval contained herein for Modification 2.
3. The use of the property shall be conducted in accordance with the approved plans and conditions of approval for the modified CUP. The use of the property, along with a layout of all tables and booths as shown on the floor plan, shall be consistent with the approved plans. Any major changes to the site plan and layout of the business shall be approved by the City.
4. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for review of the business operations and may be cause for modification of the approvals granted or revocation of Conditional Use Permit 2002-14, including any modifications.

5. At all times the allowed maximum occupancy of the business including the outdoor deck and front-fenced area shall be 284 in accordance with the building occupancy limits established with the Certificate of Occupancy (Permit # 2008BD0322), per City Council Resolution 2007-64 based on the approved business layout and floor plan with Modification 1. The maximum occupancy of the outdoor deck shall be established by the Building Division prior to use of that facility for the service of food or alcohol. The maximum occupancy of the outdoor deck is part of the overall occupancy of 284 for the business.
6. At all times that the business is open to the public, food and non-alcoholic beverages shall be available for sale and consumption, including the outdoor deck and front-fenced area.
7. No person under the age of 21 shall be permitted to enter or remain at the premises after 10:00 p.m., including the outdoor deck and front-fenced area, with the exception of employees of the business operation who are working after 10:00 p.m.
8. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division prior to record purposes for approval of any grading and/or building permits.
9. The business operation shall have a valid City of Norco business license at all times in order for the conditional use permit, including any modifications, to remain valid.
10. The business operation shall at all times be in substantial compliance with all provisions for licensing and certification from the Riverside County Health Department (RCHD) and Department of Alcoholic Beverage Control (ABC). The owner shall obtain all necessary permits from RCHD and ABC needed for serving food and alcoholic beverages on the outdoor deck and front-fenced area prior to those areas being used for said uses.
11. Any live entertainment shall be in compliance with all City entertainment, special event requirements and Entertainment Permit 2002-02.
12. The owner/operator of the business, regardless of any changes in ownership, shall provide a self audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. The report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of the modified conditional use permit, and then by December of every year thereafter. The owner/operator shall be responsible for all staff and attorney fees that may be



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incurred in the enforcement of the terms of the conditions of approval if the City prevails in a revocation or in legal proceedings.

13. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 48 hours of notification.
14. Signs shall comply with all City of Norco sign ordinance requirements. No more than 33% of the total window area and clear doors shall bear advertising or signs of any type. Windows signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the right-of-way and entrance to the premises.
15. The exterior of the premises, including the outdoor deck and front-fenced area, and all parking areas under the control of the licensee, shall be illuminated during the hours of darkness the business is open at a minimum of one-half foot-candle of light at property line and one-foot candle in interior areas. The applicant shall provide a lighting and photometric plan for existing conditions on the outdoor deck and front-fenced area prior to the use of those areas for the service of food and alcoholic beverages for approval by the Planning Commission. If the existing lighting does not meet the minimum illumination standards, the applicant shall be required to provide a new plan for lighting the outside area along with a photometric plan indicating illumination levels for approval by the Planning Commission. Service of food and alcoholic beverages on the outdoor deck and front-fenced area shall not be permitted until lighting has been installed pursuant to plans approved by the Planning Commission. In all instances exterior lighting shall not exceed one foot-candle at property lines and one and one-half foot-candles in the interior areas including the outdoor deck and front-fenced area.
16. The operation of the business shall not violate any federal, state, or local laws or ordinances, including the rules, regulations, and orders of the State Alcoholic Beverage Control (ABC) Department. Failure to comply with these requirements shall constitute grounds for further modification or revocation of the conditional use permit including any modifications.
17. Amplified music may be permitted within the building but the sound emitted from the premises shall not be audible outside the walls of the business establishment. No exterior sound equipment for music, entertainment, or a PA system, shall be allowed on the outdoor deck or the front-fenced area.
18. Employees engaged in the sale or service of alcoholic beverages for on-site consumption shall be 18 years and older (per City Council, August 7, 2002).
19. Security cameras shall provide complete coverage capable of recording the entire interior, excluding the bathrooms and private office, and the entire exterior of the premises including the entire outdoor deck and front-fenced area. Video coverage



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must include all premises entries, exits, kitchen, front and rear of the bar and all customer areas. Exterior video coverage must include complete coverage of all four sides of the property, the deck and both parking areas. The security plan for the placement, coverage and total number of cameras for the outdoor deck and front-fenced area shall be prepared by the applicant for review and approval by the Sheriff's Department prior to food and alcoholic beverages being served there.

20. All security equipment shall be able to record reasonably sufficient quality images to enable law enforcement personnel to identify persons, and identify makes and models of vehicles. The security equipment must operate while the business is occupied, recording all activity at the premises, using video or digital memory to record the images. All recordings are to be maintained for a minimum 60 day period. Unedited recordings must immediately be provided to Sheriff's staff upon request to assist in official investigations.
21. Access to the outdoor deck shall only be from the interior of the restaurant and not from the front-fenced area or parking areas. Access to the front-fenced area shall only be from the interior of the restaurant or from the front main access to the building. Automatic locking, emergency exit-only gates with panic hardware shall be installed at the bottom of the stairs to the outdoor deck, and at the north side of the front-fenced area prior to food and alcoholic beverages being served on the outdoor deck or in the front-fenced area.
22. Acrylic or plexiglass panels shall be installed around all existing railing and fencing around the outdoor deck and front-fenced area to a height not less than three feet above the top of the railing. Railing and fencing around the outdoor deck and front-fenced area shall be maintained at a height not less than three feet.
23. The owner shall submit a title report to the Engineering Division prior to food or alcoholic beverages being served on the outdoor deck or front-fenced area to confirm the location of any utility easements and ascertain that deck construction has not occurred within any utility easements.
24. It is hereby established that it shall be grounds for revocation of this conditional use permit if the permittee, his agent or assigns, or employee(s) of his establishment, or any other person connected or associated with the permittee or his business establishment, or any person who is exercising managerial authority of the business establishment has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either



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generates or contributes to noise and/or health/sanitation nuisances, or which results in creating an increased demand for public services.

25. The sales, service, or consumption of alcoholic beverages on the outdoor deck and front-fenced area shall only be permitted between the hours of 11:00 a.m. and 11:00 p.m. each day of the week.



DRAFT

26. Heating fixtures shall be prohibited on the outdoor deck.

###

APPROVED AND ADOPTED by the Planning Commission at a special meeting held on August 31, 2011.

Robert E. Wright, Chairman
Planning Commission
City of Norco, California

ATTEST:

 **DRAFT**

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a special meeting thereof held on August 31, 2011 by the following roll call vote:

AYES: Hedges, Henderson, Jaffarian, Leonard, Wright

NOES: none

ABSENT:

ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/sk-79527

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: William R. Thompson, Director of Public Works 

DATE: October 19, 2011

SUBJECT: Acceptance of Bids and Award of Contract for the 2011/12 Equestrian Trail Fence Capital Improvement Project

RECOMMENDATION: Award a contract for the Installation of the 2011/12 Equestrian Trail Fence Capital Improvement Project to Valley Cities/Gonzales Fence, Inc. in the amount of \$63,000 and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.

SUMMARY: Bids for the 2011/12 Trail Fence Improvement Project were opened on October 4, 2011, with Valley Cities/Gonzales Fence, Inc. being the apparent low responsible bidder. It is recommended that the City Council consider awarding a contract to Valley Cities/Gonzales Fence, Inc., in the amount of \$63,000 to construct the proposed trail fence improvements.

BACKGROUND/ANALYSIS: Staff completed plans and specifications for the installation of trail fence improvements at various locations within the City. The adopted Trail Fence Capital Improvement Program (CIP) Fund identifies a total expenditure of \$110,200 for trail fence improvements during the 2011/12 fiscal year. Trail fence segments within the bid document vary slightly from the approved CIP program fund, and will require City Council action to amend the requested minor modifications to the budget.

Bids were received at 2:00 p.m. on October 2, 2011 and ranged from \$63,000 to \$133,920. The City received two identical bid amounts from Valley Cities/Gonzales Fence, Inc. and Link Engineering, Inc. in the amount of \$63,000. In order to select a firm to recommend for award consideration by the City Council, staff held individual meetings with both firms to evaluate and determine past experience and performance history.

The lowest responsible bidder's license and references and qualifications have been verified by staff to ensure a satisfactory bid package. The bid summary sheet has been attached for Council review.

FINANCIAL IMPACT: Adequate funds have been allocated in the Capital Improvement Program for this project utilizing Trail Fund 143 (Total \$63,000)

WRT/79599

Attachment: Bid Summary and Bid Cover Page

Agenda Item 1.H.



BID SUMMARY SHEET

2011/12 EQUESTRIAN TRAIL FENCING PROJECT
AT VARIOUS LOCATIONS

Valley Cities/Gonzales
Fence, Inc.

Link Engineering, Inc.

Falcon Builders, Inc.

QUANTITY	UNITS	DESCRIPTION	UNIT BID	TOTAL	UNIT BID	TOTAL	UNIT BID	TOTAL
9,000	LF	Equestrian Trail Fencing	\$7.00	\$63,000.00	\$7.00	\$63,000.00	\$10.30	\$92,700.00
		TOTAL BID		\$63,000.00		\$63,000.00		\$92,700.00
		Low Bid Subcontractors						



BID SUMMARY SHEET

**2011/12 EQUESTRIAN TRAIL FENCING PROJECT
AT VARIOUS LOCATIONS**

QUANTITY	UNITS	DESCRIPTION	Crown Fence Company		Harris Steel Fence Co., Inc.		Alcorn Fence Company		APW Construction, Inc.	
			UNIT BID	TOTAL	UNIT BID	TOTAL	UNIT BID	TOTAL		
9,000	LF	Equestrian Trail Fencing	\$11.00	\$99,000.00	\$11.66	\$104,940.00	\$14.15	\$127,350.00	\$14.88	\$133,920.00
		TOTAL BID		\$99,000.00		\$104,940.00		\$127,350.00		\$133,920.00
		Low Bid Subcontractors								

CITY OF NORCO

2870 Clark Avenue
Norco, CA 92860
(951) 270-5607
(951) 270-5628

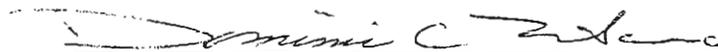
**REQUIREMENTS AND CONTRACT DOCUMENTS
FOR**



**2011/12 EQUESTRIAN TRAIL FENCING PROJECT
VARIOUS LOCATIONS**

BID OPENING DATE: OCTOBER 4, 2011

Approved By:


City Engineer

ENGINEER'S ESTIMATE: \$70,000

CITY OF NORCO
NOTICE INVITING SEALED BIDS
FOR
2011/12 EQUESTRIAN TRAIL FENCING PROJECT
VARIOUS LOCATIONS

PUBLIC NOTICE IS HEREBY GIVEN that the City of NORCO, as AGENCY, invites sealed bids for the above stated project and will receive such bids in the offices of the City Clerk up to the hour of **2:00 P.M. on the 4th day of October, 2011**, at which time, or as soon thereafter as practicable, they will be publicly opened and read aloud.

The work to be done consists of furnishing all materials, equipment, tools, labor, and incidentals required for the above stated project as set forth in the Plans, Specifications, and Contract Documents therefore, and to perform all work in the manner and time prescribed therein.

There are 60 working days allowed to complete this project including design. City plan check time will not be counted as working days. Liquidated damages shall be assessed at \$500.00 per working day.

Copies of said Design Requirements and Contract Documents are available from the AGENCY upon payment of a **\$15.00 non-refundable fee** (\$20.00 if mailed). If copies of the Specifications and Contract Documents are obtained from outside sources other than the City of Norco, it is the responsibility of the Contractor to obtain copies of all addendums prior to the bidding deadline.

Any Contract entered into pursuant to this notice will incorporate the provisions of the State Labor Code. **The City of Norco is a Charter City and pursuant to provisions within the Charter, the City is not subject to the prevailing wage law.** Apprenticeship employment standards established by the State Director of Industrial Relations will be required. Affirmative action to ensure against discrimination in employment practices on the basis of race, color, national origin, ancestry, sex, or religion will also be required.

The Contract Documents call for monthly progress payments based upon the engineer's estimate of the percentage of work completed. The AGENCY will retain 10 percent of each progress payment as security for completion of the balance of the work. At the request and

expense of the successful Bidder, the City of Norco will pay the amounts so retained upon compliance with the requirements of Government Code Section 4590 and the provisions of the Contract Documents pertaining to Substitution of Securities.

Bids must be prepared on the approved proposal forms in conformance with the Instructions to Bidders and submitted in a sealed envelope plainly marked on the outside:

“SEALED BID FOR 2011/12 EQUESTRIAN TRAIL FENCING PROJECT, VARIOUS LOCATIONS DO NOT OPEN WITH REGULAR MAIL.”

The AGENCY reserves the right to reject any or all bids, to waive any irregularity, to accept any bid or portion thereof, and to take all bids under advisement for a period of 60 days.

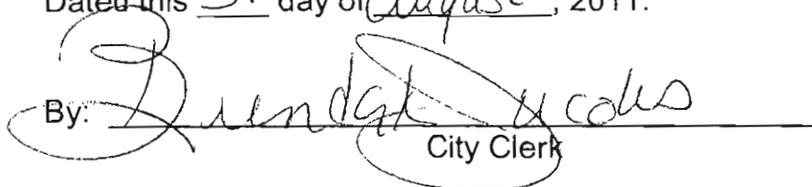
At the time of Contract award, the prime contractor shall possess an appropriate Contractor's License sufficient to perform the work.

Prior to execution of the Contract, the Contractor will be required to submit two good and sufficient bonds each in the amount of 100 percent of the Contract price, and to satisfactorily provide evidence of insurance as described elsewhere in these Specifications.

This contract is subject to state contract nondiscrimination and compliance requirements pursuant to Government Code Section 12990.

BY ORDER OF the City Council of the City of Norco.

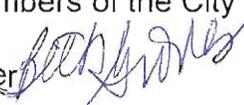
Dated this 31st day of August, 2011.

By: 
City Clerk

CITY OF NORCO
2870 CLARK AVENUE
NORCO, CALIFORNIA 92860
(951) 270-5607
(951) 270-5628

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: William Thompson, Director of Public Works 

DATE: October 19, 2011

SUBJECT: Acceptance of the Installation and Programming of Smart Water Meters in the City of Norco

RECOMMENDATION: That the City Council accept the installation and programming of the Smart Water Meters Project as complete and direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

SUMMARY: The Smart Water Meters Project (the "Project") consisted of the replacement of existing water meters with an automated water meter reading solution. This component of the Project was the installation of over 7,500 smart water meters in the City of Norco.

BACKGROUND/ANALYSIS: On March 17, 2010, the City Council awarded a public works contract to Concord Environmental Energy, Inc. in the amount not to exceed \$290,000.

Work on the Project has been completed to the satisfaction of the Director of Public Works and a Notice of Completion has been prepared. Staff is requesting that the City Council accept the work performed by Concord Environmental Energy, Inc. and authorize the City Clerk to record the Notice of Completion.

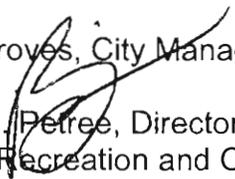
FINANCIAL IMPACT: The total cost for installation and programming of smart water meters of \$264,677.50 was funded with Water and Sewer funds bond proceeds.

/jk-79591

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brian K. Petree, Director
Parks, Recreation and Community Services Department 

DATE: October 19, 2011

SUBJECT: Naming of the South Arena at the George Ingalls Equestrian Event Center as the "Hal H. Clark Arena"

RECOMMENDATION: Consider the Parks and Recreation Commission recommendation to approve the naming of the south arena at the George Ingalls Equestrian Event Center as the "Hal H. Clark Arena"

SUMMARY: The Department of Parks, Recreation and Community Services has received a Park and Public Building Dedication Application requesting the south arena at the George Ingalls Equestrian Event Center be named after former Mayor, Council Member and resident Hal H. Clark (Exhibit "A"). At its October 10, 2011 meeting, the Parks and Recreation Commission determined that Hal H. Clark meets the established criteria for such recognition due to his dedication and devoted involvement with various Norco equestrian groups, youth sports organizations and community groups. His family, friends and good neighbors would like to have him remembered for all of his unselfish contributions towards the youth and the lifestyle of our community.

BACKGROUND ANALYSIS: As part of the City Dedication Policy, it is required that a group or individual submit an application to request the dedication of a venue or park by name or construct a memorial in a park or facility. Staff received a request from the Clark family that the south arena at the George Ingalls Equestrian Event Center be named in the memory of former Mayor, City Council Member and Norco resident, Hal H. Clark. Mr. Clark was a devoted citizen involved with various equestrian groups and youth sport groups within the community. As part of the application, the family identified many of Mr. Clark's achievements to the community such as organizing the volunteers to construct sports fields at Wayne Makin and supporting the reconstruction of the Wayne Makin concession facilities. The family also noted his volunteer efforts in the creation and development of the Norco Animal Rescue Team, as he was dedicated to training and being prepared for any future animal emergency. Mr. Clark spent many years involved with the local community groups such as the Saddle Sore Riders, Norco Horsemen's Association and the Norco Horseweek Committee. Mr. Clark was part of the original vision development committee for the George Ingalls Equestrian Event Center and later played a role on the advisory committee.

Dedication Request for Hal H. Clark

Page 2

October 19, 2011

At its October 10, 2011 Parks and Recreation Commission meeting, the Commission voted unanimously to recommend that the south arena at the George Ingalls Equestrian Event Center be named the "Hal H. Clark Arena". The requesting family for this memorial naming has provided the Department of Parks, Recreation and Community Services with a petition including the required number of resident signatures requesting approval of this naming (Exhibit "B") based on our City Policy for Park Dedication (Exhibit "C").

The proposed memorial will consist of a memorial plaque to be placed adjacent to the south arena naming the arena the "Hal H. Clark Arena".

FINANCIAL IMPACT: There is no financial impact to the General Fund. The Clark Family and friends will assume all costs associated with the purchase of the memorial plaque and the dedication wall for the City to install.

/rs-79589

Attachments: Exhibits "A" through "C"

Exhibit "A"

HAL H. CLARK

My sister, Teresa Hyde and I, Valerie Clark would like to request that the second arena at Ingall's Park be named in honor of our father, Hal H. Clark. Dad moved us to Norco in 1975 so he could raise beef and farm like he did in his Hometown. We immediately became involved with different groups in the city, first the Norco Family Trailseekers and Norco Flag Football through Parks and Recreation. Soon after, Dad became involved with the Norco Horseweek Committee and remained involved for over 30 years. He served as Vice-President for 18 years, President for 11 years and Treasurer for 6 years. Dad was so involved in Norco Horseweek that many came to know him as "Mr. Horseweek" or "Big Daddy" because he had an abundant amount of knowledge about how to make Horseweek a success. For many years we were also very involved with Norco JAAF where Dad served as President. As we grew older and did not participate in JAAF, Dad had more time to volunteer in the community. Dad became involved with many groups such as Norco Cowboy Polo, Saddle Sore Riders, NHA and the Norco Backyard Horseshoe League. He was also a member of the American Legion Post 328 and enjoyed working the ground crew for the Norco Outriders' Mens Ride every year.

Hal H. Clark was elected to the Norco City Council in 1997 where he was serving his 3rd term when he passed away in September 2008. As a City Councilman and Mayor for the City of Norco, Dad spent countless hours enriching Norco's lifestyle. We can remember him volunteering many hours watering trees down 6th Street, doing weed abatement at Silverlakes, bagging ice to fill the ice house for public purchase through the City and other community activities such as Trail Clean Up days. When the new homes were built in the hills, Dad fought hard to get the first arena covered by the builder at no cost to the City. After the arena was covered, one of Dad's proudest moments was being able to help a local Boy Scout earn his Eagle Badge for running power up at Ingall's Park.

During the fires of 2003 that brought the Alta Loma Riding Club to Ingall's Park for an emergency evacuation center, Dad spent most of the day beside many dedicated animal lovers in the City assembling portable horse stalls, getting donations from local merchants for supplies and even ensuring the volunteers were fed. After seeing such camaraderie and need for such a group, Dad fought hard for the Norco Animal Rescue Team. He was instrumental in the formation of the team and was a Team Leader. He was very proud of the men and woman who dedicated so much time to training and being ready for the next emergency.

These are just a few of Dad's accomplishments through his many years of volunteering and serving on the City Council. Attached you will find just a few names of people in town who support us in our request to name the arena for Dad. We are lucky to learn more and more about our Dad and how he helped so many people in this town. No matter how small of a task it may seem, people still appreciate all of his efforts to keep Norco, Norco. Many people are lucky to call him "Friend", we are blessed to call him Dad.

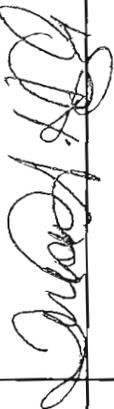
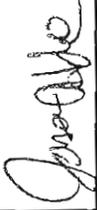
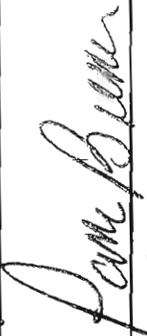
We are extremely proud of all of his accomplishments in this town and greatly appreciate your consideration for naming the second arena at Ingall's Park the "Hal H. Clark Arena" in his honor.

Requesting Party and Party Responsible for Purchase of Plaque:
Valerie Clark and Teresa Hyde
3036 Sierra Ave
Norco, CA 92860
951-532-1876

Exhibit "B"

We, the undersigned, do hereby request the City of Norco to consider dedicating the second arena at Ingall's Park in memory of long time resident and Norco advocate Hal H. Clark. Listed below are a few of the numerous reasons for the request:

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- 5 Hal was essential in the formation of the Norco Animal Rescue Team

	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
1	Valerie Clark	3030 Sierra Ave Norco, CA 92860	951-532-1876	
2	TERESA Hyde	3030 SIERRA AVE NORCO, CA 92860	909) 7020950	
3	Jason Hyde	3030 Sierra Ave Norco, CA 92860	951-2583513	
4	Pam Bremer	736 5th St. Norco, CA 92860	951- 371-5086	
5	Tom BREMER	736 5th St NORCO, CA 92860	951-371- 5086	
6	Bucky Bremer	736 5th St Norco CA 92860	(951) 202- 8734	
7	Denine Messer	4526 Pedley Ave Norco CA 92860	951 272- 3462	

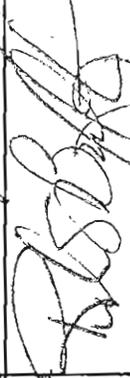
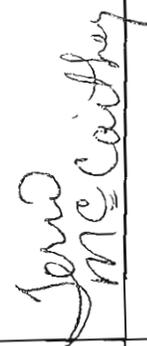
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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
8	DONALD E. MESSER	4526 PEDLEY AVE NORCO	(951) 272-3462	Donald E. Messer
9	Anthony Bouchey	4526 Pedley Ave Norco	(951) 205-0218	Anthony Bouchey
10	Virgil Messer	4526 Pedley Ave Norco	(951) 272-3462	Virgil Messer
11	KASSY CANNON	895 7th St Norco	904 8165597	Kassy Cannon
12	Anthony Cannon	895 7th St Norco	951 733-0311	Anthony Cannon
13	Corey Grier	1120 Sears St. Norco	951 532-4600	Corey Grier
14	Lisa Grier	1120 Sears St. Norco	951 285-1480	Lisa Grier

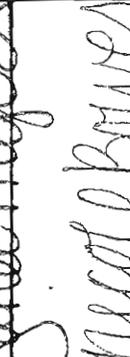
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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
15	Brandon Patton	110 Sears St. Norco CA	951 739-1039	
16	Sarah Patton	110 Sears St. Norco CA	951 739-1039	
17	Becky Buffington	450 Cavaletti Norco CA	951-218-5728	
18	Jeff Buffington	450 Cavaletti Norco CA	951-218-5728	
19	Kevin Whitaker	3984 1/2 Temescal Ave Norco, CA	951-227-6847	
20	Terry McCarthey	3984 1/2 Temescal Ave Norco, CA	951-227-9089	
21	Gracie Langdon	Norco CA 3984 Temescal Ave	951-373-0767	

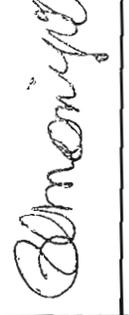
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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
22	JODIE JULIAN	3984 Temescal Norco	951 340 2239	
23	Richard Julian	3984 Temescal Ave	951-340-2239	
24	Lynn Wolowicz	832 Fifth St.	951-734-1777	
25	Tom Wolowicz	832 5TH ST	951 734 4777	
26	Bobbie White	831 Fifth St	951-737-6750	
27	Donna Myers	3104 Blakeside Ave	951-207-8890	
28	Nicole Bowles	3104 Hillside Ave	951-990-9088	

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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
29	ROY "LEE" MYERS	3104 HILLSIDE AVE NORCO CA 92860	951 207-8859	
30	ROB DEYOUNG	1022 2nd NORCO	951 847-5842	
31	PATRICIA MONIGOLD	1370 WILLOW DR NORCO CA 92860	951 314-4438	
32	MARY RODRIGUEZ	1201 4th ST. NORCO, CA. 92860	951 817-5114	
33	VINCE RODRIGUEZ	1201 4th ST. NORCO, CA. 92860	951 817-5114	
34	RANDY GRAMER	1185 4th ST. NORCO, CA. 92860	(951) 776-7830	
35	GAIL GRAMER	1185 4th ST. NORCO, CA. 92860	951 736-7830	

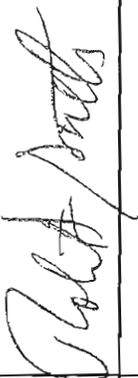
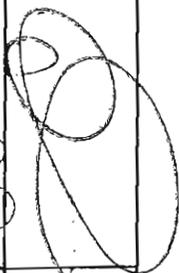
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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
36	Niles Graumer	1185 4th St. Norco CA. 92800	(951) 736-7830	Niles Graumer
37	Billy Hampton	3707 Bluff St. Norco CA. 92860	951 734-2311	Billy Hampton
38	Gay Hampton	3707 Bluff St. Norco, CA. 92860	951- 734-2311	Gay H. Hampton
39	Angelina Sanders	3707 Bluff St Norco CA 92860	951 734 2311	Angelina Sanders
40	PAMELA WITHAM	2740 Sunny Hills Dr Norco, CA 92860	951 206 5555	Pamela Whitam
41	Fred Witham	2740 Sunny Hills Dr Norco 2865 Corydon Ave	714 747 0006	Fred Witham
42	Sharon Smith	NORCO	951- 371-2577	Sharon Smith

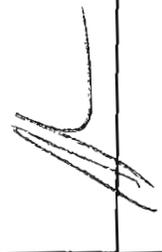
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NAME	ADDRESS	PHONE NUMBER	SIGNATURE
43 April Smith	2865 Corydon Ave. Norco, CA 92860	951 768-7474	
44 Robert F. Smith	2865 CORYDON AVE NORCO, CA 92860	951 768-1123	
45 CHARLES R. CARLSON	2888 Corydon Ave Norco CA 92860	951 737-6174	
46 Bob, Carlson	2888 Corydon Ave Norco CA 92860	951 737-6174	
47 HEIDI COUGHLIN	3250 Dapplegray Norco CA 92860	951 479-5571	
Jerry Brandenburg	3256 Dapplegray Norco	951 415-4341	
49 John Wilkins	952 SPIRIT KNOLL CT, Norco	951 545-1099	

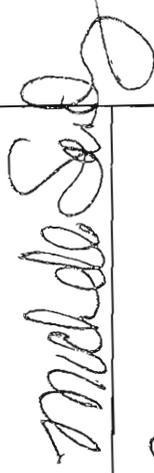
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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
50	CLIFF CLARK	454 TEMESCAL	738-1677	
51	Tammy Gray	4115 Temescal Ave	951-532-220	Jammy Gray
52	Paul Dray	4115 Temescal Ave	951-278-35	
53	MIKE RUSINKO	3020 VALLEY VIEW AVE	(951) 2178700	
54	Natasha Gray	4115 Temescal ave	951 532 3308	
55	Stephanie Scharf	4130 Temescal Dr. Norco, CA 92450	(951) 898-0907	
56	Arthur T Scharf	4130 Temescal Ave	951-898-0907	

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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
57	Michelle Sanchez	4420 Capri Norco	7376830	
58	Ryan Sanchez	4430 Capri Norco	7376830	
59	Gordon Blair	2220 ALHAMBRA	734-1967	
60	Sylvia HATZENBUHNER	4072 Quiet Hills Ct, Norco	734-3857	
61	Eddy HATZENBUHNER	4072 Quiet Hills Ct, Norco	734-3857	
62	Angel Gillissie	2450 Foroken Lance Dr Norco	275318	
63	Ken Gillissie	2450 Foroken Lance Dr, Norco	95858979	

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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
64	TINA MARKAN	3048 SIERRA AVE NORCO, CA 92860	(951) 741-3499	
65	Tim Markan	3048 Sierra Ave. Norco, CA 92860	(951) 741-6440	
66	Wai Campbell	3274 Corona Ave Norco, CA 92860	(951) 808-8622	
67	Randy VanderBrake	4510 Redley Ave Norco Ca 92860	(909) 519-5858	
68	Mickey Nichols	859 3rd St Norco Ca 92860	951 371-3800	
69	Bryan Nichols	859 3rd St Norco - Ca 92860	310 678 6886	
70	Dawn Panzer	2440 Crazy Horse Ln Norco, CA 92860	(951) 538-6705	

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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
71	Theodore R. Hofmann	350 W. 10th Horse Ln Norco	951-712-9582	
72	SONYA GUERCIO	3016 TEMESCAL AVE NORCO	951-372-0661	
73	Jody Guercio	3016 Temescal Ave Norco	951-372-0661	
74	Pat Overstreet	1231 Corona Ave	cell 909-996-5088	
75	David Overstreet	1231 Corona Ave	951-734-5088	
76	KAREN SHACKELFORD	1521 Corona Ave	951-735-3215	
77	Robin Grundmeyer	3026 Chaparral Dr	951-736-8115	

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	NAME	ADDRESS	PHONE NUMBER	SIGNATURE
78	Carole Lindsey	3826 Chaparral Dr	951 735 1288	Carole Lindsey
79	MAHE MONTGOMERY	3467 BLUFF ST, NORCO	951-735-5894	MAHE MONTGOMERY
80	Waynette Montgomery	3467 Bluff St, Norco	951 735-3896	Waynette Montgomery
81	JANIS BOST	4254 VALLEY VIEW, NORCO	951-371-4009	Janis Bost
82				
83				
84				

Exhibit "C"

**CITY OF NORCO
DEPARTMENT OF PARKS, RECREATION AND COMMUNITY SERVICES**

Park and Public Building Dedication Criteria

1. Past or present resident of the City of Norco.
2. The Nominee made an outstanding contribution towards Norco's lifestyle with unusual and unselfish time devoted to helping others or whose good deeds have helped and/or influenced the lives of others.
3. The Nominee provided visibility, promoted the use of or enhanced the composition of a facility in the City of Norco park system above and beyond normal efforts.
4. The Nominee must be deceased for a minimum of 120 days before consideration of or review of nomination request.
5. The request must be submitted to the Parks, Recreation and Community Services Office for review by the Parks and Recreation Commission.
6. The name of the Nominee is to be submitted in a formal request with a biography addressing Items 1 & 2.
7. Include a petition with a minimum of seventy-five (75) Norco resident names supporting this request with name, address, phone number and signature.
8. The Nominating individual/group will furnish the cost of purchasing and engraving the plaque and or any costs associated with the Dedication or naming of the facility, park, or building.
9. The Parks and Recreation Commission shall review and advise the Council regarding all nominations.
10. The Nominee must then be approved by the City Council.
 - (a) Please note: if requesting a special memorial area or dedication, i.e., park area, tree, playground equipment, park bench or room in a building; the above criteria will apply.
 - (b) Please be advised you should use a format similar to this example. Make sure to identify plainly the name, address and phone number of the contact person for this request as well as the purchasing party for the plaque.

Example: We, the undersigned, do hereby request the City of Norco consider dedicating (description of the facility) for the following reasons. (Your biography or listing of reasons may be in a brief paragraph description format.)

After your description, provide a minimum listing of seventy-five (75) Norco resident names that include the name, address and phone number.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Keith Clarke, Building Official
Fire Chief Peter Bryan 

DATE: October 19, 2011

SUBJECT: Ordinance Adopting the 2010 California Building Standard Codes

RECOMMENDATION: Adopt **Ordinance No. _____ for first reading**, replacing Title 15, Chapters 15.01 - 15.09 of the Norco Municipal Code, adopting by reference the 2010 edition of the California Building Standards Code including the 2010 California Building Code; 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code, 1997 Uniform Housing Code, 2010 California Residential Code, 2010 Green Building Code and the 2010 California Fire Code. (Code Change 2011-04)

SUMMARY: State law allows local governments to amend California Model Codes, providing the amendments are more restrictive and are necessary in order to provide the highest level of life-safety standards. The proposed ordinance will adopt and amend the 2010 editions of the California Building Code (CBC), the California Electrical Code (CEC), Mechanical Code (CMC), the California Plumbing Code (CPC), the 1997 Uniform Housing Code (UHC), the California Residential Code (CRC), the California Green Building Code (CGBC) and the California Fire Code (CFC). State law requires that local governments enforce these code editions beginning January 1, 2011.

BACKGROUND/ANALYSIS: Every three years the State of California adopts new construction and fire codes. These codes are reviewed and recommended by the State Building Standards Commission. After the publication of these codes, local governments are encouraged by the State of California to adopt these codes and amend them so that they address all local climatic, geographical and topographical features of each city. Staff has analyzed these codes and has prepared the amendments shown in this ordinance in order to make certain that all structures which are constructed in this City comply with a higher standard, dictated by local conditions.

Many of the proposed amendments to these model codes are more restrictive than the current adopted amendments. The scope of these amendments range from a higher degree administrative and enforcement standards for the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, Uniform Housing Code, California Residential Code, California Green Building Code and the; and higher fire flow and emergency access standards for the California Fire Code.

FINANCIAL IMPACT: No fiscal impact

Attachment: Ordinance for first reading

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, REPLACING TITLE 15, CHAPTERS 15.01 - 15.09 OF THE NORCO MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE; INCLUDING THE 2010 CALIFORNIA BUILDING CODE; 2010 CALIFORNIA ELECTRICAL CODE; 2010 CALIFORNIA MECHANICAL CODE; 2010 CALIFORNIA PLUMBING CODE; 1997 UNIFORM HOUSING CODE; 2010 CALIFORNIA RESIDENTIAL CODE; 2010 GREEN BUILDING CODE AND THE 2010 CALIFORNIA FIRE CODE (CODE CHANGE 2011-04)

WHEREAS, at the regular meeting on the October 19, 2011, the Norco City Council conducted a public hearing and received and considered oral and written testimony concerning the proposed code change; and

WHEREAS, the City of Norco last revised its codes in 2007 conforming to the California Building Standards Code; and

WHEREAS, the California Health and Safety Code requires cities and counties to adopt building standards that are consistent with those contained in the California Code of Regulations Title 24 ; and

WHEREAS, modifications and/or changes to Chapters 15.01 through 15.09 of the Norco Municipal Code require findings stating that they are found reasonably necessary because of climatic, geological or topographical conditions in the City of Norco; and

WHEREAS, State law allows local governments to amend California Model Codes, providing the amendments are more restrictive and are necessary in order to provide the highest level of life-safety standards and requires that local governments enforce these code editions beginning January 1, 2011.

NOW, THEREFORE, the City Council of the City of Norco does hereby make the following FINDINGS:

A. California Health & Safety Code, Section 17958.5 and 18941.5 authorize cities and counties to modify the California Building Standards Code by adopting more restrictive standards and modifications if such standards and modifications are accompanied by express findings that they are reasonably necessary because of local climatic, geological or topographical conditions.

B. The City Council of the City of Norco finds that these local climatic, geological or topographical conditions include, but are not limited to, the following:

1. 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 drought conditions and fires. For example, during July, August and September, temperatures often exceed 100 degrees Fahrenheit. During the same months humidity is usually less than 40% and measurements of less than 10% are not uncommon. These recordings have been documented by the Riverside County Flood Control District and the National Climatic Data Center.

2. The City is subject to extremely strong winds, commonly referred to as "Santa Ana Winds," which can reach speeds of up to 95 miles per hour. In addition, the convergence of the marine shore air flow and the desert air flow create steady winds on a daily basis. Finally, the City is bordered on the south by steep, rugged, brush-covered mountains and parts of the City contain hilly terrain and mounds, which either contribute to or create gusty wind conditions by causing a natural funneling effect and increasing wind speeds over the City.

3. The City is also subject to moderately strong shaking and surface ruptures from seismic activity in the area. The geologic and seismic setting of the City is dominated by the Chino and Elsinore earthquake faults along the southwest portion of the City and a diversity of bedrock and alluvial soils that may significantly affect the intensity of earthquake shaking. The Elsinore fault is located a short distance southwest of the City, while the Chino fault, which is subparallel to the Elsinore fault, is located just inside the City's southwestern boundary. Of the two faults, the Chino fault has the greater potential for surface rupture leading to structural damage of structures in the City. Moreover, the thin alluvial soils found in parts of the City contribute to a moderately high potential for liquefaction in certain areas.

C. The aforementioned geologic and climatic conditions have also contributed to the loss or damage of 450 homes in the Bel Air Fire of 1961, 187 homes in the Chatsworth Fire of 1970, 50 homes in the Mandeville Canyon Fire of 1978, 262 homes in the Anaheim Fire of 1982, 71 homes in the Baldwin Hills Fire of 1985, 33 homes in the Porter Ranch Fire of 1988, 162 homes in the Santa Barbara Fire of 1990, 3300 homes in the Oakland Fire of 1991, hundreds of acres in the nearby Chino Hills State Park Fire of 1997 and most recently, the Corona Triangle / Freeway Complex Fire November 15, 2008 burned 318 properties, burned 30,305 plus acres, destroyed 187 single/multiple family homes, damaged 127 homes, damaged or destroyed four commercial properties.

D. These fires, as well as the recent Whittier Earthquake of 1987 and Northridge Earthquake of 1994, have resulted in the tragic loss of lives along with enormous property losses.

E. For practicality and cost reasons, many new structures are built of wood (Type V) construction. Many existing structures also have wood shake roofs. The potential for a conflagration exists due to the design and density of current structures.

F. Electrical supply and telephone communication failures occur due to high winds as well as other reasons. Water supply pumps and early notification of a fire cannot always be counted on.

G. Based upon the recommendations of the Building Official and Fire Chief, the City Council finds that the proposed amendments to the 2010 California Building Standards Code ("amendments") are more restrictive than the standards adopted by the California Building Standards Commission, would decrease the potential incidence of property damage, injury and death due to fires and earthquakes, and are reasonable and necessary to mitigate the aforementioned local climatic, geologic or topographical conditions.

NOW THEREFORE, the City Council of the City of Norco does hereby DETERMINE, ORDER, AND RESOLVE as follows:

SECTION 1. Chapter 15.01 (ADMINISTRATIVE PROVISIONS FOR TITLE 15) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "A".

SECTION 2. Chapter 15.02 (BUILDING CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "B".

SECTION 3. Chapter 15.03 (ELECTRICAL CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "C".

SECTION 4. Chapter 15.04 (MECHANICAL CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "D".

SECTION 5. Chapter 15.05 (PLUMBING CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "E".

SECTION 6. Chapter 15.06 (HOUSING CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "F".

SECTION 7. Chapter 15.07 (RESIDENTIAL CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "G".

SECTION 8. Chapter 15.08 (GREEN BUILDING CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "H".

SECTION 9. Chapter 15.09 (FIRE CODE) of the City of Norco Municipal Code is hereby repealed and replaced in its entirety to read as attached in Exhibit "I".

SECTION 10. Modifications and/or changes to Chapters 15.01 through 15.09 are found reasonably necessary because of climatic, geological or topographical conditions in the City of Norco.

SECTION 11: SEVERABILITY: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, subsections, sentences, clauses, or phrases hereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases hereof be declared invalid or unconstitutional.

SECTION 12: POSTING: The Mayor shall sign this Ordinance and the City Clerk shall attest hereto and shall cause the same within 15 days of its passage to be posted at no less than five public places within the City of Norco.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on November 2, 2011.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, CMC, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on October 19, 2011 and thereafter at a regular meeting of said City Council duly held on November 2, 2011, it was duly passed and adopted by the following vote of the City Council.

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on November 2, 2011.

Brenda K. Jacobs, CMC, City Clerk
City of Norco, California

Attachments: Exhibits "A" through "I"

Exhibit "A"

Chapter 15.01
ADMINISTRATIVE PROVISIONS FOR TITLE 15

15.01.010	Title
15.01.020	Code adoption.
15.01.030	Amendments – Generally.
15.01.040	Amendment – Section 101.2 – Scope
15.01.050	Amendment – Section 101.4 – Referenced Codes
15.01.060	Amendment – Section 105.1.1 – Permits Required
15.01.070	Amendment – Section 105.1.3 – Storm Drainage Fee
15.01.080	Amendment – Section 105.2 – Exempt work
15.01.090	Amendment – Section 105.3.2 – Time limitation
15.01.100	Amendment – Section 105.5 – Expiration and Renewal
15.01.110	Amendment – Section 105.6 – Noise and Dust
15.01.120	Amendment – Section 105.7 – Posting of plans/permits
15.01.130	Amendment – Section 105.8 – Transferability
15.01.140	Amendment – Section 109.4 – Investigation Fee
15.01.150	Amendment – Section 109.6 – Refunds
15.01.160	Addition – Section 110.3.11 and 110.3.12 – Inspections
15.01.170	Amendment – Section 110.7 – Re-inspection
15.01.180	Amendment – Section 111.2 – Certificate of Occupancy
15.01.190	Violation – Penalty

15.01.010 Title

This chapter shall be cited as the Administrative Provisions to Title 15 of the Norco Municipal Code and shall apply to all of the referenced and adopted codes in Title 15, unless otherwise provided.

15.01.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2010 California Building Code, Chapter 1 Division II is hereby adopted.

B. One certified copy of the 2010 California Building Code Chapter 1 Division II shall be kept on file in the office of the City Clerk, and any and all references thereto are adopted as the Administrative Provisions to the codes adopted in Title 15 of the Norco Municipal Code for the City of Norco, unless otherwise provided, and subject to the changes contained in this chapter.

C. Each and all of the regulations, provisions, penalties, conditions, and terms thereof are referred to, adopted, and made a part of this chapter as though fully set forth at length.

15.01.030 Amendments – Generally

Designated sections of the 2010 California Building Code, Chapter 1 Division II are amended to read as set forth in code §§ 15.02.040 through 15.02.180.

15.01.040 Amendment
Section 101.2 Scope. - Delete Exception

15.01.050 Amendment
Section 101.4 Referenced Codes

Section 101.4 is amended in its entirety to read as follows:

“101.4 Referenced Codes. The other codes listed in section 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code.

101.4.1 The 2010 California Building Code as adopted and amended by NMC Chapter 15.02.

101.4.2 The 2010 California Green Building Code as adopted and amended by NMC Chapter 15.08.

101.4.3 The Housing Code as adopted and amended by NMC Chapter 15.06.

101.4.4 The 2010 California Residential Code as adopted and amended by NMC Chapter 15.07

101.4.5 The 2010 California Mechanical Code as adopted and amended by NMC Chapter 15.04.

101.4.6 The 2010 California Fire Code as adopted and amended by NMC Chapter 15.12.

101.4.7 The 2010 California Plumbing Code as adopted and amended by NMC Chapter 15.05.

101.4.8 The 2010 California Electrical Code as adopted and amended by NMC Chapter 15.03.

101.4.9 The 2010 California Energy Code as adopted by the State of California”

15.01.060 Amendment
Section 105.1.1.

Section 105.1.1 is amended in its entirety to read as follows:

“

105.1.1 Permits Required. No person, firm or corporation shall erect, re-erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or other structure in the city, without obtaining a valid building permit prior to commencement of any work. A Building permit is also required for the

1. Grading requirements and permits shall be as required by Chapter 15.09 of the Norco Municipal Code.”

15.01.070 Addition

Section 105.1

Section 105.1 is amended by adding section 105.1.3 thereto as follows:

“105.1.3 Storm Drainage Fee. Storm Drainage Facility Fund Fees.

When a building permit is issued for the construction of a new building or for the alteration or enlargement of an existing building that results in additional roof area, a fee of \$0.02 per square foot (or the rate established by the most recent fee study) of new or additional roof area shall be collected for the purpose of construction or improvement of storm drain facilities. Said fees shall be deposited in the Storm Drainage Fee Facility Fund and shall be used solely for the improvement of the storm drainage system of the City of Norco.”

15.01.080 Amendment

Section 105.2.

Section 105.2 is amended in its entirety to read as follows:

“Work Exempt from Permit. Exemptions from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of this code or any other laws or ordinances of this jurisdiction. A building permit shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over two (2) feet high.
3. Oil derricks.
4. Retaining walls that are not over two (2) feet in height measured from the top of the footing to the top of the wall, unless supporting a surcharge or any superimposed load other than the natural fill of level earth or impounding Class I, II, or IIIA liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
6. Platforms, walks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.

9. Prefabricated swimming pool accessory to a Group R-3 Occupancy that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

11. Swings and other playground equipment accessory to detached one- and two-family dwellings.

12. In Group R-3 and U occupancies, window awnings that do not project more than 54 inches from the exterior wall, when supported by an exterior wall and do not require additional support.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

14. Residential decks not exceeding 200 square feet in area, with a walking surface that is not more than 30" above grade at any point, is not attached to a dwelling and does not serve as a required path of egress or required path of accessibility. Decks located in a front yard setback will require approval from the Planning Division of the City of Norco.

15. One story, portable, accessory structures used for livestock which do not have permanent foundations.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

4. The requirements and exemptions in California Article 89 of the 2010 California Electrical Code, including those set forth in sections 89.101.3.3 and 89.108.4.1, shall also apply.

5. Repair or replacement of branch circuit over-current devices, listed for the use, of the required capacity in the same location.

Gas:

1. Portable heating appliances.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Grading:

1. Grading requirements and permits shall be as required by Chapter 15.90 of the Norco Municipal Code."

15.01.090 Amendment

Section 105.3.2.

Section 105.3.2 is amended as to read as follows:

"105.3.2 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated."

15.01.100 Amendment

Section 105.5.

Section 105.5 is amended to read as follows:

“105.5 Expiration and Renewal. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.”

“Renewal: Extensions will only be granted prior to the expiration of a permit. When a permit has expired, work cannot be recommenced prior to obtaining a new permit. Requests to renew an expired permit shall be submitted to the Building Official, in writing, demonstrating justifiable cause and subject to the approval of the Building Official. If approved by the Building Official the fee shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work and provided further that the suspension or abandonment has not exceeded one year. To renew a permit after more than a year of suspension or abandonment the permittee shall pay a new full permit fee. Exception: if the Building Official determines that the cost to perform the remaining inspections is less than the cost of a full new permit fee, the Building Official may approve the lesser fee.”

15.01.110 Amendment

Section 105.6.

Section 105.6 is amended by adding thereto as follows:

“The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this code if construction noise is generated before 6:30 AM or continue beyond 7:00 PM on weekdays (Monday through Friday). The Building Official may, in writing, suspend or revoke a permit issued under provisions of this code if construction noise is generated before 8:00 AM or continues beyond 7:00 PM on Saturday, Sunday and Federal Holidays. Construction noise is defined as noise which is disturbing, excessive, or offensive and constitutes a nuisance involving discomfort or annoyance to persons of normal sensitivity residing in the area, which is generated by the use of any tools, machinery or equipment used in connection with construction operations.

The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this code if dust is generated in excess of local, state or federal standards or conditions of project approval, or if the permit was issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.”

15.01.120 Amendment

Section 105.7.

Section 105.7 is amended by adding thereto as follows:

“The required permits and approved plans shall be maintained in good condition and be posted or otherwise made available such as to allow the building official to conveniently make the required entries regarding the inspection of work.”

15.01.130 Amendment

Section 105.8.

Section 105 is amended by adding the following new subsection thereto as follows:

“**105.8 Transferability.** No permit issued pursuant to Title 15 of the Norco Municipal Code shall be transferable to any other person or apply to any location other than that stated in the permit.”

15.01.140 Amendment

Section 109.4.

Section 109.4 is amended by adding thereto as follows:

“Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be determined by the currently adopted fee schedule and shall not be less than the actual costs as determined by the Building Official.”

15.01.150 Amendment

Section 109.6.

Section 109.6 is amended to read as follows:

“**109.6 Refunds.** The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than 80 percent of the permit inspection fee paid when no work has been started under a permit issued in accordance with this code.

The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee is paid is withdrawn or canceled before any plan reviewing is started. The Building Official shall not authorize refunding of any fee paid except on a written request for refund submitted by the original applicant or original permittee not later than 180 days after the date of the fee payment.”

15.01.160 Addition
Sections 110.3.11 and 110.3.12.

Section 110.3 is amended by adding the following new subsections thereto as follows:

“**110.3.11. Roof Sheathing and Shear Inspection.** Roof sheathing and shear inspections shall be performed after roof sheathing and all structural shear panels or walls are in place and secured by nailing or other approved methods.”

“**110.3.12. Plaster Inspection.** Plaster inspections shall be performed after the application of the scratch coat.”

15.01.170 Addition
Section 110.7.

Section 110 is amended by adding new subsection 110.7 thereto as follows:

“**110.7 Re-Inspections.** A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections previously called for are not made. The amount of the fee shall be the minimum building inspection fee as set forth in the fee schedule adopted by the City Council.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection record permit card is not posted or otherwise available on the work site, the approved plans are not readily available the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from the plans requiring the approval of the building official.

To obtain a re-inspection, the applicant shall pay the re-inspection fee as set forth in the fee schedule adopted by the City Council.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. Chapter 1.14 of the Norco Municipal Code shall also apply to Title 15.”

15.01.180 Amendment
Section 111.2.

Section 111.2 is amended in its entirety to read as follows:

“**111.2 Certificate Issued.** A Certificate of Occupancy shall not be issued until all applicable fees have been paid to the City of Norco. After the building official inspects the building or structure and finds no violation of the provisions of this code or other laws that are enforced by the City of Norco, the building official shall issue a “Certificate of Occupancy” that contains the following:

1. The building permit number.

2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use, occupancy group and division, in accordance with the provisions of Chapter 3 of the Building Code.
9. The type of construction as defined in Chapter 6 of the Building Code.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.”

15.01.190 Violation

Penalty

A. No person, firm, partnership, association or corporation shall violate any provisions of this chapter and any provisions of the codes, rules or regulations adopted in this Title 15 of the Norco Municipal Code.

B. Any person, firm, partnership, association or corporation violating any of the provisions adopted in this title by reference, shall be guilty of an infraction, except where otherwise provided in this Title 15. Any person violating a stop work order issued pursuant to the 2010 California Building Code, Chapter 1 Division II Section 115.3, shall be guilty of a misdemeanor. Any person who continues to occupy or any person who enters a structure which has been posted “unsafe” by the Building Official pursuant to the 2010 California Building Code, Chapter 1 Division II Section 116 shall be guilty of a misdemeanor. Any person who maintains or fails to remove a structure which has been posted “unsafe” by the Building Official pursuant to the 2010 California Building code, Chapter 1 Division II Section 116 shall be guilty of a misdemeanor.

C. Every person, firm, association or corporation violating any of the provisions of this chapter or provisions of the codes, rules or regulations adopted in this chapter by reference is guilty of a separate offense for each day or portion

thereof during which the violation continues and shall be punishable thereof as provided in Title 1 (General Provisions) of the Norco Municipal Code which includes administrative citations up to \$500 per day per section 1.05.030 of the NMC.

D. It is unlawful for any person, firm, partnership, corporation, association or joint venture, either as owner, architect, contractor, artisan or otherwise, to do or to cause or permit to be done any work, as described in the California Building Standards Code as adopted by reference in this Title 15 in such a manner that such work does not conform to all the provisions of this Title 15 and the provisions of said California Building Standards Code, as so adopted by reference.

Exhibit "B"

**Chapter 15.02
BUILDING CODE**

15.02.010	Title
15.02.020	Adoption of the Building Code
15.02.030	Administration
15.02.040	Enforcement
15.02.050	Amendment – Section 403.1.1 High-rise Buildings
15.02.060	Amendment – Section 905.3.1 Stand Pipe Systems
15.02.070	Addition – Section 705.11.2 Parapet Ladders
15.02.080	Amendment – Section 701A.3 Fire Hazard Zone
15.02.090	Amendment – Section 1505.1.3 Roof Covering
15.02.100	Amendment – Table 1505.1 Roof Covering
15.02.110	Amendment – Section 3109.2 Swimming Pools
15.02.120	Amendment – Section 3109.4 Residential Swimming Pools
15.02.130	Amendment – Section 3109.4.1 Barrier Height
15.02.140	Amendment – Section G101.5 Flood Resistant Construction
15.02.150	Addition – Section 3111 Conversion of Cargo Carriers
15.02.160	Violation – Penalty

15.02.010 Title

This chapter shall be cited, as the Building Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Building Standards Code, or other building code, refers and applies to this chapter.

15.02.020 Adoption of the Building Code

A. Except as provided in this chapter, those certain building codes known and designated as the 2010 California Building Code (CBC), including Appendix Chapters C – Agricultural Buildings, G – Flood Resistant Construction and I – Patio Covers as adopted by the State of California, based on the 2009 International Building Code as published by the International Code Council, except as amended herein, shall become the building code of the City of Norco for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the City. The requirements found in Appendix C for agricultural buildings shall not supersede the Accessory Building requirements which are found in the Norco Municipal Code sections 18.12 and 18.13 and the Norco Hills Specific Plan and the Norco Ridge Ranch Specific Plan. The 2010 California Building Code and its adopted appendices and amendments will be on file for public examination in the offices of the Building Official.

B. Chapter I Division II as adopted and amended in chapter 15.02 of the Norco Municipal Code.

- C. Appendix chapters A, B, D, E, F, H and J are not adopted.
- D. Grading requirements and permits shall be as required by Chapter 15.90 of the Norco Municipal Code.
- E. One certified copy of the 2010 California Building Code shall be kept on file in the office of the City Clerk of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.02.030 Administration

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.02.040 Enforcement

The violation and penalties as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.02.050 Amendment

Section 403.1.1, High Rise Buildings

Section 403.1.1 is amended to read as follows:

“HIGH–RISE BUILDING. In other than Group I-2 occupancies “high-rise buildings” as used in this code:

1. “Existing high-rise structure” means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
2. “High-rise structure” means every building of any type of constructions or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having building access (see Section 403.1.2), except buildings used as hospitals as defined in Health and Safety code Section 1250).
3. “New high-rise structure” means a high-rise structure, the construction of which is commenced on or after July 1, 1974.”

The remaining requirements of this section are unchanged.

15.02.060 Amendment

Section 905.3.1, Stand Pipe Systems

Section 905.3.1 is amended to read as follows:

“905.3.1 Height. In other than Group R-3 and R-3.1 occupancies, class I standpipe systems (as approved by the Norco Fire Dept.) shall be installed throughout at each floor where any of the following occur:”

15.02.110 Amendment

Section 3109.2, Swimming Pools

Section 3109.2 is amended by adding thereto as follows:

“SWIMMING POOLS. Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

LAKE. Is a body of water, including but not limited to a pond that is natural or manmade, which has a sloping grade below the surface of the water originating at the shore line, not exceeding a grade of one vertical to four horizontal.”

15.02.120 Amendment

Section 3109.4, Residential Swimming Pools

Section 3109.4 shall be amended to read as follows:

“The provisions of this section apply to the design and construction of barriers for swimming pools located on the premises of Group R, Division 1 and 3 occupancies and shall comply with Sections 3109.4.1 through 3109.4.3.”

15.02.130 Amendment

Section 3109.4.1, Barrier height and clearances

Chapter 31, Section 3109.4.1 is hereby amended to read as follows:

“**3109.4.1 Barrier Height and Clearances.** The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.”

15.02.140 Amendment

Section G101.5 Flood resistant Construction

Section G101 is hereby amended to read as follows:

“**G101.5 Administration and Enforcement.** For the purpose of the administration and enforcement of Appendix G - Flood-Resistant Construction, the Building Official shall mean the City Engineer or their designated representative.”

15.02.150 Addition

Section 3111 Conversions of Cargo Carriers to

Chapter 30 is amended by adding section 3111 thereto as follows:

A. Definitions.

1. "Cargo carrier" means all vehicles or containers designed and constructed for the purpose of containing or carrying freight. Not included in this definition are railroad cars, mobile homes, factory-built homes, travel trailers and commercial coaches;

2. "Railroad car" means all non-powered vehicles that are specifically designed to be used on railroads; and

3. "Structure" as it pertains to this section of the Municipal Code refers to any cargo carrier converted for use as a building, shed or storage unit.

B. Cargo carriers converted for use as structures may be permitted as temporary uses subject to the approval of a Special Event Permit (\$50.00 application fee, or the current fee as established by the City Council) and subject to all the rules and regulations thereto.

C. Cargo carriers converted for use as structures may be permitted upon approval of a conditional use permit and subject to the following:

1. All necessary building and safety, fire department, and planning department permits are granted;

2. The structure and its location meet all zone requirements as they pertain to accessory buildings;

3. The structure is accessory to a main building;

4. The structure is internally stable and the exterior is in proper order as determined by the City Building Inspector;

5. The structure is anchored securely to the ground. The manner of securing the structure shall be appropriate for the particular structure and to the satisfaction of the Building Official. The Building Official may request a report from a registered civil or structural engineer on the method of securing the structure.

6. The applicant provides signed letters of support from a majority of adjacent property owners and/or tenants;

7. Approval of the Conditional Use Permit shall include architectural and site treatments that may include, but not be limited to, painting, construction of eaves, awnings, roofs, sidings, railings, etc.; and landscaping;

8. The application fee shall be the current fee for a Minor Conditional Use Permit; and

9. A report from a registered civil or structural engineer is submitted indicating how the cargo container will be converted to meet all building codes or their equivalent.

D. Relocation, overload, and moving permits are required if the cargo carrier exceeds the City's load limits."

15.02.160 Violation – Penalty

The violation and penalties for Chapter 15.02 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

Exhibit "C"

Chapter15.03
ELECTRICAL CODE

15.03.010	Title
15.03.020	Code Adoption
15.03.030	Administration
15.03.040	Violation – Penalty

15.03.010 Title

This chapter shall be cited, as the Electrical Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Electrical Code, or other electrical code, refers and applies to this chapter.

15.03.020 Code Adoption

Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2010 California Electrical Code, including the Tables and Annexes thereto, but excluding Annexes E, F, G and H are hereby adopted as the Electrical Code of the City of Norco.

One certified copy of the 2010 California Electrical Code shall be kept on file in the office of the City Clerk of the City of Norco, and any and all references thereto, are adopted as the Electrical Code of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.03.030 Administration

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.03.040 Violation – Penalty

The violation and penalties for Chapter 15.03 shall be adopted in Chapter 15.01 of the Norco Municipal Code.

Exhibit "D"

**Chapter 15.04
MECHANICAL CODE**

15.04.010	Title
15.04.020	Code Adoption
15.04.030	Administration
15.04.040	Violation – Penalty

15.04.010 Title

This chapter shall be cited, as the Mechanical Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Mechanical Code, or other mechanical code, refers and applies to this chapter.

15.04.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as the 2010 California Mechanical Code, not including the appendices, are hereby adopted as the Mechanical Code of the City of Norco.

1. Chapter 1 Division II -Administration is not adopted as part of this code.
2. Appendix A, B, C and D are not adopted as part of this code.

B. One certified copy of the 2010 California Mechanical Code is on file in the office of the City Clerk, and any and all references thereto, are adopted as the Mechanical Code of the City of Norco, and each and all the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.04.030 Administration

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.04.040 Violation – Penalty

The violation and penalties for Chapter 15.04 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

Exhibit "E"

**Chapter 15.05
PLUMBING CODE**

15.05.010	Title
15.05.020	Code Adoption
15.05.030	Administration
15.05.040	Amendments – Generally
15.05.050	Addition – Section 315.3-Open Trenches
15.05.060	Violation – Penalty.

15.05.010 Title

This chapter shall be cited, as the Plumbing Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Plumbing Code, or other plumbing code, refers and applies to this chapter.

15.05.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as the 2010 California Plumbing Code, including the following appendices and portions thereof, are hereby adopted as the Plumbing Code of the City of Norco:

1. Chapter 1 Division II- Administration is not adopted as part of this code
2. Appendices A, B, D, G, I, K, and L are adopted as part of this code.

B. One certified copy of the 2010 California Plumbing Code shall be kept on file in the office of the City Clerk, and any and all references thereto, are adopted as the Plumbing Code for the City of Norco and each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.05.030 Administration

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.05.040 Amendments – Generally

Designated sections of the 2010 California Plumbing Code are amended to read as set forth in §§ 15.20.040 and 15.20.050.

15.05.050 Amendment

Section 315.3.

Section 315.3 is amended by adding thereto as follows:” No permittee hereunder shall leave unattended at any time any excavation for sewer or sewage disposal facilities, unless the permittee shall have first provided a suitable and adequate barricade, which will prevent any person from being in any way injured as a result of said excavation. Said permittee shall at all times during the existence of said excavation maintain said barricade in a manner suitable to protect any person from being so injured.”

15.05.060 Violation – Penalty.

The violation and penalties for Chapter 15.05 shall be as adopted in chapter 15.01 of the Norco Municipal Code.

Exhibit "F"

**Chapter 15.06
HOUSING CODE**

15.06.010	Title
15.06.020	Code Adoption
15.06.030	Administration
15.06.040	Violation – Penalty

15.06.010 Title

This chapter shall be cited, as the Housing Code of the City of Norco and any reference in the City's Municipal Code or any chapter thereof to the California Housing Code, or other Housing Code, refers and applies to this chapter.

15.06.020 Code Adoption

Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 1997 Uniform Housing Code are hereby adopted as the Housing Code of the City of Norco.

One certified copy of the 1997 Uniform Housing Code shall be kept on file in the office of the City Clerk of the City of Norco, and any and all references thereto, are adopted as the Housing Code of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.06.030 Administration

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.06.040 Violation – Penalty

The violation and penalties for Chapter 15.06 shall be adopted in Chapter 15.01 of the Norco Municipal Code.

Exhibit "G"

**Chapter 15.07
RESIDENTIAL CODE**

15.07.010	Title
15.07.020	Code Adoption
15.07.030	Administration
15.07.040	Amendments – Generally
15.07.050	Amendment- Section R902.1- Roof covering materials
15.07.060	Amendment- Section R907-Reroofing
15.07.070	Violation – Penalty

15.07.010 Title

This chapter shall be cited, as the Residential Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Residential Code, or other residential code, refers and applies to this chapter.

15.07.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2010 California Residential Code, including appendix H, is hereby adopted as the Residential Code of the City of Norco.

B. Chapter 1 Division II is not adopted.

C. Appendix Chapters A, B, C, D, E, F, G, I, J, K, L, M, N, O, P and Q are not adopted as part of this code.

D. One certified copy of the 2010 California Residential Code shall be kept on file in the office of the City Clerk of the City of Norco, and any and all references thereto, are adopted as the Building Code of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.07.030 Administration – Generally

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.07.040 Amendments – Generally

Designated sections of the 2010 California Residential Code are amended to read as set forth in §§ 15.07.040 through 15.04.060.

15.07.050 Amendment

Section R902.1

Section R902.1 is amended by adding new subsection R902.1.5 thereto as follows:

“R902.1.5 Class A Roof Covering Requirement. Notwithstanding any other provision of this Building Code and Appendices to the contrary, Class A roof covering, as defined in Chapter 15 of the 2010 California Building Code, shall be applied:

1. To any building hereinafter constructed.
2. To any re-roofing of existing buildings, when fifty percent (50%) or more of the existing roof is replaced or overlaid within a 1 year period.
3. To any room additions where the aggregate area of the new roof exceeds fifty percent (50%) of the aggregate area of the existing roof.”

15.07.060 Addition

Section R907

Section R907 is amended by adding new subsection R907.7 thereto as follows:

“R907.7 Class A Roof Covering Requirement. Notwithstanding any other provision of this Building Code and Appendices to the contrary, Class A roof covering, as defined in Chapter 15 of the 2010 California Building Code, shall be applied:

1. To any building hereinafter constructed.
2. To any re-roofing of existing buildings, when fifty percent (50%) or more of the existing roof is replaced or overlaid within a 1 year period.
3. To any room additions where the aggregate area of the new roof exceeds fifty percent (50%) of the aggregate area of the existing roof.”

15.07.070 Violation – Penalty

The violation and penalties for Chapter 15.07 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

Exhibit "H"

**Chapter 15.08
GREEN BUILDING CODE**

15.08.010	Title
15.08.020	Code Adoption
15.08.030	Administration-Generally
15.08.040	Violation – Penalty

15.08.010 Title

This chapter shall be cited, as the Green Building Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Green Building Standards Code, Cal Green or other green building code, refers and applies to this chapter.

15.08.020 Code adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2010 California Green Building Standards Code, Chapters 1 through Chapter 8, not including appendices are hereby adopted as the Green Building Code of the City of Norco.

B. The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to Chapter 15.08.

C. The voluntary measures contained in the appendices are not adopted as part of this code.

D. One certified copy of the 2010 California Green Building Standards Code shall be kept on file in the office of the City Clerk of the City of Norco, and any and all references thereto, are adopted as the Green Building Code of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.08.030 Administration – Generally

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.08.040 Violation – Penalty

The violation and penalties for Chapter 15.08 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

Exhibit "I"

**Chapter 15.09
FIRE CODE**

- 15.09.010 Adoption of the California Fire Code**
- 15.09.020 Findings**
- 15.09.030 Title**
- 15.09.040 Conflicting Provisions**
- 15.09.050 Applications and Permits**
- 15.09.060 Operational Permits**
- 15.09.070 Administrative Appeals**
- 15.09.080 Violation Penalties**
- 15.09.090 Definitions**
- 15.09.100 Outdoor / Permitted Fires**
- 15.09.110 Development on or Near Land Containing or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors**
- 15.09.120 Fuel Modifications for New Construction**
- 15.09.130 Clearance of Brush or Vegetation Growth from Roadways**
- 15.09.140 Unusual Circumstances**
- 15.09.150 Use of Equipment**
- 15.09.160 Restricted Entry**
- 15.09.170 Trespassing on Posted Property**
- 15.09.180 Deleted**
- 15.09.190 Dimensions**
- 15.09.200 Turning Radius**
- 15.09.210 Fire Department Roof Access**
- 15.09.220 Premise Identification**
- 15.09.230 Hydrant Locations**
- 15.09.240 Clear Space Around Hydrants**
- 15.09.250 Chimneys and Appliances**
- 15.09.260 Standby Power Loads**
- 15.09.270 Emergency Power Loads**
- 15.09.280 Refrigerant Detectors**
- 15.09.290 Manual Operations**
- 15.09.300 Stationary Storage Battery Systems, Scope**
- 15.09.310 Indoor Charging of Electric Carts/Cars**
- 15.09.320 Photovoltaic System**
- 15.09.330 Eave Protection**
- 15.09.340 Problematic Systems out of Service**
- 15.09.350 Sprinklered Buildings**
- 15.09.360 Residential Sprinklered Buildings**
- 15.09.370 Fire Sprinkler Exempt Locations**
- 15.09.380 Sprinkler System Monitoring and Alarms**
- 15.09.390 Monitoring**
- 15.09.400 Standpipes**
- 15.09.410 Fire Alarm and Detection Systems**
- 15.09.420 Flues Spaces**
- 15.09.430 Hazardous Materials Clean-up Cost Recovery**

- 15.09.440 Hazardous Materials Inventory Statement
- 15.09.450 Hazardous Materials MAQ Table Footnote Addition
- 15.09.460 Maximum Allowable Quantities
- 15.09.470 Secondary Containment for Hazardous Material liquids and Solids, Weather Protection, Storage Near Exits or Exit Pathways
- 15.09.480 Establishment of Limits of Districts in which Storage of Explosives and Blasting Agents is to be Prohibited
- 15.09.490 Fireworks Display Firing
- 15.09.500 Seizure of Fireworks
- 15.09.510 Fireworks Displays
- 15.09.520 Retail Fireworks
- 15.09.530 General Provisions to the establishment of limits of Districts in which Storage of Flammable and Combustible Liquids in Outside Aboveground Storage Tanks is Prohibited
- 15.09.540 Treatment Systems
- 15.09.550 Liquefied Petroleum and Natural Gas Storage
- 15.09.560 Referenced Standards
- 15.09.570 Hazardous Vegetation Mitigation Requirements
- 15.09.570 Appendix B Fire Flow for 1 & 2 Single Family Dwellings
- 15.09.580 Appendix B Fire Flow for Buildings other than 1 & 2 Single Family Dwellings
- 15.09.590 Appendix B Fire Flow Table Requirement
- 15.09.600 Appendix C Distribution of Fire Hydrants

15.09.010 Adoption of the Fire Code

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as the 2010 California Fire Code, and that certain document being marked and designated as the 2009 International Fire Code, with errata, and including the following appendices, are hereby adopted as the Fire Code for the City of Norco:

1. Appendix Chapter 4
2. Appendices B, C, E, F, G & J

B. One certified copy of each of the 2010 California Fire Code and 2009 International Fire Code are on file in the office of the City Clerk, and any and all references thereto, are adopted as the Fire Code and each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.09.020 Findings

The City Council finds that the requirements set out here are reasonable and necessary modifications because of climatic, geological and topographical conditions within the City of Norco.

15.09.030 Title

This chapter shall be cited as the "fire code" of the City of Norco and any references to the "California Fire Code" or "fire code" shall be deemed to refer to and apply to this chapter.

15.09.040 Amendments

Section 102.10 Conflicting Provisions

Section 102.10 is hereby deleted and replaced with the following:

Section 102.10 Conflicting Provisions. Where there is a conflict between a general requirement and a specific requirement, the fire code official shall decide which requirement meets the general intent of this code.

15.09.050 Amendment

Section 104.2 Applications and permits.

Section 104.2 is amended, and the following subsection 104.2.1 is added to read as follows:

"104.2 Applications and Permits. The fire code official is authorized to receive applications, review construction documents, and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with provisions of this code.

104.2.1 Plan Review Fees. When it is determined by the fire code official that plans submitted require a full plan review and such plans are received independent of the architectural plans, a fee shall be collected. The fee shall be based on 100% of the cost of service, based on the fee schedule adopted by the City Council."

15.09.060 Amendment

Section 105.6 Operational Permits

Section 105 is amended by deleting subsections 105.6.15 and 105.6.35 and amending Section 105.6.29 to read as follows:

Subsection 105.6.15. Fire hydrants and valves. Delete without substitution.

Subsection 105.6.35 Private fire hydrants. Delete without substitution.

Subsection 105.6.29 miscellaneous combustible storage. Permit is required to store in any building or upon any premise in excess of 2500 cu. Ft. gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, composting, green waste or similar combustible material.

15.09.070 Amendment

Section 108.4 Administrative Appeals

Section 108.4, is hereby amended and by adding new the following:

Whenever the Chief of the City's Fire Department disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the City's fire code do not apply or that the true intent and meaning of said code has been misconstrued or wrongly interpreted, an applicant Or allegedly aggrieved person may appeal from the decision of the Chief to the City Council by filing with the City Clerk a notice of appeal in writing and stating therein the grounds therefor. The notice of appeal must be so filed within thirty days from the date of the decision being appealed. The City Council shall hear said appeal within thirty days after the notice of appeal is filed. The Council's decision shall be final.

15.09.080 Amendment

Section 109.3.3 Violation Penalties

Section 109.3, is hereby amended and by adding new Sections 109.3.2, 109.3.3, 904.1 and 904.2 as follows:

Section 109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of either a misdemeanor, infraction or both as prescribed in Section 109.3.2 and 109.3.3. Penalties shall be as prescribed in local ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109.2.2.1 Infraction. Except as provided in Section 109.2.2.2, persons operating or maintaining any occupancy, premises or vehicle subject to this code that shall permit any fire or life safety hazard to exist on premises under their control shall be guilty of an infraction.

Section 109.2.2.2 Misdemeanor. Persons who fail to take immediate action to abate a fire or life safety hazard when ordered or notified to do so by the fire code official or a duly authorized representative, or who violate the following sections of this code, shall be guilty of a misdemeanor:

109.2.2 Compliance with Orders, Notices and Tags

107.6 Overcrowding

104.11.2 Obstructing operations

104.11.3 Systems and Devices

111.4 Failure to Comply

305.4 Deliberate or negligent burning

308.2.1 Throwing or placing sources of ignition

310.7 Burning Objects

2404.7 Sources of Ignition

Section 904.1 Recovery of Administration Citation Fines and Costs.

In addition to any other legal remedy for collection of delinquent fines or penalties, the fire code official may record a lien on property in an amount equal to the sum of any fines delinquent for more than ninety (90) days, plus penalties and interest. Imposition of a lien pursuant to this section must be based on a citation related to the condition or use of real property, or its improvements, owned by the responsible person.

Section 904.2 Satisfaction of Lien. Once the City of Norco receives full payment for outstanding principal, penalties and cost the City shall record a release of property lien to the Riverside County Recorder's office. This notice of satisfaction shall cancel the posted lien.

15.09.090 Amendment

Chapter 2 Definitions

Section 202, General Definitions, is hereby amended by adding the following definitions

Alteration: Any construction or renovation to an existing structure other than a repair or addition. Alterations include but are not limited to the addition or elimination of walls within the existing building envelope. Alteration also includes modifications to the structure which involve complete removal and replacement of wall board within any room.

Dry / Fire Season: Time of the year during which, based on seasonal weather pattern and precipitation averages, the typical rainfall is expected to be minimal. For the purpose of weed and rubbish abatement, the "dry / fire season" is typically May 15th to November 15th, and is also characterized by lower humidity, lower fuel moisture, and higher daily temperatures, resulting in increase of fire danger.

Firebreak: An area / section of property / lot that is cleared of all combustible material creating a safety buffer to decrease the progression of fire.

Fire Nuisance: Is any thing or act which is annoying, unpleasant, offensive or obnoxious because of fire.

Fire and Life Hazard: means any condition, arrangement, or act which will increase, or may cause an increase of, the hazard or menace of fire or a hazardous materials release (spill, leak, etc.) to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire and responding to hazardous materials release; or which may obstruct, delay or hinder egress from a facility or building, or may become

the cause of obstruction, delay or hindrance to the prevention, suppression, or extinguishment of fire or hazardous material release.

Floor Area: for the purpose of calculating square footage for application of fire sprinkler requirements, the floor area shall be determined in accordance with the CBC definition for "Floor Area, Gross". For Group R-3 occupancies portions of the structure not required to be protected by the automatic sprinkler system do not need to be included into the floor area calculation.

Flow Line: is the lowest continuous elevation on a rolled curb defined by the path traced by a particle in a moving body of water at the bottom of the rolled curb.

Hazardous Vegetation: are defined as grass, weeds, shrubs, trees, tumbleweeds or other vegetation which are in such condition and location, or by the unique characteristics of a species, as to provide a ready fuel supply to augment the spread or intensity of a fire.

Housekeeping: a task that applies to all buildings, portions of buildings or facilities to maintain in a neat and orderly manner, free from a condition that would create a fire or life hazard.

Rubbish: Combustible waste or refuse, debris, dirt and worthless or useless articles of property.

15.09.100 Amendments

Section 307.4.3.1 Outdoor / Permitted Fires

Section 307.4.3.1 is hereby amended and by adding new to read as follows:

Section 307.4.3.1 Outdoor / Permitted Fires. Outdoor / permitted fires shall comply with Norco Fire Department standards.

15.09.110 Amendments

Section 318 Development on or near Land Containing or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors

Section 318 is hereby amended and by adding new to read as follows:: :

Section 318, Development On Or Near Land Containing Or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors. The fire code official may require the submittal for approval of geological studies, evaluations, reports, remedial recommendations and/or similar documentation from a state-licensed and department approved individual or firm, on any parcel of land to be developed which:

Has, or is adjacent to, or within 1,000 feet (304 800 mm) of a parcel of land that has an active, inactive, or abandoned oil or gas well operation, petroleum or chemical refining facility, petroleum or chemical storage, or may contain or give off toxic, combustible or flammable liquids, gases or vapors.

15.09.120 Addition of Section 319 Fuel Modification Requirements for New Construction:

Section 319 is amended to read as follows:

Section 319 Fuel Modification Requirements for New Construction: All new buildings to be built or installed in areas containing combustible vegetation shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
3. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification shall be approved by the Fire Code Official.
4. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

15.09.130 Addition of Section 320 Clearance of brush or vegetation growth from roadways:

Section 320 is amended to read as follows:

Section 320 Clearance of brush or vegetation growth from roadways. The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

15.09.140 Addition of Section 321- Unusual Circumstances is added as follows:

Section 321 is amended to read as follows:

Section 321 Unusual Circumstances. The fire code official may suspend enforcement and require reasonable alternative measures designed to advance the purposes of this article if he determines in any specific case that any of the following conditions exist:

1. Difficult terrain.

2. Danger of erosion.
3. Presence of plants included in any state and federal resources agencies, California Native Plant Society and county-approved list of wildlife, plants, rare, endangered and/or threatened species.
4. Stands or groves of trees or heritage trees.
5. Other unusual circumstances that make strict compliance with the clearance of vegetation provisions of Sections 318 and 319 of this appendix undesirable or impractical.

15.09.150 Addition of Section 318- Use of Equipment is added as follows
Section 318 is amended to read as follows:

Section 318 Use of Equipment. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated, in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester as defined in Section 25.3 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire pursuant to Section 25.3.

1. Spark arresters affixed to the exhaust system of engines or vehicles subject to this section shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.
2. A spark arrester is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch (0.58 mm) in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.
3. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.
4. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in effective mechanical condition.

15.09.160 Addition of Section 319 - Restricted Entry
Section 319 is amended to read as follows:

Section 319 Restricted Entry. The fire code official shall determine and publicly announce when hazardous fire areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of hazardous fire areas, except public roadways, inhabited areas or established trails and camp

sites which have not been closed during such time when the hazardous fire area is closed to entry, is prohibited.

Exception:

1. Residents and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

15.09.170 Amendments

Section 324 Trespassing on Posted Property

Section 324 is amended to read as follows:

Section 324.1 General. When the fire code official determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

Section 324.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.

Section 324.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

15.09.180 Deletion

Chapter 4 Emergency Planning and Preparedness is deleted in its entirety without replacement.

15.09.190 Amendment

Section 503.2.1 Dimensions

Section 503.2.1 is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet. Except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572mm).

Exception: Vertical clearance may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance approved by the fire code official and shall comply with the Norco Fire Department Guideline.

15.09.200 Amendment

Section 503.2.4 Turning radius

Section 503.2.4 is amended to read as follows:

503.2.4 Turning Radius. The turning radius for fire apparatus shall be 17 feet inside and 39 feet outside turning radius. "At the determination of the fire official, fire department access for aerial apparatus shall be provided in addition to the above access requirements". Shall comply with Norco Fire Department Standards.

15.09.210 Amendment

Section 504.3.1 Fire Department Roof Access

Section 504.3.1 has been added to read as follows:

504.3.1 Fire Department Roof Access. Any new or existing remodeled building which has a parapet 3 feet or greater shall have a fire department roof access ladder installed. Shall comply with Norco Fire Department Standard.

15.09.220 Amendment

Section 505.1 Premise Identification.

Section 505.1 is amended to read and sections 505.1.1, 505.2 have been added as follows:

505.1 Premise 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. Number, size, location and means of illumination shall comply with the Norco Fire Department Standard for premises identification unless an alternative means or method is approved by the fire code official. 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." The height / size of premise identification shall comply with Norco Fire Department Standards "Premise Identification".

505.1.1 Directories. When required by the fire code official, Multi-story buildings, complexes with multiple buildings may be required to provide directories, premise maps and directional signs. The scale, design and location of the directory sign shall be approved by the fire code official and may be required to be illuminated.

505.2 Street and Road Signs. All streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicle.

Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

15.09.230 Amendment

Section 507.5.1 Hydrant locations

Section 507.5.1 is hereby amended to read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than allowed in Appendix C – “Fire Hydrant Locations and Distribution” from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site hydrants and mains shall be provided where required by the fire code official shall comply with the Norco Fire Department Guideline.

Exceptions:

1. Group R-3 and U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with CFC 903.3.1.1 or CFC 903.3.1.2 or CFC 903.3.1.3, the distance requirements shall not be more than 300 feet (91.5 m), unless otherwise approved by the fire code official.”

15.09.240 Amendment

Section 507.5.5 Clear space around hydrants.

Section 507.5.5 is hereby amended to read as follows:

507.5.5 Clear space around hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants, fire department connections, fire protection system control valves, or any other fire protection system component that may require immediate access, except as otherwise required or approved.” Shall comply with Norco Fire Department Standards.

15.09.250 Amendment

Section 603.6 Chimneys and appliances

Section 603.6 is hereby amended by adding a new section 603.6.6 thereto as follows:

603.6.6 Sparks from Chimneys. All Chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester, the spark arrester shall meet all of the following requirements:

1. The net free area of the spark arrester shall be not less than four times the net area of the outlet of the chimney.
2. The spark arrester screen shall have a heat or corrosion resistance equivalent to 12 gage wire, 19 gage galvanized wire or 24 gage stainless steel.
3. Openings shall not be permit the passage of spheres having a diameter larger than ½ inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.

4. The spark arrester shall be accessible for cleaning and the screen or chimney cap shall be removable to allow for cleaning of the chimney flue.

15.09.260 Amendment

Section 604.2.15.1.1 Standby power loads.

Section 604.2.15.1.1 is amended to read as follows:

Section 604.2.15.1.1 Standby Power Loads. The following loads are classified as standby power loads:

1. Smoke control system
2. Fire pumps
3. Standby power shall be provided for elevators in accordance with Section 3003 of the California Building Code.

15.09.270 Amendment

Section 604.2.15.2.1 Emergency power loads.

Section 604.2.15.2.1 is amended by adding item 6 as follows:

604.2.15.2.1 Emergency Power Loads. The following loads are classified as emergency power loads:

1. Emergency voice/alarm communication systems.
2. Fire alarm systems.
3. Automatic fire detection systems.
4. Elevator car lighting.
5. Means of egress lighting and exit sign illumination as required by Chapter 10.
6. Ventilation and automatic fire detection equipment for smoke-proof enclosures.

15.09.280 Amendment

Section 606.8 Refrigerant detector.

Section 606.8 is hereby amended to read as follows:

606.8 Refrigerant detector. Machinery rooms shall contain a refrigerant detector with an audible and visual alarm. The detector, or a sampling tube that draws air to the detector, shall be located in an area where refrigerant from a leak will concentrate. The alarm shall be actuated at a value not greater than the corresponding TLV-TWA values shown in the California Mechanical Code for the refrigerant classification. Detectors and alarms shall be placed in approved

locations. In addition, emergency shutoff shall also be automatically activated when the concentration of refrigerant vapor exceeds 25 percent of LFL.

15.09.290 Amendment

Section 606.10.1.2 Manual operation.

Section 606.10.1.2 is amended to read as follows:

606.10.1.2 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."

15.09.300 Addition Amendment

Section 608.1 Stationary Storage Battery Systems Scope.

Section 608.1 is hereby amended to read as follows:

608.1 Scope. Stationary storage battery systems having an electrolyte capacity of more than 50 gallons (189 L) for flooded lead acid, nickel-cadmium (NiCd) and valve-regulated lead acid (VRLA), or 1,000 pounds (454 kg) for lithium-ion and lithium metal polymer, used for facility standby power, emergency power, uninterrupted power supplies, shall comply with this section and Table 608.1. Indoor charging of electric carts/cars shall comply with Section 608.10."

15.09.310 Addition

Section 608.10 Indoor charging of electric carts/cars.

Section 608.10 is amended by addition of the following section:

608.10 Indoor charging of electric carts/cars. Indoor charging of electric carts/cars where the combined volume of all carts/cars battery electrolyte exceeds 50 gallons shall comply with the following:

1. Spill control and neutralization shall be provided and comply with Section 608.5.
2. Room ventilation shall be provided and comply with Section 608.6.1.
3. Signage shall be provided and comply with Section 608.7.
4. Smoke detection shall be provided and comply with Section 907.2.

15.09.320 Addition

610 Photovoltaic Systems

Section 610 is amended by the addition of the following section:

Section 610.1 Photovoltaic systems shall comply with the Norco Fire Department Solar Photovoltaic Installation Guideline.

15.09.330 Addition

Section 705 Eave Protection.

Section 705 is hereby amended by the addition of the following section:

Section 705 Eave Protection

705.1 Buildings or structures constructed hereafter within two-hundred feet of high-hazard, undeveloped brush-covered, or grass-covered land shall have eaves or overhangs thereon protected by one-hour construction, or otherwise protected so as to prevent the lodging underneath of flying brands, ashes or sparks. The Fire code official shall determine high hazard lands hereunder.”

15.09.340 Addition

Section 901.7. Problematic Systems and Systems Out-of-Service

Section 901.7 is hereby amended by the addition of the following section:

901.7 Problematic Systems and Systems Out-of-Service. In the event of temporary failure of the alarm system or an excessive number of false alarm activations, the Fire Chief is authorized to require the building owner or occupant to provide standby personnel until the system is restored.

After repeated alarm malfunctions resulting in a Fire Department response, in number deemed by the Fire Chief to be excessive to the Fire Department, the Fire Chief may schedule a hearing to provide the alarm owner and/or company the opportunity to show cause why the system should not be removed from service. Following said hearing, if it is determined that the problems in the alarm system have not been corrected to the Fire Chief's satisfaction, after providing written notice, the Fire Chief may order that the alarm service be discontinued and that the occupancy cease its use until such time as the system is repaired and properly maintained, and unnecessary responses are mitigated.

15.09.350 Amendment

Section 903.2 Sprinklered buildings.

Section 903.2 is amended to read as follows:

903.2 Sprinklered buildings. Section 903.2, Fire protection systems, where required, is hereby amended as follows:

Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and existing structures shall be provided in the locations described in this section 903.2.1 through 903.2.12:

1. **New Buildings:** In addition to the requirements of section 903.2.1 through 903.2.13, approved automatic sprinkler systems in new buildings and structures shall be provided when the gross area of the building exceeds 2,500 ft². or is more that two stories high. The addition increases the building total size of 2,500 sq. ft. or greater.

2. **Exiting Buildings:** When an existing building has an addition that exceeds 50 percent of the existing building square footage or increases the building total size of 2,500 sq. ft. or greater an approved automatic sprinkler system shall be installed.

3. **Change in Use of Existing Building:** When an existing building changes the use (occupancy classification) to a more hazardous operation that can increase health or safety of the public, the fire department can review, analyze and require the new business to provide fire sprinklers.

4. In Addition, an automatic fire extinguishing system shall be installed in the occupancies and locations as set forth in Section 903.

5. Fire sprinklers shall be installed and tested in accordance to NFPA 13 2010, and Norco Fire Department Standards.

Exception 1: The elimination of sprinkler protection in the following areas are subject to approval by Fire Code Officials. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided these spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor and ceiling assemblies.

15.09.360 Amendment

Section 903.2.8 Residential Sprinklered Buildings.

Section 903.2.8 is amended to read in its entirety as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:

1. **New Buildings:** An automatic sprinkler system shall be provided throughout all buildings with a R fire area.

2. **Existing Buildings Additions/Remodel:** An automatic sprinkler system shall be installed throughout any existing building when the floor area of the alteration exceeds 50% of the existing structure and the building area exceeds 2,500 sq. ft. of total floor area. Attached garages shall be included in the total floor area calculations.

Existing buildings that are declared by the building department as “New Buildings” because of percentage of building being structurally torn and rebuilt shall install a Residential Fire Sprinkler System.

Exception:

1. Detached buildings containing two or less dwelling units with less than 2,500 ft². Group R-3.1 occupancies not housing bedridden clients, not

housing non-ambulatory clients above the second floor, and less than 2,500 square feet.

2. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and building or portions thereof housing such children are not more than two stories in height, and thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.

3. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

4. When the cost of installing an automatic sprinkler system exceeds 10% of the cost of the alteration, with the approval of the fire code official, the required automatic system may be omitted.

15.09.370 Amendment

Section 903.3.1.1.1 Fire Sprinkler Exempt locations.

Section 903.3.1.1.1 is hereby amended to read as follows:

903.3.1.1.1 Exempt locations. In other than Group I-2, I-2.1 and I-3 occupancies, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Fire service access elevator machine rooms and machinery spaces.
4. When approved by the fire code official, spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, and associated electrical power distribution equipment, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by fire barriers constructed in accordance with Section 707 of the CBC or not less than 2-hour horizontal assemblies constructed in accordance with Section 712 of the CBC, or both.

15.09.380 Amendment

903.4 Sprinkler system monitoring and alarms.

Section 903.4 is hereby amended to read as follows:

Section 903.4, Sprinkler system monitoring and alarms, is hereby amended by modifying exception item 1, deleting item 3 & 5, adding item 6 and 7 and renumbering the Exceptions as follows:

1. Automatic sprinkler systems protecting one- and two-family dwellings protected by NFPA 13D sprinkler system with less than 100 sprinklers.
2. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.
4. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
5. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position

15.09.390 – Section 904.3.5 Monitoring

Section 904.3.5 is hereby amended to read as follows:

904.3.5 Monitoring. Where a building fire alarm or monitoring system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm or monitoring system in accordance with NFPA 72 and Norco Fire Department Standards.

15.09.400 – Section 905.3.1, 905.4 Standpipes.

Section 905.3.1 is hereby amended and Section 905.4 is hereby amended by adding items 7 and 8 as follows:

905.3.1 Height. In other than Group R-3 and R-3.1 occupancies, Class I standpipe system shall be installed:

1. Buildings where the floor level of the highest level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.

905.4 Location of Class 1 Standpipe hose Connections (added):

7. The centerline of the 2.5" outlet shall be no less than 18" above and no more than 24" above the finished floor.

8. Every new building with any horizontal dimensions greater than 300 feet (91,440 mm) shall be provided with either access doors or a 2.5" outlets so that all portions of the building can be reached with 150 feet (45,720) of hose from an access door or hose outlet. Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3 feet (914 mm) in width, and not less than 6 feet 8 inches (2032 mm) in height.

15.09.410 – Section 907.1 Fire Alarm & Detection Systems.

Section 907.1 of the California Fire Code is hereby amended to read as follows:

1. General. For alarm purposes, the only type of information that shall be retransmitted to the Fire Dispatch Center is notification of alarm and reset conditions (not trouble) from thermal, smoke and flame detectors, manual pull stations, extinguishing system activations, and water-flow devices, supervisory signals from key box tampers.

EXCEPTION. Single and multi-family apartment buildings, lodging and rooming houses when not required to be monitored under other Sections of this article.

2. Monitoring Company. Only approved companies which possess a current Underwriters Laboratories, Inc. Listing (UULF) are permitted to monitor commercial and required residential fire alarm systems.

3. Authorized alarm companies. Alarm companies planning to install systems in this jurisdiction must meet the following criteria in order to comply with all applicable Ordinance and regulations:

- a. Must hold a current business license.
- b. Must hold a current C-10 contractor's license.
- c. Must maintain a current UL Listing as a UL fire alarm central station (UULF) or fire alarm installing company (UUJS).
- d. Must demonstrate that they can provide acceptable maintenance and service in the jurisdiction.

EXCEPTION: Local only systems may be installed without a current UL fire alarm, central station (UULF) or fire alarm installing company (UUJS) certification if expressly permitted by the Fire Chief.

4. Plans and specifications. Complete plans and specifications of fire

alarm systems shall be submitted for Fire Department review and approval prior to system installation. All plans, submittal, equipment and installation shall meet NFPA 72, currently published Edition, the applicable provisions of this Code, application provisions of the State Building and Fire Code, and the Fire Department Alarm Standards.

5. Inspection reports. Listed alarm service companies shall provide UL with written authorization to provide the Fire Department with copies of their inspection reports. Upon request, UL shall provide copies of inspection reports, including minor or major discrepancies to the Fire Department at no cost to the City or to the protected premise.

15.09.420 Amendment

Section 2308.8 Flue spaces.

Section 2308.3 is amended to read as follows:

2308.3 Flue Spaces. Flue spaces shall be provided in accordance with Table 2308.3. Required flue spaces shall be maintained. In double-row racks a pallet/commodity stop shall be provided along the longitudinal flue space at each level. The stop shall be steel or other ferrous material 1/4" thick and in the mounted position shall extend a minimum of 4 inches above the shelf or cross member, or other method approved by the fire code official. In double row racks and where products are hand stacked, chain link shall be securely attached to the rear of both racks. Chain link shall be a minimum of 12 gauge. Attachment method shall be approved by the fire code official and shall comply with the Norco Fire Department Guideline.

15.09.430 Amendment – 2701.1.1.2 - Hazardous Materials Clean-up Cost Recovery

Section 2701.1.1.2 is hereby amended by adding the following:

A. The City of Norco is authorized to perform various functions that relate to identification, containment/neutralization and cleanup/abatement of hazardous materials unlawfully released, discharged or deposited upon or into any property or facility within the City of Norco and to perform certain protective activities such as rescue, evacuation, fire control, control of traffic and crowds and treatment of sick and injured. The following described persons shall be jointly and severally liable to the City of Norco for the payment of all costs incurred by the City of Norco as a result of such identification, containment/neutralization and cleanup/abatement activity.

1. The person or persons whose negligent or willful act or omission proximately caused such release, discharge or deposit; and
2. The person or persons who owned or had custody or control of the hazardous materials at the time of such release, discharge or deposit, without regard to fault or proximate cause; and

3. The person or persons who owned or had custody or control of the container which held such hazardous materials at the time of such release, discharge or deposit, without regard to fault or proximate cause.

B. In the event that any person undertakes, either voluntarily or upon order of the City of Norco Fire Chief or other City of Norco official, to cleanup or abate the effects of any hazardous materials unlawfully released, discharged or deposited upon or into any property or facility within the City of Norco, the City of Norco Fire Chief may take such action as is necessary to supervise or verify the adequacy of the cleanup or abatement. The persons described in Subsection A shall be liable to the City of Norco for all costs incurred as a result of such supervision or verification.

C. For purposes of this section, "hazardous materials" shall be as defined in Chapter 27, Section 2010 of the California Fire Code and as that section may be amended.

D. For purposes of this section, costs incurred by the City of Norco shall include, but shall not be limited to, the following: Actual labor costs of City of Norco personnel, including benefits and administrative overhead; cost of City of Norco apparatus/equipment operation; cost of materials obtained directly by the City of Norco; cost of any contract labor, apparatus/equipment and materials; and cost of any fire service and/or law enforcement automatic aid/mutual aid labor, apparatus/ equipment and materials.

E. The remedies provided by this section shall be in addition to any other remedies provided by law.

15.09.440 Amendment

Section 2701.5.2 Hazardous Materials Inventory Statement.

Section 2701.5.2 is amended by adding thereto the following subsection 2701.5.2.1 to read as follows:

2701.5.2.1 Chemical Classification Packet. When required by the fire code official, a Chemical Classification Packet shall be completed and approved prior to approval of architectural and system plans, and/or the storage, use or handling of chemicals on the premises. The Chemical Classification packet shall meet the format requirements contained in the Norco Fire Department Chemical Classification Guideline. Technical Assistance per California Fire Code shall be required whenever the fire code official deems it necessary.

15.09.450 Addition

MAQ Table 2703.1.1(1) Footnote

Footnote P of Table 2703.1.1.1 is amended by adding the following:

5. Acetylene not exceeding 1500 c.f. in a sprinklered building when used for welding and hot works.

15.09.460 Addition

Section 2703.1.1 Maximum allowable quantities.

Section 2703.1.1 Maximum allowable quantities is amended by adding thereto the following subsection 2703.1.1.1 to read as follows:

“2703.1.1.1 Extremely Hazardous Substances. No person shall use or store any amount of extremely hazardous substances (EHS) in excess of the disclosable amounts (see Health and Safety Code Section 25500 et al) in a residential zoned or any residentially developed property.”

15.09.470 Amendment

Section 2704.2.2, 2704.13 Secondary Containment for Hazardous Material Liquids and Solids, Weather Protection and Storage Near Exits or Exit Pathways

Section 2704.2.2, 2704.13 is hereby amended and 2704.14 has been added as follows:

Section 2704.2.2 Secondary Containment for Hazardous Material Liquids and Solids. Where required by table 2704.2.2 buildings, rooms or areas used for the storage of any hazardous material liquids or solids shall be provided with secondary containment in accordance with this section when the capacity of an individual container or aggregate capacity of multiple containers exceeds the following:

1. Liquids: Capacity of an individual container/vessel 55 gals. or greater or the aggregate capacity of multiple containers/vessel 1,000 gals. or greater; and
2. Solids: Capacity of an individual container/vessel 550 pounds or greater or the aggregate capacity of multiple containers/vessels 10,000 pounds or greater

Exception: Individual 55 gal. container/vessel(s) that are still in original seal and not being used in any manner shall not require secondary containment.

2704.13 Weather Protection. Overhead noncombustible construction shall be provided for sheltering outdoor hazardous material storage areas, such storage shall not be considered indoor storage when the area is constructed in accordance with the requirements for weather protection as required by the California Building Code.

Exception: Storage of explosive materials shall be considered as indoor storage.

2704.14 Storage Near Exits or Exit Pathways. Storage of any hazardous materials shall be located a minimum of 10 feet from exit doors or

pathways. Distance may be increased per Authority Having Jurisdiction recommendations to Fire and Life Safety concerns.

Exception: Storage of hazardous materials may be reduced to 5 feet if approved/listed cabinets are provided or storage of materials are for retail display.

15.09.480 Addition

Section 3301.1.2 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited

Section 3301.1.2 is amended by adding thereto the following:

Pursuant to the California Fire Code, the storage of explosives and blasting agents is prohibited in all commercial occupancy areas, developed residential areas, and other areas where the Fire Chief having jurisdiction determines that the storage of explosives will create a hazard to occupants and property owners in the area. The Fire Chief having jurisdiction shall be the final determining authority.

5.09.490 Addition – Section 3308.2 Fireworks Display Firing.

Section 3308.2 is hereby amended by adding to the following new section:

Section 3308.2 – Fireworks Display Firing. All fireworks displays shall be electronically fired.”

15.09.500 Addition

Section 3310 Seizure of Fireworks.

Section 3310 is hereby amended by adding the following new section

Section 3310 Seizure of Fireworks. The fire code official shall have the authority to seize, take, remove and fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19 CCR, Chapter 6. Any seizure or removal pursuant to this section shall be in compliance with all applicable statutory, constitutional, and decisional law and shall comply with NMC 9.20

15.09.510 Addition

Section 3311 Firework Displays

Section 3311 is hereby amended by adding the following new section

Section 3311 Firework Displays. Fireworks displays shall be in accordance with the regulations of the State Fire Marshal, and with the conditions of the permit as approved by the fire code official.

15.09.520 Addition

Section 3312 Retail Fireworks

Section 3312 is hereby amended by adding the following new section.

Section 3312 Retail Fireworks. The storage, use, sale, possession, and handling of fireworks 1.4G (commonly referred to as Safe & Sane) and fireworks 1.3G is prohibited.

Exception: Fireworks 1.4G and fireworks 1.3G may be part of an electrically fired public display when permitted and conducted by a licensed pyrotechnic operator.

15.09.530 Addition

Section 3404.1 General Provisions to the establishment of limits of districts in which storage of flammable and combustible liquids in outside aboveground storage tanks is prohibited.

Section 3404.1 General is amended by adding thereto the following subsection 3404.1.1 General Provisions to the establishment of limits of districts in which storage of flammable and combustible liquids in outside aboveground storage tanks is prohibited to read as follows:

3404.1.1 General Provisions to the establishment of limits of districts in which storage of flammable and combustible liquids in outside aboveground storage tanks is prohibited. The limits referred to the California Fire Code in which the storage of flammable or combustible liquids in outside aboveground tanks is prohibited in all commercial occupancy areas, developed residential areas, and other areas where the fire chief having jurisdiction determines that the installation of flammable and combustible aboveground storage tanks will create a hazard to occupants and property owners in the area.

Pursuant to the California Fire Code, new aboveground fuel tanks for flammable and combustible liquids shall be prohibited in all commercial districts, closely built commercial areas and heavily populated areas. The Fire Chief having jurisdiction shall be the final determining authority.

Deviations to these requirements may be allowed only upon specific written findings and approvals by the fire official. The installation of the aboveground tanks will also need to comply within permitted zone areas. Upon receipt of written application for permit to store flammable or combustible liquids, the fire prevention division shall review the plans for the proposed location of the storage facilities. If it makes a finding that such facilities would not constitute a danger to the public peace, health and general welfare of the city, it may issue such permit subject to said facilities meeting minimum code requirements and may attach reasonable conditions to the permit for the safety of person and property immediately surrounding the location.

15.09.540 Amendment

Section 3704.2.2.7 Treatment Systems.

Section 3704.2.2.7 is amended by deleting Exceptions 1, 1.1, 1.2 and 1.3; and modifying Exception 2 and renumbering it as Exception 1 to read as follows:

- 1. Toxic gases – storage/use.** Treatment systems are not required for toxic gases supplied by cylinders or portable tanks not exceeding 1,700 pounds water capacity when the following are provided:

1.1 A listed or approved gas detection system with a sensing interval not exceeding 5 minutes.

1.2 For storage, valve outlets are equipped with gas-tight outlet plugs or caps.

1.3 For use, a listed or approved automatic-closing fail-safe valve located immediately adjacent to cylinder or portable tank valves. The fail-safe valve shall close when gas is detected at the permissible exposure limit (PEL) by a gas detection system monitoring the exhaust at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room. The gas detection system shall comply with Section 3704.2.2.10.

15.09.550 Amendment

3804.2 Liquefied Petroleum and Natural Gas Storage.

Section 3804.2 is amended to read as follows:

3804.2 Liquefied Petroleum and Natural Gas Storage. Pursuant to the California Fire Code, the aggregate capacity of any one installation for the bulk storage of liquefied petroleum gases shall not exceed two thousand (2,000) water gallons in residential areas. In non-residential areas, when, in the opinion of the Fire Chief having jurisdiction, the location of the bulk storage of LPG would create a threat to the occupants and property owners, the aggregate storage capacity of LPG shall be limited to two thousand (2,000) gallons. The fire Chief having Jurisdiction shall be the final determining authority.

15.09.560 Amendment – Chapter 47 is adopted in its entirety and shall comply with the Norco Fire Department Standards.

15.09.570 Amendment

Section 4908 Hazardous Vegetation Mitigation Requirements.

Section 4908 has been added to read as follows:

4908 Hazardous Vegetation Mitigation Requirements. Shall comply with the Norco Fire Department Hazardous Vegetation Mitigation Requirement Standard, CCR Title 19 3.07 (b) and Sections 9.65.09, 9.65.10 and 9.54.11 of the NMC.

15.09.580 Appendix B Fire Flow for 1 & 2 Single Family Dwellings

Section B105.1 of Appendix B is amended to read as follows:\

B105.1 Appendix B Fire Flow for One- and two-family dwellings. The minimum fire flow and flow duration for one- and two family dwellings shall not be less than 1500 gpm at 20 psi for 2 hours.”

15.09.590 Amendment – Section B105.2 of Appendix B Fire Flow for Buildings other than 1 & 2 Single Family Dwellings.

Section B105.2 of Appendix B is amended to read as follows:

B105.2 Appendix B Fire Flow for Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings shall be as specified in Table B 105.1.

Exception: A reduction in fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire flow shall not be less than 1,500 gallons per minute (5677.5 L/min) for the prescribed duration as specified in Table B105.1."

**15.09.600 Amendment
Table B105.1 of Appendix B.**

Table B 105.1 of Appendix B is amended to read as follows:

**"TABLE B105.1
MINIMUM REQUIRED FIRE-FLOW AND FLOW DURATION FOR BUILDINGS***

<i>Use</i>	Required Flow (gallons per minute)	Duration
One- and Two-Family Dwelling	1500 gpm	2 hours
Multi-Family Dwelling	2500 gpm	2 hours
Commercial	3000 gpm	3 hours
Industrial	3500 gpm	4 hours

*Or as otherwise required by the Fire code official"

**15.09.610 Amendment
Table C105.1 of Appendix C.**

Table C 105.1 of Appendix C is amended to read as follows:

**"TABLE C105.1
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

<i>Use</i>	Maximum Distance Between Hydrants (feet)	Maximum Distance From Any Point on Street or Road Frontage or Fire Department Access to a Hydrant (feet)
One- and Two-Family Dwelling	300	150
Multi-Family Dwelling	250	150
Commercial/Industrial	300	150