



**TOWN OF MORAGA
TOWN COUNCIL**

WEDNESDAY, FEBRUARY 11, 2026

**Kerry Hillis, Mayor
Brian Dolan, Vice Mayor
Lisa Maglio, Councilmember
Graham Thiel, Councilmember
Steve Woehleke, Councilmember**

Executive Team

Scott Mitnick, Town Manager	Denise Bazzano, Assistant Town Attorney
Katie Bruner, Admin. Services Director	Jon King, Police Chief
Sonia Urzua, Planning Director	Nate Levine, Interim Public Works Director
Vacant, Town Clerk	Mackenzie Brady, Parks & Recreation Director

Town of Moraga Mission Statement

The Town of Moraga is dedicated to preserving our semi-rural character, conserving open spaces, providing exceptional municipal services, fostering safety and resiliency, providing opportunities for development, and creating a vibrant, innovative, and sustainable community for all.

AGENDA ACCESS: The meeting agenda is posted on the following notice board locations: 329 Rheem Blvd.; Moraga Library located at 1500 St. Marys Rd.; The Hacienda located at 2100 Donald Drive; and Online at: <https://www.moraga.ca.us/AgendaCenter>

VIEWING OPTIONS: The Moraga Town Council meeting is scheduled to take place on the 2nd and 4th Wednesday of each month. The meeting may be attended in person at 335 Rheem Blvd, Moraga, on Community Access Television (CATV) Comcast Channel 26; or by viewing the Town's YouTube Live channel at: <https://www.youtube.com/@TownofMoraga335>

PUBLIC INPUT: To provide input to the Town Council please submit comments via the following email address: publiccomment@moraga.ca.us up to two hours prior to the start of the meeting. Written comment cards will also be available for submission at the meeting. Individuals addressing the Town Council are requested to state their name and community of residence for the record. If further assistance is needed, please email the Town Clerk at townclerk@moraga.ca.us or call (925) 888-7021.

It is the policy of the Town of Moraga that Councilmembers, Town employees and meeting participants are to be treated with respect and dignity. Actual or perceived discrimination and/or harassment of a Councilmember, Town employee or others on the basis of age, ancestry, color, disability, gender identity, marital status, medical condition, national origin, race, religious creed, sex or sexual orientation will not be tolerated.

CEQA STATEMENT: Unless stated otherwise on the agenda, every item on the agenda is exempt from CEQA Guidelines Sections 15060(C), 15061(B)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

NOTICE: If you challenge a Town's zoning, planning, or other decision in court, you may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Town Council at, or prior to, the public hearing. Judging review of any Town administrative decision may be had only if petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environment determination may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision. The Town of Moraga will provide special assistance for disabled citizens upon at least 72 hours advance notice to the Town Manager's office (925- 888-7021). If sign assistance is needed or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.



**TOWN OF MORAGA
TOWN COUNCIL**

**REGULAR MEETING
WEDNESDAY, FEBRUARY 11, 2026
5:30 PM**

TOWN COUNCIL CHAMBER
335 RHEEM BOULEVARD
MORAGA, CA

1. CALL TO ORDER

ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS

3A. Proclamation - February 2026 as Black History Month

4. PUBLIC COMMUNICATION

Time reserved for those in the audience who wish to address the Town Council on items which are not on the agenda. The Council cannot discuss details or vote on items not on the agenda. Your concerns may be referred to the Town Manager for a brief comment or for further review. Note: Public input pertaining to a specific item on the agenda may be made during consideration of that item.

4A. ADDENDUM: Public Comment Received Before 3:30 pm

5. ADOPTION OF MEETING AGENDA

6. CONSENT CALENDAR

A. Consideration of Consent Items Removed for Discussion

B. Acceptance of Consent Items

6.1 Approval of Minutes for the January 28, 2026 Regular Meeting of the Moraga Town Council.

6.2 Adopt a Resolution:

1. Approving the Augusta Drive Storm Drain Repairs Project (CIP 25-401) as complete by FJ&I, Engineering Inc. (San Pablo, CA); and
2. Authorizing the Town Manager to execute the Certificate of Completion; and
3. Authorizing the Town Engineer to file the Resolution of Acceptance and Certificate of Completion with the Contra Costa County Recorder.

- 6.3
 - 1. Adopt a Resolution Ratifying Moraga-Orinda Fire District Ordinance 26-01 (Fire Code) and Ordinance 26-02 (Wildland-Urban Interface (WUI) Code), Adopting the 2025 Editions of the California Fire Code and California Wildland-Urban Interface Code, and the 2024 Edition of the International Fire Code by Reference with Certain Local Amendments, and Adopting Findings of Fact to Support the Local Amendments
 - 2. Find the ordinance exempt from review pursuant to sections 15061(b)(3) and 15378(b)(5) of the California Environmental Quality Act
- 6.4 Receive Accounts Payable Claims for January 1, 2026 through January 31, 2026 (\$574,377.06)

7. ANNOUNCEMENTS AND REPORTS ON ACTIVITIES

- A. Councilmember Reports on AB1234 Activities, Councilmember Announcements
- B. Town Manager

8. PUBLIC HEARING

9. DEPARTMENT REPORTS

- 9.A Consider Waiving the First Reading and Introducing an Ordinance Amending Chapter 2.12, "Planning Commission" and Chapter 2.16, "Parks and Recreation Commission" to Revise Terms of Office and Reappointment Processes to be Consistent with the Town's Interview and Appointment Policy.

10. COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS

11. INFORMATIONAL ITEMS

12. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS

13. ADJOURNMENT

A PROCLAMATION RECOGNIZING

February 2026 as Black History Month

WHEREAS, during Black History Month, the nation celebrates the many achievements and contributions made by Black Americans to each community's economic, cultural, spiritual, and civic development; and

WHEREAS, Black History Month grew out of the establishment, in 1926, of Negro History Week by Carter G. Woodson and the Association for the Study of African American Life and History; and

WHEREAS, The Town of Moraga acknowledges the legacy of Black scholars' activities and initiatives that encourage well-being in the Black community; and

WHEREAS, The observance of Black History Month calls attention to the continued need to battle racism and build a society that lives up to its democratic ideals; and

WHEREAS, The Town of Moraga continues to work toward being an inclusive community in which all citizens—past, present, and future—are respected and recognized for their contributions and potential contributions to our community, to California, the nation, and the world; and

WHEREAS, The Town of Moraga is proud to honor the history and contributions of Black Americans in the community, and supports the theme of honoring Black families who are part of our Town landscape.

NOW, THEREFORE, BE IT RESOLVED that the Moraga Town Council hereby recognizes February 2026 as Black History Month in the Town of Moraga.

Kerry Hillis, Mayor of Moraga



Pride Flag

From Adam Winig <awinig@gmail.com>

Date Wed 2/11/2026 3:09 PM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

As a home owner and father of a family with a member of the LGBTQ community I am saddened that Moraga does not fly the Pride Flag. I hope you all lean towards inclusion versus exclusion and decide to fly the flag. Our neighboring cities all do and it's embarrassing that we don't.

Adam Winig, Principal
Arcsine
510.444.2410

Sent from my iPhone



Flying the Pride flag

From Ana M Ramirez <ramirezana0417@gmail.com>

Date Wed 2/11/2026 2:08 PM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

Good afternoon Moraga Town Council. My name is Ana Ramirez. I have been a resident/homeowner in Moraga for the past 23 years. I have raised my now grown children in this community.

I am writing this letter in support of our LGBTQ+ community members and request that you kindly fly the LGBTQ+ flag in our town offices during the month of June, in honor of Pride month. It is extremely important to me that we recognize and honor this marginalized group.

Thank you in advance for your understanding and consideration.

Best regards,

Ana Ramírez
Town of Moraga resident



June - Pride Flag

From Leah Riggins <leah@leeriggins.com>
Date Tue 2/10/2026 7:36 PM
To Town Clerk <townclerk@moraga.ca.us>

Dear Moraga neighbors,
Since I am not able to attend the Town Hall meeting on Wednesday, I am writing to ask you to raise the Pride flag in Moraga in June. Both Orinda and Lafayette do so, and it is crucial to support our friends, neighbors, and loved ones.
Sincerely,
Leah Riggins



Pls raise the pride flag

From Chloe Aftel <chloe@chloeaftel.com>

Date Wed 2/11/2026 11:19 AM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

Dear Members of the Moraga Town Council,

I am writing to respectfully ask that Moraga join the many Contra Costa County cities that raise the Pride flag in June—and that you agendize this topic for discussion at an upcoming Town Council meeting in the near future.

Flying the Pride flag is the bare minimum. It is our civic duty to protect all members of our community, especially those who are most vulnerable.

Sincerely,

Chloe Aftel

65 El Gavilan Rd

Orinda

CHLOE
AFTTEL

Chloe Aftel

Los Angeles : San Francisco : New York

www.chloeaftel.com

<https://www.instagram.com/chloeaftel/?hl=en>

[The Other Podcast](#) with guests like Killer Mike, Sleater-Kinney, Kathleen Hanna & George Saunders

office: [510.579.3592](tel:510.579.3592)



Pride Flag

From Judi Wellens <judiwellens@gmail.com>

Date Tue 2/10/2026 10:21 AM

To Town Clerk <townclerk@moraga.ca.us>

Good Morning!

I am writing today to urge the city of Moraga to join Lafayette and Orinda in raising the LGBTQ+ pride flag in June to celebrate pride month.

Thank you,

Judi Wellens

Sent from my iPhone



Moraga Town Council Pride Flag Request

From A F <aileenfullchange1@gmail.com>

Date Wed 2/11/2026 11:32 AM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

Dear Members of the Moraga Town Council,

I am writing to respectfully ask that Moraga join the many Contra Costa County cities that raise the Pride flag in June—and that you agendize this topic for discussion at an upcoming Town Council meeting in the near future.

Across our county, including neighboring Orinda, Lafayette, and Walnut Creek, communities visibly affirm that LGBTQ residents and families are valued and belong. Flying the Pride flag is a simple but meaningful gesture—one that acknowledges history, signals safety, and reflects a commitment to inclusion for all who live, work, and learn here.

Moraga is home to LGBTQ neighbors, students, parents, and allies. Raising the Pride flag during Pride Month would send a clear message that our town recognizes their dignity and contributions and stands for fairness and respect. Agendizing this item soon would allow for thoughtful public input and timely planning ahead of June.

Thank you for your consideration and service to our community.

Sincerely,

Aileen Fullchange, resident of Walnut Creek




Pride Flag

From Debbie Schantz <debs4@comcast.net>

Date Wed 2/11/2026 1:24 AM

To Town Clerk <townclerk@moraga.ca.us>

I want to urge Moraga to raise the LGBTQ+ pride flag in June to celebrate pride month. 15 cities in Contra Costa County raise the flag, including Orinda and Lafayette. 
The Pride flag is a beacon of hope and safety for the LGBTQ+ community, particularly for young people. It tells LGBTQ+ residents that they are not just tolerated, but part of the community fabric.

Debbie Schantz



Agenda request

From Kate Eresian Chenok <keconline@gmail.com>

Date Wed 2/11/2026 11:04 AM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

Dear Members of the Moraga Town Council,

I have lived in Lamorinda for 25 years, raised 2 children here, and am writing to respectfully ask that Moraga join the many Contra Costa County cities that raise the Pride flag in June—and that you agendize this topic for discussion at an upcoming Town Council meeting in the near future.

Across our county, including neighboring Orinda, Lafayette, and Walnut Creek, communities visibly affirm that LGBTQ residents and families are valued and belong. Flying the Pride flag is a simple but meaningful gesture—one that acknowledges history, signals safety, and reflects a commitment to inclusion for all who live, work, and learn here.

Moraga is home to LGBTQ neighbors, students, parents, and allies. Raising the Pride flag during Pride Month would send a clear message that our town recognizes their dignity and contributions and stands for fairness and respect. Agendizing this item soon would allow for thoughtful public input and timely planning ahead of June.

Thank you for your consideration and service to our community.

Sincerely,

Kate Chenok

50 Heather Lane

Orinda



Re. Moraga Town Council Pride Flag Request

From Amy Perkins <amyhperkins@gmail.com>

Date Wed 2/11/2026 2:41 PM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

February 11, 2026

Dear Members of the Moraga Town Council,

As an eight-year Moraga resident, parent, and LGBTQ ally, I am writing to respectfully ask that Moraga join the many Contra Costa County cities that raise the Pride flag in June. *Please agendaize this topic for discussion at an upcoming Town Council meeting in the near future!*

Across our county, including neighboring Orinda, Lafayette, and Walnut Creek, communities visibly affirm that LGBTQ residents and families are valued and belong. Flying the Pride flag is a simple but meaningful gesture—one that acknowledges history, signals safety, and reflects a commitment to inclusion for all who live, work, and learn here.

Personally, our family has attended in recent years the Pride flag ceremonies in Lafayette and Orinda. It has been a powerful way to share with our young children the importance of inclusivity and affirming the LGBTQ members in our community – especially in these difficult times. They have wondered and questioned why their town of Moraga doesn't do this as well – sadly, we haven't been able to share a good answer. *I'm hopeful that the Town Council will consider raising the Pride flag during Pride Month -- sending a clear message that our town recognizes the dignity and contributions of its Moraga LGBTQ neighbors, students, parents, and allies. It would truly be an honor to share such a milestone with our kids -- and allow them to see firsthand that the community where they live stands for fairness and respect for ALL!*

Thank you for your consideration and service to our community!

Sincerely,

Amy Perkins

Moraga resident



In support of Moraga recognizing pride month with flag raising

From Michael Dawson <mdawson@gmail.com>

Date Wed 2/11/2026 1:43 PM

To Town Clerk <townclerk@moraga.ca.us>; Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>

Dear Town of Moraga Staff and Councilmembers,

I am writing to express my strong support for the proposal to raise the LGBTQ+ pride flag in Moraga during the month of June.

Neighboring communities, including Orinda and Lafayette, have already demonstrated their commitment to inclusivity and acceptance by flying the pride flag. I believe Moraga residents would similarly benefit from this meaningful celebration of our community's diversity.

Thank you for your time and consideration.

Sincerely,

Michael Dawson
711 Los Palos Dr.
Lafayette, CA



Flag

From Carrie Vanhouten <carrievanhouten@gmail.com>

Date Wed 2/11/2026 12:09 PM

To Town Clerk <townclerk@moraga.ca.us>

Please raise the Pride Flag in June to support and celebrate our Moraga community!
Thank you!

Carrie Vanhouten,
Creator/Co-Founder of [The Menopause Monologues](#)



Owner of [The Energy ApotheCarrie](#), Creative Healing Space





Request to Agendize Pride Flag Raising for June

From Meghan Arthurs <megsarthurs@gmail.com>

Date Wed 2/11/2026 11:03 AM

To Steve Woehleke <swoehleke@moraga.ca.us>; Lisa Maglio <lmaglio@moraga.ca.us>; Brian Dolan <bdolan@moraga.ca.us>; Kerry Hillis <khillis@moraga.ca.us>; Graham Thiel <gthiel@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

Dear Town Council Members,

I am writing to respectfully request that Moraga join the many Contra Costa County cities that raise the Pride flag in June, and that this item be agendized for discussion at an upcoming Town Council meeting in the near future.

Across our county, including neighboring Orinda, Lafayette, and Walnut Creek, communities are making visible commitments to inclusion by recognizing Pride Month. Raising the Pride flag is a simple yet meaningful gesture. It honors history, affirms belonging, and signals that LGBTQ residents and families are seen, valued, and supported.

Moraga is home to LGBTQ neighbors, students, parents, and allies who contribute every day to the strength and vibrancy of our town. Publicly recognizing Pride Month would send a clear message that Moraga stands for dignity, fairness, and respect for all. Agendizing this topic soon would allow space for thoughtful community input and ensure appropriate planning ahead of June.

Thank you for your leadership and for your continued service to our community. I appreciate your consideration.

Cheers,

--

Meghan Arthurs
925.286.9665




Fly the LGBTQ+ Flag

From Renee Tierney <reneetierney1@gmail.com>

Date Tue 2/10/2026 11:07 PM

To Town Clerk <townclerk@moraga.ca.us>

I urge the Town of Moraga to raise the LGBTQ+ pride flag in June to celebrate pride month. Let's join the 15 other cities in Contra Costa County that raise the flag, including Orinda and Lafayette. 

The Pride flag is a beacon of hope and safety for the LGBTQ+ community and tells residents that they are not just tolerated, but part of the community fabric.

Renee Tierney
10 Willow Springs Lane
Moraga

Sent from my iPhone



Public Comment Regarding Proper Role of the Mayor and Adherence to Council Protocols

From scottbowhay@comcast.net <scottbowhay@comcast.net>

Date Wed 2/11/2026 1:54 PM

To Melisa Melcher <mmelcher@moraga.ca.us>; Town Clerk <townclerk@moraga.ca.us>

Cc Scott Mitnick <smitnick@moraga.ca.us>

Melisa,

I'm not certain we currently have a Town Clerk to distribute correspondence to the Town Council, so am asking you to forward the below note as needed to arrive to the Town Council members this afternoon, before this evening's meeting.

Thanks!

Scott B.

Dear Members of the Moraga Town Council,

I am submitting this public comment out of concern that the current Mayor may be exceeding the scope of the position as defined in the Town's governing documents. My intention is not to single out any individual, but rather to request that the Council reaffirm and adhere to the formal roles and limitations established for the Mayor and for individual Councilmembers.

According to the Town Council Protocols, the Mayor's authority is procedural and ceremonial, not executive. The Mayor is annually selected from among the five Councilmembers and is responsible primarily for presiding over meetings, signing official documents, and representing the Town at ceremonial events. The Protocols make clear that the Mayor does not possess unilateral decision-making power, nor any authority beyond that of other Councilmembers in setting policy or directing staff. [moraga.ca.us]

Further, the Town's official website reinforces that Moraga operates under a Town Council–Town Manager form of government. Under this structure, the Town Council acts collectively as the community's policy-making body, while the Town Manager—appointed by the Council—is charged with the administration and implementation of those policies. This means that no individual Councilmember, including the Mayor, may direct staff or act independently on behalf of the Town in matters of policy or operations. [moraga.ca.us], [moraga.ca.us]

These documents reflect a deliberate system of checks, balances, and shared governance. When any Mayor attempts to make decisions outside the procedural and ceremonial scope of the role, or speaks or acts as though vested with independent authority, it undermines the structure clearly defined by the Town Council and codified in Town protocols.

I respectfully request the following:

1. That the Council publicly reaffirm the limited, primarily ceremonial nature of the Mayor's role as established in the Town Council Protocols.
2. That the Council ensure full compliance with the Council–Manager system by emphasizing that no individual Councilmember or Mayor may direct staff or shape policy outside of duly noticed public meetings.

Moraga depends on a clear and well-functioning Council–Manager structure to operate effectively and maintain public trust. I appreciate the work each of you performs for our community and thank you for your attention to this matter.

Respectfully,

Scott Bowhay
1671 Camino Pablo
Moraga, CA 94556
scottbowhay@comcast.net



**TOWN OF MORAGA
REGULAR MEETING
TOWN COUNCIL**

**WEDNESDAY, JANUARY 28, 2026
MINUTES**

5:30 PM

The following are minutes of the actions taken by the Town of Moraga Town Council. A full video recording of the meeting is available on the Town's website at:

<https://livestream.com/moraga>

TOWN COUNCIL CHAMBER
335 RHEEM BOULEVARD
MORAGA, CA

1. CALL TO ORDER

The regular meeting was called to order at **5:30 PM** by Mayor, Kerry Hillis.

ROLL CALL

Councilmembers Present: Mayor Steve Woehleke, Vice Mayor Kerry Hillis
Councilmembers Brian Dolan, Lisa Maglio and Graham Thiel

Councilmembers Absent: None

Staff Present: Town Manager, Scott Mitnick; Asst..Town Attorney, Denise Bazzano; Town Clerk, Amy Heavener; Administrative Services Director; Katie Bruner; Planning Director, Sonia Urzua, Police Chief Jon King, Interim Public Works Director, Nate Levine

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS

3A. Presentation – BART’s Role in the Region

Director, Matthew Rinn presented the item.

Council asked clarifying questions.

Principal Government and Community Relations Representative, Tonya Love provided follow up information.

Town Manager, Mitnick provided additional information.

Scott Bowhay provided public comment.

Council provided final comments.

4. PUBLIC COMMUNICATION

Chirag Kathrani and Scott Bowhay provided public comments.

5. ADOPTION OF MEETING AGENDA

ACTION:

Motion: **Thiel** / Second: **Maglio**

Adoption of the meeting agenda as presented.

Vote: (5-0)

There were no public comments.

6. CONSENT CALENDAR

ACTION:

Motion: **Woehleke** / Second: **Dolan**

Approve Consent Calendar items 6.3, as amended with one correction to a typo, 6.4 & 6.6.

Vote: (5-0)

There were no public comments.

Councilmember Woehleke pulled Consent Calendar item 6.1 for corrections to January 14, 2026 Draft Meeting Minutes.

There were no public comments.

ACTION:

Motion: **Woehleke** / Second: **Dolan**

Approved Consent Calendar item 6.1 with revisions to January 14, 2026 Draft Meeting Minutes as reflected in Councilmember Woehleke's comments.

Vote: (5-0)

Mayor Hillis pulled Consent Calendar item 6.2 to read aloud.

Councilmembers read the Proclamation aloud.

There were no public comments.

ACTION:

Motion: **Thiel** / Second: **Woehleke**

Approve Consent Calendar items 6.2 as presented.

Vote: (5-0)

Councilmember Maglio pulled Consent Calendar item 6.5 for further clarification.

Town Manager, Mitnick provided comments on item.

Staff member, Brian Horn provided further information on the item.

There were no public comments.

Council provided final comments.

ACTION:

Motion: **Thiel** / Second: **Woehleke**

Approve Consent Calendar items 6.5 as presented.

Vote: (5-0)

- 6.1 - Approval of Minutes for the January 14, 2026 Regular meeting of the Moraga Town Council

- 6.2 - Approval a Proclamation recognizing January 27th as International Holocaust Remembrance Day.

- 6.3 - Waive the Second Reading and Adopt an ordinance repealing and replacing Chapter 3.04 (Purchasing System) of the Moraga Municipal Code (MMC) relating to the Town's Purchases of Services, Supplies and Equipment; and find the Ordinance Exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines. (include an amendment to the item typo error (to replace City Council with Town Council)

- 6.4 - Adopt the List of the 2026 Town Council Committee Appointments discussed at the January 14, 2026 Regular Town Council meeting

- 6.5 – Adopt a Resolution authorizing the Town Manager, or their designee, to execute all documents necessary to complete the application process for the California Department of Housing and Community Development's Prohousing Incentive Program (PIP) grant funds for \$560,000.00 and for the receipt of said funds, to be allocated to the Park Street Senior Affordable Housing Project.

- 6.6 - Adopt a Resolution:
 - 1. Accepting a Grant Deed and Reservation of Sewer Easement dedicating certain property for public right-of-way purposes at 1299 School Street (Chase Bank);

 - 2. Accepting a Grant of Public Utility Easement for street lighting infrastructure serving two street lights along Moraga Way;

 - 3. Authorizing the Town Manager, or designee, to execute the Certificates of Acceptance and directing recordation of the documents with the Contra Costa County Recorder; and

 - 4. Finding that the above are exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

7. ANNOUNCEMENTS AND REPORTS ON ACTIVITIES

Councilmember Thiel attended the Marin Clean Energy (MCE) meeting on January 14, 2026 and reported out on the highlights of the meeting. Councilmember Thiel also attended the Cal Cities conference where he attended an Ethics training seminar along with Councilmember Maglio and Mayor Hillis.

Town Manager Mitnick provide further information on Consent Calendar item 6.5. Town Manager, Mitnick then provided an update on the Cal Cities conference. Town Manager, Mitnick gave an overview of the meetings and sessions attended by Town Staff and Town Council as it relates to AB 1234 activities.

Councilmember Woehleke attended the RecycleSmart Board meeting along with Councilmember Maglio where they discussed the new contract which takes effect in March of 2027. Councilmember Woehleke gave an overview of the details of the contract and its terms. The RecycleSmart Board discussed stakeholder engagement. Councilmember Woehleke gave an overview of SB 54 which relates to recycling.

Councilmember Maglio reported out on her attendance at Cal Cities and sessions attended as it relates to AB 1234. Councilmember Maglio also provided an overview on meetings held with representatives. Councilmember Maglio attended the annual RecycleSmart retreat where the topics addressed were new 2026 contracts, specifically the Republic Contract. RecycleSmart discussed rates, specifically the Moraga rate which will be adjusted to 7%. The Board also discussed SB 1383, Cal Recycle Enforcement Review where funding was discussed. The highlight of the day, for Councilmember Maglio was a landfill sorting activity.

Vice Mayor Dolan no updates.

Mayor, Hillis thanked Councilmembers for their updates and provided an update on Transportation Public Works and Communications Committee with Cal Cities where committee priorities were established. The top 3 priorities established were: infrastructure and maintenance of funding; transportation systems, mobility and safety climate resilience wildfire and emergency preparedness.

While there, attendees received a presentation from CalTrans regarding alternate funding pertaining to the declining gas tax. The bulk of the meeting topic related to e-bikes and Cal Cities also held a legislative round table pertaining to e-bikes.

Mayor Hillis was appointed to the Transportation Communication Public Works Committee task force which will meet to amend draft policy language.

Mayor Hillis gave a reminder that the Committee and Commission recruitment period closes on January 31, 2026.

8. PUBLIC HEARING

None.

9. DEPARTMENT REPORTS

9A. Approve, by Minute Order, the proposed 2026 Lamorinda Legislative Framework.

Town Manager, Mitnick presented the item.

Council asked clarifying questions.

There were no public comments.

Council provided final comments.

ACTION:

Motion: **Thiel** / Second: **Maglio**

Approve Department Report item 9A as presented with minor grammatical changes.

Vote: (5-0)

10. COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS

Mayor Hillis requested agenda item discussing the transition of Moraga Community Service Day to a Town sponsored event.

ACTION:

Motion: **Hillis** / Second: **Woehleke**

Bring forward an item discussing the transition of Moraga Community Service Day to a Town sponsored event.

Vote: (5-0)

Town Manager, Mitnick provided additional comment on the item.

11. INFORMATIONAL ITEMS

None.

12. TOWN MANAGER FOLLOW-UP AND ANNOUNCEMENTS

Town Manager Mitnick provided further commentary on the e-bike issue. Town Manager Mitnick announced the date of the next Council meeting as well as gave a brief overview on future agenda items. Announced SMC basketball plays Gonzaga at 7:30pm at Saint Mary's College.

Councilmember Woehleke asked about items scheduled on the Agenda Forecast.

Town Manager Mitnick thanked the Town Clerk for her service. Councilmembers provided their comments pertaining to the Town Clerk's service and departure.

13. ADJOURNMENT

Mayor Hillis adjourned the Town Council Regular meeting to closed session at **7:55 PM**.
Respectfully submitted by:

Melisa Melcher,
Deputy Town Clerk

Approved by the Town Council:

Kerry Hillis, Mayor

DRAFT



Meeting Date: February 11, 2026

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers

From: Nate Levine, Interim Public Works Director/Town Engineer; Deirdre Castillo, Senior Engineer; Yao Miao, Assistant Engineer

Subject: Accepting the Completion of Augusta Drive Storm Drain Repairs Project (CIP 25-401)

RECOMMENDATION

Adopt a Resolution:

1. Approving the Augusta Drive Storm Drain Repairs Project (CIP 25-401) as complete by FJ&I, Engineering Inc. (San Pablo, CA); and
2. Authorizing the Town Manager to execute the Certificate of Completion; and
3. Authorizing the Town Engineer to file the Resolution of Acceptance and Certificate of Completion with the Contra Costa County Recorder.

BACKGROUND

On November 12, 2025, the Town Council awarded a construction contract to FJ&I Engineering, Inc. for the Augusta Drive Storm Drain Repairs Project under the 2025 Street Rehabilitation Project (CIP 25-401). The work included the removal and replacement of approximately 100 feet of damaged concrete storm drain pipe. Work is now complete and staff is recommending acceptance of the work.

DISCUSSION

FJ&I Engineering, Inc. began work on November 18, 2025. Town staff provided construction oversight, and the contractor coordinated access and scheduling with nearby residents and Moraga Country Club. Storm drain installation and trench restoration were completed on November 25, 2025, and all punch list items have been completed.

The contract also included a Town-requested change order to modify a drainage inlet near 196 Moraga Road. The existing inlet required recurring maintenance to address standing water. To provide a permanent fix, Town staff designed improvements that removed the

existing catch basin and installed a new underdrain through the sidewalk to convey runoff to the gutter pan. Based on contractor availability, demonstrated performance on Augusta Drive, and a competitive cost estimate, Town staff directed FJ&I Engineering, Inc. to complete the inlet work to avoid procuring a separate contractor. Work at 196 Moraga Road was completed on January 14, 2026.

FISCAL IMPACT

The Augusta Drive Storm Drain Repairs Project was delivered under the 2025 Street Rehabilitation Project (CIP 25-401). The approved contract amount was \$135,000, with a construction contingency of \$20,250. The final construction cost was \$118,500, which is \$16,500 below the contract amount. The remaining funds from the Repair Project will be used in the CIP 25-401 construction budget.

CEQA COMPLIANCE

The construction work was previously found to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. 15301 (Class 1-Existing Facilities).

ALTERNATIVES

1. Adopt the attached Resolution with modifications; or
2. Do not adopt the attached Resolution and provide direction to staff.

NEXT STEPS

Upon adoption of the resolution, the Town Engineer will provide Public Notice per California Public Contract Code and file the Resolution of Acceptance and Certificate of Completion with the County Recorder's Office. Following completion of the 35-day public notice period, and provided no claims are received, the Town may release the construction retention.

ATTACHMENTS

- [Attachment A - Resolution Draft.pdf](#)
- [Attachment B - Certificate of Completion.pdf](#)
- [Attachment C - Vicinity Map.pdf](#)

**TOWN OF MORAGA
TOWN COUNCIL**

RESOLUTION NO. ____-2026

APPROVING THE AUGUSTA STORM DRAIN REPAIR PROJECT (CIP 25-401) AS COMPLETE BY FJ&I ENGINEERING, INC (SAN PABLO, CA); AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CERTIFICATE OF COMPLETION; AND AUTHORIZING THE TOWN ENGINEER TO FILE THE RESOLUTION OF ACCEPTANCE AND CERTIFICATE OF COMPLETION WITH THE CONTRA COSTA COUNTY RECORDER

WHEREAS, the 2025 Street Rehabilitation Project (CIP 25-401) is fully funded in the adopted Fiscal Year (FY) 2025-26 Capital Improvement Program (CIP) Budget; and

WHEREAS, the Augusta Storm Drain Repairs Project is integrated into the 2025 Street Rehabilitation Project (CIP 25-401) and funded through its budget; and

WHEREAS, on October 15, 2025, the approved project bid documents for the Augusta Drive Storm Drain Repairs as part of the 2025 Street Rehabilitation Project (CIP 25-401) went out to bid pursuant to the California Uniform Public Construction Cost Accounting Act (CUPCCAA) informal bidding procedure. A bid notice was sent to the town's list of qualifying contractors; and

WHEREAS, on October 29, 2025, one (1) bid proposal package was received and opened; and

WHEREAS, on November 12, 2025, the Town Council awarded a \$135,000 construction contract to FJ&I Engineering, Inc. for the construction of the Augusta Drive Storm Drain Repairs Project; and

WHEREAS, along with the awarding of the contract, the Town Council authorized a 15% contingency (\$20,250) for a total amount not to exceed \$155,250; and

WHEREAS, FJ&I Engineering, Inc. has satisfactorily completed construction, including punch list items for the August Drive Storm Drain Repairs Project, and is requesting final payment for the completed work; and

WHEREAS, the total construction cost of the project is \$118,500, which is within the contract budget originally authorized by Town Council; and

WHEREAS, the Town is required by the California Public Contract Code to notify the public of acceptance of the project prior to making a final payment, and

WHEREAS, the construction work was previously found to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. 15301 (Class 1-Existing Facilities).

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Moraga hereby:

1. Approves the Augusta Storm Drain Repair Project (CIP 25-401) as complete by FJ&I Engineering, Inc (San Pablo, CA);
2. Authorizes the Town Manager to Execute the Certificate of Completion; and
3. Authorizes the Town Engineer to file the Resolution of Acceptance and Certificate of Completion with the Contra Costa County Recorder.

DRAFT

AFTER RECORDING RETURN TO:

**Town Manager
Town of Moraga
Owner Fee
329 Rheem Boulevard
Moraga, CA 94556**

CERTIFICATE OF COMPLETION

TO WHOM IT MAY CONCERN:

NOTICE IS GIVEN by the undersigned, those certain improvements, to wit:

**Augusta Drive Storm Drain Repair Project
CIP 25-401**

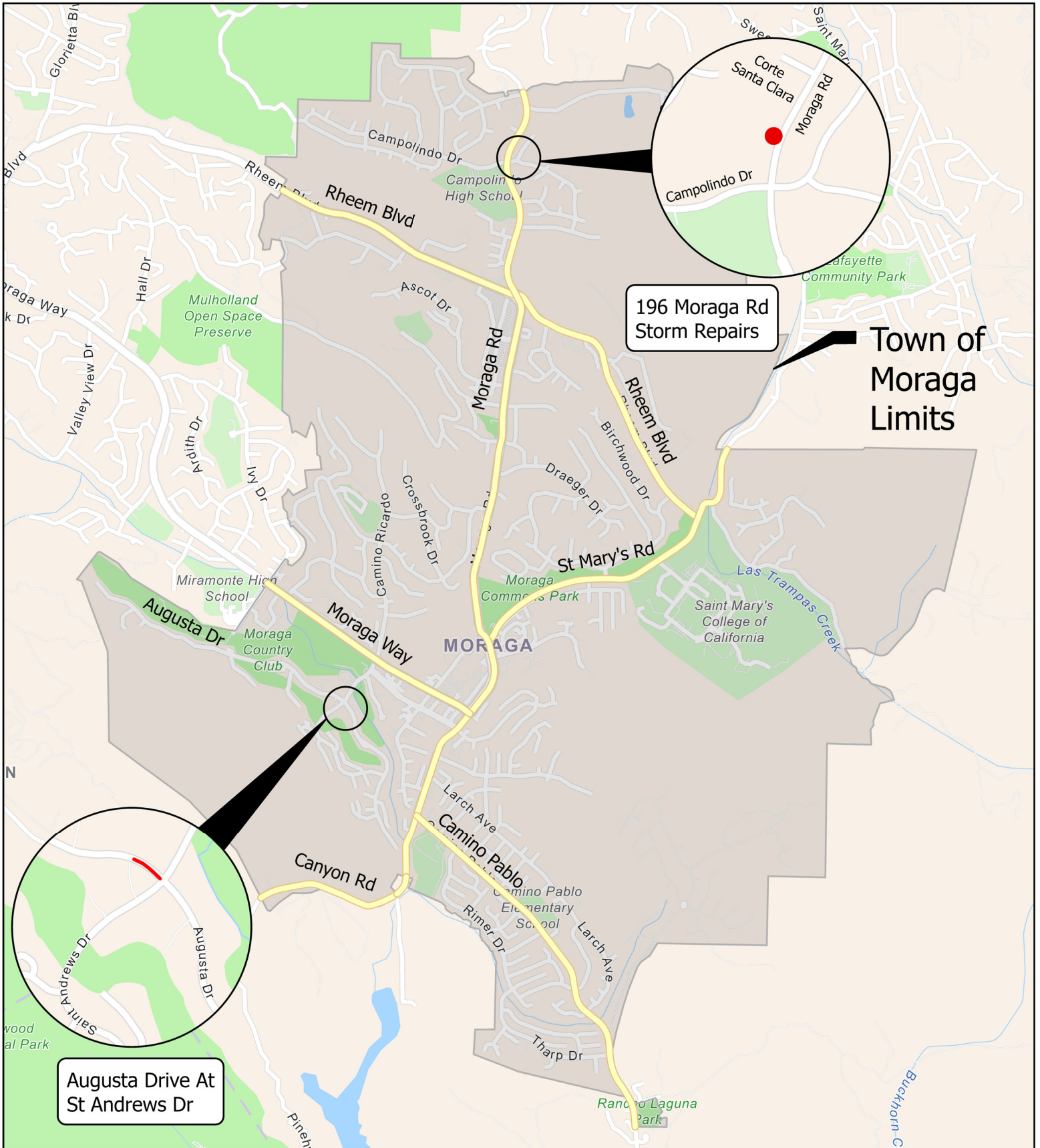
The contract which was granted to **FJ&I Engineering, Inc.** of San Pablo, CA and was filed for record in the Town Clerk’s Office of the Town of Moraga, Contra Costa County, California and which improvements were actually completed satisfactorily and a final inspection was completed in accordance with contract documents and accepted by the Town of Moraga Town Council on February 11, 2026.

Information pertaining to the estimated cost, single source justification, approved plans and specifications, and total cost of work is on file in the Office of the Town Engineer.

I hereby certify, under penalty of perjury, that the facts set forth in the foregoing Certificate of Completion are true and correct.

DATE: _____

Scott Mitnick, Town Manager
Town of Moraga



**2025 Street Rehabilitation Project,
Storm Repairs (CIP 25-401)
Site and Location Map**

Town of Moraga

N

0 1,500 3,000 Feet

January, 2025 **33**



Meeting Date: February 11, 2026

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers

From: Sonia Urzua, AICP, Planning Director

Subject: Adoption of a Resolution Ratifying Moraga-Orinda Fire District Ordinance 26-01 (Fire Code) and Ordinance 26-02 (Wildland-Urban Interface (WUI) Code), Adopting the 2025 Editions of the California Fire Code and California Wildland-Urban Interface Code, and the 2024 Edition of the International Fire Code by Reference with Certain Local Amendments, and Adopting Findings of Fact to Support the Local Amendments

RECOMMENDATION

1. Adopt a Resolution Ratifying Moraga-Orinda Fire District Ordinance 26-01 (Fire Code) and Ordinance 26-02 (Wildland-Urban Interface (WUI) Code), Adopting the 2025 Editions of the California Fire Code and California Wildland-Urban Interface Code, and the 2024 Edition of the International Fire Code by Reference with Certain Local Amendments, and Adopting Findings of Fact to Support the Local Amendments
2. Find the ordinance exempt from review pursuant to sections 15061(b)(3) and 15378(b) (5) of the California Environmental Quality Act

BACKGROUND

Every three years, the State of California updates the California Fire Code and related building standards, including the California Wildland-Urban Interface (WUI) Code. The 2025 editions of these codes became the minimum statewide standards on January 1, 2026, replacing the 2022 code cycle.

The Moraga-Orinda Fire District (MOFD) is authorized to adopt local amendments and enact more restrictive building standards than those in the State codes when reasonably necessary due to local climatic, geological, and/or topographical conditions. For the 2025 code cycle, MOFD adopted updated fire code standards (Ordinance 26-01) and, as a separate but related action, adopted the 2025 California WUI Code with local amendments (Ordinance 26-02).

MOFD's local amendments were developed in coordination with regional fire prevention

partners and are intended to provide consistent, community-appropriate standards that reflect wildfire and emergency access conditions within the MOFD service area.

DISCUSSION

On November 19, 2025, the MOFD Board of Directors introduced Ordinance 26-01 (Fire Code) and Ordinance 26-02 (Wildland-Urban Interface (WUI) Code). On January 21, 2026, the Board held a public hearing and adopted both ordinances. Ordinance 26-01 adopts the 2025 California Fire Code, including specified appendices, and by reference the 2024 International Fire Code, with local amendments. Ordinance 26-02 adopts the 2025 California WUI Code, including specified appendices, with local amendments.

MOFD's ordinances include local amendments intended to address local climatic, geological, and topographical conditions. The full text of the ordinances is included in the attachments. A high-level summary of the types of amendments is provided below.

Ordinance 26-01 – Fire Code (2025 California Fire Code / 2024 International Fire Code)

- Clarifies when operational and construction permits are required and updates key definitions used for plan review and inspection.
- Updates requirements related to fire apparatus access, emergency access, and water supply (e.g., access road standards, turnarounds, fire flow and hydrant spacing).
- Maintains and updates fire protection system standards, including fire sprinkler and alarm system criteria for certain new construction, additions, and alterations, where applicable.
- Updates fire safety during construction and requirements related to hazardous materials management and reporting.

Ordinance 26-02 – Wildland-Urban Interface (WUI) Code (2025 California WUI Code)

- Adopts the 2025 California WUI Code and specified appendices to establish wildfire-resilient construction standards within designated WUI areas.
- Includes local amendments addressing ignition-resistant construction and related site design and fire protection features intended to reduce wildfire ignition risk and improve emergency response in the WUI.

Fuel mitigation and exterior hazard abatement standards (vegetation management) are addressed through separate MOFD ordinances and programs. Those requirements are not part of MOFD Ordinance 26-01 or Ordinance 26-02.

The local amendments contained within MOFD Ordinances 26-01 and 26-02 were determined by the MOFD Board to be reasonably necessary due to local climatic, geological, and topographical conditions and are supported by MOFD's findings of fact. The ordinances will not be effective within the Town until ratified by the Moraga Town Council pursuant to California Health and Safety Code section 13869.7.

Pursuant to section 13869.7, the Town may ratify, modify, or deny MOFD's adopted

ordinances, and must transmit its determination to MOFD within 15 days of the determination. Upon ratification, the Town must file a copy of MOFD's findings, and any Town findings, together with the adopted ordinances, with the State Department of Housing and Community Development (HCD).

Town staff reviewed the ordinances and provided suggested revisions to MOFD staff prior to adoption of the ordinances.

Staff recommends ratifying the ordinances to enable MOFD to enforce the requirements.

FISCAL IMPACT

There would be no fiscal impact on the Town of Moraga, as MOFD enforces the Fire Code.

CEQA COMPLIANCE

Ratification of the MOFD ordinances is exempt from the California Environmental Quality Act (CEQA), in that the adoption of State codes and the local amendments herein described do not have the potential for causing a significant effect on the environment, pursuant to Sections 15061(b)(3) and 15378(b) (5) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations).

ALTERNATIVES

1. Adopt the proposed resolution
2. Do not adopt the resolution. The local amendments in the MOFD Ordinances would not be effective in the Town, or
3. Provide an alternative direction to the staff.

NEXT STEPS

If the Town Council ratifies the Resolution, staff will transmit a copy to MOFD within 15 days. Staff will also transmit a copy of MOFD's findings, and any Town findings, together with the adopted ordinances, to HCD.

ATTACHMENTS

[Attachment A - Proposed Resolution Ratifying MOFD Fire Code with Attachments.pdf](#)

[Attachment B - MOFD 2025 Fire Code Ordinance 26-01.pdf](#)

[Attachment C - California Wildland-Urban Interface Code 26-02.pdf](#)

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MORAGA RATIFYING MORAGA-ORINDA FIRE DISTRICT ORDINANCE 26-01 (FIRE CODE) AND ORDINANCE 26-02 (WILDLAND URBAN INTERFACE CODE) ADOPTING THE 2025 EDITIONS OF THE CALIFORNIA FIRE CODE AND CALIFORNIA WILDLAND-URBAN INTERFACE CODE, AND THE 2024 EDITION OF THE INTERNATIONAL FIRE CODE BY REFERENCE, WITH CERTAIN LOCAL AMENDMENTS, AND ADOPTING FINDINGS OF FACT TO SUPPORT THE LOCAL AMENDMENTS

WHEREAS, the Town of Moraga lies within the geographical boundaries of the Moraga-Orinda Fire District (MOFD); and

WHEREAS, MOFD has responsibility for fire protection within said geographical boundaries; and

WHEREAS, on January 1, 2026, the 2025 edition of the California Fire Code (California Code of Regulations, Title 24, Part 9) (the “Fire Code”) went into effect; and

WHEREAS, MOFD’s local amendments were developed in coordination with regional fire prevention partners and are intended to provide consistent, community-appropriate standards that reflect wildfire and emergency access conditions within the MOFD service area; and

WHEREAS, MOFD staff consulted with Town staff, and Orinda City staff, to solicit feedback and refine the proposed code changes; and

WHEREAS, on January 21, 2026, the MOFD Board of Directors adopted Ordinance No. 26-01 (“Ordinance 26-01”), adopting the 2025 edition of the California Fire Code, including specified appendices, as modified with local amendments, and adopting by reference the International Fire Code, 2024 edition; and

WHEREAS, on January 21, 2026, the MOFD Board of Directors adopted Ordinance No. 26-02 (“Ordinance 26-02”), adopting the 2025 California Wildland-Urban Interface Code, including specified appendices, as modified with local amendments, and adopting required supporting findings; and

WHEREAS, MOFD transmitted Ordinances 26-01 and 26-02 to the Town for consideration and ratification on January 23, 2026; and

WHEREAS, pursuant to Section 13869.7(c) of the California Health and Safety Code, such Ordinances containing such modifications are not effective within the jurisdictional boundaries of the Town of Moraga until ratified by the Town Council; and

WHEREAS, said amendments are necessary because of the climatic, geologic,

and topographical conditions within the district boundaries as stipulated in the Findings of Fact stated in MOFD Ordinances 26-01 and 26-02 for adoption of the MOFD Fire Code.

RECITALS

1. The recitals above are true and correct and incorporated herein by reference. The recitals constitute findings in this matter, and together with Project Information, serve as an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

CEQA

1. Adoption of this Resolution ratifying MOFD Ordinances 26-01 and 26-02 is exempt from the California Environmental Quality Act (“CEQA”), in that the adoption of State codes and the local amendments herein described do not have the potential for causing a significant effect on the environment, pursuant to Sections 15061(b)(3) and 15378(b) (5) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations).

NOW THEREFORE, BE IT RESOLVED that the Town Council does ratify MOFD Ordinances 26-01 and 26-02, attached hereto, to be effective in the Town of Moraga.

BE IT FURTHER RESOLVED, that the Town Council of the Town of Moraga does hereby adopt MOFD’s Findings of Fact supporting the modifications to the Fire Code in MOFD Ordinance 26-01 and 26-02, as reasonably necessary because of local climatic, geological, or topographical conditions.

PASSED AND ADOPTED by the Town Council of the Town of Moraga at a regular meeting held on February 11, 2026, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

Kerry Hillis, Mayor

ATTEST:

Melisa Melcher Deputy Town Clerk

ORDINANCE NO. 26-01

AN ORDINANCE OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING THE 2025 EDITION OF THE CALIFORNIA FIRE CODE, INCLUDING SPECIFIED APPENDICES, AND AS MODIFIED, WITH LOCAL AMENDMENTS, AND BY REFERENCE, THE INTERNATIONAL FIRE CODE, 2024 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AND REPEALING ORDINANCE 23-01, ADOPTING FINDINGS SUPPORTING THE LOCAL AMENDMENTS, AND ADOPTING A FINDING THAT THE ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, pursuant to Title 24 of the California Code of Regulations, also known as the California Building Standards Code (“CBSC”) and California Health and Safety Code Section 13869 et seq., a fire protection district may adopt a fire prevention code by reference and may also, when reasonably necessary due to local climatic, geological, or topographical conditions, establish more stringent local building standards relating to fire and safety than those set forth in the CBSC; and

WHEREAS, pursuant to California Health and Safety Code sections 18941.5 and 17958.7, the Board of Directors of the Moraga-Orinda Fire Protection District hereby finds that the amendments adopted herein are reasonably necessary because of local climatic, geologic, and topographic conditions; and

WHEREAS, the Moraga-Orinda Fire Protection District (the “District” or the “Fire District”) now desires to adopt by reference an amended and restated District Fire Prevention Code that makes local amendments to the 2025 Edition of the California Fire Code; and

WHEREAS, this Ordinance was introduced and was adopted after the holding of a public hearing pursuant to California Health and Safety Code Section 13869.7 and California Government Code Section 50022.3.

NOW, THEREFORE, the Board of Directors, as the governing body of the Moraga-Orinda Fire District, does ordain as follows:

SECTION 1: LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS

Pursuant to Sections 13869.7, 17958.5, 17958.7, and 18941.5 of the California Health and Safety Code, the following Findings of Fact are submitted in support of the adoption of this Ordinance. These findings establish the legal and factual basis for local amendments to the 2025 California Fire Code and are reasonably necessary to protect the health, safety, and welfare of its citizens and property within the District.

Climatic Conditions

Ever-changing climatic conditions have increased the risk and severity of fires in the Fire District. Local climatic conditions of limited rainfall, low humidity, high temperatures, and high

winds, along with existing building construction and landscaping, create extremely hazardous fire conditions that adversely affect the potential fire line intensity, spread rates, and size of fires in the Fire District. The same climatic conditions may result in the concurrent occurrence of multiple fires in the Fire District and throughout the region resulting in inadequate Fire District personnel to protect against and control these fires.

The Fire District is the gateway to central Contra Costa County. It is located amongst rolling hills and valleys created by the Berkeley/Oakland hills to the west and open plains of central Contra Costa County to the east. Due to its location, the Fire District's climate is more varied than that of its neighbors. The Fire District receives slightly more rainfall than areas further inland, and often, during the summer months, portions of the Fire District are enveloped in fog as the heat in the Central Valley draws cool air in from the San Francisco Bay. However, the Fire District also experiences the hot, dry summer weather that is characteristic of central Contra Costa County. This climate has promoted the growth of native grasslands, chaparral, oaks, and other indigenous plant species in the area. The climate has encouraged development in the Fire District and the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over 100 hundred years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads throughout the Fire District. Due to the location of the Fire District in proximity to the Oakland/Berkeley Hills, in the fall the hot dry summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to more of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major fires.

In September 1923, during critical climatic fire conditions, a fire started in the wilderness lands of the Fire District's northern area. This fire spread into the city of Berkeley and, within two hours, was attacking houses within the City limits. A total of 130 acres of built-up territory burned. 584 buildings were wholly destroyed, with roughly 30 others seriously damaged. At that time, this was the most destructive fire in California history.

In September 1970, during critical climatic fire conditions characterized by hot, dry winds out of the northeast, a fire started along Fish Ranch Road and Grizzly Peak. This fire rapidly spread into the surrounding neighborhoods of Oakland, burning 400 acres and destroying 37 homes. An additional 18 homes were badly damaged before the fire was brought under control.

In August 1988, during critical climatic fire conditions, a small fire started near Crestview in Lost Valley and within minutes destroyed 5 homes. This fire's spread rate was increased by the prevalence of light flashy fuels and steep slopes in alignment with strong winds.

In October 1991, a disastrous firestorm burned through the Oakland hills from an ignition point just west of the Fire District's border. Within the first few hours, thousands of people were evacuated. Ultimately over 3,000 dwelling units were destroyed in what replaced the 1923 fire as the most destructive fire in California history.

On October 27, 2019, sustained single-digit relative humidity and 30+ mph winds created

explosive fire conditions throughout the region. On the same day that the Kincadee fire burned in Sonoma County, five major fires broke out in Contra Costa County. Three of these fires burned in proximity to the Fire District in Lafayette, Crockett, and Martinez and resulted in the depletion of available mutual aid resources as available firefighting units were committed to each new fire.

Throughout the Fire District, homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. During May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80F, wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to the east-southeast, and the ignition component is 65 or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year.

The critical climate fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wildland areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is made up of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes. The Fire District's amendments to the 2025 Fire Code are intended to better limit life safety hazards and property damage in the aftermath of seismic activity.

The Fire District is in a region of high seismic activity with the Hayward fault running just west of its border. The San Andreas fault is farther to the west and the Calaveras Fault to the east. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years, and they can be expected to do damage in the future. Of primary concern to the Fire District is the Hayward Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines. Intensified damage during an earthquake may be expected in slide areas, as well as residential hillside areas located within or near the fault zone. Some areas are steep and have previously been subjected to slides.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets, building fires as the result of broken service connection, trapped occupants in collapsed structures, and requirements to render first aid and other medical attention to many residents.

Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets with slide potential for blocking roads and limiting firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. Many situations will result in limited or totally blocked emergency vehicular traffic, overtaxed Fire District personnel, and a lack of resources for the suppression of fire in both structures and

vegetated areas in the Fire District. To mitigate the conditions that hinder the rapid response of suppression resources to a fire, automatic fire-extinguishing systems and other changes to the 2025 Fire Code are required. These requirements will buy time for residents to execute an orderly evacuation while allowing for access by firefighting resources.

The Fire District has many homes that are reached by narrow and winding paved streets, which hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. El Toyonal, Sleepy Hollow, the Downs, Canyon, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of North Orinda, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing streets to meet present standards for emergency operations, and fire hydrants, especially in the hillside areas, often have less than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire allowing the fire to increase in area. To mitigate the above situation that hinders the quick response to a fire, built-in automatic fire-extinguishing systems are required over and above state code requirements. The requirement and installation of such a system will allow for occupants to evacuate and allow the fire to be controlled before the Fire District arrives. This control of the fire also eliminates the potential for fire to spread beyond the structure into the vegetation.

SECTION 2: TITLE AND ENFORCEMENT

This Ordinance, including provisions adopted and incorporated by reference, shall be known as the “District Fire Prevention Code” of the Moraga-Orinda Fire Protection District and may be cited as such. It is also referred to herein as “this code” or the “Fire Code.”

No section of the District Fire Prevention Code shall impose a mandatory duty of enforcement on the Fire District, or on any officer, official, agent, employee, board, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the Fire District, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

The California Fire Code, including California Fire Code Standards, as adopted and amended herein, shall be enforced by the Moraga-Orinda Fire Protection District under the direction of the Fire Chief of the Moraga-Orinda Fire Protection District or the Fire Chief’s designated

representative. The Fire Chief or the Fire Chief's designated representative shall be known as the Fire Code Official.

SECTION 3. ADOPTION OF THE CALIFORNIA FIRE CODE

A. For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, or hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises, and in accordance with Section 13869 and 13869.7 of the California Health and Safety Code, the Moraga-Orinda Fire District does hereby adopt the 2025 California Fire Code (California Code of Regulations, Title 24, Part 9 [based on the 2024 International Fire Code published by the International Code Council]), including Chapters 1-80 and Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I, Appendix J, Appendix K, Appendix L, Appendix M, Appendix N, Appendix O, Appendix P, as amended by changes, additions, and deletions set forth in this ordinance. The District hereby adopts the 2025 California Fire Code, on file in the office of the Moraga-Orinda Fire District, by this reference as though fully set forth in this ordinance, with the additions, insertions, deletions and changes prescribed in Section 4 of this ordinance. As of the effective date of this ordinance, the provisions of this fire code are controlling and enforceable within Moraga-Orinda Fire District.

B. The adoption of this Code does not supersede, repeal, limit, or replace, any other existing District Ordinances concerning fire prevention, including, but not limited to, District Ordinances No. 23-03, 23-08 and 25-03, as they now exist and as they may be amended. To the extent the provisions of any other District Ordinances concerning fire prevention are inconsistent or in conflict with this Code, the most restrictive provisions shall control.

C. The adoption of this Code shall not be construed to limit, alter, or otherwise supersede the authority of the District to establish non-building restrictions or regulations related to fire prevention as otherwise authorized by law including, but not limited to, Public Resources Code section 4117. The District's establishment of any such non-building restrictions or regulations related to fire prevention shall control over any provisions in this Code relating to non-building standards.

SECTION 4: LOCAL AMENDMENTS, MODIFICATIONS AND DELETIONS TO THE CALIFORNIA FIRE CODE

Based upon the findings of the Board of Directors of the Moraga-Orinda Fire Protection District regarding local climatic, topographical, and geological conditions, the following sections and/or subsections of the 2025 California Fire Code are amended or modified as set forth in this section. If a section is not referenced below, it remains adopted as unchanged.

In adopting the 2025 California Fire Code, it is the Board of Directors' intent to apply this Code in all areas of the District.

The 2025 California Fire Code is amended by the changes, additions and modifications set forth in this Section. Chapter and Section numbers used in this Section are those of the 2025 Fire Code.

Chapter 1. Scope and Administration.

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fire Code of the Moraga-Orinda Fire Protection District (“the District”) and are hereinafter referred to as "this code."

Section 102.1 is amended to add item 5 to read:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of the district.

Section 105.5 is amended to read:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.5.1 through 105.5.59.

Section 105.6 is amended to read:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.29

Section 105.6 is amended by adding Sections 105.6.26 through 105.6.29 to read:

105.6.26 Access for fire apparatus. Plans shall be submitted to the fire code official, and a construction permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which District access is required by this code.

105.6.27 Construction, Substantial Alterations and Substantial Additions for which a building permit is required. Plans shall be submitted to the fire code official, and a construction permit is required for all substantial alterations of and all substantial additions to a building within the District.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or substantial alteration

105.6.28 Subdivision of Land. Plans shall be submitted to the fire code official, and a construction permit is required for all developments or improvements proposed within the District that involve the subdivision of land.

105.6.29 Water supply for fire protection. Plans shall be submitted to the fire code official, and a construction permit is required for the purpose of determining whether adequate

water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the District pursuant to Section 507.

Section 113.4 is amended to read:

113.4 Violation penalties. Every person who violates any 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 an infraction or misdemeanor in accordance with Health and Safety Code Section 13871. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained after due notice has been served shall constitute a separate offense.

Section 113.4.2 is added to read:

Section 113.4.2 Other penalties and remedies. Nothing in this Section 112.4 shall limit the fire code official from pursuing other available legal remedies for violations of this code, including but not limited to administrative citations and attendant fines, civil penalties, and administrative and summary abatements.

Chapter 2. Definitions.

Section 202 is amended by adding the following definitions:

ADMINISTRATOR. Shall mean the Fire Chief or the Fire Chief's authorized representative.

AERIAL PRE-PLANS. An overhead layout of a parcel containing structure(s) that identifies specific first responder related items to assist in effectively managing incidents and events for the protection of occupants, responding personnel, property, and the environment. The pre-plan shall be developed in accordance with a format approved by the District. Pre-plan symbols shall comply with the format approved by the District.

ALL-WEATHER DRIVING SURFACE. A roadway with a minimum surface finish that is designed to carry the imposed weight loads of fire apparatus.

BOARD OF DIRECTORS. The governing body of the District.

COMBUSTIBLE MATERIAL. Rubbish, litter, or material of any kind, other than hazardous vegetation, that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire

station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, driveway, parking lot lane and access roadway.

FIRE TRAIL. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and assist in preventing surface extension of fires. Must be able to support the safe travel of a Type 3 Fire Apparatus.

HAZARDOUS VEGETATION. Vegetation that is combustible and endangers the public safety by creating a fire hazard, including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying, or diseased trees, and any other vegetation as determined by the fire code official.

KEY BOX OR KNOX BOX. A UL (Underwriters Laboratory) Listed box, the size and style of which is approved by the fire code official, that meets the requirements of, and uses the same security key code adopted by, the District.

MOBILE FOOD DISPENSING VEHICLES. Any Vehicles that contain cooking equipment that produce smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

NEW CONSTRUCTION. Any new structure that requires a building permit or any construction that meets this code's definition of a substantial addition or a substantial alteration shall be deemed new construction.

NUISANCE FIRE ALARM. The activation of any fire protection or alarm system which results in the response of the District and is caused by malfunction, improper maintenance, negligence, or misuse of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

PARCEL. A legal lot of any size

PUBLIC NUISANCE. A declaration by the Fire Code Official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876) or any violation of this code.

RESPONSE TIME. The elapsed time from receipt of call to the arrival of the first unit on scene.

SPRINKLER ALARM AND SUPERVISORY SYSTEM (SASS). A Dedicated Function Fire Alarm System located at the protected premises installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a building fire alarm is not required.

STREETS. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks

and curbs, highways, public right of ways, private road, public road, paper street, and easements.

SUBSTANTIAL ADDITION. The addition of new gross floor area that exceeds fifty percent of the existing gross floor area or the addition of new gross floor area that results in the building having a gross floor area of 3,600 sq. ft. or greater.

SUBSTANTIAL ALTERATION. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Chapter 4. Emergency Planning and Preparedness.

Section 401.5.1 is added to read:

401.5.1 Nuisance Fire Alarm. A fee may be charged for nuisance fire alarms in accordance with a fee schedule adopted by the Board of Directors.

Section 401.10 is added to read:

401.10 Aerial Pre-Plans. For all new construction, the fire official is authorized to require a fire aerial pre-plan to be prepared by an approved vendor.

Section 403.11.1 is amended to read:

403.11.1 Standby Personnel. Where, in the opinion of the fire code official or fire chief, it is essential for public safety in a place of assembly, or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall provide standby personnel as required and approved by the fire code official or fire chief. If the activity requires fire watch, fire watch shall be provided in accordance with Sections 403.11.1.1 and 403.11.1.2. Standby personnel needed for EMS standby shall be provided in accordance with Contra Costa County EMS Protocols.

Chapter 5. Fire Service Features.

Section 503.1.1 is amended to read:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. The fire code official is authorized to increase the dimension to 250 feet where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

Section 503.1.4 is added to read:

503.1.4 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development or construction of any kind, the developer or owner of the parcel shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access requires written approval of the fire code official.

Section 503.1.5 is added to read:

503.1.5 Existing fire trail systems shall be maintained. When conditions make maintenance of existing trails impractical, alternate means of access shall be provided by the owner of the parcel and the alternate means of access must be approved by the fire code official.

Section 503.2.1 is amended to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 28 feet (8,534.4 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4,572mm).

Section 503.4.1 is amended to read:

503.4.1 Traffic Calming Devices. Traffic calming devices shall be prohibited in all VHFHSZ. All fire apparatus access roads approved for traffic calming devices shall have a second unobstructed means of egress for evacuations. All applications for traffic calming devices shall provide the following information:

1. Traffic volume.
2. Posted speed limit.
3. Number of accidents in three previous years attributed to excessive speed.
4. The Traffic Engineers' determination that the site is suitable.
5. Summary of education efforts.
6. Summary of enforcement efforts.
7. Number of citations or warnings issued.

Section 506.1.3 is added to read:

506.1.3 Knox Rapid Entry System key box contents. The key boxes shall contain, but not be limited to, the following items as designated by the fire code official.

1. Labeled keys to locked points of egress, whether in interior or exterior of the building or buildings.
2. Labeled Keys to the locked mechanical rooms.
3. Labeled keys to any fence or secured areas not covered in Section 506.1.
4. Labeled keys to any other areas that may be required by the fire code official.
5. A card containing the names and telephone numbers for the emergency contact people for each occupancy.
6. Safety Data Sheet (SDS).
7. Aerial pre-plan.
8. Keypad code

Section 506.2.1 is added to read:

506.2.1 Knox Box Upgrade. All current businesses and occupancies with current Knox Boxes shall upgrade their lockbox to the eCore Technology by December 31, 2028.

Chapter 9. Fire Protection Systems.

Section 901.6.3.2 is added to read:

901.6.3.2 Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be submitted to a third-party electronic record keeping service as chosen by the District.

Section 902.1 is amended to add:

Substantial Addition. The addition of new gross floor area that exceeds fifty percent of the existing gross floor area or the addition of new gross floor area that results in the building having a gross floor area of 3,600 sq. ft. or greater.

Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.1 is amended to read:

903.1 General. Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings. An automatic sprinkler

system shall be provided for all new buildings with a gross floor area that exceeds 5,000 square feet, and in the locations set forth in Section 903.

Exception: Group U occupancies.

Section 903.2.1.1 is amended to read:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

Section 903.2.1.3 is amended to read:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.1.4 is amended to read:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Section 903.2.2 is added to read:

903.2.2 Group B. An automatic sprinkler system shall be provided for Group B occupancies and intervening floors of the building where the fire area exceeds 5,000 square feet.

Section 903.2.3 is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for new Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 2,000 square feet in area.
Exception: An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet.
2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.
Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.
3. The Group E fire area has an occupant load of 300 or more.
4. In rooms or areas with special hazards such as laboratories, vocational shops, and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
5. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.
6. For public school state-funded construction projects, see Section 903.2.19.
7. For public school campuses, Kindergarten through 12th grade, see Section 903.2.20.

Section 903.2.4 is amended to read:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group F-1 occupancy is used for the manufacture of upholstered furniture or mattresses

exceeding 2,500 square feet.

Section 903.2.4.4 is added to read:

903.2.4.4 Group F-2. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-2 occupancy greater than 5,000 square feet.

Section 903.2.7 is amended to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 5,000 square feet.
4. A Group M occupancy is used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.
5. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.8.1.1 is added to read:

903.2.8.1.1 Group R-3 Substantial Addition or Alteration.

An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where either a substantial addition or substantial alteration occurs.

Section 903.2.9 is amended to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group S-1 occupancy is used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.9.1 is amended to read:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet or any tenant improvement to the structure exceeds 49% of the S-1 area.
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m²).

Section 903.2.10. is amended to read:

903.2.10. Group S-2 parking garages. An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:

1. Where the fire area of the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, exceeds 5,000 square feet.
2. Where the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, is located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

3. Where the fire area of the open parking garage, in accordance with Section 406.5 of the California Building Code, exceeds 48,000 square feet.

Section 903.2.10.3 is added to read:

903.2.10.3 Group S-2 low hazard storage. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.

Section 903.2.11.3 is amended to read:

Section 903.2.11.3 Buildings 35 feet or more in height. An automatic fire extinguishing system shall be installed in all occupancies regardless of type of construction, floor area, or occupancy load if the building is three stories or more than 35 feet in height measured in accordance with the California Building Code, Chapter 5.

Section 903.2.22 is added to read:

903.2.22 Fire Department Delivery Capability. An automatic fire sprinkler shall be installed in all new buildings and occupancies, or in existing buildings or structures that change occupancy classification or use, when the required fire flow exceeds 2,000 gallons per minute.

Section 903.3.1.1.5 is added to read:

903.3.1.1.5 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet, the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner occupant to upgrade the system.

Section 903.3.1.3.1 is added to read:

903.3.1.3.1. Eave protection. Sprinkler protection shall be provided under roof eaves (as defined in California Building Code Section 702A) in Fire Hazard Severity Zones and Wildland Urban Interface Fire Areas.

Section 903.3.5.3 is added to read:

903.3.5.3 Non-permissible water supply storage. Water supplies for automatic sprinkler systems shall not be supplied by swimming pools nor ponds.

Section 903.3.10 is added to read:

903.3.10 Floor control valves.

Floor control valves and waterflow detection assemblies shall be installed at each floor where any of the following occur:

4. Individual floor control valves and water flow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.

Exception: Group R-3 and R-3.1 Occupancies.

Section 903.6.2 is added to read:

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1011.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest

hazard).

Section 905.3.1, item 2, is amended to read:

905.3.1 Height.

2. Any building three (3) stories in height shall have a Class I standpipe installed that is interconnected with the fire sprinkler system.

Section 905.4, item 1, is amended to read:

905.4 Location of Class I standpipe hose connections.

1. In every required interior exit stairway or exterior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the intermediate floor landings unless otherwise approved by the fire code official. See Section 909.20.2.3 of the California Building Code for additional provisions in smokeproof enclosures.

Exception: A single hose connection shall be permitted to be installed in the open corridor or open breezeway between stairs that are not greater than 75 feet (22,860mm) apart.

Section 907.4.4 is added to read:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including, but not limited to, commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.6.

Section 907.6.6 is amended to read:

907.6.6 Monitoring. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exceptions: Monitoring by a UL-listed central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies, shall be monitored in accordance with Section 907.2.6.3.
3. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an

occupant load of 6 or less.

6. Occupancies with local fire alarm systems that will give an audible and visible signal at a constantly attended location, as approved by the fire code official.

Section 907.6.7 is added to read:

907.6.7 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.6.7.1 is added to read:

907.6.7.1 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Section 1028.5.1 is added to read:

1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather and shall terminate at a public way as defined in the California Building Code.

Chapter 33. Fire Safety during Construction and Demolition.

Section 3303.1.2 is added to read:

3303.1.2 Amendments. Amendments may be required to an approved site safety plan if deemed necessary by both the building official and fire official based on previous fires or hazards that occurred on site or within the District.

Section 3303.1.3 is added to read:

3303.1.3 Site Security requirements. Site security requirements shall include the following if deemed necessary by both the building official and fire code official:

1. Controlled access points.
2. Site fencing, up to 12 feet in height with tamper sensors and security wires on top.
3. Security guards, full-time 24/7 presence on-site, to perform fire watch and patrols.

4. Detection check points located throughout the buildings for fire watch and patrol verification.
5. Security camera coverage throughout the site with motion detection notifications.
6. Identify measures taken to prevent tampering with security cameras and motion sensors.
7. Necessary lighting throughout the project site.

Chapter 50. Hazardous Materials - General Provisions.

Section 5001.5.1, is amended to add items 10 and 11 to read:

5001.5.1 Hazardous Material Management Plan (HMMP). Where required by the fire code official, an application for permit shall include an HMMP. The HMMP shall include an aerial pre-plan of the facility to designate the following:

10. Fire Department related safety equipment including:

- A. Fire Alarm Control Panel (FACP)
- B. Sprinkler riser
- C. Fire Department Connection (FDC)
- D. Knox Box location
- E. Gas valve shutoff
- F. Electrical main shutoff
- G. Water shutoff
- H. Elevator equipment room

11. A Site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE)-stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility. Refer to NFPA 550 & 551 for references.

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information must be stored at a readily accessible location as determined by the fire code official. This location may be in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer-aided dispatching.

Section 5003.9.1.2 is added to read:

5003.9.1.2 Documentation. Evidence of compliance with the provisions of this chapter as well as

with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56. Explosives and Fireworks.

Section 5601.1.3 is amended to read:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks within all areas of Contra Costa County are prohibited.

Exceptions:

1. Storage and handling of fireworks as permitted in Section 5604.
2. Manufacture, assembly and testing of fireworks as permitted in Section 5605 and Health and Safety Code Division 11.
3. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as permitted in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

Section 5601.2.4 is amended to read:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the District a corporate surety bond in the principal sum of \$2,000,000, or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608.

Chapter 57. Flammable and Combustible Liquids.

Section 5703.3.1 is added to read:

5703.3.1 Facility Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE)-stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility when required by the fire official. Refer to NFPA 550 & 551 for references.

Section 5704.2.9.6.1 is amended to read:

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and on an individual basis as approved by the fire code official. Tank size shall not exceed 1,100 gallons for any class of liquids.

Section 5706.2.4.4 is amended to read:

Section 5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and on an individual basis as approved by the fire code official. Tank size shall not exceed 1,000 gallons for any class liquids.

Chapter 58. Flammable Gasses and Flammable Cryogenic Fluids.

Section 5806.2 is amended to read as follows:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Section 6103.2.1.7 is amended to read:

6103.2.1.7 Use for food preparation. Individual portable LP-gas containers used, stored, or handled inside a building classified as a Group A, Group B, or Group M occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the fire code official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.

Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2015): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 850 (2015): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations

Chapter 80 is further amended by amending the NFPA 13D (2016) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Table B105.2 is amended to read:

**TABLE B105.2
Required Fire-Flow for Buildings Other Than
One- and
Two-Family Dwellings, Group R-3 and R-4
Buildings and Townhouses**

AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)	MINIMUM FIRE- FLOW (GALLONS PER MINUTE)	FLOW DURATION (HOURS)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 Lit

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

Appendix C. Fire Hydrant Locations and Distribution.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read:

TABLE C102.1 REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS
(footnotes h and j)

The heading of the fourth column of Table C102.1 is amended to read:

MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE
TO A HYDRANT (d, f, g, i)

Footnotes "i" and "j" are added to Table C102.1, to read:

- i. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.
- j. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

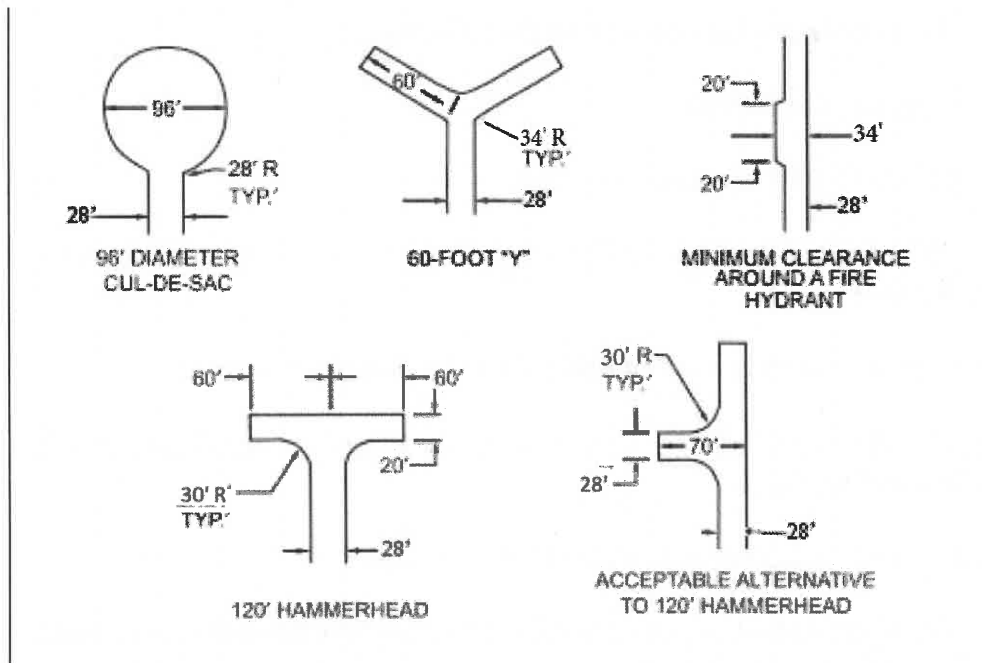
Appendix D. Fire Apparatus Access Roads.

Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34,050 kg)

Exception: Driveways serving one or two single-family dwellings may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.

Figure D103.1 is amended to read:



Section D103.2.1 is added, to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent grade at 10 feet of the grade break.

Section D103.3 is amended to read:

D103.3 Turning radius. Based on a minimum unobstructed width of 28 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 28 feet (8,534.4 mm) inside and 48 feet (14,630.4 mm) outside.

Table D103.4 is amended to read:

**Table D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	28	None required
151 - 750	28	120-foot Hammerhead, 96-foot-diameter cul-de-sac, or 60-foot "Y" configuration in accordance with figure D103.1
Over 750		Special approval required

- a. A driveway with a minimum width of 18 feet is acceptable for access to no more than two dwelling units. Parking is **not** permitted on the roadway.
- b. Any fire apparatus access roadway or driveway that is approved to be more than 750 feet in length and less than 28 feet wide shall have outlets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the fire code official. Each outlet or turnout shall be of the following dimensions: an 8-foot-wide turnout that extends at least 40 feet in length.

Section D103.5 is amended to add Criteria 9:

D103.5 Fire Apparatus Access Road Gates. 9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6 is amended to read

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent “NO PARKING—FIRE LANE” signs. Enforcement. Fire lane restrictions established under this section shall be enforceable by both the fire code official and local law enforcement. Local law enforcement agencies are authorized to issue citations, order the removal of vehicles, and take other enforcement actions necessary to maintain fire apparatus access roads clear of obstructions. Vehicles parked in violation of this section may be cited and towed at the owner’s expense.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.

Section D105.2 is amended to read:

D105.2 Width. Aerial Access. Aerial access roads shall have a minimum width of 36 feet (10973 mm) exclusive of shoulders, in the immediate vicinity of the building or portion thereof. Aerial access is required when building height is 30 feet or greater.

Section D107.1. is amended to read:

D107.1. One- or two-family dwelling residential developments. Required fire apparatus access roads for residential developments. The minimum number of access roads serving residential development(s) shall be based upon the number of dwelling units served as follows:

1. 1-20 units, one public or private fire apparatus access road.
2. 21-50 units, two public or private fire apparatus access road as approved by the fire code official.
3. 51-101+ units, three or more public or private fire apparatus access roads as approved by the fire code official.
4. Nothing in this section shall be construed to limit the creation of accessory dwelling units that are otherwise authorized by law.

Exception: The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

The following exception is added Section D107.2:

Exception: The fire code official may approve an alternative, circular route of travel with the entrance and exit points closer than required by this section. A fire protection plan shall be submitted addressing Wildfire risk when the fire apparatus access roadways do not meet the remoteness requirement.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

Ordinance 23-01, adopting and amending the California Fire Code (2022 Edition) is hereby repealed.

SECTION 6. ADOPTION OF CEQA FINDINGS.

The Moraga-Orinda Fire Protection District Board finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Title 14, Chapter 3, California Code of Regulations Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the adoption of this Ordinance will have a significant effect on the environment. The Ordinance adopts standard codes in effect pursuant to state law and sets requirements for compliance. The adoption of this Ordinance does not entitle new development or any changes to the physical environment.

SECTION 7. SEVERABILITY.

- A. If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.

- B. All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this Ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION 8. DATE OF EFFECT

This Ordinance shall, within fifteen (15) days of its passage, be published once in the *Contra Costa Times*, a newspaper of general circulation within the District, together with the names of the Directors voting for and against it.

This Ordinance shall take effect thirty (30) days after its adoption, except that the building standards in this Ordinance shall not take effect within any municipality located in the District until ratified by the governing body of that municipality. The building standards in this Ordinance shall not take effect within the unincorporated areas of the District until ratified by the Board of Supervisors of the County of Contra Costa.

PASSED, APPROVED and ADOPTED this 21st day of January at the regular meeting of the District Board of Directors held at 26 Orinda Way, Orinda, California 94563 on January 21, 2026, on a motion made by Director Hasler, seconded by Director Jex, and duly carried with the following roll call vote:

AYES: DIRECTORS HASLER, JEX, ROEMER, AND DANZIGER
NOES: NONE
ABSENT: DIRECTOR JORGENS
ABSTAIN: NONE

ORDINANCE 26-01

ATTEST:


Steven Danziger (Jan 23, 2026 11:03:19 PST)

**Steven Danziger, Vice President
Board of Directors**

I certify that this is a full, true and correct copy of the original document which is on file in my office, and that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:


Marcia Holbrook (Jan 23, 2026 11:04:58 PST)

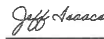
**Marcia Holbrook
District Secretary/District Clerk**

APPROVED AS TO FORM:


Jonathan V. Holtzman (Jan 23, 2026 10:58:51 PST)

**Jonathan V. Holtzman
District Counsel**

APPROVED AS TO CONTENT:



**Jeff Isaacs
Fire Chief**

ORDINANCE NO. 26-02

AN ORDINANCE OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING THE 2025 CALIFORNIA WILDLAND-URBAN INTERFACE CODE. INCLUDING SPECIFIED APPENDICES, AND AS MODIFIED WITH LOCAL AMENDMENTS, AND ADOPTING A FINDING THAT THE ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, pursuant to Title 24 of the California Code of Regulations, also known as the California Building Standards Code (“CBSC”) and California Health and Safety Code Section 13869 et seq., a fire protection district may adopt a fire prevention code by reference and may also, when reasonably necessary due to local climatic, geological, or topographical conditions, establish more stringent local building standards relating to fire and safety than those set forth in the CBSC; and

WHEREAS, pursuant to California Health and Safety Code sections 18941.5 and 17958.7, the Board of Directors of the Moraga-Orinda Fire Protection District hereby finds that the amendments to building standards adopted herein are reasonably necessary because of local climatic, geologic, and topographic conditions; and

WHEREAS, pursuant to California Health & Safety Code sections 18941.5 and 17958.7, the amendments to building standards adopted herein satisfy the following legal requirements as applied to residential units:

1. The amendments are substantially equivalent to amendments that were in effect as of September 30, 2025; or
2. The amendments relate to home hardening; and

WHEREAS, the Moraga-Orinda Fire Protection District (the “District” or the “Fire District”) now desires to adopt by reference the 2025 Edition of the California Wildland-Urban Interface Code with local amendments; and

WHEREAS, this Ordinance was introduced and was adopted after the holding of a public hearing pursuant to California Health and Safety Code Section 13869.7 and California Government Code Section 50022.3.

NOW, THEREFORE, the Board of Directors, as the governing body of the Moraga-Orinda Fire District, does ordain as follows:

SECTION 1: LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS

Pursuant to Sections 13869.7, 17958.5, 17958.7, and 18941.5 of the California Health and Safety Code, the following Findings of Fact are submitted in support of the adoption of this Ordinance. These findings establish the legal and factual basis for local amendments to the 2025 Wildland- Urban Interface Code and are reasonably necessary to protect the health, safety, and welfare of its citizens and property within the District.

The Board of Directors finds that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions make it necessary for effective fire

protection to apply the Home Hardening Building Standards throughout the Fire District.

Climatic Conditions

Ever-changing climatic conditions have increased the risk and severity of fires in the Fire District. Local climatic conditions of limited rainfall, low humidity, high temperatures, and high winds, along with existing building construction and landscaping, create extremely hazardous fire conditions that adversely affect the potential fire line intensity, spread rates, and size of fires in the Fire District. The same climatic conditions may result in the concurrent occurrence of multiple fires in the Fire District and throughout the region resulting in inadequate Fire District personnel to protect against and control these fires.

The Fire District is the gateway to central Contra Costa County. It is located amongst rolling hills and valleys created by the Berkeley/Oakland hills to the west and open plains of central Contra Costa County to the east. Due to its location, the Fire District's climate is more varied than that of its neighbors. The Fire District receives slightly more rainfall than areas further inland, and often, during the summer months, portions of the Fire District are enveloped in fog as the heat in the Central Valley draws cool air in from the San Francisco Bay. However, the Fire District also experiences the hot, dry summer weather that is characteristic of central Contra Costa County. This climate has promoted the growth of native grasslands, chaparral, oaks, and other indigenous plant species in the area. The climate has encouraged development within the Fire District, with the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over one hundred years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads throughout the Fire District. Due to the location of the Fire District in proximity to the Oakland/Berkeley Hills, in the fall the hot dry summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to more of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major fires.

In September 1923, during critical climatic fire conditions, a fire started in the wilderness lands of the Fire District's northern area. This fire spread into the city of Berkeley and within two hours was attacking houses within the City limits. A total of 130 acres of built-up territory were burned. 584 buildings were destroyed, with roughly 30 others seriously damaged. At that time, this was the most destructive fire in California history.

In September 1970, during critical climatic fire conditions characterized by hot, dry winds out of the northeast, a fire started along Fish Ranch Road and Grizzly Peak. This fire rapidly spread into the surrounding neighborhoods of Oakland, burning 400 acres and destroying 37 homes. An additional 18 homes were badly damaged before the fire was brought under control.

In August 1988, during critical climatic fire conditions, a small fire started near Crestview in Lost Valley and within minutes destroyed 5 homes. This fire's spread rate was increased by the prevalence of light flashy fuels and steep slopes in alignment with strong winds.

In October 1991, a disastrous firestorm burned through the Oakland hills from an ignition point just west of the Fire District's border. Within the first few hours, thousands of people were evacuated. Ultimately over 3,000 dwelling units were destroyed in what replaced the 1923 fire as the most destructive fire in California history.

On October 27, 2019, sustained single-digit relative humidity and 30+ mph winds created explosive fire conditions throughout the region. On the same day that the Kincadee fire burned in Sonoma County, five major fires broke out in Contra Costa County. Three of these fires burned in proximity to the Fire District in Lafayette, Crockett, and Martinez and resulted in the depletion of available mutual aid resources as available firefighting units were committed to each new fire.

Throughout the Fire District homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. From May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80°F, wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to east-southeast, and the ignition component is 65 percent or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year.

These critical climatic fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wildland areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

Vegetative Conditions

The Fire District is located in a “Chaparral Biome.” In its natural state, chaparral is characterized by infrequent fires, with intervals ranging between 10 to 15 years to over a hundred years. Mature chaparral (stands that have been allowed greater intervals between fires) is characterized by impenetrable, dense thickets. These plants are highly flammable. They grow as woody shrubs with hard and small leaves, are non-leaf dropping (non-deciduous), and are drought tolerant. After the first seasonal rains following a fire, the landscape is dominated by soft-leaved, non-woody annual plants, known as fire followers, which die back with the summer dry period. The California Interior Chaparral and Woodlands Eco-Region covers 24,900 square miles in an elliptical ring around the California Central Valley. It occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It is part of the Mediterranean forests, woodlands, and scrub biome. Many of the plants are pyrophytes, or “fire-loving,” adapted to (or even depending on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Many plant and animal species in this ecoregion are adapted to periodic fires.

The Fire District’s chaparral vegetation includes chamise, manzanita, buckeye, and ceanothus. Oak woodlands are the most widespread, with blue oak dominating, but the chaparral vegetation also includes scrub oak, coast live oak, canyon live oak, valley oak, and interior oak. Open grasslands are the primary understory within the oak savannah woodlands. In areas with interlocking tree canopy, primarily north and east-facing slopes, the understory is primarily tree duff and litter.

All vegetation in the Fire District reaches some degree of combustibility during the dry summer months, and under certain conditions, during the winter months. For example, as chaparral and other brush species age, twigs and branches within the plants die and are held in place, increasing the decadent material component. A stand of 10 to 20-year-old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Due to the higher fuel load, fires in brush fields also yield much higher fire line intensity.

In severe drought years, additional plant material may die, contributing to the fuel load. There will normally be enough dead fuel load that has accumulated in 20 to 30-year-old brush to give rates of

spread about twice as fast as the rates of spread in a grass fire. Under moderate weather conditions that produce a spread rate of a one-half foot per second in grass, a 20- to 30-year-old stand of brush may have a rate of fire spread of approximately one foot per second. Fire spread in old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions, these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour. Residential structures within the wildland intermix or interface near mature brush fields are thus at greater threat from wildfire.

Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is made up of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes. The Hayward fault runs just west of its border, the San Andreas fault is farther to the west, and the Calaveras Fault to the east. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years, and they can be expected to do damage in the future. Of primary concern to the Fire District is the Hayward Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines. Intensified damage during an earthquake may be expected in slide areas, as well as residential hillside areas located within or near the fault zone.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets, building fires as the result of broken service connections, trapped occupants in collapsed structures, and requirements to render first aid and other medical attention to many residents.

Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets and landslide potential for blocking roads and limiting firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. The result may be limited or eliminated Fire District emergency vehicular traffic, overtaxed Fire District personnel, and a lack of resources for the suppression of fire in both structures and vegetated areas in the Fire District. To mitigate the conditions that hinder the rapid response of suppression resources to a fire, enhanced fuel mitigation requirements are necessary over and above state code requirements. These requirements will buy time for residents to execute an orderly evacuation while allowing for access by firefighting resources.

The Fire District has many homes that are reached by narrow and winding paved streets that hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. El Toyonal, Sleepy Hollow, the Downs, Canyon, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of North Orinda, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing

streets to meet present standards for emergency operations, and fire hydrants, especially in the hillside areas, often have less than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire, allowing the fire to increase in area. In order to mitigate the above situation, which hinders the quick response to a fire, more stringent fuel mitigation and exterior hazard abatement standards are required over and above state code requirements. These standards will operate to slow or stop a fire's advance, thus allowing residents to evacuate, and buying time for the aggregation of an effective firefighting response. These standards also reduce the potential for fire to spread beyond the parcel of origin.

Environmental Damage

- (1) Uncontrolled wildfire causes significant environmental impacts in the Fire District. These impacts include loss of vegetation and biodiversity; the potential for post-fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHGs), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These impacts in turn can damage and sometimes destroy local natural resources.
- (2) The Ordinance is intended to minimize the loss of structures and environmental and natural resources impacts of uncontrolled wildfire, including loss of vegetation and biodiversity; potential for post-fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHG), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. The effect of these environmental and natural resources can also lead to public health impacts.
- (3) Furthermore, fires that occur in the built environment contribute to air contamination from the fire plume, whose deposition is likely to subsequently include land and water contamination, contamination from water runoff containing toxic products, and other environmental discharges or releases from burned materials.
- (4) Studies have shown that low-intensity, controlled fire enhances biodiversity by controlling invasive and noxious weed species, thereby allowing native plants to compete more effectively, as well as opening overgrown understory to allow for wildlife to move more freely across the landscape. Additionally, several of the endemic species of the region require fire to germinate. With low-intensity fire, the chaparral habitat would become more stratified in life stages, thereby increasing its fire resiliency and habitat value.
- (5) Reducing the potential for and the severity of high-intensity uncontrolled wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and ensure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.
- (6) Wildfires are inevitable in a fire-dependent ecosystem such as California. Wildfires often occur and are usually uncontrolled and fast-moving with high intensity. They put lives and property in clear and imminent danger every year and cause immense damage to structures and the environment. In the absence of measures to manage outcomes, wildfire is likely to lead to structure loss and damage to the environment as a result of uncontrolled fast-moving and high-intensity fires. As stated under Sections 4(a), 4(b), and 4(c) of this Ordinance, the California Legislature has found that "Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California." Since October 30, 2015, the State has been under a Governor's State of Emergency Proclamation due to the increased risk of wildfires related to vast tree mortality. In addition, according to the California Office of

Emergency’s website, the State is currently under numerous separate State of Emergency Proclamations issued by the Governor related to wildfires.

<https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>

- (7) The need for immediate action to prevent uncontrolled wildfire and its associated damage to life, health, property, and essential public services is also well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.
- (8) Some of California’s largest, deadliest, and most destructive uncontrolled wildfires have occurred within the last several years. In January 2025, uncontrolled wildfires in Los Angeles County caused widespread devastation.
- (9) Uncontrolled wildfires are emergencies, involving clear and imminent dangers, demanding immediate action to prevent or mitigate loss of, or damage, to life, health, property, or essential public services. This Ordinance establishes actions necessary to prevent or mitigate such emergencies.

SECTION 2: TITLE AND ENFORCEMENT

This Ordinance, including provisions adopted and incorporated by reference, shall be known as the “District Wildland-Urban Interface Code” of the Moraga-Orinda Fire Protection District Fire Protection District and may be cited as such. It is also referred to herein as “this code” or the “WUI Code.”

No section of the District Wildland-Urban Interface Code shall impose a mandatory duty of enforcement on the Fire District, or on any officer, official, agent, employee, board, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the Fire District, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

The California Wildland-Urban Interface Code, as adopted and amended herein, shall be enforced by the Moraga-Orinda Fire Protection District under the direction of the Fire Chief of the Moraga-Orinda Fire Protection District or the Fire Chief’s designated representative. The Fire Chief or the Fire Chief’s designated representative shall be known as the Fire Code Official.

SECTION 3. ADOPTION OF THE CALIFORNIA WILDLAND-URBAN INTERFACE CODE

A. The Moraga-Orinda Fire Protection District hereby adopts the 2025 California Wildland-Urban Interface Code, Chapters 1 – 7 and Appendix A, Appendix B, Appendix C, Appendix F, Appendix G, and Appendix H, as amended by the changes, additions, and deletions set forth in this ordinance. These regulations shall be known as the California Wildland-Urban Interface Code, may be cited as such, and will be referred to herein as “this code.” The California Wildland-Urban Interface Code is Part 7 of thirteen parts of the official compilation and publication of the adoptions, amendment, and repeal of building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The 2025 California Wildland-Urban Interface Code, with the changes, additions, and deletions set forth in this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the

wildland-urban interface code are controlling and enforceable within the limits of each jurisdiction.

B. The adoption of this Code does not supersede, repeal, limit, or replace, any other existing District Ordinances concerning fire prevention, including, but not limited to, District Ordinances No. 23-03, 23-08 and 25-03, as they now exist and as they may be amended. To the extent the provisions of any other District Ordinances concerning fire prevention are inconsistent or in conflict with this Code, the most restrictive provisions shall control.

C. The adoption of this Code shall not be construed to limit, alter, or otherwise supersede the authority of the District to establish non-building restrictions or regulations related to fire prevention as otherwise authorized by law including, but not limited to, Public Resources Code section 4117. The District's establishment of any such non-building restrictions or regulations related to fire prevention shall control over any provisions in this Code relating to non- building standards.

SECTION 4: LOCAL AMENDMENTS, MODIFICATIONS AND DELETIONS TO THE CALIFORNIA WILDLAND-URBAN INTERFACE CODE

Based upon the findings of the Board of Directors of the Moraga-Orinda Fire Protection District regarding local climatic, topographical, and geological conditions, the following sections and/or subsections of the 2025 California Wildland-Urban-Interface Code are amended or modified as set forth in this section. If a section is not referenced below, it remains adopted as unchanged.

In adopting the 2025 California Wildland-Urban Interface Code, it is the Board of Directors' intent, consistent with District Ordinance 25-03 establishing an Urban Wildland Interface Community, to expand the provisions of Chapter 4 (Wildland-Urban Interface Area Requirements) and Chapter 5 of the Wildland-Urban Interface Code (Special Building Construction Requirements) to apply in all areas of the District.

By this Ordinance, the District does not intend to apply the remaining provisions of the 2025 California Wildland-Urban Interface Code beyond those areas in which they are applied by operation of state law.

CHAPTER 1 ADMINISTRATION IS ADOPTED IN ITS ENTIRETY AND AMENDED BELOW

Section 1.1 – General

Section 1.1.2 is amended to read:

1.1.2 Purpose. The purpose of this code is to establish minimum requirements to reduce the likelihood of life and property loss due to a wildfire through the use of performance and prescriptive requirements for construction and development in all Fire Hazard Severity Zones in State Responsibility Areas (SRA), and Local Responsibility Areas (LRA) designated as a Very High and High Fire Hazard Severity Zone, increase the ability of buildings located in any Fire Hazard Severity Zone within State Responsibility Areas (SRA), Local Responsibility Area (LRA), or Wildland-Urban Interface (WUI) Areas to resist the intrusion of flames or burning embers projected by a vegetation fire, and contribute to a systematic reduction in conflagration losses and reduce the likelihood of life and property loss due to a wildfire.

SECTION 101—SCOPE AND GENERAL REQUIREMENTS

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the California Wildland-Urban Interface Code of the Moraga-Orinda Fire Protection District hereinafter referred to as “this code.”

CHAPTER 4 WILDLAND-URBAN INTERFACE AREA REQUIREMENTS IS ADOPTED IN ITS ENTIRETY AND AMENDED BELOW

SECTION 401.1 SCOPE is amended to read as follows:

401.1 Scope. All areas within the Moraga-Orinda Fire Protection District shall be provided with emergency vehicle access and water supply in accordance with this chapter.

SECTION 401.2 OBJECTIVE is amended to read:

401.2. Objective. The objective of this chapter is to establish the minimum requirements for emergency vehicle access and water supply for buildings and structures located in all areas within the Moraga-Orinda Protection District. For purposes of Chapter 4 of the Wildland-Urban Interface Code, the entirety of the Moraga-Orinda Fire Protection District shall be considered a Wildland-Urban Interface area to which Chapter 4 will apply.

SECTION 403.1.2 WIDTH is amended to read:

403.1.2 Width.

(a) All new roads shall be constructed to provide a minimum of two fourteen-foot unobstructed travel widths, but may include bike lanes, striping buffers, and other striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements.

(b) All new one-way roads shall be constructed to provide a minimum of one fourteen-foot unobstructed travel width, not including shoulders, but may include bike lanes, striping buffers, and other striping. The Local Jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for not more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) eighteen-foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of fifteen feet. [CCR, Title 14 §1273.01]

SECTION 403.1.4 GRADES is amended to read:

403.1.4 Grades. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as approved by the Fire Code Official.

SECTION 403.1.6 TURNAROUNDS is amended to read:

403.1.6 Turnarounds

- (a) Turnarounds are required on driveways and dead-end roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.
- (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided not more than 400 feet apart.
- (d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.
- (e) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320-foot intervals.
- (f) Figure A. Turnarounds on roads with two fourteen-foot traffic lanes.
- (g) Figure B. Turnarounds on driveways with one fourteen-foot traffic lane.

[CCR, Title 14, § 1273.05]

FIGURE A – TURNAROUND WITH TWO 14-FOOT TRAFFIC LANES

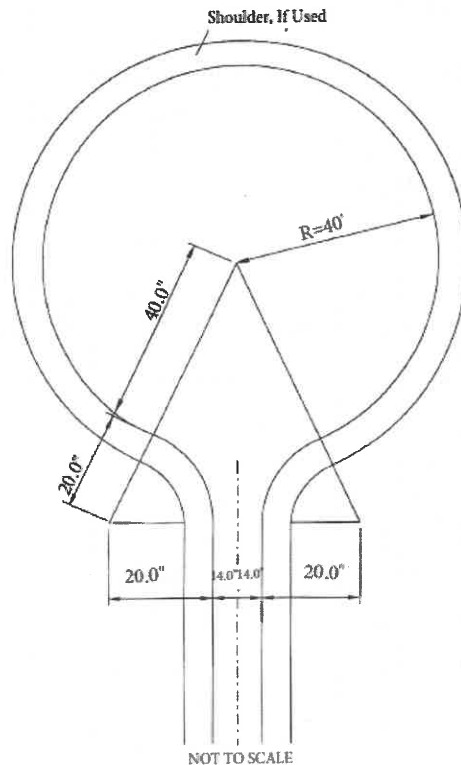
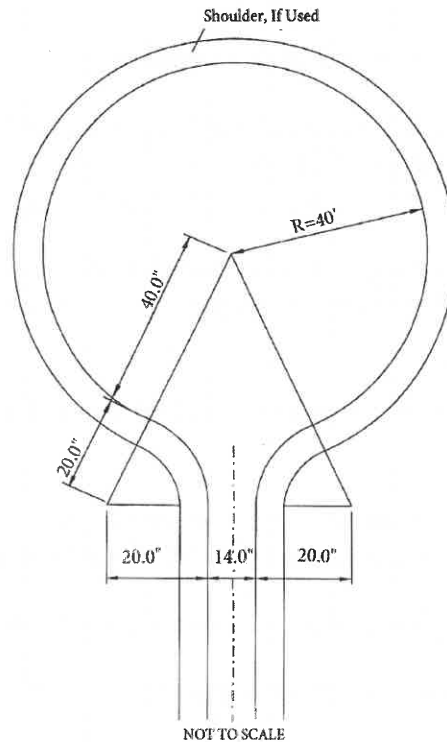


FIGURE B – TURNAROUND WITH ONE 14-FOOT TRAFFIC LANE



CHAPTER 5 SPECIAL BUILDING CONSTRUCTION REQUIREMENTS IS ADOPTED IN ITS ENTIRETY AND AMENDED BELOW

SECTION 501.1 SCOPE is amended to read:

501.1. Scope. Buildings and structures in the Moraga-Orinda Fire Protection District shall be constructed in accordance with Chapter 5 of the California Wildland-Urban Interface Code. For purposes of Chapter 5 of the Wildland-Urban Interface Code, the entirety of the Moraga-Orinda Fire Protection District shall be considered a Wildland-Urban Interface Area to which Chapter 5 will apply.

Exceptions:

1. Group U accessory structures not exceeding 120 square feet (11 m²) in floor area where not located not less than 50 feet (15 240 mm) from applicable buildings.
2. Group U agricultural buildings not less than 50 feet (15 240 mm) from applicable buildings.

SECTION 5. ADOPTION OF CEQA FINDINGS.

The Moraga-Orinda Fire Protection District Board finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Title 14, Chapter 3, California Code of Regulations Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the adoption of this Ordinance will have a significant effect on the environment. The Ordinance adopts standard codes in effect pursuant to state law and sets requirements for compliance. The adoption of this Ordinance does not entitle new development or any changes to the physical environment.

SECTION 6. SEVERABILITY.

- A. If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.
- B. All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this Ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION 7. DATE OF EFFECT

This Ordinance shall, within fifteen (15) days of its passage, be published once in the *Contra Costa Times*, a newspaper of general circulation within the District, together with the names of the Directors voting for and against it.

This Ordinance shall take effect thirty (30) days after its adoption, except that the building standards in this Ordinance shall not take effect within any municipality located in the District until ratified by the governing body of that municipality. The building standards in this Ordinance shall not take effect within the unincorporated areas of the District until ratified by the Board of Supervisors of the County of Contra Costa.

PASSED, APPROVED and ADOPTED this 21st day of January at the regular meeting of the District Board of Directors held at 26 Orinda Way, Orinda, California 94563 on January 21, 2026, on a motion made by Director Hasler, seconded by Director Jex, and duly carried with the following roll call vote:

- AYES: DIRECTORS HASLER, JEX, ROEMER, AND DANZIGER
- NOES: NONE
- ABSENT: DIRECTOR JORGENS
- ABSTAIN: NONE

ORDINANCE 26-02

ATTEST:


Steven Danziger (Jan 22, 2026 21:54:22 PST)

**Steven Danziger, Vice President
Board of Directors**

I certify that this is a full, true and correct copy of the original document which is on file in my office, and that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:


Marcia Holbrook (Jan 23, 2026 08:11:05 PST)

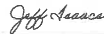
**Marcia Holbrook
District Secretary/District Clerk**

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


Jon Holtzman (Jan 22, 2026 17:36:46 PST)

**Jonathan V. Holtzman
District Counsel**


Jeff Isaacs

**Jeff Isaacs
Fire Chief**

ORDINANCE NO. 26-01

AN ORDINANCE OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING THE 2025 EDITION OF THE CALIFORNIA FIRE CODE, INCLUDING SPECIFIED APPENDICES, AND AS MODIFIED, WITH LOCAL AMENDMENTS, AND BY REFERENCE, THE INTERNATIONAL FIRE CODE, 2024 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AND REPEALING ORDINANCE 23-01, ADOPTING FINDINGS SUPPORTING THE LOCAL AMENDMENTS, AND ADOPTING A FINDING THAT THE ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, pursuant to Title 24 of the California Code of Regulations, also known as the California Building Standards Code (“CBSC”) and California Health and Safety Code Section 13869 et seq., a fire protection district may adopt a fire prevention code by reference and may also, when reasonably necessary due to local climatic, geological, or topographical conditions, establish more stringent local building standards relating to fire and safety than those set forth in the CBSC; and

WHEREAS, pursuant to California Health and Safety Code sections 18941.5 and 17958.7, the Board of Directors of the Moraga-Orinda Fire Protection District hereby finds that the amendments adopted herein are reasonably necessary because of local climatic, geologic, and topographic conditions; and

WHEREAS, the Moraga-Orinda Fire Protection District (the “District” or the “Fire District”) now desires to adopt by reference an amended and restated District Fire Prevention Code that makes local amendments to the 2025 Edition of the California Fire Code; and

WHEREAS, this Ordinance was introduced and was adopted after the holding of a public hearing pursuant to California Health and Safety Code Section 13869.7 and California Government Code Section 50022.3.

NOW, THEREFORE, the Board of Directors, as the governing body of the Moraga-Orinda Fire District, does ordain as follows:

SECTION 1: LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS

Pursuant to Sections 13869.7, 17958.5, 17958.7, and 18941.5 of the California Health and Safety Code, the following Findings of Fact are submitted in support of the adoption of this Ordinance. These findings establish the legal and factual basis for local amendments to the 2025 California Fire Code and are reasonably necessary to protect the health, safety, and welfare of its citizens and property within the District.

Climatic Conditions

Ever-changing climatic conditions have increased the risk and severity of fires in the Fire District. Local climatic conditions of limited rainfall, low humidity, high temperatures, and high

winds, along with existing building construction and landscaping, create extremely hazardous fire conditions that adversely affect the potential fire line intensity, spread rates, and size of fires in the Fire District. The same climatic conditions may result in the concurrent occurrence of multiple fires in the Fire District and throughout the region resulting in inadequate Fire District personnel to protect against and control these fires.

The Fire District is the gateway to central Contra Costa County. It is located amongst rolling hills and valleys created by the Berkeley/Oakland hills to the west and open plains of central Contra Costa County to the east. Due to its location, the Fire District's climate is more varied than that of its neighbors. The Fire District receives slightly more rainfall than areas further inland, and often, during the summer months, portions of the Fire District are enveloped in fog as the heat in the Central Valley draws cool air in from the San Francisco Bay. However, the Fire District also experiences the hot, dry summer weather that is characteristic of central Contra Costa County. This climate has promoted the growth of native grasslands, chaparral, oaks, and other indigenous plant species in the area. The climate has encouraged development in the Fire District and the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over 100 hundred years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads throughout the Fire District. Due to the location of the Fire District in proximity to the Oakland/Berkeley Hills, in the fall the hot dry summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to more of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major fires.

In September 1923, during critical climatic fire conditions, a fire started in the wilderness lands of the Fire District's northern area. This fire spread into the city of Berkeley and, within two hours, was attacking houses within the City limits. A total of 130 acres of built-up territory burned. 584 buildings were wholly destroyed, with roughly 30 others seriously damaged. At that time, this was the most destructive fire in California history.

In September 1970, during critical climatic fire conditions characterized by hot, dry winds out of the northeast, a fire started along Fish Ranch Road and Grizzly Peak. This fire rapidly spread into the surrounding neighborhoods of Oakland, burning 400 acres and destroying 37 homes. An additional 18 homes were badly damaged before the fire was brought under control.

In August 1988, during critical climatic fire conditions, a small fire started near Crestview in Lost Valley and within minutes destroyed 5 homes. This fire's spread rate was increased by the prevalence of light flashy fuels and steep slopes in alignment with strong winds.

In October 1991, a disastrous firestorm burned through the Oakland hills from an ignition point just west of the Fire District's border. Within the first few hours, thousands of people were evacuated. Ultimately over 3,000 dwelling units were destroyed in what replaced the 1923 fire as the most destructive fire in California history.

On October 27, 2019, sustained single-digit relative humidity and 30+ mph winds created

explosive fire conditions throughout the region. On the same day that the Kincadee fire burned in Sonoma County, five major fires broke out in Contra Costa County. Three of these fires burned in proximity to the Fire District in Lafayette, Crockett, and Martinez and resulted in the depletion of available mutual aid resources as available firefighting units were committed to each new fire.

Throughout the Fire District, homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. During May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80F, wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to the east-southeast, and the ignition component is 65 or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year.

The critical climate fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wildland areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is made up of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes. The Fire District's amendments to the 2025 Fire Code are intended to better limit life safety hazards and property damage in the aftermath of seismic activity.

The Fire District is in a region of high seismic activity with the Hayward fault running just west of its border. The San Andreas fault is farther to the west and the Calaveras Fault to the east. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years, and they can be expected to do damage in the future. Of primary concern to the Fire District is the Hayward Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines. Intensified damage during an earthquake may be expected in slide areas, as well as residential hillside areas located within or near the fault zone. Some areas are steep and have previously been subjected to slides.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets, building fires as the result of broken service connection, trapped occupants in collapsed structures, and requirements to render first aid and other medical attention to many residents.

Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets with slide potential for blocking roads and limiting firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. Many situations will result in limited or totally blocked emergency vehicular traffic, overtaxed Fire District personnel, and a lack of resources for the suppression of fire in both structures and

vegetated areas in the Fire District. To mitigate the conditions that hinder the rapid response of suppression resources to a fire, automatic fire-extinguishing systems and other changes to the 2025 Fire Code are required. These requirements will buy time for residents to execute an orderly evacuation while allowing for access by firefighting resources.

The Fire District has many homes that are reached by narrow and winding paved streets, which hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. El Toyonal, Sleepy Hollow, the Downs, Canyon, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of North Orinda, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing streets to meet present standards for emergency operations, and fire hydrants, especially in the hillside areas, often have less than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire allowing the fire to increase in area. To mitigate the above situation that hinders the quick response to a fire, built-in automatic fire-extinguishing systems are required over and above state code requirements. The requirement and installation of such a system will allow for occupants to evacuate and allow the fire to be controlled before the Fire District arrives. This control of the fire also eliminates the potential for fire to spread beyond the structure into the vegetation.

SECTION 2: TITLE AND ENFORCEMENT

This Ordinance, including provisions adopted and incorporated by reference, shall be known as the “District Fire Prevention Code” of the Moraga-Orinda Fire Protection District and may be cited as such. It is also referred to herein as “this code” or the “Fire Code.”

No section of the District Fire Prevention Code shall impose a mandatory duty of enforcement on the Fire District, or on any officer, official, agent, employee, board, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the Fire District, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

The California Fire Code, including California Fire Code Standards, as adopted and amended herein, shall be enforced by the Moraga-Orinda Fire Protection District under the direction of the Fire Chief of the Moraga-Orinda Fire Protection District or the Fire Chief’s designated

representative. The Fire Chief or the Fire Chief's designated representative shall be known as the Fire Code Official.

SECTION 3. ADOPTION OF THE CALIFORNIA FIRE CODE

A. For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, or hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises, and in accordance with Section 13869 and 13869.7 of the California Health and Safety Code, the Moraga-Orinda Fire District does hereby adopt the 2025 California Fire Code (California Code of Regulations, Title 24, Part 9 [based on the 2024 International Fire Code published by the International Code Council]), including Chapters 1-80 and Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I, Appendix J, Appendix K, Appendix L, Appendix M, Appendix N, Appendix O, Appendix P, as amended by changes, additions, and deletions set forth in this ordinance. The District hereby adopts the 2025 California Fire Code, on file in the office of the Moraga-Orinda Fire District, by this reference as though fully set forth in this ordinance, with the additions, insertions, deletions and changes prescribed in Section 4 of this ordinance. As of the effective date of this ordinance, the provisions of this fire code are controlling and enforceable within Moraga-Orinda Fire District.

B. The adoption of this Code does not supersede, repeal, limit, or replace, any other existing District Ordinances concerning fire prevention, including, but not limited to, District Ordinances No. 23-03, 23-08 and 25-03, as they now exist and as they may be amended. To the extent the provisions of any other District Ordinances concerning fire prevention are inconsistent or in conflict with this Code, the most restrictive provisions shall control.

C. The adoption of this Code shall not be construed to limit, alter, or otherwise supersede the authority of the District to establish non-building restrictions or regulations related to fire prevention as otherwise authorized by law including, but not limited to, Public Resources Code section 4117. The District's establishment of any such non-building restrictions or regulations related to fire prevention shall control over any provisions in this Code relating to non-building standards.

SECTION 4: LOCAL AMENDMENTS, MODIFICATIONS AND DELETIONS TO THE CALIFORNIA FIRE CODE

Based upon the findings of the Board of Directors of the Moraga-Orinda Fire Protection District regarding local climatic, topographical, and geological conditions, the following sections and/or subsections of the 2025 California Fire Code are amended or modified as set forth in this section. If a section is not referenced below, it remains adopted as unchanged.

In adopting the 2025 California Fire Code, it is the Board of Directors' intent to apply this Code in all areas of the District.

The 2025 California Fire Code is amended by the changes, additions and modifications set forth in this Section. Chapter and Section numbers used in this Section are those of the 2025 Fire Code.

Chapter 1. Scope and Administration.

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fire Code of the Moraga-Orinda Fire Protection District (“the District”) and are hereinafter referred to as "this code."

Section 102.1 is amended to add item 5 to read:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of the district.

Section 105.5 is amended to read:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.5.1 through 105.5.59.

Section 105.6 is amended to read:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.29

Section 105.6 is amended by adding Sections 105.6.26 through 105.6.29 to read:

105.6.26 Access for fire apparatus. Plans shall be submitted to the fire code official, and a construction permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which District access is required by this code.

105.6.27 Construction, Substantial Alterations and Substantial Additions for which a building permit is required. Plans shall be submitted to the fire code official, and a construction permit is required for all substantial alterations of and all substantial additions to a building within the District.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or substantial alteration

105.6.28 Subdivision of Land. Plans shall be submitted to the fire code official, and a construction permit is required for all developments or improvements proposed within the District that involve the subdivision of land.

105.6.29 Water supply for fire protection. Plans shall be submitted to the fire code official, and a construction permit is required for the purpose of determining whether adequate

water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the District pursuant to Section 507.

Section 113.4 is amended to read:

113.4 Violation penalties. Every person who violates any 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 an infraction or misdemeanor in accordance with Health and Safety Code Section 13871. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained after due notice has been served shall constitute a separate offense.

Section 113.4.2 is added to read:

Section 113.4.2 Other penalties and remedies. Nothing in this Section 112.4 shall limit the fire code official from pursuing other available legal remedies for violations of this code, including but not limited to administrative citations and attendant fines, civil penalties, and administrative and summary abatements.

Chapter 2. Definitions.

Section 202 is amended by adding the following definitions:

ADMINISTRATOR. Shall mean the Fire Chief or the Fire Chief's authorized representative.

AERIAL PRE-PLANS. An overhead layout of a parcel containing structure(s) that identifies specific first responder related items to assist in effectively managing incidents and events for the protection of occupants, responding personnel, property, and the environment. The pre-plan shall be developed in accordance with a format approved by the District. Pre-plan symbols shall comply with the format approved by the District.

ALL-WEATHER DRIVING SURFACE. A roadway with a minimum surface finish that is designed to carry the imposed weight loads of fire apparatus.

BOARD OF DIRECTORS. The governing body of the District.

COMBUSTIBLE MATERIAL. Rubbish, litter, or material of any kind, other than hazardous vegetation, that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire

station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, driveway, parking lot lane and access roadway.

FIRE TRAIL. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and assist in preventing surface extension of fires. Must be able to support the safe travel of a Type 3 Fire Apparatus.

HAZARDOUS VEGETATION. Vegetation that is combustible and endangers the public safety by creating a fire hazard, including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying, or diseased trees, and any other vegetation as determined by the fire code official.

KEY BOX OR KNOX BOX. A UL (Underwriters Laboratory) Listed box, the size and style of which is approved by the fire code official, that meets the requirements of, and uses the same security key code adopted by, the District.

MOBILE FOOD DISPENSING VEHICLES. Any Vehicles that contain cooking equipment that produce smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

NEW CONSTRUCTION. Any new structure that requires a building permit or any construction that meets this code's definition of a substantial addition or a substantial alteration shall be deemed new construction.

NUISANCE FIRE ALARM. The activation of any fire protection or alarm system which results in the response of the District and is caused by malfunction, improper maintenance, negligence, or misuse of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

PARCEL. A legal lot of any size

PUBLIC NUISANCE. A declaration by the Fire Code Official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876) or any violation of this code.

RESPONSE TIME. The elapsed time from receipt of call to the arrival of the first unit on scene.

SPRINKLER ALARM AND SUPERVISORY SYSTEM (SASS). A Dedicated Function Fire Alarm System located at the protected premises installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a building fire alarm is not required.

STREETS. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks

and curbs, highways, public right of ways, private road, public road, paper street, and easements.

SUBSTANTIAL ADDITION. The addition of new gross floor area that exceeds fifty percent of the existing gross floor area or the addition of new gross floor area that results in the building having a gross floor area of 3,600 sq. ft. or greater.

SUBSTANTIAL ALTERATION. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Chapter 4. Emergency Planning and Preparedness.

Section 401.5.1 is added to read:

401.5.1 Nuisance Fire Alarm. A fee may be charged for nuisance fire alarms in accordance with a fee schedule adopted by the Board of Directors.

Section 401.10 is added to read:

401.10 Aerial Pre-Plans. For all new construction, the fire official is authorized to require a fire aerial pre-plan to be prepared by an approved vendor.

Section 403.11.1 is amended to read:

403.11.1 Standby Personnel. Where, in the opinion of the fire code official or fire chief, it is essential for public safety in a place of assembly, or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall provide standby personnel as required and approved by the fire code official or fire chief. If the activity requires fire watch, fire watch shall be provided in accordance with Sections 403.11.1.1 and 403.11.1.2. Standby personnel needed for EMS standby shall be provided in accordance with Contra Costa County EMS Protocols.

Chapter 5. Fire Service Features.

Section 503.1.1 is amended to read:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. The fire code official is authorized to increase the dimension to 250 feet where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

Section 503.1.4 is added to read:

503.1.4 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development or construction of any kind, the developer or owner of the parcel shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access requires written approval of the fire code official.

Section 503.1.5 is added to read:

503.1.5 Existing fire trail systems shall be maintained. When conditions make maintenance of existing trails impractical, alternate means of access shall be provided by the owner of the parcel and the alternate means of access must be approved by the fire code official.

Section 503.2.1 is amended to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 28 feet (8,534.4 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4,572mm).

Section 503.4.1 is amended to read:

503.4.1 Traffic Calming Devices. Traffic calming devices shall be prohibited in all VHFHSZ. All fire apparatus access roads approved for traffic calming devices shall have a second unobstructed means of egress for evacuations. All applications for traffic calming devices shall provide the following information:

1. Traffic volume.
2. Posted speed limit.
3. Number of accidents in three previous years attributed to excessive speed.
4. The Traffic Engineers' determination that the site is suitable.
5. Summary of education efforts.
6. Summary of enforcement efforts.
7. Number of citations or warnings issued.

Section 506.1.3 is added to read:

506.1.3 Knox Rapid Entry System key box contents. The key boxes shall contain, but not be limited to, the following items as designated by the fire code official.

1. Labeled keys to locked points of egress, whether in interior or exterior of the building or buildings.
2. Labeled Keys to the locked mechanical rooms.
3. Labeled keys to any fence or secured areas not covered in Section 506.1.
4. Labeled keys to any other areas that may be required by the fire code official.
5. A card containing the names and telephone numbers for the emergency contact people for each occupancy.
6. Safety Data Sheet (SDS).
7. Aerial pre-plan.
8. Keypad code

Section 506.2.1 is added to read:

506.2.1 Knox Box Upgrade. All current businesses and occupancies with current Knox Boxes shall upgrade their lockbox to the eCore Technology by December 31, 2028.

Chapter 9. Fire Protection Systems.

Section 901.6.3.2 is added to read:

901.6.3.2 Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be submitted to a third-party electronic record keeping service as chosen by the District.

Section 902.1 is amended to add:

Substantial Addition. The addition of new gross floor area that exceeds fifty percent of the existing gross floor area or the addition of new gross floor area that results in the building having a gross floor area of 3,600 sq. ft. or greater.

Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.1 is amended to read:

903.1 General. Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings. An automatic sprinkler

system shall be provided for all new buildings with a gross floor area that exceeds 5,000 square feet, and in the locations set forth in Section 903.

Exception: Group U occupancies.

Section 903.2.1.1 is amended to read:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

Section 903.2.1.3 is amended to read:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.1.4 is amended to read:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Section 903.2.2 is added to read:

903.2.2 Group B. An automatic sprinkler system shall be provided for Group B occupancies and intervening floors of the building where the fire area exceeds 5,000 square feet.

Section 903.2.3 is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for new Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 2,000 square feet in area.
Exception: An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet.
2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.
Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.
3. The Group E fire area has an occupant load of 300 or more.
4. In rooms or areas with special hazards such as laboratories, vocational shops, and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
5. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.
6. For public school state-funded construction projects, see Section 903.2.19.
7. For public school campuses, Kindergarten through 12th grade, see Section 903.2.20.

Section 903.2.4 is amended to read:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group F-1 occupancy is used for the manufacture of upholstered furniture or mattresses

exceeding 2,500 square feet.

Section 903.2.4.4 is added to read:

903.2.4.4 Group F-2. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-2 occupancy greater than 5,000 square feet.

Section 903.2.7 is amended to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 5,000 square feet.
4. A Group M occupancy is used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.
5. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.8.1.1 is added to read:

903.2.8.1.1 Group R-3 Substantial Addition or Alteration.

An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where either a substantial addition or substantial alteration occurs.

Section 903.2.9 is amended to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group S-1 occupancy is used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.9.1 is amended to read:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet or any tenant improvement to the structure exceeds 49% of the S-1 area.
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m²).

Section 903.2.10. is amended to read:

903.2.10. Group S-2 parking garages. An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:

1. Where the fire area of the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, exceeds 5,000 square feet.
2. Where the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, is located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

3. Where the fire area of the open parking garage, in accordance with Section 406.5 of the California Building Code, exceeds 48,000 square feet.

Section 903.2.10.3 is added to read:

903.2.10.3 Group S-2 low hazard storage. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.

Section 903.2.11.3 is amended to read:

Section 903.2.11.3 Buildings 35 feet or more in height. An automatic fire extinguishing system shall be installed in all occupancies regardless of type of construction, floor area, or occupancy load if the building is three stories or more than 35 feet in height measured in accordance with the California Building Code, Chapter 5.

Section 903.2.22 is added to read:

903.2.22 Fire Department Delivery Capability. An automatic fire sprinkler shall be installed in all new buildings and occupancies, or in existing buildings or structures that change occupancy classification or use, when the required fire flow exceeds 2,000 gallons per minute.

Section 903.3.1.1.5 is added to read:

903.3.1.1.5 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet, the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner occupant to upgrade the system.

Section 903.3.1.3.1 is added to read:

903.3.1.3.1. Eave protection. Sprinkler protection shall be provided under roof eaves (as defined in California Building Code Section 702A) in Fire Hazard Severity Zones and Wildland Urban Interface Fire Areas.

Section 903.3.5.3 is added to read:

903.3.5.3 Non-permissible water supply storage. Water supplies for automatic sprinkler systems shall not be supplied by swimming pools nor ponds.

Section 903.3.10 is added to read:

903.3.10 Floor control valves.

Floor control valves and waterflow detection assemblies shall be installed at each floor where any of the following occur:

4. Individual floor control valves and water flow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.

Exception: Group R-3 and R-3.1 Occupancies.

Section 903.6.2 is added to read:

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1011.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest

hazard).

Section 905.3.1, item 2, is amended to read:

905.3.1 Height.

2. Any building three (3) stories in height shall have a Class I standpipe installed that is interconnected with the fire sprinkler system.

Section 905.4, item 1, is amended to read:

905.4 Location of Class I standpipe hose connections.

1. In every required interior exit stairway or exterior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the intermediate floor landings unless otherwise approved by the fire code official. See Section 909.20.2.3 of the California Building Code for additional provisions in smokeproof enclosures.

Exception: A single hose connection shall be permitted to be installed in the open corridor or open breezeway between stairs that are not greater than 75 feet (22,860mm) apart.

Section 907.4.4 is added to read:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including, but not limited to, commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.6.

Section 907.6.6 is amended to read:

907.6.6 Monitoring. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exceptions: Monitoring by a UL-listed central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies, shall be monitored in accordance with Section 907.2.6.3.
3. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an

occupant load of 6 or less.

6. Occupancies with local fire alarm systems that will give an audible and visible signal at a constantly attended location, as approved by the fire code official.

Section 907.6.7 is added to read:

907.6.7 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.6.7.1 is added to read:

907.6.7.1 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Section 1028.5.1 is added to read:

1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather and shall terminate at a public way as defined in the California Building Code.

Chapter 33. Fire Safety during Construction and Demolition.

Section 3303.1.2 is added to read:

3303.1.2 Amendments. Amendments may be required to an approved site safety plan if deemed necessary by both the building official and fire official based on previous fires or hazards that occurred on site or within the District.

Section 3303.1.3 is added to read:

3303.1.3 Site Security requirements. Site security requirements shall include the following if deemed necessary by both the building official and fire code official:

1. Controlled access points.
2. Site fencing, up to 12 feet in height with tamper sensors and security wires on top.
3. Security guards, full-time 24/7 presence on-site, to perform fire watch and patrols.

4. Detection check points located throughout the buildings for fire watch and patrol verification.
5. Security camera coverage throughout the site with motion detection notifications.
6. Identify measures taken to prevent tampering with security cameras and motion sensors.
7. Necessary lighting throughout the project site.

Chapter 50. Hazardous Materials - General Provisions.

Section 5001.5.1, is amended to add items 10 and 11 to read:

5001.5.1 Hazardous Material Management Plan (HMMP). Where required by the fire code official, an application for permit shall include an HMMP. The HMMP shall include an aerial pre-plan of the facility to designate the following:

10. Fire Department related safety equipment including:

- A. Fire Alarm Control Panel (FACP)
- B. Sprinkler riser
- C. Fire Department Connection (FDC)
- D. Knox Box location
- E. Gas valve shutoff
- F. Electrical main shutoff
- G. Water shutoff
- H. Elevator equipment room

11. A Site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE)-stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility. Refer to NFPA 550 & 551 for references.

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information must be stored at a readily accessible location as determined by the fire code official. This location may be in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer-aided dispatching.

Section 5003.9.1.2 is added to read:

5003.9.1.2 Documentation. Evidence of compliance with the provisions of this chapter as well as

with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56. Explosives and Fireworks.

Section 5601.1.3 is amended to read:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks within all areas of Contra Costa County are prohibited.

Exceptions:

1. Storage and handling of fireworks as permitted in Section 5604.
2. Manufacture, assembly and testing of fireworks as permitted in Section 5605 and Health and Safety Code Division 11.
3. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as permitted in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

Section 5601.2.4 is amended to read:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the District a corporate surety bond in the principal sum of \$2,000,000, or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608.

Chapter 57. Flammable and Combustible Liquids.

Section 5703.3.1 is added to read:

5703.3.1 Facility Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE)-stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility when required by the fire official. Refer to NFPA 550 & 551 for references.

Section 5704.2.9.6.1 is amended to read:

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and on an individual basis as approved by the fire code official. Tank size shall not exceed 1,100 gallons for any class of liquids.

Section 5706.2.4.4 is amended to read:

Section 5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and on an individual basis as approved by the fire code official. Tank size shall not exceed 1,000 gallons for any class liquids.

Chapter 58. Flammable Gasses and Flammable Cryogenic Fluids.

Section 5806.2 is amended to read as follows:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Section 6103.2.1.7 is amended to read:

6103.2.1.7 Use for food preparation. Individual portable LP-gas containers used, stored, or handled inside a building classified as a Group A, Group B, or Group M occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the fire code official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.

Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2015): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 850 (2015): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations

Chapter 80 is further amended by amending the NFPA 13D (2016) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Table B105.2 is amended to read:

**TABLE B105.2
Required Fire-Flow for Buildings Other Than
One- and
Two-Family Dwellings, Group R-3 and R-4
Buildings and Townhouses**

AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)	MINIMUM FIRE- FLOW (GALLONS PER MINUTE)	FLOW DURATION (HOURS)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 Lit

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

Appendix C. Fire Hydrant Locations and Distribution.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read:

TABLE C102.1 REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS
(footnotes h and j)

The heading of the fourth column of Table C102.1 is amended to read:

MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE
TO A HYDRANT (d, f, g, i)

Footnotes "i" and "j" are added to Table C102.1, to read:

- i. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.
- j. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

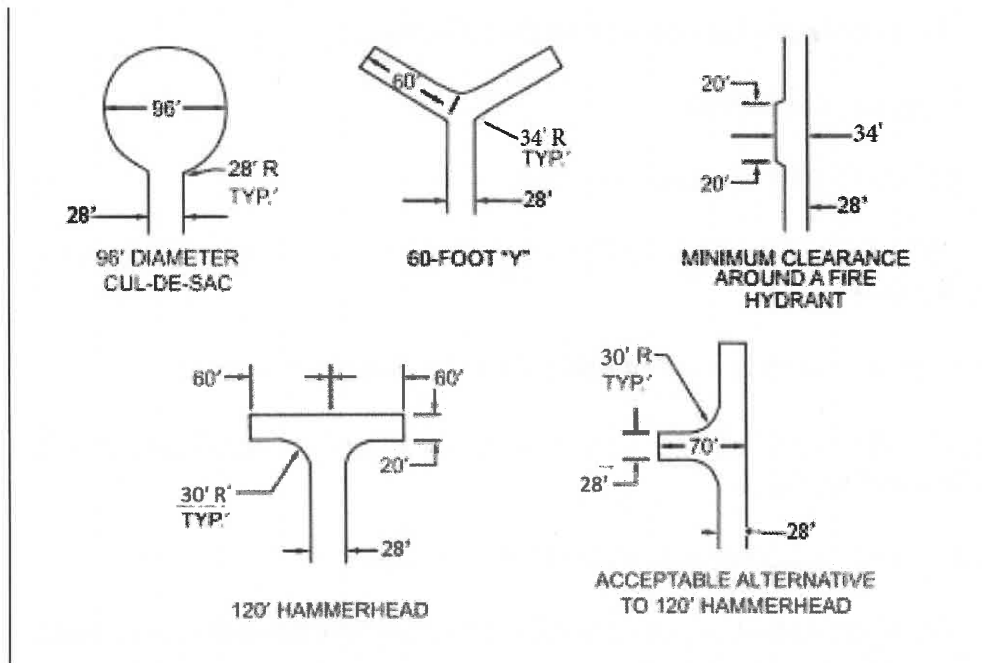
Appendix D. Fire Apparatus Access Roads.

Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34, 050 kg)

Exception: Driveways serving one or two single-family dwellings may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.

Figure D103.1 is amended to read:



Section D103.2.1 is added, to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent grade at 10 feet of the grade break.

Section D103.3 is amended to read:

D103.3 Turning radius. Based on a minimum unobstructed width of 28 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 28 feet (8,534.4 mm) inside and 48 feet (14,630.4 mm) outside.

Table D103.4 is amended to read:

**Table D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	28	None required
151 - 750	28	120-foot Hammerhead, 96-foot-diameter cul-de-sac, or 60-foot "Y" configuration in accordance with figure D103.1
Over 750		Special approval required

- a. A driveway with a minimum width of 18 feet is acceptable for access to no more than two dwelling units. Parking is **not** permitted on the roadway.
- b. Any fire apparatus access roadway or driveway that is approved to be more than 750 feet in length and less than 28 feet wide shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the fire code official. Each outset or turnout shall be of the following dimensions: an 8-foot-wide turnout that extends at least 40 feet in length.

Section D103.5 is amended to add Criteria 9:

D103.5 Fire Apparatus Access Road Gates. 9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6 is amended to read

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent “NO PARKING—FIRE LANE” signs. Enforcement. Fire lane restrictions established under this section shall be enforceable by both the fire code official and local law enforcement. Local law enforcement agencies are authorized to issue citations, order the removal of vehicles, and take other enforcement actions necessary to maintain fire apparatus access roads clear of obstructions. Vehicles parked in violation of this section may be cited and towed at the owner’s expense.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.

Section D105.2 is amended to read:

D105.2 Width. Aerial Access. Aerial access roads shall have a minimum width of 36 feet (10973 mm) exclusive of shoulders, in the immediate vicinity of the building or portion thereof. Aerial access is required when building height is 30 feet or greater.

Section D107.1. is amended to read:

D107.1. One- or two-family dwelling residential developments. Required fire apparatus access roads for residential developments. The minimum number of access roads serving residential development(s) shall be based upon the number of dwelling units served as follows:

1. 1-20 units, one public or private fire apparatus access road.
2. 21-50 units, two public or private fire apparatus access road as approved by the fire code official.
3. 51-101+ units, three or more public or private fire apparatus access roads as approved by the fire code official.
4. Nothing in this section shall be construed to limit the creation of accessory dwelling units that are otherwise authorized by law.

Exception: The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

The following exception is added Section D107.2:

Exception: The fire code official may approve an alternative, circular route of travel with the entrance and exit points closer than required by this section. A fire protection plan shall be submitted addressing Wildfire risk when the fire apparatus access roadways do not meet the remoteness requirement.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

Ordinance 23-01, adopting and amending the California Fire Code (2022 Edition) is hereby repealed.

SECTION 6. ADOPTION OF CEQA FINDINGS.

The Moraga-Orinda Fire Protection District Board finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Title 14, Chapter 3, California Code of Regulations Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the adoption of this Ordinance will have a significant effect on the environment. The Ordinance adopts standard codes in effect pursuant to state law and sets requirements for compliance. The adoption of this Ordinance does not entitle new development or any changes to the physical environment.

SECTION 7. SEVERABILITY.

- A. If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.

- B. All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this Ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION 8. DATE OF EFFECT

This Ordinance shall, within fifteen (15) days of its passage, be published once in the *Contra Costa Times*, a newspaper of general circulation within the District, together with the names of the Directors voting for and against it.

This Ordinance shall take effect thirty (30) days after its adoption, except that the building standards in this Ordinance shall not take effect within any municipality located in the District until ratified by the governing body of that municipality. The building standards in this Ordinance shall not take effect within the unincorporated areas of the District until ratified by the Board of Supervisors of the County of Contra Costa.

PASSED, APPROVED and ADOPTED this 21st day of January at the regular meeting of the District Board of Directors held at 26 Orinda Way, Orinda, California 94563 on January 21, 2026, on a motion made by Director Hasler, seconded by Director Jex, and duly carried with the following roll call vote:

AYES: DIRECTORS HASLER, JEX, ROEMER, AND DANZIGER
NOES: NONE
ABSENT: DIRECTOR JORGENS
ABSTAIN: NONE

ORDINANCE 26-01

ATTEST:


Steven Danziger (Jan 23, 2026 11:03:19 PST)

**Steven Danziger, Vice President
Board of Directors**

I certify that this is a full, true and correct copy of the original document which is on file in my office, and that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:


Marcia Holbrook (Jan 23, 2026 11:04:58 PST)

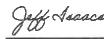
**Marcia Holbrook
District Secretary/District Clerk**

APPROVED AS TO FORM:


Jonathan V. Holtzman (Jan 23, 2026 10:58:51 PST)

**Jonathan V. Holtzman
District Counsel**

APPROVED AS TO CONTENT:


Jeff Isaacs

**Jeff Isaacs
Fire Chief**

ORDINANCE NO. 26-02

AN ORDINANCE OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING THE 2025 CALIFORNIA WILDLAND-URBAN INTERFACE CODE. INCLUDING SPECIFIED APPENDICES, AND AS MODIFIED WITH LOCAL AMENDMENTS, AND ADOPTING A FINDING THAT THE ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, pursuant to Title 24 of the California Code of Regulations, also known as the California Building Standards Code (“CBSC”) and California Health and Safety Code Section 13869 et seq., a fire protection district may adopt a fire prevention code by reference and may also, when reasonably necessary due to local climatic, geological, or topographical conditions, establish more stringent local building standards relating to fire and safety than those set forth in the CBSC; and

WHEREAS, pursuant to California Health and Safety Code sections 18941.5 and 17958.7, the Board of Directors of the Moraga-Orinda Fire Protection District hereby finds that the amendments to building standards adopted herein are reasonably necessary because of local climatic, geologic, and topographic conditions; and

WHEREAS, pursuant to California Health & Safety Code sections 18941.5 and 17958.7, the amendments to building standards adopted herein satisfy the following legal requirements as applied to residential units:

1. The amendments are substantially equivalent to amendments that were in effect as of September 30, 2025; or
2. The amendments relate to home hardening; and

WHEREAS, the Moraga-Orinda Fire Protection District (the “District” or the “Fire District”) now desires to adopt by reference the 2025 Edition of the California Wildland-Urban Interface Code with local amendments; and

WHEREAS, this Ordinance was introduced and was adopted after the holding of a public hearing pursuant to California Health and Safety Code Section 13869.7 and California Government Code Section 50022.3.

NOW, THEREFORE, the Board of Directors, as the governing body of the Moraga-Orinda Fire District, does ordain as follows:

SECTION 1: LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS

Pursuant to Sections 13869.7, 17958.5, 17958.7, and 18941.5 of the California Health and Safety Code, the following Findings of Fact are submitted in support of the adoption of this Ordinance. These findings establish the legal and factual basis for local amendments to the 2025 Wildland- Urban Interface Code and are reasonably necessary to protect the health, safety, and welfare of its citizens and property within the District.

The Board of Directors finds that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions make it necessary for effective fire

protection to apply the Home Hardening Building Standards throughout the Fire District.

Climatic Conditions

Ever-changing climatic conditions have increased the risk and severity of fires in the Fire District. Local climatic conditions of limited rainfall, low humidity, high temperatures, and high winds, along with existing building construction and landscaping, create extremely hazardous fire conditions that adversely affect the potential fire line intensity, spread rates, and size of fires in the Fire District. The same climatic conditions may result in the concurrent occurrence of multiple fires in the Fire District and throughout the region resulting in inadequate Fire District personnel to protect against and control these fires.

The Fire District is the gateway to central Contra Costa County. It is located amongst rolling hills and valleys created by the Berkeley/Oakland hills to the west and open plains of central Contra Costa County to the east. Due to its location, the Fire District's climate is more varied than that of its neighbors. The Fire District receives slightly more rainfall than areas further inland, and often, during the summer months, portions of the Fire District are enveloped in fog as the heat in the Central Valley draws cool air in from the San Francisco Bay. However, the Fire District also experiences the hot, dry summer weather that is characteristic of central Contra Costa County. This climate has promoted the growth of native grasslands, chaparral, oaks, and other indigenous plant species in the area. The climate has encouraged development within the Fire District, with the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over one hundred years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads throughout the Fire District. Due to the location of the Fire District in proximity to the Oakland/Berkeley Hills, in the fall the hot dry summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to more of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major fires.

In September 1923, during critical climatic fire conditions, a fire started in the wilderness lands of the Fire District's northern area. This fire spread into the city of Berkeley and within two hours was attacking houses within the City limits. A total of 130 acres of built-up territory were burned. 584 buildings were destroyed, with roughly 30 others seriously damaged. At that time, this was the most destructive fire in California history.

In September 1970, during critical climatic fire conditions characterized by hot, dry winds out of the northeast, a fire started along Fish Ranch Road and Grizzly Peak. This fire rapidly spread into the surrounding neighborhoods of Oakland, burning 400 acres and destroying 37 homes. An additional 18 homes were badly damaged before the fire was brought under control.

In August 1988, during critical climatic fire conditions, a small fire started near Crestview in Lost Valley and within minutes destroyed 5 homes. This fire's spread rate was increased by the prevalence of light flashy fuels and steep slopes in alignment with strong winds.

In October 1991, a disastrous firestorm burned through the Oakland hills from an ignition point just west of the Fire District's border. Within the first few hours, thousands of people were evacuated. Ultimately over 3,000 dwelling units were destroyed in what replaced the 1923 fire as the most destructive fire in California history.

On October 27, 2019, sustained single-digit relative humidity and 30+ mph winds created explosive fire conditions throughout the region. On the same day that the Kincadee fire burned in Sonoma County, five major fires broke out in Contra Costa County. Three of these fires burned in proximity to the Fire District in Lafayette, Crockett, and Martinez and resulted in the depletion of available mutual aid resources as available firefighting units were committed to each new fire.

Throughout the Fire District homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. From May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80°F, wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to east-southeast, and the ignition component is 65 percent or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year.

These critical climatic fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wildland areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

Vegetative Conditions

The Fire District is located in a “Chaparral Biome.” In its natural state, chaparral is characterized by infrequent fires, with intervals ranging between 10 to 15 years to over a hundred years. Mature chaparral (stands that have been allowed greater intervals between fires) is characterized by impenetrable, dense thickets. These plants are highly flammable. They grow as woody shrubs with hard and small leaves, are non-leaf dropping (non-deciduous), and are drought tolerant. After the first seasonal rains following a fire, the landscape is dominated by soft-leaved, non-woody annual plants, known as fire followers, which die back with the summer dry period. The California Interior Chaparral and Woodlands Eco-Region covers 24,900 square miles in an elliptical ring around the California Central Valley. It occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It is part of the Mediterranean forests, woodlands, and scrub biome. Many of the plants are pyrophytes, or “fire-loving,” adapted to (or even depending on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Many plant and animal species in this ecoregion are adapted to periodic fires.

The Fire District’s chaparral vegetation includes chamise, manzanita, buckeye, and ceanothus. Oak woodlands are the most widespread, with blue oak dominating, but the chaparral vegetation also includes scrub oak, coast live oak, canyon live oak, valley oak, and interior oak. Open grasslands are the primary understory within the oak savannah woodlands. In areas with interlocking tree canopy, primarily north and east-facing slopes, the understory is primarily tree duff and litter.

All vegetation in the Fire District reaches some degree of combustibility during the dry summer months, and under certain conditions, during the winter months. For example, as chaparral and other brush species age, twigs and branches within the plants die and are held in place, increasing the decadent material component. A stand of 10 to 20-year-old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Due to the higher fuel load, fires in brush fields also yield much higher fire line intensity.

In severe drought years, additional plant material may die, contributing to the fuel load. There will normally be enough dead fuel load that has accumulated in 20 to 30-year-old brush to give rates of

spread about twice as fast as the rates of spread in a grass fire. Under moderate weather conditions that produce a spread rate of a one-half foot per second in grass, a 20- to 30-year-old stand of brush may have a rate of fire spread of approximately one foot per second. Fire spread in old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions, these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour. Residential structures within the wildland intermix or interface near mature brush fields are thus at greater threat from wildfire.

Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is made up of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes. The Hayward fault runs just west of its border, the San Andreas fault is farther to the west, and the Calaveras Fault to the east. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years, and they can be expected to do damage in the future. Of primary concern to the Fire District is the Hayward Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines. Intensified damage during an earthquake may be expected in slide areas, as well as residential hillside areas located within or near the fault zone.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets, building fires as the result of broken service connections, trapped occupants in collapsed structures, and requirements to render first aid and other medical attention to many residents.

Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets and landslide potential for blocking roads and limiting firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. The result may be limited or eliminated Fire District emergency vehicular traffic, overtaxed Fire District personnel, and a lack of resources for the suppression of fire in both structures and vegetated areas in the Fire District. To mitigate the conditions that hinder the rapid response of suppression resources to a fire, enhanced fuel mitigation requirements are necessary over and above state code requirements. These requirements will buy time for residents to execute an orderly evacuation while allowing for access by firefighting resources.

The Fire District has many homes that are reached by narrow and winding paved streets that hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. El Toyonal, Sleepy Hollow, the Downs, Canyon, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of North Orinda, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing

streets to meet present standards for emergency operations, and fire hydrants, especially in the hillside areas, often have less than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire, allowing the fire to increase in area. In order to mitigate the above situation, which hinders the quick response to a fire, more stringent fuel mitigation and exterior hazard abatement standards are required over and above state code requirements. These standards will operate to slow or stop a fire's advance, thus allowing residents to evacuate, and buying time for the aggregation of an effective firefighting response. These standards also reduce the potential for fire to spread beyond the parcel of origin.

Environmental Damage

- (1) Uncontrolled wildfire causes significant environmental impacts in the Fire District. These impacts include loss of vegetation and biodiversity; the potential for post-fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHGs), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These impacts in turn can damage and sometimes destroy local natural resources.
- (2) The Ordinance is intended to minimize the loss of structures and environmental and natural resources impacts of uncontrolled wildfire, including loss of vegetation and biodiversity; potential for post-fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHG), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. The effect of these environmental and natural resources can also lead to public health impacts.
- (3) Furthermore, fires that occur in the built environment contribute to air contamination from the fire plume, whose deposition is likely to subsequently include land and water contamination, contamination from water runoff containing toxic products, and other environmental discharges or releases from burned materials.
- (4) Studies have shown that low-intensity, controlled fire enhances biodiversity by controlling invasive and noxious weed species, thereby allowing native plants to compete more effectively, as well as opening overgrown understory to allow for wildlife to move more freely across the landscape. Additionally, several of the endemic species of the region require fire to germinate. With low-intensity fire, the chaparral habitat would become more stratified in life stages, thereby increasing its fire resiliency and habitat value.
- (5) Reducing the potential for and the severity of high-intensity uncontrolled wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and ensure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.
- (6) Wildfires are inevitable in a fire-dependent ecosystem such as California. Wildfires often occur and are usually uncontrolled and fast-moving with high intensity. They put lives and property in clear and imminent danger every year and cause immense damage to structures and the environment. In the absence of measures to manage outcomes, wildfire is likely to lead to structure loss and damage to the environment as a result of uncontrolled fast-moving and high-intensity fires. As stated under Sections 4(a), 4(b), and 4(c) of this Ordinance, the California Legislature has found that "Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California." Since October 30, 2015, the State has been under a Governor's State of Emergency Proclamation due to the increased risk of wildfires related to vast tree mortality. In addition, according to the California Office of

Emergency’s website, the State is currently under numerous separate State of Emergency Proclamations issued by the Governor related to wildfires.

<https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>

- (7) The need for immediate action to prevent uncontrolled wildfire and its associated damage to life, health, property, and essential public services is also well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.
- (8) Some of California’s largest, deadliest, and most destructive uncontrolled wildfires have occurred within the last several years. In January 2025, uncontrolled wildfires in Los Angeles County caused widespread devastation.
- (9) Uncontrolled wildfires are emergencies, involving clear and imminent dangers, demanding immediate action to prevent or mitigate loss of, or damage, to life, health, property, or essential public services. This Ordinance establishes actions necessary to prevent or mitigate such emergencies.

SECTION 2: TITLE AND ENFORCEMENT

This Ordinance, including provisions adopted and incorporated by reference, shall be known as the “District Wildland-Urban Interface Code” of the Moraga-Orinda Fire Protection District Fire Protection District and may be cited as such. It is also referred to herein as “this code” or the “WUI Code.”

No section of the District Wildland-Urban Interface Code shall impose a mandatory duty of enforcement on the Fire District, or on any officer, official, agent, employee, board, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the Fire District, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

The California Wildland-Urban Interface Code, as adopted and amended herein, shall be enforced by the Moraga-Orinda Fire Protection District under the direction of the Fire Chief of the Moraga-Orinda Fire Protection District or the Fire Chief’s designated representative. The Fire Chief or the Fire Chief’s designated representative shall be known as the Fire Code Official.

SECTION 3. ADOPTION OF THE CALIFORNIA WILDLAND-URBAN INTERFACE CODE

A. The Moraga-Orinda Fire Protection District hereby adopts the 2025 California Wildland-Urban Interface Code, Chapters 1 – 7 and Appendix A, Appendix B, Appendix C, Appendix F, Appendix G, and Appendix H, as amended by the changes, additions, and deletions set forth in this ordinance. These regulations shall be known as the California Wildland-Urban Interface Code, may be cited as such, and will be referred to herein as “this code.” The California Wildland-Urban Interface Code is Part 7 of thirteen parts of the official compilation and publication of the adoptions, amendment, and repeal of building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The 2025 California Wildland-Urban Interface Code, with the changes, additions, and deletions set forth in this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the

wildland-urban interface code are controlling and enforceable within the limits of each jurisdiction.

B. The adoption of this Code does not supersede, repeal, limit, or replace, any other existing District Ordinances concerning fire prevention, including, but not limited to, District Ordinances No. 23-03, 23-08 and 25-03, as they now exist and as they may be amended. To the extent the provisions of any other District Ordinances concerning fire prevention are inconsistent or in conflict with this Code, the most restrictive provisions shall control.

C. The adoption of this Code shall not be construed to limit, alter, or otherwise supersede the authority of the District to establish non-building restrictions or regulations related to fire prevention as otherwise authorized by law including, but not limited to, Public Resources Code section 4117. The District's establishment of any such non-building restrictions or regulations related to fire prevention shall control over any provisions in this Code relating to non- building standards.

SECTION 4: LOCAL AMENDMENTS, MODIFICATIONS AND DELETIONS TO THE CALIFORNIA WILDLAND-URBAN INTERFACE CODE

Based upon the findings of the Board of Directors of the Moraga-Orinda Fire Protection District regarding local climatic, topographical, and geological conditions, the following sections and/or subsections of the 2025 California Wildland-Urban-Interface Code are amended or modified as set forth in this section. If a section is not referenced below, it remains adopted as unchanged.

In adopting the 2025 California Wildland-Urban Interface Code, it is the Board of Directors' intent, consistent with District Ordinance 25-03 establishing an Urban Wildland Interface Community, to expand the provisions of Chapter 4 (Wildland-Urban Interface Area Requirements) and Chapter 5 of the Wildland-Urban Interface Code (Special Building Construction Requirements) to apply in all areas of the District.

By this Ordinance, the District does not intend to apply the remaining provisions of the 2025 California Wildland-Urban Interface Code beyond those areas in which they are applied by operation of state law.

CHAPTER 1 ADMINISTRATION IS ADOPTED IN ITS ENTIRETY AND AMENDED BELOW

Section 1.1 – General

Section 1.1.2 is amended to read:

1.1.2 Purpose. The purpose of this code is to establish minimum requirements to reduce the likelihood of life and property loss due to a wildfire through the use of performance and prescriptive requirements for construction and development in all Fire Hazard Severity Zones in State Responsibility Areas (SRA), and Local Responsibility Areas (LRA) designated as a Very High and High Fire Hazard Severity Zone, increase the ability of buildings located in any Fire Hazard Severity Zone within State Responsibility Areas (SRA), Local Responsibility Area (LRA), or Wildland-Urban Interface (WUI) Areas to resist the intrusion of flames or burning embers projected by a vegetation fire, and contribute to a systematic reduction in conflagration losses and reduce the likelihood of life and property loss due to a wildfire.

SECTION 101—SCOPE AND GENERAL REQUIREMENTS

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the California Wildland-Urban Interface Code of the Moraga-Orinda Fire Protection District hereinafter referred to as “this code.”

CHAPTER 4 WILDLAND-URBAN INTERFACE AREA REQUIREMENTS IS ADOPTED IN ITS ENTIRETY AND AMENDED BELOW

SECTION 401.1 SCOPE is amended to read as follows:

401.1 Scope. All areas within the Moraga-Orinda Fire Protection District shall be provided with emergency vehicle access and water supply in accordance with this chapter.

SECTION 401.2 OBJECTIVE is amended to read:

401.2. Objective. The objective of this chapter is to establish the minimum requirements for emergency vehicle access and water supply for buildings and structures located in all areas within the Moraga-Orinda Protection District. For purposes of Chapter 4 of the Wildland-Urban Interface Code, the entirety of the Moraga-Orinda Fire Protection District shall be considered a Wildland-Urban Interface area to which Chapter 4 will apply.

SECTION 403.1.2 WIDTH is amended to read:

403.1.2 Width.

(a) All new roads shall be constructed to provide a minimum of two fourteen-foot unobstructed travel widths, but may include bike lanes, striping buffers, and other striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements.

(b) All new one-way roads shall be constructed to provide a minimum of one fourteen-foot unobstructed travel width, not including shoulders, but may include bike lanes, striping buffers, and other striping. The Local Jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for not more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) eighteen-foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of fifteen feet. [CCR, Title 14 §1273.01]

SECTION 403.1.4 GRADES is amended to read:

403.1.4 Grades. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as approved by the Fire Code Official.

SECTION 403.1.6 TURNAROUNDS is amended to read:

403.1.6 Turnarounds

- (a) Turnarounds are required on driveways and dead-end roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.
- (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided not more than 400 feet apart.
- (d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.
- (e) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320-foot intervals.
- (f) Figure A. Turnarounds on roads with two fourteen-foot traffic lanes.
- (g) Figure B. Turnarounds on driveways with one fourteen-foot traffic lane.

[CCR, Title 14, § 1273.05]

FIGURE A – TURNAROUND WITH TWO 14-FOOT TRAFFIC LANES

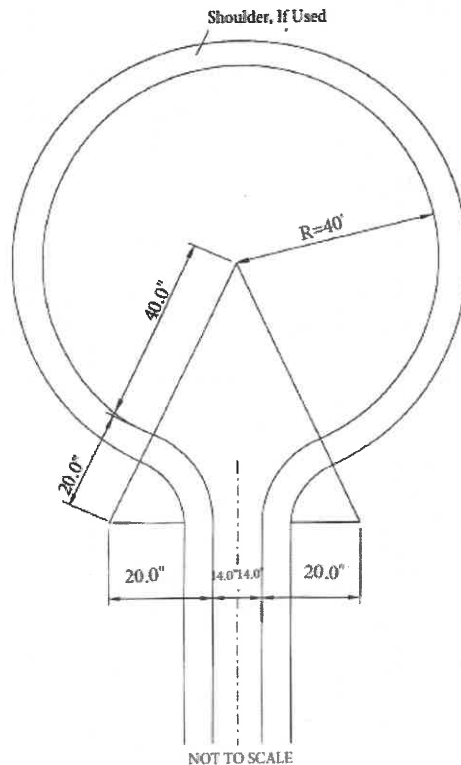
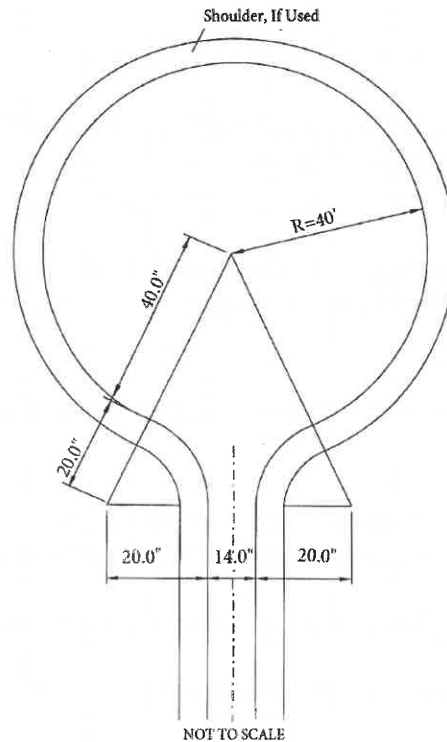


FIGURE B – TURNAROUND WITH ONE 14-FOOT TRAFFIC LANE



CHAPTER 5 SPECIAL BUILDING CONSTRUCTION REQUIREMENTS IS ADOPTED IN ITS ENTIRETY AND AMENDED BELOW

SECTION 501.1 SCOPE is amended to read:

501.1. Scope. Buildings and structures in the Moraga-Orinda Fire Protection District shall be constructed in accordance with Chapter 5 of the California Wildland-Urban Interface Code. For purposes of Chapter 5 of the Wildland-Urban Interface Code, the entirety of the Moraga-Orinda Fire Protection District shall be considered a Wildland-Urban Interface Area to which Chapter 5 will apply.

Exceptions:

1. Group U accessory structures not exceeding 120 square feet (11 m²) in floor area where not located not less than 50 feet (15 240 mm) from applicable buildings.
2. Group U agricultural buildings not less than 50 feet (15 240 mm) from applicable buildings.

SECTION 5. ADOPTION OF CEQA FINDINGS.

The Moraga-Orinda Fire Protection District Board finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Title 14, Chapter 3, California Code of Regulations Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the adoption of this Ordinance will have a significant effect on the environment. The Ordinance adopts standard codes in effect pursuant to state law and sets requirements for compliance. The adoption of this Ordinance does not entitle new development or any changes to the physical environment.

SECTION 6. SEVERABILITY.

- A. If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.
- B. All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this Ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION 7. DATE OF EFFECT

This Ordinance shall, within fifteen (15) days of its passage, be published once in the *Contra Costa Times*, a newspaper of general circulation within the District, together with the names of the Directors voting for and against it.

This Ordinance shall take effect thirty (30) days after its adoption, except that the building standards in this Ordinance shall not take effect within any municipality located in the District until ratified by the governing body of that municipality. The building standards in this Ordinance shall not take effect within the unincorporated areas of the District until ratified by the Board of Supervisors of the County of Contra Costa.

PASSED, APPROVED and ADOPTED this 21st day of January at the regular meeting of the District Board of Directors held at 26 Orinda Way, Orinda, California 94563 on January 21, 2026, on a motion made by Director Hasler, seconded by Director Jex, and duly carried with the following roll call vote:

AYES: DIRECTORS HASLER, JEX, ROEMER, AND DANZIGER

NOES: NONE

ABSENT: DIRECTOR JORGENS

ABSTAIN: NONE

ORDINANCE 26-02

ATTEST:


Steven Danziger (Jan 22, 2026 21:54:22 PST)

**Steven Danziger, Vice President
Board of Directors**

I certify that this is a full, true and correct copy of the original document which is on file in my office, and that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:


Marcia Holbrook (Jan 23, 2026 08:11:05 PST)

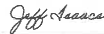
**Marcia Holbrook
District Secretary/District Clerk**

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


Jon Holtzman (Jan 22, 2026 17:36:46 PST)

**Jonathan V. Holtzman
District Counsel**


Jeff Isaacs

**Jeff Isaacs
Fire Chief**



Town of Moraga

Katie Bruner

Check Report

By Check Number

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: AP Bank -AP Bank						
0210	BASIC Benefits LLC	01/08/2026	Regular	0.00	75.00	6107
IN3634665	Invoice	01/07/2026	Bundled CDA Svcs Client ID 4622-9602-02...	0.00	75.00	
0200	Balco Holdings, Inc.	01/08/2026	Regular	0.00	1,338.38	6108
22683047	Invoice	01/07/2026	Monitoring Fee: Fire Hacienda 2100 Donald	0.00	114.00	
22691781	Invoice	01/07/2026	Sec. Alm Monit. Svcs: Council Chambers 3...	0.00	105.50	
22692076	Invoice	01/07/2026	Monitoring Fee Fire: Library 1500 St Marys	0.00	385.55	
22697877	Invoice	01/07/2026	Monitoring Fee: Fire Council Chambers 33...	0.00	289.48	
22715497	Invoice	01/07/2026	Access Control System: Town Hall 329 Rhe...	0.00	443.85	
2132	U.S. Bank Corporate Payment Systems	01/08/2026	Regular	0.00	17,306.35	6109
2025.09	Invoice	09/23/2025	Credit Card Payment: 2025.09 Correction	0.00	20,416.21	
2025.09	Credit Memo	09/23/2025	Credit Card Payment: 2025.09 Correction	0.00	-20,447.81	
2025.12	Invoice	12/17/2025	Credit Card Payment: 2025.12	0.00	17,337.95	
0940	J.J.R. Enterprises Inc.	01/08/2026	Regular	0.00	341.79	6110
CN31118-01	Invoice	01/07/2026	Copy Charges: PW Town Hall 329 Rheem	0.00	92.38	
CN31118-01	Credit Memo	12/11/2025	Copy Charges: PW Town Hall 329 Rheem	0.00	-0.01	
CN31118-01	Invoice	01/07/2026	Copy Charges: CL Town Hall 329 Rheem	0.00	140.32	
CN31118-01	Invoice	01/07/2026	Copy Charges: ASD Town Hall 329 Rheem	0.00	109.10	
0940	J.J.R. Enterprises Inc.	01/08/2026	Regular	0.00	45.47	6111
CN31120-01	Invoice	01/07/2026	Copy Chrgs: Planning	0.00	45.47	
0940	J.J.R. Enterprises Inc.	01/08/2026	Regular	0.00	87.78	6112
CN31119-01	Invoice	01/07/2026	Copy Chrgs: P&R	0.00	87.78	
0940	J.J.R. Enterprises Inc.	01/08/2026	Regular	0.00	203.97	6113
CN31791-01	Invoice	01/07/2026	Copy Chrg: PW	0.00	203.97	
0579	De Lage Landen Financial Services, Inc.	01/08/2026	Regular	0.00	508.81	6116
50407071	Invoice	01/07/2026	Copier Lease: PL	0.00	371.80	
50470361	Invoice	01/07/2026	Copier Lease: PW	0.00	137.01	
0306	Business Card	01/08/2026	Regular	0.00	681.52	6117
2025.12	Invoice	01/07/2026	Credit Card Payment: 2025.12	0.00	681.52	
0306	Business Card	01/08/2026	Regular	0.00	471.00	6118
2025.12	Invoice	01/07/2026	Credit Card Payment: 2025.12	0.00	471.00	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	2,104.47	6119
1463449238-4	Invoice	01/07/2026	Electricity: Hacienda 2100 Donald	0.00	10.41	
1463449238-4	Invoice	01/07/2026	Electricity: Street/Signals	0.00	812.83	
1463449238-4	Invoice	01/07/2026	Electricity: Parks	0.00	1,281.23	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	14,505.73	6120
0190988489-0	Invoice	01/07/2026	Electricity: Bundled Street	0.00	14,505.73	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	2,997.86	6121
0751460593-5	Invoice	01/07/2026	Electricity: Library 1500 St Marys	0.00	2,997.86	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	141.43	6122
3675757343-5	Invoice	01/07/2026	Electricity: St/Sig	0.00	141.43	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	104.06	6123
5255041609-4	Invoice	01/07/2026	Electricity: Hacienda Pavilion 2100 Donald	0.00	104.06	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	198.72	6124

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
6440793656-2	Invoice	01/07/2026	Electricity: Streets/Signals	0.00	198.72	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	4,623.99	6125
6504888173-7	Invoice	01/07/2026	Electricity: Town Hall 329 Rheem	0.00	4,623.99	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	22.18	6126
6905501381-2	Invoice	01/07/2026	Electricity: St/Sig	0.00	22.18	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	162.10	6127
7234145569-8	Invoice	01/07/2026	Electricity: Hacienda LaSala 2100 Donald	0.00	162.10	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	781.54	6128
8367275694-3	Invoice	01/07/2026	Electricity: Council Chambers 335 Rheem	0.00	781.54	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	98.28	6129
8650812145-5	Invoice	01/07/2026	Electricity: Hacienda Casita 2100 Donald	0.00	98.28	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	2,220.54	6130
8749324693-5	Invoice	01/07/2026	Electricity: Hacienda 2100 Donald	0.00	2,220.54	
1632	Pacific Gas & Electric	01/08/2026	Regular	0.00	183.89	6131
9622927397-2	Invoice	01/07/2026	Electricity: Parks	0.00	183.89	
2105	TK Elevator Corp.	01/08/2026	Regular	0.00	940.61	6132
137763	Invoice	01/07/2026	Quarterly Elevator Service	0.00	940.61	
2133	U.S. Bank Equipment Finance	01/08/2026	Regular	0.00	244.54	6133
500-0670316	Invoice	01/07/2026	Copier Lease: PD	0.00	244.54	
2204	Wilmington Trust, N.A.	01/13/2026	Regular	0.00	1,400.00	6135
20251221-15682...	Invoice	01/07/2026	167702-000 2023 Ref COP Revenue	0.00	1,400.00	
0319	California Choice Benefit Administrators	01/20/2026	Regular	0.00	55,077.64	6141
5018564	Invoice	01/20/2026	Medical Insurance: EE	0.00	3,783.31	
5018564	Invoice	01/20/2026	Medical Insurance: Admin Fee	0.00	40.00	
5018564	Invoice	01/20/2026	Medical Insurance: ER	0.00	51,254.33	
1616	Office Depot	01/20/2026	Regular	0.00	172.92	6144
452363955001	Invoice	01/20/2026	Office Supplies	0.00	172.92	
0338	CalPERS	01/20/2026	Regular	0.00	1,544.52	6145
100000018160786	Invoice	01/20/2026	2026 Replacement Benefit Contribution	0.00	1,544.52	
2141	Unum Life Insurance Co.	01/20/2026	Regular	0.00	3,826.39	6146
2026-02	Invoice	01/20/2026	LTD Insurance: 2026.02	0.00	1,843.91	
2026-02	Invoice	01/20/2026	STD Insurance: 2026.02	0.00	509.28	
2026-02	Invoice	01/20/2026	Life Insurance: 2026.02	0.00	1,264.40	
2026-02	Invoice	01/20/2026	AD&D Insurance: 2026.02	0.00	208.80	
1947	Small Business Benefit Plan Trust	01/20/2026	Regular	0.00	702.10	6147
2026-02	Invoice	01/20/2026	Vision Insurance: ER 2026.02	0.00	685.20	
2026-02	Invoice	01/20/2026	Vision Insurance: ER COBRA 2026.02	0.00	16.90	
0335	California State Disbursement Unit	01/02/2026	Regular	0.00	410.76	65899
20251230	Invoice	12/30/2025	PR Batch 40002.01.2026 Child Support	0.00	410.76	
0176	Association of Bay Area Governments	01/08/2026	Regular	0.00	1,895.07	65902
T00171	Invoice	01/08/2026	Natural Gas Pooled Power	0.00	1,895.07	
0073	All City Management Services, Inc.	01/08/2026	Regular	0.00	2,182.43	65903
105512	Invoice	01/08/2026	School Crossing Guard Svcs: 2025.11.23-12..	0.00	727.48	
105767	Invoice	01/08/2026	School Crossing Guard Svcs: 2025.12.07-12..	0.00	1,454.95	
0704	Eloise Anderson	01/08/2026	Regular	0.00	405.00	65904
01052026	Invoice	01/08/2026	Fall Session Intro Therapy Dog Training	0.00	405.00	

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
0786	G&K Petroleum, Inc.	01/08/2026	Regular	0.00	2,997.38	65905
12182025	Invoice	01/08/2026	PD Gas: 2025.12.13-12.18	0.00	961.25	
12182025	Invoice	01/08/2026	Streets Gas: 2025.12.13-12.18	0.00	216.78	
12182025	Invoice	01/08/2026	PD Carwash: 2025.12.13-12.18	0.00	16.00	
12182025	Invoice	01/08/2026	Parks Gas: 2025.12.13-12.18	0.00	288.70	
12292025	Invoice	01/08/2026	Parks Gas: 2025.12.18-12.29	0.00	195.12	
12292025	Invoice	01/08/2026	PD Gas: 2025.12.18-12.29	0.00	1,287.53	
12292025	Invoice	01/08/2026	PD Carwash: 2025.12.18-12.29	0.00	32.00	
0095	America Society of Composers, Authors & Publi	01/08/2026	Regular	0.00	458.00	65906
100006748444	Invoice	01/08/2026	Music Licensing: 2026	0.00	458.00	
0180	AT&T	01/08/2026	Regular	0.00	155.40	65907
9391020639	Invoice	01/07/2026	T1 Line	0.00	4.94	
9391020639	Invoice	01/07/2026	T1 Line	0.00	14.13	
9391020639	Invoice	01/07/2026	T1 Line	0.00	9.18	
9391020639	Invoice	01/07/2026	T1 Line	0.00	9.42	
9391020639	Invoice	01/07/2026	T1 Line	0.00	14.13	
9391020639	Invoice	01/07/2026	T1 Line	0.00	51.80	
9391020639	Invoice	01/07/2026	T1 Line	0.00	28.25	
9391020639	Invoice	01/07/2026	T1 Line	0.00	23.55	
0180	AT&T	01/08/2026	Regular	0.00	192.30	65908
9391019310	Invoice	01/07/2026	Fax Line	0.00	31.88	
9391019310	Invoice	01/07/2026	Elevator Alarm	0.00	31.88	
9391019310	Invoice	01/07/2026	Fax Line	0.00	31.88	
9391019310	Invoice	01/07/2026	Fax Line	0.00	32.90	
9391019310	Invoice	01/07/2026	Fax Line	0.00	31.88	
9391019310	Invoice	01/07/2026	Fax Line	0.00	31.88	
0180	AT&T	01/08/2026	Regular	0.00	31.88	65909
9391020641	Invoice	01/07/2026	Fax: CL Town Hall 329 Rheem	0.00	7.97	
9391020641	Invoice	01/07/2026	Fax: ASD Town Hall 329 Rheem	0.00	7.97	
9391020641	Invoice	01/07/2026	Fax: PW Town Hall 329 Rheem	0.00	7.97	
9391020641	Invoice	01/07/2026	Fax: PL Town Hall 329 Rheem	0.00	7.97	
0180	AT&T	01/08/2026	Regular	0.00	153.18	65910
9391019309	Invoice	01/07/2026	Alarm: Council Chambers 335 Rheem	0.00	153.18	
0180	AT&T	01/08/2026	Regular	0.00	33.13	65911
9391020640	Invoice	01/07/2026	Fax: Hacienda 2100 Donald	0.00	33.13	
0180	AT&T	01/08/2026	Regular	0.00	31.90	65912
9391063436	Invoice	01/07/2026	Emergency Phone: Town Hall 329 Rheem	0.00	31.90	
0188	Autohaus Moraga	01/08/2026	Regular	0.00	457.14	65913
22969	Invoice	01/08/2026	Veh. Maint Eng Svc	0.00	290.80	
23050	Invoice	01/08/2026	Veh. Maint Oil Svc	0.00	166.34	
0197	Badger Daylighting Corporation	01/08/2026	Regular	0.00	8,713.90	65914
2978381	Invoice	01/08/2026	Storm Drain Cleaning	0.00	8,713.90	
0252	BKF Engineers	01/08/2026	Regular	0.00	46,456.45	65915
25110076	Invoice	01/08/2026	22-202 Prof Svcs: 2025.09.29-10.26	0.00	24,262.50	
25120752	Invoice	01/08/2026	25-401 Prof Svcs: through 2025.11.23	0.00	1,514.70	
25121452	Invoice	01/08/2026	22-202 Prof Svcs: 2025.10.27-11.23	0.00	3,901.65	
25121452	Invoice	01/08/2026	22-202 Prof Svcs: 2025.10.27-11.23	0.00	16,777.60	
0305	Burke, Williams & Sorensen	01/08/2026	Regular	0.00	24,285.16	65916
354917	Invoice	01/08/2026	Legal Fees: Gen 05655-0180 2025.10	0.00	1,140.36	
354919	Invoice	01/08/2026	Legal Fees: Gen 05655-0191 2025.10	0.00	1,310.40	
354920	Invoice	01/08/2026	D25-020 Legal Fees: 05655-0200 2025.10	0.00	857.48	
354921	Invoice	01/08/2026	D25-013 Legal Fees: 05655-0200.003 2025...	0.00	415.48	

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
354922	Invoice	01/08/2026	D25-013 Legal Fees: 05655-0200.002 2025...	0.00	13,870.60	
356448	Invoice	01/08/2026	Legal Fees: Gen 05655-0180 2025.11	0.00	3,463.20	
356449	Invoice	01/08/2026	Legal Fees: Gen 05655-0191 2025.11	0.00	491.40	
356450	Invoice	01/08/2026	D25-013 Legal Fees: Gen 05655-0200.002 ...	0.00	1,438.32	
356451	Invoice	01/07/2026	Legal Fees: Gen 05655-0211 2025.11	0.00	1,297.92	
0372	CCC Dept of Information Technology	01/08/2026	Regular	0.00	310.00	65917
16755	Invoice	01/08/2026	Radio Svcs	0.00	310.00	
0764	Fiscal Unit	01/08/2026	Regular	0.00	1,641.60	65918
MOPD-2511	Invoice	01/08/2026	Forensic Svcs: 2025.11	0.00	1,387.50	
MOPD-2511-Supp	Invoice	01/08/2026	Forensic Svcs: 2025.11	0.00	254.10	
0479	Contra Costa Health Services	01/08/2026	Regular	0.00	1,700.00	65919
12112025	Invoice	01/08/2026	SART Exam	0.00	1,700.00	
1986	Stefan Clemens	01/08/2026	Regular	0.00	7,344.40	65920
12222025	Invoice	01/08/2026	CP & LP Fall 2025 2nd Session	0.00	7,344.40	
0511	CSG Consultants, Inc.	01/08/2026	Regular	0.00	18,896.70	65921
64131	Invoice	01/08/2026	21-207 Prof Svcs: 2025.11.01-11.28	0.00	18,896.70	
0611	Diamond K Supply Ltd	01/08/2026	Regular	0.00	287.33	65922
5503377	Invoice	01/08/2026	Commons Drainage Rock	0.00	71.01	
5503612	Invoice	01/08/2026	Commons Drainage Rock	0.00	216.32	
1838	Rui Ding	01/08/2026	Regular	0.00	1,170.00	65923
12222025	Invoice	01/08/2026	Fall Session 2 Tai Chi	0.00	1,170.00	
0666	East Bay Muni. Utility Dist.	01/08/2026	Regular	0.00	152.28	65924
12212300001	Invoice	01/07/2026	Water Svcs: 848 Country Club Dr:	0.00	152.28	
0666	East Bay Muni. Utility Dist.	01/08/2026	Regular	0.00	728.71	65925
48312700001	Invoice	01/08/2026	Water Svcs: 1310 Camino Pablo	0.00	728.71	
0671	East Bay Tree Service, Inc.	01/08/2026	Regular	0.00	1,950.00	65926
598855	Invoice	01/08/2026	Tree Removal	0.00	1,950.00	
0673	Ebne Mujadidi	01/08/2026	Regular	0.00	2,771.35	65927
11486	Invoice	01/08/2026	Veh Maint Wiring Svc	0.00	1,984.50	
11671	Invoice	01/08/2026	Veh Maint Wiring Svc	0.00	786.85	
1072	Jordan Gunn	01/08/2026	Regular	0.00	2,265.60	65928
12152025	Invoice	01/08/2026	ASEP Session 1 LP Karate	0.00	2,265.60	
0282	Brian J. Horn	01/08/2026	Regular	0.00	120.00	65929
12312025	Invoice	01/08/2026	APA Leadership Academy Class	0.00	120.00	
0918	Impec Group Inc.	01/08/2026	Regular	0.00	4,239.04	65930
2512124	Invoice	01/08/2026	Janitorial Services - 2100 Donald Hacienda	0.00	1,271.71	
2512124	Invoice	01/08/2026	Janitorial Services - 1500 St Marys Library	0.00	1,271.71	
2512124	Invoice	01/08/2026	Janitorial Services - 335 Rheem Council Ch...	0.00	423.91	
2512124	Invoice	01/08/2026	Janitorial Services - 329 Rheem Town Offic...	0.00	1,271.71	
0746	F.J. Kennedy and Associates	01/08/2026	Regular	0.00	2,499.05	65931
25-213	Invoice	01/08/2026	NPDES Permit Implementation Assistance ...	0.00	1,401.55	
25-214	Invoice	01/08/2026	D25-025 Prof Svcs: 2025.10-2025.11	0.00	362.50	
25-215	Invoice	01/08/2026	I17-008 Prof Svcs: 2025.10	0.00	735.00	
0474	Contra Costa County Sheriff's Office, LETC	01/08/2026	Regular	0.00	500.00	65932
25-3929	Invoice	01/08/2026	Range Use	0.00	500.00	
1365	Maria Inez Martinez	01/08/2026	Regular	0.00	6,384.00	65933
12182025	Invoice	01/08/2026	Fall Sessions 1 & 2 Senior Fitness	0.00	6,384.00	
1893	Scott Mitnick	01/08/2026	Regular	0.00	6.49	65934

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
01072026	Invoice	01/08/2026	CCTA Meeting Parking	0.00	6.49	
0232	Benali Inc.	01/08/2026	01/08/2026 Regular	0.00	153.43	65935
39979	Invoice	01/08/2026	Maint Supplies	0.00	153.43	
1712	PTS Communications Inc.	01/08/2026	01/08/2026 Regular	0.00	75.00	65936
9259130665	Invoice	01/07/2026	Pay Phone Chrg: Rancho Laguna	0.00	75.00	
1720	Qualus Engineering CA, LLP	01/08/2026	01/08/2026 Regular	0.00	1,386.00	65937
6200070	Invoice	01/08/2026	I17-008 Prof Svcs: 2025.09.22-10.19	0.00	1,386.00	
1906	SESAC Rights Management Inc	01/08/2026	01/08/2026 Regular	0.00	641.00	65938
10894349	Invoice	01/08/2026	Music Licensing: 2026	0.00	641.00	
1945	Silicon Connections, LLC	01/08/2026	01/08/2026 Regular	0.00	7,801.90	65939
26354	Invoice	01/07/2026	IT Svcs: 2025.12	0.00	7,801.90	
1954	Sof Surfaces Inc.	01/08/2026	01/08/2026 Regular	0.00	7,800.00	65940
INV16166	Invoice	01/08/2026	25-303 Commons Park All Access Playgrou...	0.00	7,800.00	
2045	T-Mobile	01/08/2026	01/08/2026 Regular	0.00	693.25	65941
201625790	Invoice	01/07/2026	Streets Cell Phones	0.00	134.66	
201625790	Invoice	01/07/2026	Parks Cell Phones	0.00	132.44	
201625790	Invoice	01/07/2026	Storm Cell Phones	0.00	101.55	
201625790	Invoice	01/07/2026	P&R Phones and Internet	0.00	119.30	
201625790	Invoice	01/07/2026	PW Cell Phones	0.00	183.22	
201625790	Invoice	01/07/2026	329 Rheem Cell Phones	0.00	22.08	
2045	T-Mobile	01/08/2026	01/08/2026 Regular	0.00	40.90	65942
973577418	Invoice	01/08/2026	Cell Phones: PD	0.00	40.90	
2046	T-Mobile USA, Inc.	01/08/2026	01/08/2026 Regular	0.00	50.00	65943
L2512200069	Invoice	01/08/2026	Time Difference of Arrival	0.00	50.00	
2046	T-Mobile USA, Inc.	01/08/2026	01/08/2026 Regular	0.00	50.00	65944
L2512200021	Invoice	01/08/2026	Time Difference of Arrival	0.00	50.00	
2117	Townsend Public Affairs, Inc	01/08/2026	01/08/2026 Regular	0.00	1,500.00	65945
24601	Invoice	01/08/2026	Lamorinda Legislative Coalition - Consulta...	0.00	1,500.00	
2123	TransUnion Risk & Alternative Data Solutions, Ir	01/08/2026	01/08/2026 Regular	0.00	100.00	65946
811153	Invoice	01/08/2026	Police Search Engine	0.00	100.00	
1574	Natural Capitalism Solutions	01/12/2026	01/12/2026 Regular	0.00	40,000.00	65947
CC-TOWN OF M...	Invoice	01/12/2026	23-108 remainder of RFP Milestone #1 Fee	0.00	40,000.00	
0335	California State Disbursement Unit	01/16/2026	01/16/2026 Regular	0.00	410.76	65948
20260113	Invoice	01/13/2026	PR Batch 40003.01.2026 Child Support	0.00	410.76	
0717	Enradiance Business Solutions LLC	01/20/2026	01/20/2026 Regular	0.00	1,310.75	65949
80594	Invoice	01/20/2026	Town of Moraga 2025 ACFR	0.00	1,310.75	
0091	Amazon Capital Services, Inc	01/20/2026	01/20/2026 Regular	0.00	49.36	65950
1YFT-PKFF-6QYT	Invoice	01/20/2026	Office Supplies	0.00	49.36	
0786	G&K Petroleum, Inc.	01/20/2026	01/20/2026 Regular	0.00	1,166.50	65951
01062026	Invoice	01/20/2026	PD Gas: 2025.12.28-2026.01.06	0.00	978.30	
01062026	Invoice	01/20/2026	Streets Gas: 2025.12.28-2026.01.06	0.00	160.20	
01062026	Invoice	01/20/2026	PD Carwash: 2025.12.28-2026.01.06	0.00	28.00	
0180	AT&T	01/20/2026	01/20/2026 Regular	0.00	31.88	65952
9391020642	Invoice	01/20/2026	Sprinkler Alarm: Town Hall 329 Rheem	0.00	31.88	
0188	Autohaus Moraga	01/20/2026	01/20/2026 Regular	0.00	1,694.93	65953
22852	Invoice	01/20/2026	Veh Maint Control Arm and Power Steerin...	0.00	1,122.11	
22914	Invoice	01/20/2026	Veh Maint Oil and Tire Svc	0.00	179.53	

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
23092	Invoice	01/20/2026	Veh Maint Oil and Tire Svc	0.00	189.74	
23121	Invoice	01/20/2026	Veh Maint Headlight Svc	0.00	37.21	
23143	Invoice	01/20/2026	Veh Maint Oil Svc	0.00	166.34	
0192	Axon Enterprise, Inc.	01/20/2026	01/20/2026 Regular	0.00	4,784.25	65954
INUS411329	Invoice	01/20/2026	Evidence Storage Tax Due from Invoice IN...	0.00	388.01	
INUS411329	Credit Memo	01/20/2026	Evidence Storage Credit	0.00	-11,972.67	
INUS411329	Credit Memo	01/20/2026	Evidence Storage Credit	0.00	-588.62	
INUS411329	Invoice	01/20/2026	Evidence Storage	0.00	16,957.53	
1172	Keriann Armusewicz	01/20/2026	01/20/2026 Regular	0.00	1,386.00	65955
01142026	Invoice	01/20/2026	Fall ASEP Session #2	0.00	1,386.00	
0197	Badger Daylighting Corporation	01/20/2026	01/20/2026 Regular	0.00	6,398.84	65956
2976251	Invoice	01/20/2026	Storm Drain Cleaning	0.00	6,398.84	
0305	Burke, Williams & Sorensen	01/20/2026	01/20/2026 Regular	0.00	7,647.34	65957
354912	Invoice	01/20/2026	I14-001 Legal Fees: 05655-0076 2025.10	0.00	151.32	
356442	Invoice	01/20/2026	Legal Fees: Pers 05655-0111 2025.11	0.00	898.04	
356443	Invoice	01/20/2026	Legal Fees: Gen 05655-0010 2025.11	0.00	3,945.24	
356445	Invoice	01/20/2026	Legal Fees: Lit 05655-0165 2025.11	0.00	1,482.74	
356446	Invoice	01/20/2026	Legal Fees: Gen 05655-0168 2025.11	0.00	819.00	
356447	Invoice	01/20/2026	Legal Fees: Gen 05655-0179 2025.11	0.00	351.00	
0512	CSI Ergonomic Furniture, Inc	01/20/2026	01/20/2026 Regular	0.00	552.91	65958
36066	Invoice	01/20/2026	Ergonomic Supplies	0.00	552.91	
0876	Health Care Dental Trust	01/20/2026	01/20/2026 Regular	0.00	3,606.84	65959
375325	Invoice	01/20/2026	Dental Insurance: ER 2026.02	0.00	3,520.94	
375325	Invoice	01/20/2026	Dental Insurance: COBRA 2026.02	0.00	85.90	
0611	Diamond K Supply Ltd	01/20/2026	01/20/2026 Regular	0.00	476.08	65960
5502709	Invoice	01/20/2026	Maint Supplies	0.00	476.08	
0601	Department of Justice	01/20/2026	01/20/2026 Regular	0.00	330.00	65961
16537	Invoice	01/20/2026	LiveScan: 2025.12	0.00	330.00	
0666	East Bay Muni. Utility Dist.	01/20/2026	01/20/2026 Regular	0.00	238.20	65962
11316700001	Invoice	01/20/2026	Water Svcs: Town Hall 329 Rheem	0.00	238.20	
0666	East Bay Muni. Utility Dist.	01/20/2026	01/20/2026 Regular	0.00	3,415.46	65963
11448800001	Invoice	01/20/2026	Water Svcs: 99 Devin Dr	0.00	3,415.46	
0666	East Bay Muni. Utility Dist.	01/20/2026	01/20/2026 Regular	0.00	112.32	65964
11316400001	Invoice	01/20/2026	Water Svcs: 390 Moraga Rd	0.00	112.32	
0666	East Bay Muni. Utility Dist.	01/20/2026	01/20/2026 Regular	0.00	766.86	65965
53401400001	Invoice	01/20/2026	Water Svcs: Town Hall 329 Rheem	0.00	766.86	
0666	East Bay Muni. Utility Dist.	01/20/2026	01/20/2026 Regular	0.00	542.20	65966
11316600001	Invoice	01/20/2026	Water Svcs: Council Chambers 331 Rheem...	0.00	542.20	
0776	Francisco & Associates, Inc.	01/20/2026	01/20/2026 Regular	0.00	4,995.00	65967
4156	Invoice	01/20/2026	Street Lighting Assess Dist FY2025-26	0.00	4,995.00	
2217	Yaron Shoshan	01/20/2026	01/20/2026 Regular	0.00	1,000.00	65968
01012026	Invoice	01/20/2026	Landscape Maint: 329 Rheem	0.00	400.00	
01012026	Invoice	01/20/2026	Landscape Maint: Library	0.00	600.00	
0366	Catherine Ghiselli	01/20/2026	01/20/2026 Regular	0.00	488.73	65970
01142026	Invoice	01/20/2026	Records Supervisor Training Mileage Reim...	0.00	164.73	
01142026	Invoice	01/20/2026	Records Supervisor Training Meal Per Diem	0.00	324.00	
0827	Gopher Team	01/20/2026	01/20/2026 Regular	0.00	599.00	65971
863601	Invoice	01/20/2026	Pest Control - Commons Park	0.00	599.00	

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
0900	Horizon Distributors, Inc.	01/20/2026	Regular	0.00	300.54	65972
1R356631	Invoice	01/20/2026	Streets Supplies	0.00	300.54	
1265	League of California Cities	01/20/2026	Regular	0.00	8,237.00	65973
INV-45226-C6K7..	Invoice	01/20/2026	Membership Dues 2026	0.00	8,237.00	
2215	Yao Miao	01/20/2026	Regular	0.00	525.00	65974
01132026	Invoice	01/20/2026	Seismic Training and Exam	0.00	525.00	
1549	MPH Industries, Inc.	01/20/2026	Regular	0.00	629.24	65975
6026169	Invoice	01/20/2026	Radar and Setup Kit	0.00	314.62	
6026170	Invoice	01/20/2026	Radar and Setup Kit	0.00	314.62	
1555	Municipal Resource Group, LLC	01/20/2026	Regular	0.00	275.00	65976
260050	Invoice	01/20/2026	Coaching Session	0.00	275.00	
1573	National Trench Safety, Inc	01/20/2026	Regular	0.00	517.34	65977
1202579	Invoice	01/20/2026	Trench Plate Rental	0.00	517.34	
1069	Jonathan Odell	01/20/2026	Regular	0.00	388.80	65978
01142026	Invoice	01/20/2026	STOP Training Per Diem	0.00	252.00	
01142026	Invoice	01/20/2026	STOP Training Mileage Reimbursement	0.00	136.80	
1739	Randy Pacheco	01/20/2026	Regular	0.00	388.80	65979
01142026	Invoice	01/20/2026	STOP Training Mileage Reimbursement	0.00	136.80	
01142026	Invoice	01/20/2026	STOP Training Per Diem	0.00	252.00	
1910	SF Bay Regional Water Quality Control Bd	01/20/2026	Regular	0.00	4,212.00	65980
01132026	Invoice	01/20/2026	23-201 Water Quality Cert App Fee	0.00	4,212.00	
2069	The Berkeley Chess School	01/20/2026	Regular	0.00	4,100.00	65981
6413	Invoice	01/20/2026	Rheem Fall ASEP Session #1	0.00	2,100.00	
6420	Invoice	01/20/2026	LP Fall ASEP Session #1	0.00	2,000.00	
2121	Traffic Logix Corporation	01/20/2026	Regular	0.00	254.50	65982
SIN34858	Invoice	01/20/2026	Radar	0.00	254.50	
2157	Verizon Wireless	01/20/2026	Regular	0.00	114.75	65983
471243537-2	Invoice	01/20/2026	PD Cell Phones	0.00	75.39	
471243537-2	Invoice	01/20/2026	Code Enforcement Cell Phones	0.00	39.36	
2157	Verizon Wireless	01/20/2026	Regular	0.00	240.06	65984
471243537-5	Invoice	01/20/2026	PD Data Cards	0.00	240.06	
2174	Wallace Roberts & Todd INC	01/20/2026	Regular	0.00	18,651.40	65985
5	Invoice	01/20/2026	Parks, Rec, Open Space Master Plan Prof S...	0.00	18,651.40	
0567	David Martinez	01/20/2026	Regular	0.00	2,164.67	65989
01122026	Invoice	01/20/2026	E24-176 Deposit Refund	0.00	2,164.67	
1867	Sanders Ranch HOA	01/20/2026	Regular	0.00	56,065.56	65990
01132026	Invoice	01/20/2026	I23-003 Deposit Refund	0.00	50,000.00	
01132026	Invoice	01/20/2026	I23-004 Deposit Refund	0.00	5,000.00	
01132026	Invoice	01/20/2026	I23-002 Deposit Refund	0.00	1,065.56	
1977	Star Rooter & Plumbing, Inc	01/20/2026	Regular	0.00	1,894.53	65991
01122026	Invoice	01/20/2026	E23-229 Deposit Refund	0.00	1,894.53	
0335	California State Disbursement Unit	01/30/2026	Regular	0.00	410.76	66000
PR-2603	Invoice	01/30/2026	PR Batch 40030.01.2026 Child Support	0.00	410.76	
2239	Morga Police Officers Association	01/30/2026	Bank Draft	0.00	350.00	DFT0000011
PR-2603	Invoice	01/30/2026	MPOA Dues: PPE 01/24/2026	0.00	350.00	
2243	Moraga Police Managers Association	01/30/2026	Bank Draft	0.00	70.00	DFT0000012

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
PR-2603	Invoice	01/30/2026	MPMA Dues: PPE 01/24/2026	0.00	70.00	
2240	Employment Development Department	01/30/2026	Bank Draft	0.00	12,183.16	DFT0000013
PR-2603	Invoice	01/30/2026	Payroll Taxes: PPE 01/24/2026	0.00	12,183.16	
2241	IRS	01/30/2026	Bank Draft	0.00	36,502.77	DFT0000014
PR-2603	Invoice	01/30/2026	Payroll Taxes: PPE 01/24/2026	0.00	36,502.77	
2242	Mission Square Retirement Trust 457	01/30/2026	Bank Draft	0.00	20,433.59	DFT0000015
PR-2603	Invoice	01/30/2026	Payroll 2026.01.30	0.00	20,433.59	
0210	BASIC Benefits LLC	01/30/2026	Bank Draft	0.00	1,948.01	DFT0000016
PR-2603	Invoice	01/30/2026	FSA-DCAP: PPE 01/24/2026	0.00	1,948.01	
0338	CalPERS	01/30/2026	Bank Draft	0.00	46,284.68	DFT0000017
PR-2603	Invoice	01/30/2026	PERS Retirement: PPE 01/24/2026	0.00	46,284.68	

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	208	119	0.00	456,604.85
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	7	7	0.00	117,772.21
EFT's	0	0	0.00	0.00
	215	126	0.00	574,377.06

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	208	119	0.00	456,604.85
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	7	7	0.00	117,772.21
EFT's	0	0	0.00	0.00
	215	126	0.00	574,377.06

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	1/2026	118,182.97
			118,182.97



Meeting Date: February 11, 2026

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers

From: Denise Bazzano, Assistant Town Attorney

Subject: Consider Waiving the First Reading and Introducing an Ordinance Amending Chapter 2.12, “Planning Commission” and Chapter 2.16, “Parks and Recreation Commission” to Revise Terms of Office and Reappointment Processes to be Consistent with the Town’s Interview and Appointment Policy.

RECOMMENDATION

Consider Waiving the First Reading and Introducing an Ordinance Amending Chapter 2.12, “Planning Commission” and Chapter 2.16, “Parks and Recreation Commission” to Revise Terms of Office and Reappointment Processes to be Consistent with the Town’s Interview and Appointment Policy.

BACKGROUND

The Town of Moraga has several Boards, Committees and Commissions that serve the Town in a variety of capacities. From time to time, members of these bodies may vacate their seat which results in an unscheduled vacancy or their term may come to an end and they do not seek re-appointment. On November 12, 2025, the Town Council adopted by minute order, an Interview and Appointment Policy for Town Boards, Committees, and Commission (“Interview and Appointment Policy”). The Interview and Appointment Policy provides, among other things, a specific process for the recruitment, interview of candidates and selection of candidates to fill vacant Board, Committee and Commission seats.

DISCUSSION

The proposed ordinance would revise sections 2.12.030, “Term of Office” and 2.12.040, “Removal or Vacancy” within Chapter 2.12, “Planning Commission”; and sections 2.16.030, “Term of Office” and 2.16.040, “Removal or Vacancy” within Chapter 2.16, “Park and Recreation Commission” to make changes to be consistent with the Interview and

Appointment Policy. Those changes would specify that the term of office of each member is two years and that each member serves two-year terms based upon the date and year of appointment and will serve until the member's term ends or until a successor is appointed and qualified. The current term for a Planning Commission member and a Parks and Recreation Commission member is two years, so the actual term length remains the same. The changes would also provide that members can serve a maximum of three consecutive terms unless the council determines that continued service of a member is in the best interest of the Town and any vacancy would be filled in accordance with the Town's Interview and Appointment Policy.

The proposed Ordinance would also remove references to start dates of terms, which are no longer relevant.

FISCAL IMPACT

There is no direct fiscal impact associated with this item.

CEQA COMPLIANCE

The proposed ordinance is not subject to review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.), because it constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

ALTERNATIVES

1. Provide alternate direction to staff to amend the proposed ordinance; or
2. Do not waive the first reading of the ordinance and provide alternative direction to staff.

NEXT STEPS

If the first reading of the ordinance is waived and changes to the ordinance introduced, staff will return to Council for the waiving of the 2nd ordinance reading and adoption of the updated ordinance. The updated ordinance will go into effect 30 days after adoption.

ATTACHMENTS

[Attachment A - Ordinance Amending Chapters 2.12 and 2.16 to Revise Terms of Office.pdf](#)

[Attachment B - Redlines to Chapters 2.12 and 2.16.pdf](#)

[Attachment C - Moraga Commission and Committee Interview and Appointment Policy.pdf](#)

ORDINANCE NO. **XXX**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MORAGA AMENDING CHAPTERS 2.12, “PLANNING COMMISSION” AND CHAPTER 2.16, “PARKS AND RECREATION COMMISSION” TO REVISE TERMS OF OFFICE AND REAPPOINTMENT PROCESSES CONSISTENT WITH THE TOWN’S INTERVIEW AND APPOINTMENT POLICY

WHEREAS, the Town of Moraga has various Boards, Committees, and Commissions, and vacancies occasionally occur when members resign or do not seek reappointment at the end of their terms. To ensure consistency, the Town Council directed staff to develop a policy standardizing the interview and appointment process for filling those vacancies; and

WHEREAS, on November 12, 2025, the Town Council adopted by minute order, an Interview and Appointment Policy for Town Boards, Committees, and Commission (“Appointment Policy”); and

WHEREAS, the Town Council desires to update the Town of Moraga Municipal Code to revise provisions in the Municipal Code to be consistent with the Appointment Policy.

NOW, THEREFORE, THE TOWN COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE

Findings: The above recitals are incorporated herein as if set forth herein in full and each is relied upon independently by the Town Council for its adoption of this Ordinance.

SECTION TWO -AMENDMENT.

Sections 2.12.030, “Term of Office” and 2.12.040, “Removal or Vacancy” within Chapter 2.12, “Planning Commission” of Title 2, “Administration and Personnel, shall be amended by repealing and replacing those Sections in their entirety to read as follows:

“2.12.030 - Term of office.

The term of office of each member is two years. Each member shall serve two-year terms based upon the date and year of appointment and shall serve until the member’s term ends or until a successor is appointed and qualified.

Members may be appointed to a maximum of three consecutive terms unless the council determines that continued service of a member is in the best interest of the Town. If that determination is made by the council, the member may re-apply and re-interview for their position in the same manner as a new board, commission and committee member.

2.12.040 - Removal or vacancy.

A member of the commission may be removed by a majority vote of the council. A vacancy shall be filled in accordance with the Town's Board, Committee and Commission Interview and Appointment Policy, as may be amended from time to time. A person appointed to fill a vacancy serves for the remainder of the unexpired term."

All other sections within Chapter 2.12 shall remain unchanged.

SECTION THREE -AMENDMENT.

Sections 2.16.030, "Term of Office" and 2.16.040, "Removal or Vacancy" within Chapter 2.16, "Park and Recreation Commission" of Title 2, "Administration and Personnel, shall be amended by repealing and replacing those Sections in their entirety to read as follows:

"2.16.030 - Term of office.

The term of office of each member is two years. Each member shall serve two-year terms based upon the date and year of appointment and shall serve until the member's term ends or until a successor is appointed and qualified.

Members may be appointed to a maximum of three consecutive terms unless the council determines that continued service of a member is in the best interest of the Town. If that determination is made by the council, the member may re-apply and re-interview for their position in the same manner as a new board, commission and committee member.

2.16.040 - Removal or vacancy.

A member of the commission may be removed by a majority vote of the council. A vacancy is filled in the same manner as the original appointment. A vacancy shall be filled in accordance with the Town's Board, Committee and Commission Interview and Appointment Policy, as may be amended from time to time. A person appointed to fill a vacancy serves for the remainder of the unexpired term."

All other sections within Chapter 2.16 shall remain unchanged.

SECTION FOUR

The Town Council hereby determines that this Ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378 as this is not a "project" that may cause a direct, or reasonably foreseeable indirect, physical change in the environment.

SECTION FIVE

Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION SIX

Effective Date. This Ordinance shall take effect 30 days from its passage, and shall be published in accordance with the law, in a newspaper of general circulation published and circulated in the Town of Moraga.

SECTION SEVEN

Publication. The Town Clerk is directed to cause this Ordinance to be published in the manner required by law.

THIS ORDINANCE was introduced with the first reading waived at the Town of Moraga Town Council meeting on the 12th day of February, 2026, and was passed and adopted at a regular meeting of the Moraga Town Council on the ## day of Month 2026, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

ATTEST:

APPROVED:

Town Clerk

Kerry Hillis, Mayor

Dated: _____

2.12.030 - Term of office.

The term of office of each member is two years. Each member ~~serve~~shall serve two-year terms based upon the date and year of appointment and shall serve until October 1st of the year in which the member's~~member's~~ term expires. ~~Each member serves~~ends or until a successor is appointed and qualified.

Members may be appointed to a maximum of three ~~consecutive~~consecutive terms unless the council determines that continued service of a member is in the best interest of the ~~commission or the town~~Town. If that determination is made by the council, the member may re-apply and re-interview for their position in the same manner as a new board, commission and committee member.

2.12.040 - Removal or vacancy.

A member of the commission may be removed by a majority vote of the council. A vacancy ~~is~~shall be filled in accordance with the same mannerTown's Board, Committee and Commission Interview and Appointment Policy, ~~as the original appointment may be amended from time to time~~. A person appointed to fill a vacancy serves for the remainder of the unexpired term.

2.16.030 - Term of office.

The term of office of each member is two years. ~~The term of office of each member begins January 1, 1978. Of~~Each member shall serve two-year terms based upon the members first appointed, fourdate and year of appointment and shall serve until ~~January 1, 1979, and three serve until January 1, 1980. Each member serves until February 1st of the year the member's~~member's term ends or until a successor is appointed and qualified.

Members may be appointed to a maximum of three consecutive terms unless the council determines that continued service of a member is in the best interest of the ~~commission or town~~Town. If that determination is made by the council, the member may re-apply and re-interview for their position in the same manner as a new board, commission and committee member.

2.16.040 - Removal or vacancy.

A member of the commission may be removed by a majority vote of the council. A vacancy is filled in the same manner as the original appointment. A vacancy shall be filled in accordance with the Town's Board, Committee and Commission Interview and Appointment Policy, as may be amended from time to time. A person appointed to fill a vacancy serves for the remainder of the unexpired term.

Board, Committee and Commission Interview and Appointment Policy

Purpose

Establish a process for the interview and appointment of all Boards, Committees and Commissions by the Moraga Town Council.

Appointment Details

- A. The Maddy Act (*see Chapter 11, Section 54970 et seq. of the California Government Code*) sets forth certain legal requirements for board, commission and committee member appointments. It shall be the responsibility of the Town Clerk to carry out the requirements of the Maddy Act to ensure that appointments or re-appointments are made in a timely matter.
- B. The Town Clerk shall maintain a current roster of all Boards, Committees and Commissions whose members serve at the pleasure of the Town Council and the necessary qualifications for each position.
- C. Unless otherwise provided in the Moraga Municipal Code or specified by the Town Council, all Boards, Committees and Commissions shall serve two-year terms expiring based upon the date and year of appointment.

Re-Appointments

- A. Board, Committee and Commission members may be appointed to a maximum of three consecutive terms unless the Council determines that continued service of a member is in the best interest of the Town. If that determination is made, the Board, Committee and Commission member may re-apply and re-interview for their position in the same manner as a new board, commission and committee member.
- B. Removal or non-reappointment will be determined by Council.

Vacancies

- A. When a vacancy occurs due to resignation, termination, expiration, or other causes, the Town Clerk or staff liaison will advertise a notice inviting applications for the vacancy on the Town's website and via any other appropriate channels at the discretion of the Town Clerk with a deadline date based upon timing of the interview schedule.
- B. Applicants must fill out and submit an application form. Applications are public documents and are kept in accordance with the Town's Record Retention policy.
- C. All applications received will be submitted to the Town Council for consideration .

Interviews

- A. Interviews will typically be conducted of all qualified applicants, unless otherwise decided by Town Council.
- B. If a candidate is unable to attend the interview at the designated time, the Town Council, in its discretion, may re-schedule the interview or may proceed with selection of a qualified candidate without an interview.
- C. The Town Clerk will coordinate a Special meeting to hold the interviews, for the applicants. Prior to the special meeting, the Town Clerk will prepare and distribute to the Council a list of standard interview questions. These questions shall be used as a guide when interviewing each applicant. Councilmembers may deviate from the list of standard questions or ask follow-up questions.
- D. Consistent with the Brown Act and applicable law, interviews shall be conducted by the Town Council at public special meetings scheduled and reserved specifically for interviews. The Town Clerk shall inform applicants of this fact prior to their interview.
- E. At the time of the interview, the Town Council may decide to re-advertise the vacancy or re-interview some or all of the applicants.

Appointments and Oath of Office

- A. The Council shall appoint the selected candidate(s) for Board, Committee and Commission seats at a regular Council meeting. Appointments must be discussed and made in open session.
- B. The Clerk shall administer the oath of office after the appointment of the selected candidate(s), which may take place anytime prior to their first meeting as a Board, Committee or Commission member.