

ORDINANCE NO. 2019-201

**AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL, CALIFORNIA,
ADOPTING BY REFERENCE THE 2019 CALIFORNIA FIRE CODE,
TOGETHER WITH CERTAIN AMENDMENTS, DELETIONS, ADDITIONS
AND PENALTIES, AND AMENDING TITLE 11 OF THE LAGUNA
NIGUEL MUNICIPAL CODE**

The City Council of the City of Laguna Niguel does ordain as follows:

SECTION 1. RECITALS

1. Pursuant to California Government Code section 50022.1 *et seq.* the City of Laguna Niguel may adopt by reference codes comprising the California Building Standards Code, 2019 Edition, as provided in Title 24 of the California Code of Regulations.
2. The California Building Standards Commission adopted the 2019 California Buildings Standards Code which will take effect January 1, 2020.
3. California Health & Safety Code Section 17958.5 authorizes cities and counties to modify the California Fire Code by adopting more restrictive standards and modifications if such standards and modifications are supported by express findings that they are reasonably necessary because of local climatic, geological or topographical conditions.
4. The Orange County Fire Authority (OCFA), which serves as the City's Fire Department, has recommended that changes and modifications be made to the 2019 Edition of the California Fire Code in order to more fully safeguard life and property due to local conditions in the City of Laguna Niguel. Other recommended changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code.
5. On November 19, 2019, the City Council conducted and concluded a duly noticed public hearing as required by California Government Code Section 50022.3, to consider adoption of this Ordinance.

SECTION 2. ADOPTION OF THE 2019 CALIFORNIA FIRE CODE AND AMENDMENTS THERETO

Article 1, entitled "2016 Edition of the California Fire Code," of Division 3, entitled "Fire Protection and Explosives," of Title 11 of the Laguna Niguel Municipal Code entitled "Public Morals, Safety and Welfare," is hereby repealed. A new Article 1, entitled "2019 Edition of the California Fire Code," is added to Division 3, entitled "Fire Protection and Explosives," of Title 11 of the Laguna Niguel Municipal Code, entitled "Public Morals, Safety and Welfare," to read as follows:

“ARTICLE 1. 2019 EDITION OF THE CALIFORNIA FIRE CODE

Sec. 11-3-1. Adoption of the 2019 Edition of the California Fire Code

Except as hereinafter provided, the 2019 Edition of the California Fire Code, based on the 2018 Edition of the International Fire Code, as published by the International Code Council, is hereby adopted by reference by the City of Laguna Niguel for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion hazards, save and except such portions as are hereinafter added, deleted, modified or amended. One copy of all the above is now on file in the office of the City Clerk for public inspection. This code is adopted with the same force and effect as through set out herein in full.

Sec. 11-3-2. Chapter 1, Scope and Administration, amended.

Chapter 1, Scope and Administration is adopted in its entirety with the following amendments:

Section 110.4 ‘Violation penalties’ is hereby amended to read as follows:

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or shall fail to comply with any issued orders or notices 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 subject to penalties assessed as prescribed in the OCFA Prevention Field Services adopted fee schedule. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 110.4.2 ‘Infraction and misdemeanor’ is hereby added as follows:

110.4.2 Infraction and misdemeanor. Persons operating or maintaining any occupancy, premises or vehicle subject to this code that shall permit any fire or life safety hazard to exist on premises under their control shall be guilty of an infraction. Persons who fail to take immediate action to abate a fire or life safety hazard when ordered or notified to do so by the chief or a duly authorized representative are guilty of a misdemeanor.

Sec. 11-3-3. Chapter 2, Definitions, amended.

Chapter 2, Definitions, is adopted in its entirety with the following amendments:

Sections 202 General Definitions is hereby amended by adding “OCFA,” and “Spark Arrester” as follows:

OCFA. Orange County Fire Authority which is the fire department/authority having jurisdiction.

SPARK ARRESTER. A listed device constructed of noncombustible material specifically for the purpose of meeting one of the following conditions:

1. Removing and retaining carbon and other flammable particles/debris from the exhaust flow of an internal combustion engine in accordance with California Vehicle Code Section 38366.
2. Fireplaces that burn solid fuel in accordance with California Building Code Chapter 28.

Sec. 11-3-4. Chapter 3, General Requirements, amended.

Chapter 3, General Requirements, is adopted in its entirety, with the exception of Sections 308.1.4, 311.5 through 311.5.5, 318, and 319, and with the following amendments:

Section 304.1.2 'Vegetation' is hereby amended to read as follows:

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirement in urban-wildland interface areas shall be in accordance with Chapter 49. Type, amount, arrangement, and maintenance of vegetation in a fuel modification area, interior slope, or similarly hazardous area shall be in accordance with OCFA Guideline C-05 "Vegetation Management Guideline-Technical Design for New Construction, Fuel Modification Plans, and Maintenance Program."

Section 305.6 'Hazardous conditions' is hereby added as follows:

305.6 Hazardous conditions. Outdoor fires burning wood or other solid fuel are not allowed when any of the following conditions applies:

1. When predicted sustained winds exceed 8 MPH and relative humidity is less than 25%, or a red flag condition has been declared.
2. When an official sign was caused to be posted by the Fire Code Official, or a public announcement is made.

No outdoor fires using any fuel type are permitted when predicted sustained winds exceed 20 MPH or when such fires present a hazard as determined by the Fire Code Official.

Section 305.7 'Disposal of rubbish' is hereby added as follows:

305.7 Disposal of rubbish. Rubbish, trash or combustible waste material shall be burned only within an approved incinerator and in accordance with Section 307.2.1.

Section 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces is hereby amended by adding Sections 307.6 through 307.6.2.1 to read as follows:

Sections 307.6 'Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices' used at Group R Occupancies is hereby added as follows:

307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies. Outdoor fireplaces, fire pits, fire rings, or similar exterior devices used at Group R occupancies shall comply with this section.

Exception: Barbeques, grills, and other portable devices intended solely for cooking.

307.6.1 Gas-fueled devices. Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction and vegetation shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. At other R occupancies, the minimum distance shall be ten feet. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester as defined in Section 202.

307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas. Permanent outdoor fireplaces burning wood or other solid fuel shall be constructed in accordance with the California Building Code with clearance from combustible construction and building openings as required therein. Fires in a fireplace shall be contained within a firebox with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks.

The burning of wood or other solid fuel in a device is not allowed within 25 feet of combustible structures unless within an approved permanent fireplace, Conditions which could cause a fire to spread within 25 feet of a structure or to vegetation shall be eliminated prior to ignition. Fires in devices burning wood or solid fuel shall be in accordance with Sections 305, 307, and 308.

Exceptions:

1. Portable fireplaces and fire rings/pits equipped with a device to arrest sparks shall be located at least 3 feet from combustible construction at R-3 occupancies.
2. Portable fireplaces, and fire pits/rings equipped with a device to arrest sparks, shall be located at least 15 feet from combustible structures at other R occupancies.

307.6.2.1 Where prohibited. The burning of wood and other solid fuels shall not be conducted within a fuel modification zone, Wildfire Risk Area, Wildland-Urban Interface Area, or in locations where conditions could cause the spread of fire to the Wildfire Risk Area or Wildland-Urban Interface Area.

Exceptions:

1. Permanent fireplaces that are not located in a fuel modification zone.
2. Where determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.

Section 308.1.6.3 'Sky lanterns' is hereby revised as follows:

308.1.6.3 Sky lanterns. A person shall not ignite, release, or cause to be released a sky lantern.

Section 321 Fuel Modification Requirements for New Construction is hereby added as follows:

321 Fuel Modification Requirements for New Construction. All new structures and facilities adjoining land containing hazardous combustible vegetation shall be approved and in accordance with the requirements of OCFA Guideline C-05 "Vegetation Management Guideline - Technical Design for New Construction Fuel Modification Plans and Maintenance Program."

Section 322 'Clearance of Brush or Vegetation Growth from Roadways' is hereby added as follows:

322 Clearance of Brush or Vegetation Growth from Roadways. The Fire Code Official is authorized to cause areas within 10 feet on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic, to be cleared of flammable vegetation and other combustible growth. Measurement shall be from the flow-line or the end of the improved edge of the roadway surfaces.

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

Section 323 'Unusual Circumstances' is hereby added as follows:

323 Unusual Circumstances. The Fire Code Official may suspend enforcement of the vegetation management requirements and require reasonable alternative measures designed to advance the purpose of this code if determined that in any specific case that any of the following conditions exist:

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

Section 324 'Use of Equipment' is hereby added as follows:

324 Use of Equipment. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester as defined in Section 202 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire.

Exceptions:

1. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.
2. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in good mechanical condition.

Section 324.1 Use of equipment and devices generating heat, sparks or open flames is hereby added as follows:

324.1 Equipment and devices generating heat, sparks or open flames. During any time of the year within Wildfire Risk Areas, within or immediately adjacent to any forest- or brush-covered land or non-irrigated grass-covered land, no person shall use or operate any welding equipment, cutting torches, tar pots, grinding devices, or other tools or equipment that may produce a spark, fire, or flame that could result in a wildfire without doing the following:

1. First clearing away all flammable material, including snags, from the area around such operation for a distance of 30 feet or other approved method to reduce fire spread into the wildlands. If 30 foot clearing cannot be achieved, then an alternate method shall be approved by the Authority Having Jurisdiction (AHJ) prior to work starting.
2. Maintain one serviceable round point shovel with an overall length of not less than forty-six (46) inches and one backpack pump water-type fire extinguisher fully equipped and ready for use at the immediate area during the operation.
3. Stop work when winds are 8 MPH or greater during periods when relative humidity is less than 25%, or a red flag condition has been declared or public announcement is made, when an official sign was caused to be posted by the Fire Code Official, or when such fires present a hazard as determined by the Fire Code Official.
4. Keep a cell phone nearby and call 911 immediate in case of fire.

Section 324.2 'Spark arresters' is hereby added as follows:

324.2 *Spark arresters.* Spark arresters shall comply with Section 202, and when affixed to the exhaust system of engines or vehicles subject to Section 324 shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

Sec. 11-3-5. Chapter 4, Emergency Planning and Preparedness, amended.

Chapter 4, Emergency Planning and Preparedness, is not adopted with the exception of the sections, subsections, and amendment listed below:

401 - 401.9
402
403.2
403.5 - 403.5.4
403.10.2.1.1

403.13 - 403.13.3
404.5 - 404.6.6
407

Section 407.5 'Hazardous Materials Inventory Statement' is amended to read as follows:

407.5 Hazardous Materials Inventory Statement. Where required by the Fire Code Official, each application for a permit shall include OCFA's Chemical Classification Packet in accordance with Section 5001.5.2.

Sec. 11-3-6. Chapter 5, Fire Service Features, amended.

Chapter 5, Fire Service Features, is adopted in its entirety with the following amendments:

Section 501.1 'Scope' is amended to read as follows:

501.1 Scope. Fire service features for buildings, structures and premises shall comply with this chapter and, where required by the Fire Code Official, with OCFA Guideline B-09, "Fire Master Plan for Commercial & Residential Development." Fire service features for buildings, structures and premises located in State Responsibility Areas and Local Responsibility Areas designated as Very High Hazard Fire Severity Zone shall also comply with OCFA Guideline B-09a, "Fire Safe Development in State Responsibility Areas, and Local Responsibility Areas designated as Very High Hazard Fire Severity Zone."

Section 510.1 'Emergency responder radio coverage in new buildings' is amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The Emergency Responder Radio Coverage System shall comply with the Orange County Sheriff's Department, Communications and Technology Division guidelines and specifications and, where the functionality or performance requirements in the California Fire Code are more stringent, this code.

Exceptions:

1. In buildings or structures where it is determined by the Fire Code Official that the radio coverage system is not needed, including but not limited to the following:

- a. Existing buildings or structures, unless required by the Building Official and OCFA for buildings and structures undergoing extensive remodel and/or expansion.
- b. Elevators.
- c. Structures that meet all of the following:
 - i. Three stories or less, and
 - ii. Do not have subterranean storage or parking, and
 - iii. Do not exceed 50,000 square feet on any single story.
- d. Structures that meet all of the following:
 - i. Residential structures four stories or less, and
 - ii. Constructed of wood, and
 - iii. Do not have subterranean storage or parking, and
 - iv. Are not built integral to an above ground multi-story parking structure.

Should a structure that is three stories or less and 50,000 square feet or smaller on any single story include subterranean storage or parking, then this ordinance shall apply only to the subterranean areas.

2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of the facility, the Fire Code Official shall have the authority to accept an automatically activated emergency radio coverage system.

Section 510.2 Emergency responder radio coverage in existing buildings is deleted without replacement.

Section 510.3 Permit required is deleted without replacement.

Sec. 11-3-7. Chapter 9, Fire Protection Systems, amended

Chapter 9, Fire Protection Systems is adopted in its entirety with the following amendments:

Section 903.2 'Where Required' is amended to read as follows:

903.2 Where Required. Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists:

1. *New Buildings:* Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19 an automatic fire-extinguishing

system shall also be installed in all occupancies when the total building area exceeds 5,000 square feet as defined in Section 202, regardless of fire areas or allowable area.

Exception: Subject to approval by the Fire Code Official, open parking garages in accordance with Section 406.5 of the California Building Code.

2. *Existing Buildings:* Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:

- a. When an addition is 33% or more of the existing building area, and the resulting building area exceeds 5,000 square feet as defined in Section 202; or
- b. When an addition exceeds 2,000 square feet and the resulting building area exceeds 5,000 square feet as defined in Section 202.

Exception: Group R-3 occupancies. Group R-3 occupancies shall comply with Section 903.2.8.

Section 903.2.8 'Group R' is amended to read as follows:

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

1. *New Buildings:* An automatic sprinkler system shall be installed throughout all new buildings.
2. *Existing Buildings:* An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
 - a. The total square footage of the building, including any addition greater than 550 square feet, is 5,500 square feet or greater.
 - b. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

Exceptions:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies and not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 435.8.3.3 of the California Building Code.
3. Pursuant to Health and Safety Code, Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill children or children with intellectual disabilities, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and building or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.
4. Pursuant to Health and Safety Code, Section 13143.6, occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

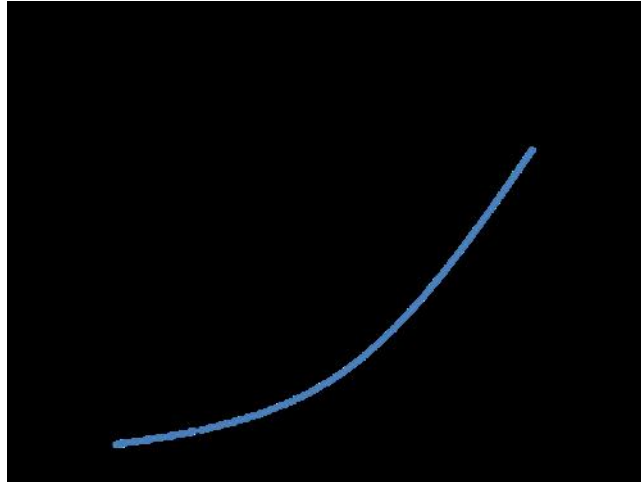
When not used in accordance with Section 504.2 or 506.3 of the California Building Code, an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

Section 903.3.5.3 'Hydraulically calculated systems' is hereby added as follows:

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

Exception: When static pressure exceeds 100 pounds per square inch (psi), and when required by the Fire Code Official, the fire sprinkler system shall not exceed water supply capacity specified by Table 903.3.5.3



Sec. 11-3-8. Chapter 11, Construction Requirements for Existing Buildings, is not adopted with the exception of the sections and subsections listed below:

- 1103.7
- 1103.7.3
- 1103.7.3.1
- 1103.7.8 – 1103.7.8.2
- 1103.7.9 – 1103.7.9.10
- 1103.8 – 1103.8.5.3
- 1103.9.1
- 1107
- 1113
- 1114
- 1115
- 1116

Sec. 11-3-9. Chapter 12, Energy Systems, amended

Chapter 12 Energy Systems is adopted in its entirety with the following amendment added:

Section 1201.1.1 'Other systems' is added to read as follows:

1201.1.1 Other systems. Where required by the Fire Code Official, other systems and operations including but not limited to battery systems assembly, battery reconditioning and storage, research and development of battery storage systems, electric vehicle manufacturing and testing, and battery charging systems for cars and carts inside of buildings or structures, shall comply with this chapter.

Exception: When approved by the Fire Code Official, charging stations for electric vehicles located in open parking garages of Type I or II construction.

Sec. 11-3-10. Chapter 25, Fruit and Crop Ripening, is deleted in its entirety.

Sec. 11-3-11. Chapter 26, Fumigation and Insecticidal Fogging, is deleted in its entirety.

Sec. 11-3-12. Chapter 28 Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities, amended

Chapter 28 Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities is adopted in its entirety with the following amendments:

Section 2801.2 'Permit' is hereby amended to read as follows:

2801.2 Permit. Permits shall be required as set forth in Section 105.6 and 105.6.29.

Section 2808.2 'Storage site' is hereby amended to read as follows:

2808.2 Storage site. Storage sites shall be level and on solid ground, elevated soil lifts or other all-weather surface. Sites shall be thoroughly cleaned and approval obtained from the Fire Code Official before transferring products to the site.

Section 2808.3 'Size of piles' is hereby amended to read as follows:

2808.3 Size of piles. Piles shall not exceed 15 feet in height, 50 feet in width and 100 feet in length.

Exception: The Fire Code Official is authorized to allow the pile size to be increased where a fire protection plan is provided for approval that includes, but is not limited to, the following:

1. Storage yard areas and materials-handling equipment selection, design and arrangement shall be based upon sound fire prevention and protection principles.
2. Factors that lead to spontaneous heating shall be identified in the plan, and control of the various factors shall be identified and implemented, including provisions for monitoring the internal condition of the pile.
3. The plan shall include means for early fire detection and reporting to the public fire department; and facilities needed by the fire department for fire extinguishment including a water supply and fire hydrants.

4. Fire apparatus access roads around the piles and access roads to the top of the piles shall be established, identified and maintained.
5. Regular yard inspections by trained personnel shall be included as part of an effective fire prevention maintenance program.

Additional fire protection called for in the plan shall be provided and shall be installed in accordance with this code. The increase of the pile size shall be based upon the capabilities of the installed fire protection system and features.

Section 2808.4 'Pile separation' is hereby amended to read as follows:

2808.4 Pile separation. Piles shall be separated from adjacent piles by a minimum distance of 20 feet. Additionally, piles shall have a minimum separation of 100 feet from combustible vegetation.

Section 2808.7 'Pile fire protection' is hereby amended to read as follows:

2808.7 Pile fire protection. Automatic sprinkler protection shall be provided in conveyor tunnels and combustible enclosures that pass under a pile. Combustible conveyor systems and enclosed conveyor systems shall be equipped with an approved automatic sprinkler system. Oscillating sprinklers with a sufficient projectile reach are required to maintain a 40% to 60% moisture content and wet down burning/smoldering areas.

Section 2808.9 'Material-handling equipment' is hereby amended to read as follows:

2808.9 Material-handling equipment. All material-handling equipment operated by an internal combustion engine shall be provided and maintained with an approved spark arrester. Approved material-handling equipment shall be available for moving wood chips, hogged material, wood fines and raw product during fire-fighting operations.

Section 2808.11 'Temperature control' is hereby added as follows:

2808.11 Temperature control. The temperature shall be monitored and maintained as specified in Sections 2808.11.1 and 2808.11.2.

Section 2808.11.1 'Pile temperature control' is hereby added as follows:

2808.11.1 Pile temperature control. Piles shall be rotated when internal temperature readings are in excess of 165 degrees Fahrenheit.

Section 2808.11.2 'New material temperature control' is hereby added as follows:

2808.11.2 New material temperature control. New loads delivered to the facility shall be inspected and tested at the facility entry prior to taking delivery. Material with temperature exceeding 165 degrees Fahrenheit shall not be accepted on the site. New loads shall comply with the requirements of this chapter and be monitored to verify that the temperature remains stable.

Section 2808.12 'Water availability' is hereby added as follows:

2808.12 Water availability. Facilities with over 2500 cubic feet shall provide a water supply. The minimum fire flow shall be no less than 500 GPM @ 20 psi for a minimum of 1 hour duration for pile heights up to 6 feet and 2 hour duration for pile heights over 6 feet. If there is no water purveyor, an alternate water supply with storage tank(s) shall be provided for fire suppression. The water supply tank(s) shall provide a minimum capacity of 2500 gallons per pile (maximum 30,000 gallons) for piles not exceeding 6 feet in height and 5000 gallons per pile (maximum 60,000) for piles exceeding 6 feet in height. Water tank(s) shall not be used for any other purpose unless the required fire flow is left in reserve within the tank at all times. An approved method shall be provided to maintain the required amount of water within the tank(s).

Section 2808.13 'Tipping area' is hereby added as follows:

2808.13 Tipping areas shall comply with the following:

1. Tipping areas shall not exceed a maximum area of 50 feet by 50 feet.
2. Material within a tipping area shall not exceed 5 feet in height at any time.
3. Tipping areas shall be separated from all piles by a 20 foot wide fire access lane.
4. A fire hydrant or approved fire water supply outlet shall be located within 150 feet of all points along the perimeter of the tipping area.
5. All material within a tipping area shall be processed within 5 days of receipt.

Section 2808.14 'Emergency Contact' is hereby added as follows:

2808.14 Emergency Contact. The contact information of a responsible person or persons shall be provided to the OCFA and shall be posted at the entrance to the facility for responding units. The responsible party should be available to respond to the business in emergency situation.

Sec. 11-3-13. Chapter 49, Requirements for Wildland-Urban Interface Fire Areas, amended

Chapter 49, 'Requirements for Wildland-Urban Interface Fire Areas' is adopted in its entirety with the following amendments:

Section 4906.3 Requirements is hereby amended to read as follows:

4906.3 Requirements. Hazardous vegetation and fuels around all applicable buildings and structures shall be maintained in accordance with the following laws and regulations:

1. Public Resources Code, Section 4291.
2. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Section 1299 (see guidance for implementation "General Guideline to Create Defensible Space").
3. California Government Code, Section 51182.
4. California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07.
5. OCFA Guideline C-05 "Vegetation Management Guideline - Technical Design for New Construction Fuel Modification Plans and Maintenance Program."

Section 4908 'Fuel Modification Requirements for New Construction' is hereby added as follows:

4908 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in a Wildfire Risk Area shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the Fire Code Official prior to or concurrently with the approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the Fire Code Official prior to the issuance of a grading permit.
3. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of OCFA Guideline C-05 "Vegetation Management Guideline - Technical Design for New Construction Fuel Modification Plans and Maintenance Program."

- a. The fuel modification plan shall include provisions for the maintenance of the fuel modification in perpetuity.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval from the Fire Code Official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

Sec. 11-3-14. Chapter 50, Hazardous Materials - General Provisions, amended

Chapter 50, Hazardous Materials - General Provisions, is adopted in its entirety with the following amendments:

Section 5001.5.2 'Hazardous Materials Inventory Statement (HMIS)' is hereby amended to read as follows:

5001.5.2 Hazardous Materials Inventory Statement (HMIS). Where required by the Fire Code Official, an application for a permit shall include OCFA's Chemical Classification Packet, which shall be completed and approved prior to approval of plans, and/or the storage, use or handling of chemicals on the premises. The Chemical Classification Packet shall include the following information:

1. Product Name.
2. Component.
3. Chemical Abstract Service (CAS) number.
4. Location where stored or used.
5. Container size.
6. Hazard classification.
7. Amount in storage.
8. Amount in use-closed systems.
9. Amount in use-open systems.

Section 5003.1.1.1 'Extremely Hazardous Substances' is hereby added as follows:

5003.1.1.1 Extremely Hazardous Substances. No person shall use or store any amount of extremely hazardous substances (EHS) in excess of the disclosable amounts (see Health and Safety Code Section 25500 et al) in a residential zoned or any residentially developed property.

Sec. 11-3-15. Chapter 56, Explosives and Fireworks, amended

Chapter 56, Explosives and Fireworks, is adopted in its entirety with the following amendments:

Section 5608.2 'Firing' is hereby added as follows:

5608.2 Firing. All fireworks displays, regardless of mortar, device, or shell size, shall be electrically fired.

Section 5608.3 'Application for Permit' is hereby added as follows:

5608.3 Application for Permit. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the fallout area based on 100 feet per inch of shell size, the location of all buildings, roads, and other means of transportation, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone line, or other overhead obstructions shall be provided to OCFA.

Sec. 11-3-16. Chapter 57, Flammable and Combustible Liquids, amended

Chapter 57 Flammable and Combustible Liquids, is adopted in its entirety with the exception of Section 5707 and with the following amendments:

Section 5701.1.1 'On-Demand Mobile fueling' is hereby added as follows:

5701.1.1 Mobile fueling. On-demand mobile fueling of Class I, II, and III liquids into the fuel tanks of vehicles is prohibited.

Sec. 11-3-17. Chapter 58, Flammable Gases and Flammable Cryogenic Fluids, amended

Chapter 58 Flammable Gases and Flammable Cryogenic Fluids is adopted in its entirety with the exception of Section 5809, and with the following amendments:

Section 5801.1 'Scope' is amended to read as follows:

5801.1 Scope. The storage and use of flammable gases and flammable cryogenic fluids shall be in accordance with this chapter, NFPA 2 and NFPA 55. Compressed gases shall also comply with Chapter 53 and cryogenic fluids shall also comply with Chapter 55. Flammable cryogenic fluids shall comply with Section 5806. Hydrogen motor fuel-dispensing stations and repair garages and

their associated above-ground hydrogen storage systems shall also be designed, constructed and maintained in accordance with Chapter 23. Mobile fueling of gaseous and liquid hydrogen, compressed natural gas (CNG), and liquefied natural gas (LNG) into the fuel tanks of vehicles is prohibited.

Exceptions:

1. Gases used as refrigerants in refrigeration systems (see Section 605).
2. Liquefied petroleum gases and natural gases regulated by Chapter 61.
3. Fuel-gas systems and appliances regulated under the California Mechanical Code and the California Plumbing Code other than gaseous hydrogen systems and appliances.
4. Pyrophoric gases in accordance with Chapter 64.

Sec. 11-3-18. Chapter 80, Referenced Standards, amended

Chapter 80, Referenced Standards, is adopted in its entirety with the following amendments:

NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems is hereby amended as follows:

Section 6.7.3 is hereby amended to read as follows:

6.7.3 Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the Fire Code Official. The size of piping and the number of 2.5 inch inlets shall be approved by the Fire Code Official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2.5 inch inlets shall be provided.

Section 8.3.3.1 is hereby amended to read as follows:

8.3.3.1 When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1. Quick-response type as defined in 3.6.4.8.
2. Residential sprinklers in accordance with the requirements of 8.4.5.
3. Quick response CMSA sprinklers.
4. ESFR sprinklers.
5. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers.
6. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems.

Section 11.1.1.1 is hereby added as follows:

11.1.1.1 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction(s) in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent use or occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new use or occupancy.

Section 11.2.3.1.1.1 is hereby added as follows:

11.2.3.1.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the Fire Code Official:

1. Subtract the project site elevation from the low water level for the appropriate pressure zone and multiply the result by 0.433;
2. Use a maximum of 40 psi, if available;
3. Utilize the OCFAs water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California.

NFPA 13D 2016 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes is hereby amended as follows:

Section 7.1.2 is hereby amended to read as follows:

7.1.2 The sprinkler system piping shall not have separate control valves installed unless supervised by a central station, proprietary, or remote station alarm service:

NFPA 14, 2016 Edition, Installation of Standpipe and Hose Systems is hereby amended as follows:

Section 7.3.1.1 is hereby amended to read as follows:

7.3.1.1 Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances is hereby amended as follows:

Section 6.2.8.1 is hereby added as follows:

6.2.8.1 All indicating valves controlling fire suppression water supplies shall be painted OSHA red.

Exceptions:

1. Brass or bronze valves on sprinkler risers mounted to the exterior of the building may be left unpainted.
2. Where OS&Y valves on the detector check assembly are the only control valves, at least one OS&Y valve shall be painted red.

Section 6.2.9 is hereby amended to read as follows:

All connections to private fire service mains for fire protection systems shall be arranged in accordance with one of the following so that they can be isolated:

1. A post indicator valve installed not less than 40 feet from the building.
 - a. For buildings less than 40 feet in height, a post indicator valve shall be permitted to be installed closer than 40 feet, but at least as far from the building as the height of the wall facing the post indicator valve.
2. A wall post indicator valve.

3. An indicating valve in a pit, installed in accordance with Section 6.4.
4. A backflow preventer with at least one indicating valve not less than 40 feet from the building.
 - a. For buildings less than 40 feet in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than 40 feet, but at least as far from the building as the height of the wall facing the backflow preventer.
5. Control valves installed in a fire-rated room accessible from the exterior.
6. Control valves in a fire-rated stair enclosure accessible from the exterior.

Section 10.1.5 is hereby added as follows:

10.1.5 All ferrous pipe and joints shall be polyethylene encased per AWWA C150, Method A, B, or C. All fittings shall be protected with a loose 8-mil polyethylene tube or sheet. The ends of the tube or sheet shall extend past the joint by a minimum of 12 inches and be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 304 or 316 Stainless Steel pipe and fittings.

Section 10.4.1.1 is hereby amended to read as follows:

10.4.1.1 All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material after installation.

Exception: Bolted joint accessories made from 304 or 316 stainless steel.

Section 10.4.1.1.1 is hereby added as follows:

10.4.1.1.1 All bolts used in pipe-joint assembly shall be 316 stainless steel.

Section 10.4.3.2 is hereby amended to read as follows:

10.4.3.2 Where fire service mains enter the building adjacent to the foundation, the pipe may run under a building to a maximum of 24 inches, as measured from the interior face of the exterior wall to the center of the vertical pipe. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints or it shall comply with 10.4.3.2.1 through 10.4.3.2.4.

Appendices Adopted and Deleted:

Appendix A is deleted in its entirety without amendments.

Appendix B is adopted in its entirety without amendments outlined in Guideline B-09.

Appendix BB is adopted in its entirety without amendments.

Appendix C is adopted in its entirety without amendments.

Appendix CC is adopted in its entirety without amendments.

Appendix D is deleted in its entirety without amendments.

Appendix E is deleted in its entirety without amendments.

Appendix F is deleted in its entirety without amendments.

Appendix G is deleted in its entirety without amendments.

Appendix H is deleted in its entirety without amendments.

Appendix I is deleted in its entirety without amendments.

Appendix J is deleted in its entirety without amendments.

Appendix K is deleted in its entirety without amendments.

Appendix L is deleted in its entirety without amendments.

Appendix M is deleted in its entirety without amendments.

Appendix N is deleted in its entirety without amendments.

Appendix O is deleted in its entirety without amendments.”

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to Section 15060(c)(2) of the California CEQA Guidelines, the City Council finds that this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment and therefore is not subject to the CEQA. Additionally, pursuant to Section 15060(c)(3) the activity is not a “project” as defined in Section 15378 because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4. EFFECTIVE DATE

This Ordinance and all codes referenced shall take effect 30 days from the adoption of this Ordinance. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and for which building permits have been obtained within 365 days from the effective date of this Ordinance, shall be exempt from the provisions of this Ordinance. Projects for which a building permit application and building plans have been submitted prior to the effective date of this Ordinance, and building permits have not been obtained within 365 days from the effective date of this Ordinance, shall be subject to all provisions of this Ordinance and the codes referenced.

SECTION 5. SEVERABILITY

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

SECTION 6. CITY CLERK'S CERTIFICATION

The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and post a certified copy of the text of this Ordinance in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and, within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED AND ADOPTED this 19th day of November, 2019.

John Mark Jennings, Mayor

ATTEST:

Eileen C. Gomez, City Clerk