

ORDINANCE 16-320

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION VIEJO ADOPTING BY REFERENCE THE 2016 CALIFORNIA FIRE CODE, WITH CERTAIN AMENDMENTS AND DELETIONS THERETO

THE CITY COUNCIL OF THE CITY OF MISSION VIEJO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 8.04 “Fire Code” of Title 8 “Buildings and Construction” of the Mission Viejo Municipal Code, adopting by reference the California Fire Code, 2016 Edition, with amendments thereto, is hereby repealed; provided, however, that such repeal shall not affect or excuse any violation of any of said code occurring prior to the effective date of this ordinance.

Section 2. A new Chapter 8.04 is hereby added to Title 8 of the Mission Viejo Municipal Code to read as follows:

CHAPTER 8.04. FIRE CODE

Sec. 8.04.010. Adoption of the California Fire Code.

The 2016 California Fire Code, incorporating the International Fire Code 2015 Edition, published by the International Code Council, including Appendices B, BB, C and CC, and the Referenced Standards, is hereby adopted by reference by the City of Mission Viejo for the purpose of prescribing regulations governing conditions hazardous to the life and property from fire or explosion, save and except such portions as are hereinafter added, deleted, modified or amended.

Sec. 8.04.020. Enforcement and inspections.

Except as otherwise provided by the City Council, the California Fire Code, as amended, shall be enforced by the Orange County Fire Authority, which shall be operated under the Director of Fire Services of the Orange County Fire Authority. The Director of Fire Services of the Fire Authority may detail such members of the fire authority as inspectors as shall be necessary from time to time.

Sec. 8.04.030. Section 109.4 Violation penalties amended.

Section 109.4 Violation penalties is hereby revised as follows:

109.4 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 result in 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.

Sec. 8.04.040. Section 109.4.2 Infraction added.

Sections 109.4.2 Infraction is hereby added as follows:

109.4.2 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. 8.04.050. Chapter 2 Definitions amended.

Section 202 General Definitions is hereby revised as follows:

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

OCFA: Orange County Fire Authority, fire authority having jurisdiction.

SKY LANTERN. An airborne lantern typically made of paper, Mylar, or other lightweight material with a wood, plastic, or metal frame containing a candle, fuel cell, or other heat source that provides buoyancy.

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. 8.04.060. Section 304.1.2 Vegetation amended.

Section 304.1.2 Vegetation is hereby revised as follows:

304.1.2 Vegetation. *Type, amount, or arrangement of weeds, grass, vines or other growth that is capable of being ignited and endangering property—needing to comply with OCFA Guidelines, shall be cut, thinned, and removed by the owner or occupant of the premises in accordance with OCFA Guideline C-05 “Vegetation Management Guideline—Technical Design for New Construction, Fuel Modification Plans, and Maintenance Program. Vegetation clearance requirement in urban-wildland interface areas shall be in accordance with Chapter 49.*

Sec. 8.04.080. Section 305.6 Hazardous Conditions added.

Section 305.6 Hazardous Conditions is hereby added as follows:

305.6 Hazardous conditions. Outdoor fires are not allowed when predicted sustained winds exceed 8 MPH 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.

Sec. 8.04.090. Section 305.7 Disposal of rubbish added.

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.

Sec. 8.04.90. Section 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES amended

Section 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES is hereby amended as follows:

SECTION 307 OPEN BURNING, RECREATIONAL FIRES, FIRE PITS, FIRE RINGS, AND PORTABLE OUTDOOR FIREPLACES

Sec. 8.04.100. Section 307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies added.

Section 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 shall comply with this section.

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

Sec. 8.04.110. Section 307.6.1 Gas-fueled devices added.

307.6.1 Gas-fueled devices is hereby added as follows:

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 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.

Sec. 8.04.120. Section 307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas added.

307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas is hereby added as follows:

***307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas.** Fireplaces burning wood or other solid fuel shall be constructed in accordance with the California Building Code. 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 15 feet of combustible structures, unless within a permanent or portable 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.*

Sec. 8.04.130. Section 307.6.2.1 Where prohibited added.

307.6.2.1 Where prohibited is hereby added as follows:

***307.6.2.1 Where prohibited.** The burning of wood and other solid fuels shall not be conducted within a fuel modification zone. Wood and other solid fuel burning fires in devices other than permanent fireplaces are not allowed within Wildfire Risk Areas (WRA) and Wildland-Urban Interface Areas (WUI) or in locations where conditions could cause the spread of fire to the WRA or WUI unless determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.*

Sec. 8.04.140. Section 309.2.1 Indoor charging of electric carts/cars added.

Section 309.2.1 Indoor charging of electric carts/cars is hereby added as follows:

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

- 1. Spill control and neutralization shall be provided and comply with Section 608.5.*

2. *Room ventilation shall be provided and comply with Section 608.6.1*
3. *Signage shall be provided and comply with Section 608.7.1*
4. *Smoke detection shall be provided and comply with Section 608.9.*

Sec. 8.04.150. Section 320 Fuel Modification Requirements for New Construction added.

Section 320 Fuel Modification Requirements for New Construction is hereby added as follows:

***320 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."*

Sec. 8.04.160. Section 321 Clearance of brush or vegetation growth from roadways added.

Section 321 Clearance of Brush or Vegetation Growth from Roadways is hereby added as follows:

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

Sec. 8.04.160. Section 322 Unusual Circumstances added.

Section 322 Unusual Circumstances is hereby added as follows:

***322 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.*

Sec. 8.04.170. Section 323 Use of Equipment added.

Section 323 Use of Equipment is hereby added as follows:

323 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*

Sec. 8.04.180. Section 323.1 Spark Arrestors added.

Section 323.1 Spark Arrestors is hereby added as follows:

323.1 Spark arresters. Spark arresters shall comply with Section 202, and when affixed to the exhaust system of engines or vehicles subject to Section 323 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.

8.04.190. Section 324 Sky Lanterns or similar devices added.

Section 324 Sky Lanterns or similar devices is hereby added as follows:

324 Sky Lanterns or similar devices. The ignition and/or launching of a Sky Lantern or similar device is prohibited.

Sec. 8.04.220. Chapter 4 Emergency Planning and Preparedness amended.

Chapter 4 Emergency Planning and Preparedness is hereby revised by adopting only the sections listed below:

401.3.4
401.9
402
403.2
404.5 – 404.6.6
407

Sec. 8.04.230. Section 407.5 Hazardous Materials Inventory Statement amended.

Section 407.5 Hazardous Materials Inventory Statement is hereby revised 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. 8.04.240. Section 501.1 Scope amended.

Section 501.1 Scope is hereby revised 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 shall also comply with *OCFA Guideline B-09a, "Fire Safe Development in State Responsibility Areas."*

Sec. 8.04.250. Section 510.1 Emergency responder radio coverage amended.

Section 510.1 Emergency responder radio coverage is hereby revised 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 of the jurisdiction 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 local authority having jurisdiction's ordinance and this code.*

Exceptions:

1. Where it is determined by the fire code official that the radio coverage system is not needed.
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 that facility, the fire code official shall have the

authority to accept an automatically activated emergency radio coverage system.

This section shall not apply to the following:

1. *Existing buildings or structures, unless required by the Building Official and OCFA for buildings and structures undergoing extensive remodel and/or expansion.*
2. *Elevators.*
3. *Structures that are three stories or less without subterranean storage or parking and that do not exceed 50,000 square feet on any single story.*
4. *Wood-constructed residential structures four stories or less without subterranean storage or parking that are not built integral to an above ground multi-story parking structure.*
5. *Should construction that is three stories or less that does not exceed 50,000 square feet on any single story include subterranean storage or parking, then this ordinance shall apply only to the subterranean areas.*

Sec. 8.04.260. Section 510.2 Emergency responder radio coverage in existing buildings deleted.

Section 510.2 Emergency responder radio coverage in existing buildings is hereby deleted.

Sec. 8.04.270. 510.4.2.2 Technical Criteria amended.

Section 510.4.2.2 Technical Criteria is hereby revised as follows:

510.4.2.2 Technical criteria. The fire code official shall maintain a document providing the specific technical information and requirements for the emergency responder radio coverage system. This document shall contain, but not be limited to, the various frequencies required, the location of radio sites, effective radiated power of radio sites, and other supporting technical information.

1. *The frequency range supported from the 800 MHz Countywide Communications System shall be 851-869 MHz (base transmitter frequencies).*
2. *The frequency range supported to the 800 MHz Countywide Communications System shall be 806-824 MHz (radio field transmit frequencies).*
3. *A public safety radio amplification system shall include filters to reject frequencies below 851 MHz and frequencies above 869 MHz by a minimum of 35dB.*
4. *All system components must be 100 percent compatible with analog and digital modulations after installation without adjustments or modifications. The systems must be capable of encompassing the frequencies stated herein and capable of future modifications to a frequency range subsequently established by the jurisdiction.*
5. *Active devices shall have a minimum of -50 dB 3rd order intermodulation protection.*
6. *All active in-building coverage devices shall be FCC Part 90 Type Certified.*

Sec. 8.04.280. Section 510.5.1 Approval prior to installation amended.

Section 510.5.1 Approval prior to installation is revised as follows:

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC shall not be installed without prior *plan submittal*, coordination and approval *from Orange County Communications and a copy of the approved plan provided to the fire and building code officials.*

Sec. 8.04.290. Section 510.5.2 Minimum qualification of personnel amended.

Section 510.5.2 Minimum qualification of personnel is hereby revised as follows:

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio operator's license.
2. Certification of in-building system training issued by a nationally recognized organization, school or a certificate issued by the manufacturer of the equipment being installed.

Sec. 8.04.300. Section 510.5.3 Acceptance test procedure amended.

Section 510.5.3 Acceptance test procedure item 7 is hereby revised as follows:

510.5.3 Acceptance test procedure. When an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to ensure that two-way coverage on each floor of the building is not less than 90 percent. The test procedure shall be conducted as follows:

7. As part of the installation a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and subsequent annual inspections *by the FCC licensed technician hired by the property owner and an OCSD/Communications Division FCC-certified technician.*

Sec. 8.04.310. Section 510.6.1 Testing and proof of compliance amended.

Section 510.6.1 Testing and proof of compliance is hereby amended as follows:

510.6.1 Testing and proof of compliance.

The owner of the building or their representative shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur

including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following:

1. *In-building system components shall be tested to determine general functional operability.*
2. Signal boosters shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance.
3. Backup batteries and power supplies shall be tested under load of a period of one hour to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.
4. Other active components shall be checked to verify operation within the manufacturer's specifications.
5. *If noncompliance is found, the FCC licensed technician will assess improvements necessary and provide such information to OCSD Communications and the fire and building code officials.*
6. At the conclusion of the testing, a *certification* report, which shall verify compliance with Section 510.5.3, shall be submitted to *OCSD Communications and the fire and building code officials.*

Sec. 8.04.320. Chapter 9 Fire Protection Systems amended.

Chapter 9 Fire Protection Systems is hereby revised 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 (465 m²) as defined in Section 202, regardless of fire areas or allowable area, or is more than two stories in height.*

Exceptions:

- 1) *Group R-3 occupancies. Group R-3 occupancies shall comply with Section R313 of the California Residential Code.*
 - 2) *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 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 5000 square feet (465 m²) as defined in Section 202; or*
- b. *When an addition exceeds 2000 square feet (186 m²) and the resulting building area exceeds 5000 square feet (465 m²) as defined in Section 202; or*
- c. *An additional story is added above the second floor regardless of fire areas or allowable area.*

Exception: Group R-3 occupancies. Group R-3 occupancies shall comply with Section R313 of the California Residential Code.

Section 903.2.8 Group R is hereby revised 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. *When an addition is 33% or more of the existing building area as defined in Section 202, and greater than 1000 square feet (93 m²) within a two year period; or*
 - b. *An addition when the existing building is already provided with automatic sprinklers; or*
 - c. *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) Group R-3 occupancies. Group R-3 occupancies shall comply with Section R313 of the California Residential Code.
- 2) Existing Group R-3 occupancies converted to Group R-3.1 occupancies and not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.
- 3) 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.
- 4) 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.

- 5) 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.

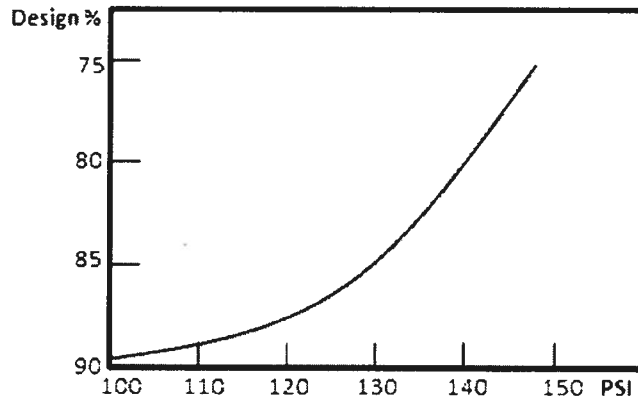
An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

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 psi, and required by the Fire Code Official, the fire sprinkler system shall not exceed water supply capacity specified by Table 903.3.5.3*

**TABLE 903.3.5.3
Hydraulically Calculated Systems**



Sec. 8.04.320. Chapter 11 Construction Requirements for Existing Buildings amended.

Chapter 11 Construction Requirements for Existing Buildings is revised by adopting the sections listed below only:

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

1107

1113

1114

1115

1116

Sec. 8.04.330. Chapter 28 Lumber Yards and Woodworking Facilities amended.

Chapter 28 Lumber Yards and Woodworking Facilities is hereby revised as follows:

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

2808.2 Storage site. Storage sites shall be level and on solid ground or other all-weather surface. Sites shall be thoroughly cleaned *and approval from the fire code official obtained* before transferring products to the site.

2808.3 Size of piles. Piles shall not exceed *15 feet (4572 mm) in height, 50 feet (15 240 mm) in width and 100 feet (30 480 mm) 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. Factor 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.

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.*

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.*

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.*

Sec. 8.04.340. Section 2808.11 Temperature control added.

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.*

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

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 be monitored to verify that the temperature remains stable.*

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).*

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.*

2808.14 Emergency Contact. *The contact information of a responsible person or persons shall be provided to the Fire Department 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. 8.04.350. Chapter 49 Requirements for Wildland-Urban Interface Fire Areas amended.

Chapter 49 Requirements for Wildland-Urban Interface Fire Areas is hereby revised as follows:

Section 4906.3 Vegetation is hereby revised as follows:

4906.3 Requirements. Hazardous vegetation and fuels around all applicable buildings and structure 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.”*
 - 2.1 *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. 8.04.360. Chapter 50 Hazardous Materials – General Provisions amended.

Section 5001.5.2 Hazardous Materials Inventory Statement (HMIS), is hereby revised as follows:

5001.5.2 Hazardous Materials Inventory Statement (HMIS). Where required by the fire code official, an application for a permit shall include *Orange County Fire Authority'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. 8.04.370. Chapter 56 Explosives and Fireworks amended.

Chapter 56 Explosives and Fireworks is hereby revised as follows:

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:

Section 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. 8.04.380. Chapter 80 Referenced Standards amended.

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

Section 6.7.3 is hereby revised 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 2½" 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 2½" inlets shall be provided.

Section 8.3.3.1 is hereby revised 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 OCFA 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 revised as follows:

Section 7.1.2 is hereby revised 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 is deleted in its entirety and replaced 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 revised 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 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 ft (12 m) from the building
 - (a) For buildings less than 40 ft (12 m) in height, a post indicator valve shall be permitted to be installed closer than 40 ft (12 m) 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 ft (12 m) from the building
 - (a) For buildings less than 40 ft (12 m) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than 40 ft (12 m) 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 revised 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 deleted and replaced 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.*

Section 3. **Applicability.** Notwithstanding any provision of the Mission Viejo Municipal Code, or any other ordinance of the City, this ordinance shall apply to all new applications submitted to the City after the effective date of this Ordinance for permits. This ordinance is additional to and supplemental to, and shall not affect, except as specifically provided herein any provision of the Mission Viejo Municipal Code, which shall be operative and remain in full force and effect without limitation with respect to all other requests for permits, approvals or authorization that are not within the City covered by this ordinance.

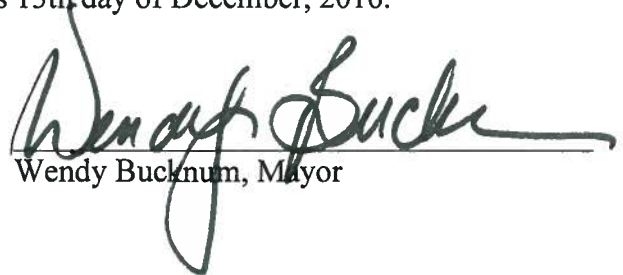
Section 4. The provisions of this ordinance shall not apply to previously permitted actions or activities.

Section 2. **Effective Date.** This ordinance shall take effect 30 days from the adoption of this ordinance for all codes referenced herein. The City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published and posted as required by state law. Projects for which a building permit application and building plans have been submitted prior to the effective date of this ordinance, which building permits have been obtained within 180 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 therefor have not been obtained within 180 days from the effective date of this ordinance, shall be subject to all provisions of this ordinance and the codes adopted in this ordinance.

Section 3. **Severability.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, 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.

PASSED, APPROVED and ADOPTED this 13th day of December, 2016.


Wendy Bucknum, Mayor

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF MISSION VIEJO)

I, Karen Hamman, CMC, City Clerk of the City of Mission Viejo, do hereby certify that the foregoing Ordinance 16-320 was duly adopted at a regular meeting of the City Council on the 13th day of December, 2016 by the following vote, to wit:

AYES: Bucknum, Goodell, Kelley, Raths, and Sachs
NOES: None
ABSENT: None


KAREN HAMMAN, CMC
CITY CLERK

APPROVED AS TO FORM:


William P. Curley, III
City Attorney