

ORDINANCE NO. \_\_\_\_\_

ORDINANCE OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

**Section 1.** Subsection (B) of Section 18-04.015 of the Santa Rosa City Code is amended to read as follows:

“(B) There is hereby adopted by reference the 2013 Edition of the California Fire Code including Appendices 4, B, C, D, E, F, G, H, I, J and K.”

**Section 2.** All the existing sections of Chapter 18-44 of the Santa Rosa City Code are repealed and a new Chapter 18-44 entitled “California Fire Code” is added as follows:

**“Chapter 18-44**

**CALIFORNIA FIRE CODE**

**Section 18-44.101.1 Title.**

California Fire Code Chapter 1 Division II Administration, Section 101.1 is amended to read as follows:

**Section 18-44.101.1 Title.** This chapter shall be known as the “2013 California Fire Code,” and may be cited and referred to as such. For purposes of citation, the sections of the “2013 California Fire Code”, including the appendices identified in Section 18-04.015(B) of this code, are renumbered by adding 18-44 before each section of the California Fire Code (e.g., Sections 101.1 and 5001.1 of the California Fire Code shall be cited respectively as Sections 18-44.101.1 and 18-44.5001.1 of this code).

**Section 18-44.103.1.1 Bureau of Fire Prevention.**

California Fire Code Chapter 1 Division II Administration Section 103.1.1 is added to read as follows:

**Section 18-44.103.1.1 Bureau of Fire Prevention.** Where this code refers to the Department of Fire Prevention, the Bureau of Fire Prevention will be inserted. Where this code refers to the Fire Code Official, the Fire Marshal will be inserted.

**18-44.103.2 Appointment.**

California Fire Code Chapter 1 Division II Administration, Section 103.2 is amended to read as follows:

**Section 18-44.103.2 Appointment.** The fire code official shall be appointed by the chief

appointing authority of the jurisdiction.

#### **18-44.104.3.2 Inspection access.**

California Fire Code Chapter 1 Division II Administration, Section 104.3.2 is added to read as follows:

##### **Section 18-44.104.3.2 Inspection Access.**

1. The Chief or authorized representative, in the performance of the duties herein prescribed, shall have the right to enter upon and into any and all premises under his jurisdiction, at all reasonable hours for the purpose of inspecting the same to determine whether or not the provisions of this code and of all other applicable laws or ordinances pertaining to the protection of persons and property from fire and explosions are observed therein; provided, however, that an inspection warrant, issued pursuant to Title 13, Part 3 of the Code of Civil Procedure be first secured where entry is refused, except in an emergency situation.
2. The owner, lessee, manager or operator of any such building or premises shall permit the Chief or authorized representatives to enter and inspect them at the time and for the purpose stated in this section. Failure to permit such entry when an inspection warrant is not required shall constitute a misdemeanor.
3. The Chief or duly authorized representative shall have the authority to enter any building or premises for the purposes of extinguishing or controlling any fire, performing any rescue operation, investigating the existence of suspected or reported fires, gas leaks, or other hazardous conditions or taking any other action necessary in the reasonable performance of their duty.

#### **18-44.105.1.4 New materials and permits.**

California Fire Code Chapter 1 Division II Administration, Section 105.1.4 is added to read as follows:

**Section 18-44.105.1.4 New Materials and Permits.** The Chief and the Fire Marshal may act as a committee to determine and specify any new regulated materials, and shall establish processes or occupancies requiring permits in addition to those enumerated in this code. The Chief or designee shall post such list in a conspicuous place in the office, and distribute copies thereof to interested persons. Permits under this section shall be administered in accordance with Section 105.

#### **18-44.105.6.8 Permit amounts for compressed gasses.**

California Fire Code Chapter 1 Division II Administration, Table 105.6.8 is amended to read as follows:

**Table: 105.6.8**  
Permit Amounts for Compressed Gases

Type of Gas	Amount (cubic feet at NTP)
Corrosive	Any Amount
Flammable	Any Amount
Highly toxic	Any Amount
Inert and simple asphyxiant	600
Oxidizing (including Oxygen)	Any Amount
Pyrophoric	Any Amount
Toxic	Any Amount

**18-44.105.6.10 Permit amounts for cryogenic fluids.**

California Fire Code Chapter 1 Division II Administration, Table 105.6.10 is amended to read as follows:

**Table 105.6.10**  
Permit Amounts for Cryogenic Fluids

Type	Inside Building (gallons)	Outside Buildings (gallons)
Flammable	Any Amount	Any Amount
Oxidizer (includes Oxygen)	Any Amount	10
Corrosive	Any Amount	5
Highly toxic	Any Amount	Any Amount
Nonflammable	Any Amount	5

**18-44.105.6.16.12 Transfer of ownership.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.16.12 is added to read as follows:

**Section 18-44.105.6.16.12 Transfer of Ownership.** An operational permit shall be required to transfer ownership of an Underground Storage Tank (UST) facility. Permits shall be issued at least 30 days prior to completion of transaction.

**18-44.105.6.20 Permit amounts for hazardous materials.**

California Fire Code Chapter 1 Division II Administration, Table 105.6.20 is amended to read as

follows:

**Table 105.6.20  
Permit Amounts for Hazardous Materials**

<b>Type of Material</b>	<b>Amount</b>
Combustible liquids	25 gallons
Corrosive materials	
Gases	Any Amount
Liquids	Any Amount
Solids	Any Amount
Explosive materials	See Section 105.6.14
Flammable materials	
Gases	See Section 105.6.8
Liquids	See Section 105.6.16
Solids	100 Pounds
Highly toxic materials	
Gases	See Section 105.6.8
Liquids	Any Amount
Solids	Any Amount
Oxidizing materials	
Gases	See Section 105.6.8
Liquids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	1 gallon
Class 1	1 gallon
Solids	
Class 4	Any Amount
Class 3	5 pounds
Class 2	10 pounds
Class 1	100 pounds
Organic peroxides	
Liquids	
Class I	Any Amount
Class II	Any Amount
Class III	1 gallon
Class IV	2 gallons
Class V	25 gallons
Solids	
Class I	Any Amount
Class II	Any Amount
Class III	10 pounds
Class IV	20 pounds
Class V	500 pounds
Pyrophoric materials	Any Amount

Gas	Any Amount
Liquids	Any Amount
Solids	
Toxic materials	
Gases	See Section 105.6.8
Liquids	See Section 3701
Solids	Any Amount
Unstable (reactive) materials	
Liquids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	1 gallon
Class 1	5 gallons
Solids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	10 Pounds
Class 1	20 Pounds
Water-reactive materials	
Liquids	
Class 3	Any Amount
Class 2	1 gallon
Class 1	5 gallons
Solids	
Class 3	Any Amount
Class 2	10 pounds
Class 1	20 pounds

**18-44.105.6.20.1 Hazardous materials storage range.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.20.1 is added to read as follows:

**Table 105.6.20.1 Hazardous Materials Permit Ranges.  
HAZARDOUS MATERIALS STORAGE RANGE**

<b>Range</b>	<b>Solids in Pounds</b>	<b>Liquids in Gallons</b>	<b>Compressed Gas (Cu. Ft. at STP)</b>	<b>Duration</b>
Range 1	Up to 500	Up to 55	Up to 200	Annual
Range 2	501 to 5,000	56 to 550	201 to 2,000	Annual
Range 3	5,001 to 25,000	551 to 2,750	2001 to 10,000	Annual
Range 4	25,001 to 50,000	2,751 to 5,500	10,001 to 20,000	Annual
Range 5	50,001 to 75,000	5,501 to 7,500	20,001 to 30,000	Annual
Range 6	75,001 to 100,000	7,501 to 9,500	30,001 to 40,000	Annual
Range 7	100,001 or greater	9,501 or greater	40,001 or greater	Annual

**18-44.105.6.48 Apartment, hotel, or motel.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.48 is added to read as follows:

**Section 18-44.105.6.48 Apartment, hotel, or motel.** An operational permit is required to operate an apartment house, hotel or motel

**18-44.105.6.49 Bowling pin or alley refinishing.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.49 is added to read as follows:

**Section 18-44.105.6.49 Bowling Pin or Alley Refinishing.** An operational permit is required to operate a Bowling Pin or Alley Refinishing operation.

**18-44.105.6.50 Bonfires or rubbish fires.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.50 is added to read as follows:

**Section 18-44.105.6.50 Bonfires or rubbish fires.** An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.

**18-44.105.6.51 Day care.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.51 is added to read as follows:

**Section 18-44.105.6.51 Day care.** An operational permit is required to operate a day care occupancy with an occupant load in excess of eight (8) persons.

**18-44.105.6.52 High rise occupancy.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.52 is added to read as follows:

**Section 18-44.105.6.52 High rise occupancy.** An operational permit is required to operate a high rise building as defined in Title 24, Part 2, California Code of Regulations.

**18-44.105.6.53 Residential and commercial institutional care occupancy.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.53 is added to read as follows:

**Section 18-44.105.6.53 Residential and Commercial Institutional Care Occupancy.**

An operational permit is required to operate a residential or commercial institutional care occupancy. Occupancies complying with Health and Safety Code Section 13235 are exempt.

**18-44.105.6.54 Institutional occupancy/residential care/day care pre-licensure inspection.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.54 is added to read as follows:

**Section 18-44.105.6.54 Institutional occupancy/residential care/day care pre-licensure inspection.** A fee shall be required for a Pre-Licensure Inspection in accordance with Health and Safety Code Section 13235.

**18-44.105.6.55 Model rockets rental, sale or operation.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.55 is added to read as follows:

**Section 18-44.105.6.55 Model rockets rental, sale or operation.** An operational permit is required to operate, manufacture, import, export, possess, store, rent or sell model rockets as defined by Health and Safety Code Section 12519.

**18-44.105.6.56 Live entertainment.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.56 is added to read as follows:

**Section 18-44.105.6.56 Live Entertainment.** An operational permit is required to operate a business providing live entertainment to the public.

**18-44.105.6.57 Emergency responder radio system.**

California Fire Code Chapter 1 Division II Administration, Section 105.6.57 is added to read as follows:

**Section 18-44.105.6.57 Emergency Responder Radio System.** An operational permit is required to operate an Emergency Responder Radio System.

California Fire Code Chapter 1 Division II Administration, Section 108 is amended to read as follows:

**Section 18-44.108 Board of Appeals.**

**18-44.108.1** Whenever the Fire Marshal shall disapprove an application or refuse to grant a permit applied for, the applicant or any aggrieved person may appeal the decision of the

Fire Marshal to the Chief within fifteen (15) days of such decision. The decision of the Chief may be appealed to the Board of Building Regulation Appeals and shall be appealed within fifteen (15) days of the decision. The decision of the Board of Building Regulation Appeals shall be a final decision exhausting the administrative remedies of the appellant notwithstanding Santa Rosa City Code Section 1-20.010. Appeals shall comply with procedures specified in Santa Rosa City Code Section 18-04.050 et. seq.

**18-44.109.4 Abatement of violation and penalties.**

California Fire Code Chapter 1 Division II Administration, Section 109.4 is amended to read as follows:

**Section 18-44.109.4 Abatement of violation and penalties.** Any person operating or maintaining any occupancy, premises, or vehicle subject to this code or any person who shall permit any violation of this code, fire and life safety provisions of the California Building Code, any fire hazard to exist on premises under his control or who shall fail to take immediate action to abate a fire hazard when ordered or notified to do so by the Chief or the Chief's duly authorized representative, shall be subject to the penalty provisions of Section 1-28.010, of the Santa Rosa City Code or state law. Each day that a violation continues after due notice has been given shall be deemed a separate offense.

**18-44.109.5 Authority to issue citations.**

California Fire Code Chapter 1 Division II Administration, Section 109.5 is added to read as follows:

**Section 18-44.109.5 Authority to issue citations.** The Chief and members of the Fire Prevention Bureau who have the discretionary duty to enforce a statute or ordinance may, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, arrest a person without a warrant whenever the Chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the Chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code.

**18-44.111.4 Failure to comply.**

California Fire Code Chapter 1 Division II Administration, Section 111.4 is amended to read as follows:

**Section 18-44.111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalty provisions of Section 1-28.010, of the Santa Rosa City Code or state law.

#### **18-44.503.2.6.1 Evaluation.**

California Fire Code Section 503.2.6.1 is added to read as follows:

**Section 18-44.503.2.6.1 Evaluation.** All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. These evaluations shall be performed when directed by the Fire Code Official.

#### **18-44.503.2.6.2 Bridge maintenance.**

California Fire Code Section 503.2.6.2 is added to read as follows:

**Section 18-44.503.2.6.2 Bridge maintenance.** All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," First Edition, 2008, published by the American Association of State Highway and Transportation Officials, or other approved standard.

#### **18-44.505.1 Address identification.**

California Fire Code Section 505.1 is amended to read as follows:

**Section 18-44.505.1 Address Identification.** New and existing buildings shall be provided with approved illuminated address numbers or letters. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. Address numbers shall be Arabic numerals or alphabetic letters. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address identification shall comply with Fire Department Standards.

#### **18-44.505.1 One and two-family dwellings.**

California Fire Code Section 505.1.1 is added to read as follows:

**Section 18-44.505.1.1 One and two-family dwellings.** Numbers for one and two family dwellings shall be a minimum of four (4) inches in height with a minimum stroke width of one-half (0.5) inches.

#### **18-44.505.1.2 Numbers for other than one and two-family dwellings.**

California Fire Code Section 505.1.2 is added to read as follows:

**Section 18-44.505.1.2 Numbers for other than one and two-family dwellings.**

Numbers for other than one and two family dwellings shall be a minimum of twelve (12) inches in height with a minimum stroke width of two (2) inches. Suite and unit directional numbers shall be a minimum of six (6) inches in height with a minimum stroke width of three-quarter (0.75) inches. Individual unit numbers shall be a minimum of 4 inches in height with a minimum of strike with of one-half (0.5) inches.

**18-44.505.1.3 Complex directory.**

California Fire Code Section 505.1.3 is added to read as follows:

**Section 18-44.505.1.3 Complex Directory.** Where two or more buildings are set back off the street in excess of 150 feet or when required by the Fire Code Official, an approved illuminated complex directory shall be provided at the main entrances to the property.

**18-44.505.1.4 Roof top address.**

California Fire Code Section 505.1.4 is added to read as follows:

**Section 18-44.505.1.4 Roof Top Address.** Buildings four or more stories in height or greater than 15,000 square feet in area shall provide a reflective roof top address. Roof top address numbers shall be a minimum of 48 inches in height with a minimum stroke width of 8 inches and located in a central approved roof top area.

**18-44.507.5 Fire hydrant systems.**

California Fire Code Section 507.5 is amended to read as follows:

**Section 18-44.507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C as amended.

**18-44.507.5.1 Where required.**

California Fire Code Section 507.5.1 is amended to read as follows:

**Section 18-44.507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45.179 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**18-44.507.5.1 Section 507.5.1 Exception.**

California Fire Code Section 507.5.1 "Exception" is deleted.

**18-44.507.5.1.1 Hydrant for fire department connection.**

California Fire Code Section 507.5.1.1 is amended to read as follows:

**Section 18-44.507.5.1.1 Hydrant for Fire Department Connection.**

A fire hydrant shall be located within 50 feet of a Fire Department Connection (FDC), or as approved by the fire code official.

**18-44.510.1 Emergency responder radio coverage in buildings.**

California Fire Code Section 510.1 is amended to read as follows:

**Section 18-44.510.1 Emergency Responder Radio Coverage in Buildings.** All buildings shall have approved radio coverage for emergency responders within the building. The system shall comply with this section and the Fire Department Standard for Emergency Responder Radio Coverage Systems.

**18-44.510.1 Section 510.1 Exception 1.**

California Fire Code Section 510.1 “Exception 1” is deleted.

**18-44.510.3.1 Operational permit required.**

California Fire Code Section 510.3.1 is added to read as follows:

**Section 18-44.510.3.1 Operational Permit Required.** Operation of an Emergency Responder Radio Coverage System shall require a permit.

**18-44.605.11 Photovoltaic power systems.**

California Fire Code Section 605.11 is added to read as follows:

**Section 18-44.605.11 Solar Photovoltaic Power Systems.** Solar Photovoltaic power systems shall be installed in accordance with Sections 605.11.1 through 605.11.4, (California Building Code, California Electrical Code and Santa Rosa Fire Department Standard for installation of Photovoltaic Power Systems).

**18-44.903.2 Where required.**

California Fire Code Section 903.2 is amended to read as follows:

**Section 18-44.903.2 Where Required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through Section 903.2.20. The most restrictive requirement shall apply.

**18-44.903.2.11.7 Design criteria.**

California Fire Code Section 903.2.11.7 is added to read as follows:

**Section 18-44-903.2.11.7 Design Criteria.** Fire sprinkler systems installed in buildings of an undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of 3000 square feet. Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owner’s responsibility to upgrade the system to the required density.

**18-44.903.2.18 Exception.**

California Fire Code Section 903.2.18 Exception is amended to read as follows:

**Section 18-44.903.2.18 Exception -**

1. Carports of noncombustible construction with non-habitable spaces above.
2. Additions and or alterations not exceeding 50 percent of the existing square footage.

**18-44.903.2.20. Local Automatic Sprinkler Systems.**

California Fire Code Section 903.2.20 is added to read as follows:

**Section 18-44.903.2.20. Local Automatic Sprinkler Systems.** Automatic sprinkler systems shall comply with this section.

**18-44.903.2.20.1 Local automatic fire sprinkler system requirements.**

California Fire Code Section 903.2.20.1 is added to read as follows:

**Section 18-44.903.2.20.1. Local Automatic Fire Sprinkler System Requirements.** An approved automatic sprinkler system shall be installed and maintained in all newly constructed buildings.

**Exceptions:**

1. Agricultural buildings as approved by the Fire or Building Official.
2. Detached pool houses up to 1000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. Detached non-combustible motor vehicle fuel dispensing canopies classified as Group M occupancy.

4. Detached Group U occupancies 1,000 square feet or less.
5. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities.
6. Carports of non-combustible construction with non-habitable spaces above.
7. B or M occupancies 500 sq. ft or less.

**18-44.903.2.20.2 Additions, remodel, alteration or repairs.**

California Fire Code Section 903.2.20.2 is added to read as follows:

**903.2.20.2 Additions, Remodel, Alteration or Repairs.**

1. An automatic fire sprinkler system shall be provided in an existing one- or two-family dwelling when additions increase the area by 50% or more calculated by existing gross floor area.
2. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwelling units, the building shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components), the building shall meet the requirements for a newly constructed building. For the purpose of applying this section, the following criteria shall be considered in the 50% threshold evaluation:
  - a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
  - b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
  - c. Removal of interior tenant improvements reducing the building to a “shell” condition shall require the future build-out to comply with fire sprinkler requirements.

Exception: Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.

5. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

6. Any combination of items above where the improvements equals or exceeds fifty percent (50%) of the structure, the entire building shall meet the requirements for a newly constructed building.

#### **18-44.903.2.20.3 Changes of occupancy.**

California Fire Code Section 903.2.20.3 is added to read as follows:

**Section 18-44.903.2.20.3 Changes of Occupancy.** When any change of occupancy occurs where the proposed new occupancy classification is more hazardous, or as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

#### **18-44.903.4.2 Alarms.**

California Fire Code Section 903.4.2 is amended to read as follows:

**Section 18-44.903.4.2 Alarms.** One exterior approved audible and visible device shall be connected to every automatic fire sprinkler system in an approved location. Such sprinkler waterflow alarm devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic fire sprinkler system shall actuate the building fire alarm system.

Every new commercial fire alarm system installed as a sprinkler system monitoring alarm shall also provide notification for the purpose of initiating emergency action, including those systems activated solely by fire sprinkler systems, so that occupants of the building shall be notified audibly and visually within each suite or building division. A minimum of one notification appliance shall be located in each suite or building division in a normally occupied location.

California Fire Code Section 905.3.1.2, is amended to read as follows:

**Section 18-44.905.3.1.2.** *Buildings that are three or more stories in height.*

#### **18-44.905.9 Section 905.9 Exception 2 deleted.**

California Fire Code Section 905.9 Exception 2 is deleted.

#### **18-44.907.8.5.1 False fire alarms.**

California Fire Code Section 907.8.5.1 is added to read as follows:

**Section 18-44.907.8.5.1 False Fire Alarms.** Owners of properties with a fire alarm

system shall maintain the system in accordance with Section 907.8.5. When more than one false fire alarm activates within a calendar year, a fee shall be assessed per the current adopted fee schedule.

**18-44.910.1 Section 910.1 Exception 2 deleted.**

California Fire Code Section 910.1 Exception 2 is deleted.

**18-44.910.3.2.1 Section 910.3.2.1 deleted.**

California Fire Code Section 910.3.2.1 is deleted.

**18-44.1103.2.1 Section 1103.2.1 deleted.**

California Fire Code Section 1103.2.1 is deleted.

**18-44.1103.2.2 Section 1103.2.2 Exception deleted.**

California Fire Code Section 1103.2.2 Exception is deleted

**18-44.3314.3 Large building sprinkler protection.**

California Fire Code Section 3314.3 is added to read as follows:

**Section 18-44.3314.3 Large Building Sprinkler Protection.** Buildings in excess of three stories in height or having a first story in excess of 100,000 square feet in area shall provide an approved operating fire sprinkler system on each floor during construction prior to continuing construction on upper stories.

**18-44.3206.2 Section 3206.2, Table 3206.2 footnote j deleted.**

California Fire Code Section 3206.2, Table 3206.2 footnote j is deleted.

**18-44.3206.8.1 Small hose stations.**

California Fire Code Section 3206.8.1 is added to read as follows:

**Section 18-44.3206.8.1 Small Hose Stations.** Small hose valves and stations shall be required when a High Piled Storage Area exceeds 2500 square feet in area. An approved 1 ½-inch hose valve shall be provided at approved locations. Hose, nozzles, hose racks and covers shall be provided.

**18-44.4902.1 Wildland-urban interface fire area.**

California Fire Code Section 4902.1 is amended to read as follows:

**Section 18-44.4902.1 Wildland-Urban Interface Fire Area.** Wildland-Urban Interface Fire Area is a geographical area in the City of Santa Rosa at significant risk from wildfires as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009, and retained on file in the City Geographic Information System and in the Office of the City's Fire Marshal.

**18-44.4907.1 Defensible space.**

California Fire Code Section 4907.1 is amended to read as follows:

**Section 18-44.4907.1 Defensible Space.** Buildings and structures located within a designated Wildland-Urban Interface Fire Areas of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in the Government Code Sections 51175-51189 and local standards of the authority having jurisdiction.

**18-44.5001.5.3 Electronic reporting.**

California Fire Code Section 5001.5.3 is added to read as follows:

**Section 18-44.5001.5.3 Electronic Reporting.** All hazardous Material Management Plans (HMMP) and Hazardous Material Inventory Statements (HMIS) shall be submitted electronically as required by the Fire Code Official.

**18-44.5308 Materials which are or may become toxic gases.**

California Fire Code Section 5308 is added to read as follows:

**Section 18-44.5308 Materials which are or may become toxic gases.** The Fire Code Official shall publish standards providing requirements for facilities that use, handle or store materials that are or may become toxic gases.

**18-44.5608.2 Fireworks definition.**

California Fire Code Section 5608.2 is added to read as follows:

**Section 18-44.5608.2 Fireworks Definitions.** The following words and phrases, as used in this chapter, are defined as follows:

“Dangerous fireworks” shall mean dangerous fireworks as defined in Health and Safety Code Sections 12505 and 12561 and the relevant sections of Title 19, Code of Regulations, and Subchapter 6 which are hereby incorporated by reference.

“Person” includes any individual, firm, partnership, joint venture, association, concern, corporation, state, trust, business trust, receiver, syndicate or any other group or combination acting as a unit.

“Public display of fireworks” shall mean an entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks, including but not limited to, those defined below.

“Pyrotechnical displays” are public firework displays or displays used in conjunction with special effects, for motion pictures, theatrical and group entertainment productions operated by a professional California State licensed pyrotechnician. All such displays must secure a fire department permit and meet all applicable requirements of California Health and Safety Code.

“State-approved fireworks” shall mean state-approved fireworks defined in Health and Safety Code Sections 12529 and 12562 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.

### **18-44.5608.3 Sale, use or discharge of fireworks prohibited – exception.**

California Fire Code Section 5608.3 is added to read as follows:

#### **Section 18-44.5608.3 Sale, use or discharge of fireworks prohibited – exception.**

1. Except for public displays of fireworks authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks.
2. Any person or group desiring to perform a public display of fireworks shall first make written application for a permit to the Fire Chief. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the Fire Chief pursuant to Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations. Any permit for a public display of fireworks may be suspended or revoked at any time by the Fire Chief.

### **18-44.B105.1 One- and two-family dwellings.**

California Fire Code Appendix B Section B105.1 is amended to read as follows:

**Section 18-44.B105.1 One- and two-family dwellings.** The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m<sup>2</sup>) shall be 1,500 gallons per minute at 20 psi. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m<sup>2</sup>) shall not be less than that specified in Table B 105.1.

### **18-44.B105.2 Buildings other than one- and two-family dwellings.**

California Fire Code Appendix B Section B105.2 is amended to read as follows:

**Section 18-44.B105.2 Buildings other than one- and two-family dwellings.** The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

**Exception:** A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 18-44.903.3.1.1 or 18-44.903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute or the prescribed duration as specified in Table B105.1.

**18-44.C105.1 Table C105.1 Footnote f and g.**

California Fire Code Appendix C Table C105.1 is amended to add “footnote f and g” to read as follows:

**Section 18-44.C105.1 Table C105.1 Footnote f.** For commercial, industrial, multifamily residential and designated Fire Severity Zones, average spacing shall be no greater than 300 feet.

**Section 18-44.C105.1 Table C105.1 Footnote g.** A fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), or as approved by the fire code official.

**18-44.D103.1 Section D103.1 deleted.**

California Fire Code Appendix D Section D103.1 is deleted.

**18-44.D103.2 Grade.**

California Fire Code Appendix D Section D103.2 is amended to read as follows:

**Section 18-44.D103.2 Grade.** The grade of fire apparatus access roads shall be in accordance with the local agency requirement for public streets or as approved by the fire code official.

**18-44.D103.3 Turning radius.**

California Fire Code Appendix D Section D103.3 is amended to read as follows:

**Section 18-44.D103.3 Turning radius.** The minimum turning radius shall be determined by local agency requirements or as approved by the fire code official.

**18-44.D103.4 Dead ends.**

California Fire Code Appendix D Section D103.4 is amended to read as follows:

**Section 18-44.D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by the fire code official.

**18-44.D103.4 Table D103.4 deleted.**

California Fire Code Appendix D Table D103.4 is deleted.

**18-44.D103.6 Signs.**

California Fire Code Appendix D Section D103.6 is amended to read as follows:

**Section 18-44.D103.6 Signs.** Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs that comply with the California Vehicle Code.

**18-44.D103.6.1 Section D103.6.1 deleted.**

California Fire Code Appendix D Section D103.6.1 is deleted.

**18-44.D103.6.2 Section D103.6.2 deleted.**

California Fire Code Appendix D Section D103.6.2 is deleted.

**18-44.D104.2 Buildings exceeding 62,000 square feet in area.**

California Fire Code Appendix D Section D104.2 is amended to delete the Exception and read as follows:

**Section 18-44.D104.2 Buildings exceeding 62,000 square feet in area.** Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m<sup>2</sup>) shall be provided with two separate and approved fire apparatus access roads.

**18-44.D106.1 Multi-family dwelling residential developments.**

California Fire Code Appendix D Section D106.1 is amended to delete the Exception and read as follows:

**Section 18-44.D106.1 Multi-family dwelling residential developments.** Projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

**18-44.D106.2 Section D106.2 deleted.**

California Fire Code Appendix D Section D106.2 is deleted.

**18-44.D107.1 One- or two-family dwelling residential developments.**

California Fire Code Appendix D Section D107.1 is amended to delete Exceptions 1 and 2 and read as follows:

**Section 18-44.D107.1 One- or two-family dwelling residential developments.**

Projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section 18-44.D104.3.”

**Section 3. Findings of Fact.** The Council finds that the standards for buildings within the City of Santa Rosa should comply with the 2013 CALIFORNIA FIRE CODE, with adopted amendments. Based on materials presented by the Fire Chief of the City of Santa Rosa the Council finds that it is necessary to make procedural and administrative modifications and changes to the model codes as amended and adopted by the State of California and specifically adopted and amended in this Ordinance. Such standards are needed for efficient, economical, and expeditious enforcement of the Fire Code of the City of Santa Rosa. The Council further finds and determines, based on the materials and reports presented, that the substantive amendments to the model codes, which are identified by and adopted in this Ordinance, are hereby determined to be reasonable and necessary because of local conditions and do not lessen, diminish or change the standards set forth within the model codes except as authorized by law. If any non-administrative or non-procedural model code provision or applicable State of California amendment is in conflict with this ordinance, it is the intent of this ordinance to amend or delete such provision when findings of local conditions are stated as required by Sections 17958.5 and 17958.7 of the Health and Safety Code.

Said local conditions are:

- A. Earthquake hazards associated with the Healdsburg-Rodgers Creek Fault and other localized earthquake faults in close proximity of a densely populated urban area.
- B. History of heavy winter rains and poorly drained soils including expansive adobe soils in many locations.
- C. High groundwater tables and unconsolidated alluvial soils.
- D. Heavy accumulations of flammable plant material covering many areas, periodic high winds and an extended dry season.
- E. The propensity of local streams to flood due to periods of intense rainfall.
- F. Santa Rosa is an inland city that discharges treated reclaimed water in three ways: to

urban and agricultural irrigation, to the Russian River during certain period of the year at a rate based on the flow of the river, and pumped to the Geysers hydrothermal field.

**Section 4.**     Environmental Review.     The Council determines that this ordinance establishes procedures for issuing permits and is not a project, and, therefore, is not subject to the California Environmental Quality Act. The Council further finds that the adoption of this ordinance is exempt from CEQA under the provisions of State CEQA guidelines, Section 15061 (b) (3), in that there is no possibility that the provisions enacted by this ordinance will effect a substantial adverse change in the environment.

**Section 5.**     Duty.     Notwithstanding any provision contained in Title 18 of the Santa Rosa City Code, whenever the words “shall,” “will,” “must,” “is charged with the enforcement of,” or words of similar import are used in said chapters to establish a responsibility of the City of Santa Rosa, or of the members of any board, commission, department, officers of the City, including, but not limited to the Council and City Planning Commission thereof, or of any officer, official, or employee of the City of Santa Rosa, it is the legislative intent that such words shall establish a discretionary authority or power requiring the exercise of judgment and discretion, as distinguished from a mandatory duty. No mandatory duty is imposed upon any member of the Council, or upon any board or commission of the City of Santa Rosa, or upon any department, officer, official, or employee of the City of Santa Rosa by the provisions of said chapters, and said chapters shall not be construed so as to hold the City of Santa Rosa or any member of the Council or of any board, commission, or department of the City, or any officer, official or employee of the City of Santa Rosa responsible or liable for any damage to persons or property by reason of any action taken or by reason of any approval given or not given, under the provisions of said chapters or in connection with any such members, officers, or employees duties set forth in said chapters.

**Section 6.**     Severability.     If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this ordinance. The Council declares that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses or phrases be declared unconstitutional.

**Section 7.** Effective Date. This ordinance shall take effect on January 3, 2014, upon passage by the Council and publication pursuant to Section 8 of the Santa Rosa City Charter. The existing non-administrative or non-procedural provisions of this Title shall remain in effect as applicable to specific permit applications as of the date of submittal for plan review when such date of submittal is prior to the effective date of this ordinance. For purposes of this section, the date of submittal for master planned projects shall be the date of submittal for plot plan review.

IN COUNCIL DULY PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

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