

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE THE 2016 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:

“That a certain document, three (3) copies of which are on file in the office of the City Clerk of City of Santa Rosa, being marked and designated as the *California Code of Regulations*, Title 24, Part 9, *California Fire Code*, 2016 edition, thereof and the whole thereof including Appendix Chapters 4, B, C, D, E, F, G, H, and N, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Santa Rosa, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substance, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Santa Rosa are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance, pursuant to Section 13869 of the California Health and Safety Code. This document shall be known as the City of Santa Rosa Ordinance #_____.

For purposes of citation, the sections of the 2016 *California Fire Code*, including the appendices identified, 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 2. Chapter 18-44 of the Santa Rosa City Code is repealed and a new Chapter 18-44 entitled “2016 California Fire Code” is added to read as follows:

**“CHAPTER 1
SCOPE AND ADMINISTRATION**

18-44.101.1 Title.

California Fire Code, Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the *Fire Code* of the City of Santa Rosa, hereinafter referred to as “this code.”

18-44.105.6 Required operational permits.

California Fire Code, Section 105.6 is amended to read as follows:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for operations set forth in Sections 105.6.1 through 105.6.50.

18-44.105.6.50 Local permits.

California Fire Code, Section 105.6.50 is added to read as follows:

105.6.50 Local permits. In addition to the permits required by section 105.6, the following permits shall be obtained from the Bureau of Fire Prevention prior to engaging in the following activities, operations, practices or functions:

1. **Apartment, hotel, or motel.** An operational permit is required to operate an apartment house, hotel or motel.
2. **Care Facilities.** An operational permit is required to operate a care facility as listed:
 - 2.1. Day care with an occupant load greater than eight (8) persons.
 - 2.2. Residential or commercial institutional care facility, occupancies complying with Health and Safety Code Section 13235 are exempt.
3. **Emergency Responder Radio System.** An operational permit is required to operate an Emergency Responder Radio System.
4. **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.
5. **Live Entertainment.** An operational permit is required to operate a business where alcohol is served, while providing live entertainment to the public.
6. **Medical cannabis.** Operational permits are required to operate a medical cannabis facility or operation listed below:
 - 6.1. Cultivation
 - 6.2. Distribution
 - 6.3. Manufacturing (non-volatile)
 - 6.4. Testing/lab
7. **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.

18-44.108.1 Board of appeals established.

California Fire Code, Section 108.1 is amended to read as follows:

108.1 Board of appeals established. Whenever the fire code official or authorized designee 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 code official or authorized designee 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.

18-44.09.4 Violation penalties.

California Fire Code, Section 109.4 is amended to read as follows:

109.4 Violation penalties. In accordance with the provisions of City Code, Section 1-28.010 and this code, any persons who shall violate a provision of this code or shall fail

to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certification used under provisions of this code, or any person operating or maintaining any occupancy, premises, or vehicle subject to this code, fire and life safety provisions of the *California Building or Fire Codes*, or allow any fire hazard to exist on premises under their control or who shall fail to take immediate action to abate a fire hazard when ordered or notified to do so by the fire code official or authorized designee shall be guilty of a misdemeanor, and shall severally for each and every violation and noncompliance respectively, be punishable by a fine of not more than \$1,000 or by imprisonment not exceeding six months, or both such fine and imprisonment.

The imposition of one penalty of any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

18-44.109.5 Authority to issue citations.

California Fire Code, Section 109.5 is added to read as follows:

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, Section 111.4 is amended to read as follows:

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.

18-44.113.6 Cost recovery.

California Fire Code, Section 113.6 is added to read as follows:

113.6 Cost recovery. Fire suppression, investigation or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1, as may be amended from time to time. Additionally, any person(s) who negligently, intentionally or in violation of law causes an emergency response, including, but not limited to, a traffic accident, spill of toxic or flammable or combustible fluids or chemicals is liable for the costs of securing such emergency, including those costs pursuant to Government Code Section 53150, et seq, as may be amended from time to time. Any expense incurred by the Santa Rosa Fire Department for securing such emergency shall constitute a debt of such person(s) and shall be collectable by the Santa

Rosa Fire Department in the same manner as in the case of an obligation under contract, expressed or implied.

CHAPTER 2 DEFINITIONS

18-44.202 Definitions.

California Fire Code, Section 202, General Definitions is amended to amend and add the following:

MEMBRANE STRUCTURE. An air-inflated, air-supported, cable or frame-covered structure as defined by the *California Building Code* and not otherwise defined as a tent or umbrella structure (See Chapter 31 of the *California Building Code*).

SUBSTANTIAL ADDITION. An existing building or structure not classified as Group R-3 occupancy, which undergoes any addition of floor area that is greater than twenty-five percent (25%) of the existing gross floor area.

SUBSTANTIAL ADDITION, Group R-3. An existing Group R-3 building or structure, which undergoes any addition of floor area that exceeds fifty percent (50%) of the existing gross floor area.

SUBSTANTIAL REMODEL. An existing building or structure, which undergoes any alteration of floor area that is greater than fifty percent (50%) of the existing gross floor area or meets the definition of a substantial improvement as defined by the *California Building Code*.

TENT. A structure, enclosure, umbrella structure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

UMBRELLA STRUCTURE. A structure, enclosure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole (See “Membrane Structure” and “Tent”).

UNWARRANTED ALARM. The giving, signaling or transition of an alarm notification to a public fire station or emergency communication center when such alarm is the result of a defective condition of an alarm system, system servicing testing, construction activities, ordinary household activities, false alarm or other cause when no such danger exists.

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

18-44.402.1 Definitions.

California Fire Code, Section 402.1 is amended to add the following:

UNWARRANTED ALARM

18-44.401.3.2.1 Unwarranted alarm notification.

California Fire Code, Section 401.3.2.1 is added to read as follows:

401.3.2.1 Unwarranted alarm notification. Notification of emergency responders based on an unwarranted alarm may be punishable by a fine in accordance with the adopted fee schedule. In addition, the responsible party may be liable for the operational and administrative costs, incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.

18-44.403.3 Sections 403.3 through 403.11.4 deleted.

California Fire Code, Sections 403.3 through 403.11.4 are deleted.

18-44.403.13 Section 403.13 deleted.

California Fire Code, Section 403.13 is deleted.

**CHAPTER 5
FIRE SERVICE FEATURES**

18-44.503.2.6.1 Evaluation and maintenance.

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

503.2.6.1 Evaluation and maintenance. All existing private bridges and elevated surfaces that are a part of the fire department access roadway shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for safety and weight rating, in accordance with American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," Second Edition, or other approved standard. Vehicle load limits shall be posted at both entrances to bridges. All bridges and elevated structures providing fire department access shall be routinely maintained in accordance with Section 503.2.6 or when directed by the fire code official or authorized designee.

18-44.503.3 Marking.

California Fire Code, Section 503.3 is amended to read as follows:

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE in accordance with the *California Vehicle Code*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

18-44.505.1 Address identification.

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

505.1 Address identification. New and existing buildings shall be provided with approved illuminated or other approved means of address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or

alphabetic letters. Numbers shall not be spelled out. Character size and stroke shall be in accordance with Section 505.1.1 through 505.1.2. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response in accordance with this code and Section 505.1.3. Where access is by means of a private road and the building cannot be viewed from the public way or when determined by the fire code official, a monument, pole, or other approved illuminated sign or other approved means shall be used to identify the structure. Address identification shall be maintained.

18-44.505.1.1 Numbers for one- and two- family dwellings.

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

505.1.1 Numbers for one- and two- family dwellings. Each address identification character shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

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:

505.1.2 Numbers for other than one and two-family dwellings. Each address identification character shall be not less than twelve (12) inches high with a minimum stroke width of one (1) inch. Suite and unit directional numbers shall be not less than six (6) inches high with a minimum stroke width of three-quarter (0.75) inch. Numbers shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

18-44.505.1.3 Complex directory.

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

505.1.3 Complex directory. Where two or more buildings cannot be viewed from the public way or when determined by the fire code official, an approved illuminated complex directory, monument, pole, or other approved sign or means shall be used to identify the structures at the main entrances to the property.

18-44.507.5.1.1 Hydrant for fire department connections.

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

507.5.1.1 Hydrant for fire department connections. Buildings equipped with a water-based fire protection system installed in accordance with Section 903 through 905 shall have a fire hydrant within 100 feet of the fire department connections, or as approved by the fire code official. *(Also see Section 912.2).*

18-44.507.5.7 Fire hydrant size and outlets.

California Fire Code, Section 507.5.7 is added to read as follows:

507.5.7 Fire hydrant size and outlets. Shall be in accordance with City of Santa Rosa standards, or as approved by the fire code official.

18-44.507.5.8 Fire hydrant street marker

California Fire Code, Section 507.5.8 is added to read as follows

507.5.8 Fire hydrant street marker. Fire hydrant locations shall be visually indicated in accordance with the City of Santa Rosa standards or as approved by the fire code official, as may be amended from time to time. Any hydrant marker damaged or removed during the course of street construction or repair shall be immediately replaced by the contractor, developer or person responsible for removal or damage.

18-44.510.3 Section 510.1 exception #1 deleted.

California Fire Code, Section 510.1 exception #1 is deleted.

18-44.510.3 Permits required.

California Fire Code, Section 510.3 is amended to read as follows:

510.3 Permits required. Permits shall be required as set forth in Sections 105.6 and 105.7. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

**CHAPTER 9
FIRE PROTECTION SYSTEMS**

18-44.902.1 Definitions.

California Fire Code, Section 902.1 is amended to add the following:

SUBSTANTIAL ADDITION

SUBSTANTIAL ADDITION, Group R-3

SUBSTANTIAL IMPROVEMENT (*see California Building Code, Chapter 2*)

SUBSTANTIAL REMODEL

18-44.903.2 Where required.

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

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.19. Approved automatic sprinkler systems in existing buildings and structures shall be provided in locations described in Section 903.6.

Exceptions:

1. Agricultural buildings as approved by the fire code official.
2. Detached pool houses accessory to Group R-3 not classified as a dwelling unit and not exceeding 1,000 square feet (928m²) in gross floor area within 50 feet of the pool and limited to a single bathroom.
3. Detached non-combustible motor vehicle fuel dispensing canopies.
4. Detached Group U Occupancies not greater than 1,000 square feet (928m²).

18-44.903.2.1 Group A.

California Fire Code, Section 903.2.1 is amended to read as follows:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings containing a Group A occupancy.

18-44.903.2.1.1 Sections 903.2.1.5 through 903.2.1.5 deleted.

California Fire Code, Section 903.2.1.1 through 903.2.1.5 are deleted.

18-44.903.2.1.6 Assembly occupancies on roofs.

California Fire Code, Section 903.2.1.6 is amended to read as follows:

903.2.1.6 Assembly occupancies on roofs. Where an occupied roof has assembly occupancy with an occupant load exceeding 100 for Group A-2 and 300 for other Group A Occupancies, an automatic sprinkler system shall be provided throughout the building in accordance with Section 903.3.1.1 or 903.3.1.2.

18-44.903.2.1.7 Section 903.2.1.7 deleted.

California Fire Code, Section 903.2.1.7 is deleted.

18-44.903.2.2 Ambulatory care facilities.

California Fire Code, Section 903.2.2 is amended to read as follows:

903.2.2 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout buildings containing an ambulatory care facility.

18-44.903.2.3 Group E.

California Fire Code, Section 903.2.3 is amended to read as follows:

903.2.3 Group E. An automatic sprinkler system shall be installed throughout buildings containing a Group E occupancy. *For public school state-funded construction projects see Section 903.2.19.*

18-44.903.2.4 Group F.

California Fire Code, Section 903.2.4 is amended to read as follows:

903.2.4 Group F. An automatic sprinkler system shall be provided throughout buildings containing a Group F occupancy.

903.2.4.1 Section 903.2.4.1 deleted.

California Fire Code, Section 903.2.4.1 is deleted.

18-44.903.2.5.3 Pyroxylin plastics.

California Fire Code, Section 903.2.5.3 is amended to read as follows:

903.2.5.3 Pyroxylin plastics. An automatic sprinkler system shall be provided throughout buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

18-44.903.2.6.2 Group I-3

California Fire Code, Section 903.2.6.2 is amended to read as follows:

903.2.6.2 Group I-3. *Every building where inmates or persons are in custody or restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electronically supervised so that at least an audible and visible alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.*

18-44.903.2.7 Group M.

California Fire Code, Section 903.2.7 is amended to read as follows:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout

buildings containing a Group M occupancy where gross floor area exceeds 500 square feet (464m²).

18-44.903.2.8.1 Group R-3.

California Fire Code, Section 903.2.8.1 is amended to read as follows:

903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the *California Residential Code*. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with *Title 25 of the California Code of Regulations*.

18-44.903.2.9 Group S.

California Fire Code, Section 903.2.9 is amended to read as follows:

903.2.9 Group S. An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy.

18-44.903.2.9.1 Section 903.2.9.1 through 903.9.2 deleted.

California Fire Code, Section 903.2.9.1 through 903.2.9.2 is deleted.

18-44.903.2.10 Group B.

California Fire Code, Section 903.2.10 is amended to read as follows:

903.2.10 Group B. An automatic sprinkler system shall be provided throughout buildings containing a Group B occupancies where the gross floor area exceeds 500 square feet (464m²).

18-44.903.2.10 Section 903.2.10.1 deleted.

California Fire Code, Section 903.2.10.1 is deleted.

18-44.903.2.11 Specific buildings areas and hazards.

California Fire Code, Section 903.2.11 is amended to read as follows:

903.2.11 Specific buildings areas and hazards. In all occupancies other than detached Group U occupancies not greater than 1,000 square feet (928m²), an automatic sprinkler system shall be installed for building design or hazard in the locations set forth in Sections 903.2.11.1 through 903.2.11.8.

18-44.903.2.11.3 Section 903.2.11.3 exception #1 & #2 deleted.

California Fire Code, Section 903.2.11.3 exceptions #1 & #2 are deleted.

18-44.903.2.11.7 Undetermined use design

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

903.2.11.7 Undetermined use design. Automatic sprinkler systems installed in buildings or structures of undetermined use shall be designed and installed to have a minimum density of .33 gallons per minute per square foot over a minimum design area of 3,000 square feet (2,784m²).

18-44.903.2.11.8 High-piled storage.

California Fire Code, Section 903.2.11.8 is added to read as follows:

903.2.11.8 High-piled storage. An automatic sprinkler system shall be provided throughout as required in Chapter 32 in all buildings where storage is in high-pile or rack storage arrays.

18-44.903.4.2 Alarms.

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

903.4.2 Alarms. *One exterior approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.*

18-44.903.6 Where required in existing buildings and structures.

California Fire Code, Section 903.6 is amended to read as follows:

903.6 Where required in existing buildings and structures. An automatic sprinkler system shall be provided throughout existing buildings and structures where required in Sections 903.6.1 through 903.6.3.

18-44.903.6.1 Substantial remodel.

California Fire Code, Section 903.6.1 is added to read as follows:

903.6.1 Substantial remodel. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial remodel or substantial improvement.

Exception: Alterations made solely for the purpose of complying with the *American Disabilities Act*.

18-44.903.6.2 Substantial addition.

California Fire Code, Section 903.6.2 is added to read as follows:

903.6.2 Substantial addition. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial addition.

18-44.903.6.3 Substantial alteration.

California Fire Code, Section 903.6.3 is added to read as follows:

903.6.3 Substantial alteration. An automatic sprinkler system shall be provided throughout all buildings that undergo any combination of substantial remodel, addition or both that equals fifty percent (50%) of the existing gross floor area.

18-44.904.12 Commercial cooking systems

California Fire Code, Section 904.12 is amended to read as follows:

904.12 Commercial cooking systems. *Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, NFPA 96, and an automatic fire extinguishing system that is listed and labeled for its intended use as follows:*

1. *Wet chemical extinguishing system, complying with UL 300.*
2. *Carbon dioxide extinguishing system.*
3. *Automatic fire sprinkler systems.*

All existing dry chemical and wet chemical extinguishing systems shall comply with UL 300.

Exception: Public school kitchens, without deep-fat fryers, shall be upgraded to a UL 300 compliant system during state-funded modernization projects that are under the jurisdiction of the Division of the State Architect.

All systems shall be installed in accordance with the California Mechanical Code, NFPA 96, appropriate adopted standards, their listing and the manufactures' installation instructions.

Exception: Factory-built commercial cooking recirculating systems that are tested, listed, labeled and installed in accordance with UL 710B and the California Mechanical Code and NFPA 96.

18-44.905.3.1 Height.

California Fire Code, Section 905.3.1 is amended to read as follows:

905.3.1 Height. In other than Group R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet (45 720 mm) above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider either of the following:
 - 5.1. Recessed loading docks for four vehicles or less.
 - 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

18-44.905.9 exception #2 deleted.

California Fire Code, Section 905.9 exception #2 is deleted.

18-44.912.2 Location.

California Fire Code, Section 912.2 is amended to read as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of the fire department connections shall be within 100 feet of a fire hydrant or approved by the fire code official (*Also see Section 507.5.1.1*).

**CHAPTER 11
CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**

18-44.1103.1 Required construction.

California Fire Code, Section 1103.1 is amended to read as follows:

1103.1 Required construction. Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2, 1103.6, 1103.7, 1103.8 through 1103.8.5.3, 1103.9, and 1103.10.

The provisions of this chapter shall not be constructed to allow the elimination of fire protection systems or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

Exceptions:

1. Where a change in fire-resistance rating has been approved in accordance with Section 803.6 of the *California Existing Building Code*.
2. Group U occupancies.

18-44.1103.1 Section 1103.2 item #1 deleted..

California Fire Code, Sections 1103.2 item #1 is deleted.

18-44.1103.1 Sections 1103.3 through 1103.5.4 deleted.

California Fire Code, Sections 1103.3 through 1103.5.4 are deleted.

18-44.1103.1 Sections 1104 and 1105 deleted.

California Fire Code, Sections 1104 and 1105 are deleted.

**CHAPTER 31
TENTS AND OTHER MEMBRANE STRUCTURES**

18-44.3102.1 Definitions.

California Fire Code, Section 3102.1 is amended to add the following:

**MEMBRANE STRUCTURE
TENT
UMBRELLA STRUCTURE**

18-44.3101.1 Scope.

California Fire Code, Section 3101.1 is amended to read as follows:

3101.1 Scope. Tents, umbrella structures, temporary stage canopies and membrane structures shall comply with this chapter. The provisions of Section 3103 are applicable only to temporary tents, umbrella structures, and membrane structures. The provisions of Section 3104 are applicable to temporary and permanent tents, umbrella structures, and membrane structures. Other temporary structures shall comply with the *California Building Code*.

These building standards govern the use of tents, umbrella structures, awnings or other fabric enclosures, including membrane (air-supported and air-inflated) structures and places of assemblage, in or under which 10 or more persons may gather for any lawful purpose.

Exceptions:

- 1. Tents, umbrella structures, awnings or other fabric enclosures used to cover or enclose private swimming pools and similar facilities on the premises of private one- and two-family dwellings.*
- 2. Tents used to conduct committal services on the grounds of a cemetery.*
- 3. Tents, umbrella structures, awnings or other fabric enclosures erected and used within a sound stage, or other similar structural enclosure which is equipped with an overhead automatic sprinkler system.*
- 4. Tensioned membrane roof materials supported by ridged frames or installed on a mast and cable system provided such structures conform to the requirements of one of the types of construction as described in these regulations.*
- 5. Fabric structures which are part of mobile homes, recreational vehicles, or commercial coaches governed by the provisions of Division 13, Part 2, Health and Safety Code (Department of Housing and Community Development).*

CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION

18-44.3314.3 Where required.

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

3314.3 Where required. In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding 40 feet (12,192 mm) in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

18-44.3314.4 Buildings being demolished.

California Fire Code, Section 3314.4 is added to read as follows:

3314.4 Buildings being demolished. Where a building is being demolished and an automatic sprinkler system is existing within such a building, such automatic sprinkler

system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

18-44.3314.5 Detailed requirements.

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

3314.5 Detailed requirements. Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

**CHAPTER 49
REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS**

18-44.4902.1 General.

California Fire Code, Section 4902.1 is amended the following definition:

WILDLAND-URBAN INTERFACE FIRE AREA. *A geographical area identified by the City of Santa Rosa as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code, Sections 4201 through 4204, and Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires, as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009.*

18-44.4906.2 Application.

California Fire Code, Section 4906.2 is amended to read as follows:

4906.2 Application. *Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:*

1. *All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
 - 1.1. *Moderate Fire Hazard Severity Zones.*
 - 1.2. *High Fire Severity Zones.*
 - 1.3. *Very-high Fire Severity Zones.**
2. *Land designated as Very-high Fire Hazard Severity Zone by cities and other local agencies.*
3. *Land designated as Wildland-Urban Interface Fire Areas by cities and other local agencies.*

18-44.4907.1 General.

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

4907.1 General. *Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and “SRA Fire Safe Regulations” California Code of Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.*

Buildings and structures within the Very-high Fire Hazard Severity Zones of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in

Government Code 51175-51189 and any local ordinance of the authority having jurisdiction.

Buildings and structures within the Wildland-Urban Interface Fire Area 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.

CHAPTER 56 EXPLOSIVES AND FIREWORKS

18-44.5608.1.2 Permit required.

California Fire Code, Section 5608.1.2 is added to read as follows:

5608.1.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to the performance of any firework display. Application for such approval shall be made in writing no less than twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the fire code official or authorized designee pursuant to this Chapter and *Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations*. Any permit for a fireworks display may be suspended or revoked at any time by the Fire code official or authorized designee.

18-44.5608.2 Limitations.

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

5608.2 Limitations. Possession, storage, offer or expose for sale, sell at retail, gift or give away, use, explode, discharge, or in any manner dispose of fireworks is prohibited within the limits established by law as the limits of the districts in which such possession, storage, offer or exposure for sale, retail sale, gifting, use, explosion, discharge, or disposal of fireworks is prohibited (see Section 3 of this ordinance).

Exception: Firework displays authorized pursuant to section 5608.1 for which a permit has been issued.

CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS

18-44.5704.2.9.6.1 Locations where above-ground tanks are prohibited.

California Fire Code, Section 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is prohibited (see Section 3 of this ordinance).

18-44.5706.2.4.4 Locations where above-ground tanks are prohibited.

California Fire Code, Section 5706.2.4.4 is amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is prohibited (see Section 3 of this ordinance).

**CHAPTER 58
FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS**

18-44.5806.2 Limitations.

California Fire Code, Section 5806.2 is amended to read as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is prohibited (see Section 3 of this ordinance).

**CHAPTER 61
LIQUID PETROLEUM GASES**

18-44.6104.2 Maximum capacity within established limits.

California Fire Code, Section 6104.2 is amended to read as follows:

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) (see Section 3 of this ordinance).

**CHAPTER 80
REFERENCED STANDARDS**

18-44.NFPA.13D-16

California Fire Code, Chapter 80, NFPA, 13D-16 is Amended Sections as follows:

NFPA 13D-16 - Standard for the installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes: as amended*.....903.3.1.3, 903.3.5.1.1

18-44.NFPA.13D-16.5.1.1.2

Revise Section 5.1.1.2 to read as follows:

5.1.1.2 A supply of at least three sprinklers shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

18-44.NFPA.13D-16.5.1.1.2.1

Add Sections 5.1.1.2.1 as follows:

5.1.1.2.1 The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property. The stock sprinklers shall include not less than one sprinkler of all types and ratings installed.

18-44.NFPA.13D-16.5.1.1.2.2

Add Sections 5.1.1.2.2 as follows:

5.1.1.2.2 The sprinklers shall be kept in a mounted and accessible cabinet located where the temperature to which they are subjected will at no time exceed the maximum ceiling temperatures specified in Table 5.1.1.6.1 for each of the sprinklers within the cabinet.

18-44.NFPA.13D-16.5.1.1.2.3

Add Sections 5.1.1.2.3 as follows:

5.1.1.2.3 One sprinkler wrench as specified by the sprinkler manufacture shall be provided in the cabinet for each type of sprinkler installed to be used for the removal and installation of sprinklers in the system.

18-44.NFPA.13D-16.7.6

Revise Section 7.6 to read as follows:

7.6 A local waterflow alarm shall be provided on all sprinkler systems.

18-44.NFPA.13D-16.8.1.3.1.2.1

Add Section 8.1.3.1.2.1 to read as follows:

8.1.2.1 Garages are permitted to be protected by residential sprinklers.

18-44.NFPA.13D-16.8.3.4

Revise Section 8.3.4 to read as follows:

8.3.4 Sprinklers shall not be required in detached garages, open attached porches, detached carports, and similar structures unless otherwise required by the *California Building or Fire Codes*.

18-44.NFPA.13D-16.8.3.5.2

Add Section 8.3.5.2 to read as follows:

8.3.5.2 At least one quick-response intermediate temperature residential sprinkler shall be installed within 5 feet and above attic access openings.

18-44.NFPA.13D-16.11.2.1.1

Revise Section 11.2.1.1 to read as follows:

11.2.1.1 Where a fire department pumper connection is not provided, the system shall be hydrostatically tested at not less than 200 psi without evidence of leakage.

18-44.NFPA.13R-16

California Fire Code, Chapter 80, NFPA, 13R-16 is Amended Sections as follows:

NFPA 13R-16 - Standard for the installation of Sprinkler Systems in Residential Occupancies up to and including Four Stories in Height, as amended903.3.1.2, 903.3.5.1.1, 903.3.5.1.2, 903.4

18-44.NFPA.13R-16.6.6.6.1

Add Section 6.6.6.1 to read as follows:

6.6.6.1 At least one quick-response intermediate temperature residential sprinkler shall be installed within 5 feet and above attic access openings.

18-44.NFPA.72-16

California Fire Code, Chapter 80, NFPA, 72-16 is Amended Sections as follows:

NFPA.72-16 – National Fire Alarm and Signaling Code, as amended*508.1.5,
Table 901.6.1, 903.4.1, 904.3.5, 907.2, 907.2.6, 907.2.9.3, 907.2.11, 907.2.13.2,
907.3, 907.3.3, 907.3.4, 907.5.2.1.2, 907.5.2.2, 907.6, 907.6.1, 907.6.2,
907.6.5, 907.7, 907.7.1, 907.7.2, 907.8, 907.8.2, 907.8.5, 1101.1

18-44.NFPA.72-16.14.7

Add Section 14.7 to read as follows:

14.7 Labels and Tags.

14.7.1 Labels or tags shall be used on fire alarm systems and shall be placed on the outside of the fire alarm control unit.

14.7.2 Tags shall be of the hanging or self-adhesive type used on fire alarm systems.

14.7.3 The following information shall be printed on the labels and tags approved by the fire code official:

1. The words “DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL”
2. Concern Name/Company Name
3. Concern Physical Address
4. Concern Phone Number
5. License Number (State of California Contractor State License Board License)
6. Date of service or testing and maintenance
7. Space or line for signature of person performing or supervising the servicing shall be placed on the tag or label

14.7.4 When service or testing and maintenance is performed, the initial date of service or testing and maintenance, the printed name and signature of the person performing or supervising the service shall be placed on the tag or label.

14.7.5 No person shall remove a tag or label from or place a tag or label on a fire alarm system except when servicing or testing and maintenance is performed.

14.7.6 No person shall deface, modify, or alter any tag or label attached to or required to be attached to any fire alarm system.

14.7.7 The Label or tag conforming to this section shall be securely attached to each fire alarm system at the time of servicing or testing and maintenance.

14.7.8 The label or tag approved by the fire code official shall be affixed to a system only after all deficiencies have been corrected.

14.7.9 Adhesive labels and tags shall be manufactured in accordance with ANSI/UL 969, Standard for Marking and Labeling Systems, 4th edition, 1995, which is hereby incorporated by reference.

**APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS**

18-44. TABLE B105.1(1)

California Fire Code, Appendix B Table B105.1(1) is amended to read as follows:

**TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3
AND R-4 BUILDINGS AND TOWNHOUSES**

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE- FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,500	2
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at The required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	1,500	2
3,601 and greater	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	½ value in Table B105.1(2) ^a	Duration in Table B105.1(2) at The required fire-flow rate

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.

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

18-44.TABLE B105.2

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

**TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND
TOWNHOUSES**

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

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

**APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION**

18-44.C103.1 Hydrant spacing.

California Fire Code, Section C103.1 is amended to read as follows:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the California Fire code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with the City of Santa Rosa standards or as approved by the fire code official.

18-44.C103.2 Section C103.2 deleted.

California Fire Code, Section C103.2 is deleted.

18-44.C103.3 Section C103.3 deleted.

California Fire Code, Section C103.3 is deleted.

**APPENDIX D
FIRE APPARATUS ACCESS ROADS**

18-44.D103.2 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:

D103.2 Grade. Fire apparatus access roads shall be in accordance with the City of Santa Rosa standards 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:

D103.3 Turning radius. The minimum turning radius shall be determined by City of Santa Rosa standards 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:

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 City of Santa Rosa standards for public streets or as approved by the fire code official.

18-44.TABLE.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:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying 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.D103.6.1 Section D103.6.2 deleted.

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

18-44.D103.6.1 Section D104.2 exception deleted.

California Fire Code, Appendix D Section D104.2 exception is deleted.

18-44.D106.1 Projects having more than 50 dwelling units.

California Fire Code, Appendix D Section D106.1 is amended to read and the exception deleted as follows:

D106.1 Projects having more than 50 dwelling units. Multiple-family residential projects having more than 50 dwelling units shall be equipped throughout 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 read as follows and exceptions #1 and #2 are deleted:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire access roads.”

Section 3. The geographic limits referred to in certain sections of the 2016 *California Fire Code* are hereby established as follows:

5608.2 Geographic limits in firework displays are prohibited: Prohibited in any area as established by applicable land-use and zoning standards.

5704.2.9.6.1 Geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited: Prohibited in any area as established by applicable land-use and zoning standards.

5706.2.4.4 Geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited: Prohibited in any area as established by applicable land-use and zoning standards.

5806.2 Geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited: Prohibited in any area as established by applicable land-use and zoning standards.

6104.2 Geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas: Prohibited in any area as established by applicable land-use and zoning standards.”

Section 4. That Ordinance No. 4016 of the City of Santa Rosa entitled Subsection (B) of Section 18-04.015 and Chapter 18-44 of the Santa Rosa City Code and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 5. Severability. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Santa Rosa City Council hereby declares that it would have passed law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right remedy of any character be lost, impaired or effected by this legislation.

Section 7. That the City Clerk is hereby ordered and directed to cause this legislation to be published.

Section 8. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2017 from and after the date of its final passage and adoption.

Section 9. The Council finds that the standards for buildings within the City of Santa Rosa should comply with the 2016 *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:

1. Earthquake hazards associated with the Healdsburg-Rodgers Creek Fault and other localized earthquake faults in close proximity of a densely populated urban area.
2. History of heavy winter rains and poorly drained soils including expansive adobe soils in many locations.
3. High groundwater tables and unconsolidated alluvial soils.
4. Heavy accumulations of flammable plant material covering many areas, periodic high winds and an extended dry season.
5. The propensity of local streams to flood due to periods of intense rainfall.
6. 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 10. Environmental Determination. 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 11. 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 12. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on November 1, 2016.

IN COUNCIL DULY PASSED AND ADOPTED this ____ day of November, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

Interim City Attorney