

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 16.10 OF THE SAN LUIS OBISPO COUNTY CODE BY ADOPTING AND AMENDING THE 2010 EDITION OF THE CALIFORNIA FIRE CODE, INCLUDING ANNUAL SUPPLEMENTS AND STATE AMENDMENTS AND ERRATA

WHEREAS, it is the desire and intent of the Board of Supervisors of San Luis Obispo County to provide citizens with the greatest degree of protection from fire; and

WHEREAS, the California Building Standards Code, Title 24, which incorporates the California Fire Code, is adopted every three years by order of the California Legislature with supplements published in intervening years; and

WHEREAS, the latest edition of the California Building Standards Code was published this year and has the force of law beginning January 1, 2011 and the Board of Supervisors desires to make local additions, amendments and deletions thereto as authorized by California Health and Safety Code Sections 18941.5 and 17958.5; and

WHEREAS, this Ordinance will amend the San Luis Obispo County Code so that it adopts and amends Part 9 of the California Building and Standards Code, which is known as the 2010 California Fire Code, including Appendix Chapter 4 and Appendices B, BB, C, CC, F, H and I, as modified and amended. All other Appendices to the 2010 Fire Code are expressly not adopted by this Ordinance. All annual supplements and state amendments and errata are adopted by this Ordinance; and

WHEREAS, the Board of Supervisors of San Luis Obispo County adopted findings on November 9, 2010 as required by California Health and Safety Code Section 17958.7, that because of climatic, geological, and topographical conditions that exist in the county that the amendments to the adopted codes are reasonably necessary to protect the citizens life, health and property.

NOW THEREFORE, The Board of Supervisors of the County of San Luis Obispo, State of California, ordains as follows:

SECTION 1:

Chapter 16.10 of the San Luis Obispo County Code is hereby amended to read as follows:

Chapter 16.10

CALIFORNIA FIRE CODE

Sections:

- 16.10.010 Adoption of the California Fire Code.
- 16.10.020 Definitions.
- 16.10.030 Establishment of limits for the storage of flammable or combustible liquids.
- 16.10.040 Establishment of limits for the storage of liquefied petroleum gases.
- 16.10.050 Establishment of limits for the storage of explosives and blasting agents.
- 16.10.060 Amendments made to the California Fire Code.
- 16.10.070 Appeals.

16.10.010 Adoption of California Fire Code.

Except as amended in Section 16.10.60, Part 9 of the California Building and Standards Code, which is known as the 2010 California Fire Code, including Appendix Chapter 4 and Appendices B, BB C, CC, F, H and I, are adopted by reference into this Chapter. All other Appendices to the 2010 Fire Code are expressly not adopted. All annual supplements and state amendments and errata are adopted by reference into this Chapter.

16.10.020 Definitions.

- (a) Wherever the word “jurisdiction” is used in the California Fire Code, it shall mean the unincorporated territory of the County of San Luis Obispo protected by the California Department of Forestry and Fire Protection/San Luis Obispo County Fire Department.
- (b) Wherever the phrase “Building Department” is used in the California Fire Code, it shall mean the San Luis Obispo County Department of Planning and Building.
- (c) Wherever the phrase “Chief of Police” is used in the California Fire Code, it shall mean the Sheriff of San Luis Obispo County. (Ord. 2774 §1 (part), 1996: Ord. 2633 §1 (part), 1993: Ord. 2435 §1 (part), 1990).

16.10.030 Establishment of limits for the storage of flammable or combustible liquids.

The limits referred to in Sections 3404.2.9.6.1 of the California Fire Code, "Locations where above-ground tanks are prohibited" by which the storage of flammable or combustible liquids is restricted are established by the provisions of San Luis Obispo County Code, including but not limited to, Titles 22 and 23. (Ord. 2774 §1 (part), 1996: Ord. 2633 §1 (part), 1993: Ord. 2435 §1 (part), 1990).

16.10.040 Establishment of limits for the storage of liquefied petroleum gases.

The limits referred to in Section 3804.2 "Maximum capacity within established limits" of the California Fire Code, by which storage of liquefied petroleum gas is restricted are established by the provisions of San Luis Obispo County Code, including but not limited to, Titles 22 and 23. (Ord. 2774 §1 (part), 1996: Ord. 2633 §1 (part), 1993: Ord. 2435 §1 (part), 1990).

16.10.050 Establishment of limits for the storage of explosives and blasting agents.

The limits referred to in Chapter 27 of the California Fire Code regarding the storage of explosive materials are established by the provisions of San Luis Obispo County Code, including but not limited to, Titles 22. and 23. (Ord. 2774 §1 (part), 1996: Ord. 2633 §1 (part), 1993: Ord. 2435 §1 (part), 1990).

16.10.060 The California Fire Code is hereby amended as follows:

Amendment No. 1

Section 101.1 "Title", is amended to read as follows:

101.1 Title. These regulations shall be known as the *Fire Code* of the County of San Luis Obispo, hereinafter referred to as "this code."

Amendment No. 2

Section 103. "Department of Fire Prevention" is amended by addition thereto as follows:

103.5 Fire prevention bureau personnel and police. "The chief of the fire department and certain other members of the California Department of Forestry and Fire Protection/San Luis Obispo County Fire Department have the authority of peace officers or public officers pursuant to California Penal Code sections 830.2(g), 830.7(d) and 836.5(a) in performing their duties under the California Fire Code."

Amendment No. 3

Section 105.3.3 "Occupancy Prohibited Before Approval" is amended to read as follows:

105.3.3 Occupancy and use prohibited before approval. The building or structure shall not be occupied prior to the fire code official issuing a permit that indicates that applicable provisions of this code have been met. No appliance, device, equipment, or system shall be operated or used until the installation has been approved and permitted by the fire code official and all applicable provisions of this code have been met. It shall be the duty of the permit applicant or contractor or both to cause the work to remain accessible and exposed for inspection purposes.

Amendment No. 4

Section 108.1 "Board of Appeals Established" is amended to read as follows:

108.1 Board of Appeals Established. Appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, shall be heard and decided by the Fire Code Board of Appeals established by the Board of Supervisors on 10-9-1990 (Consent Agenda Item A-15 which is on file in the Office of the County Clerk-Recorder).

Amendment No. 5

Section 202, "General Definitions" the definition of "Alteration" is amended to read as follows:

Alteration. Any construction change or renovation to an existing structure other than a repair or addition. Alterations include, but are not limited to, the addition or elimination of walls within the existing building envelope. Alteration also includes modifications to the structure which involve complete removal and replacement of wall board within any room.

Amendment No. 6

Section 202, "General Definitions" the definition of "Floor Area, Gross", is amended by addition thereto as follows:

For the purpose of calculating square footage for the application of fire sprinkler requirements and fire flow requirements, the floor area shall include all combustible areas attached to the structure, including garages, patio covers, overhangs, covered walkways and etc.

Amendment No. 7

Section 202, "General Definitions" is amended by addition thereto to include the following definition of "Greenhouse":

Greenhouse. An agricultural building used for the growing of plants. It shall include other structures also known as hothouses, cold frames and other similar specialty categories. It shall include without limitations, construction materials of glass, rigid plastic, flexible plastic, masonry, wood, metal and concrete.

Amendment No. 8

Section 405.7 “Initiation” is amended to read as follows:

405.7 Initiation. Where a fire alarm system is provided, emergency evacuation drills shall be initiated by activating the fire alarm system. Prior to initiating an alarm, the person initiating the alarm shall contact the fire alarm monitoring company and advise the company’s dispatcher of the fire drill. In cases where the fire alarm system is not monitored by a central station, notification shall be provided to the fire department dispatch center.

Amendment No. 9

Section 503.1.2 “Additional Access” is amended by addition, thereto as follows:

503.1.2.1 Maximum Dead-end Road Lengths. The maximum length of dead-end roads, including all dead-end roads accessed from a dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcel size	Length
less than one (1) acre	800 feet
1 acre to 4.99 acres	1320 feet
5 acres to 19.99 acres	2640 feet
20 acres or larger	5280 feet

All lengths shall be measured from the edge of the roadway surface at the intersection that begins from the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply. Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 feet or 1/4 mile intervals.

Amendment No. 10

Section 503.2.3 “Surface” is amended to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of at least 40,000 lbs. of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. An all-weather surface road shall maintain 95% compaction as described in the County Public Works standard for an A-1j

rural roadway.

Amendment No. 11

Section 503.2.5. “Dead-ends” is amended by addition thereto as follows:

503.2.5.1 Cul-de-Sac. (temporary or permanent). The minimum outside turning radius shall be 40 feet unobstructed. The inside radius shall be 20 feet. When parking is permitted within the cul-de-sac, the minimum outside radius from center to curb shall be 48 feet.

Amendment No. 12

Section 503.2.6 “Bridges and elevated surfaces” is amended to read as follows:

503.2.6 Bridges and elevated surfaces. When a bridge or elevated surface is required to be used as access under this section, it shall be constructed and maintained in accordance with AASHTO HB-17, and shall use designed live loading sufficient to carry the imposed loads of a 40,000 lb. fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Chief. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, signs or both shall be installed and maintained when required by the fire code official.

Amendment No. 13

Section 503.2.7 “Grade” is amended to read as follows:

503.2.7 Grade. The gradient for a fire apparatus access road shall not exceed the following:

Surface	Maximum Grade
All-weather ¹	Less than 12%
Nonskid ²	12% to 16%
Nonskid ³	Over 16%

Notes:

- 1 An all-weather surface road shall maintain 95% compaction as described in the County Public Works standard for an A-1j rural roadway.
- 2 Surface shall be asphalt or concrete as specified in San Luis Obispo County Standard Specifications and Improvement Drawings including a nonskid finish.

- 3 A road with a grade greater than 16 percent and less than 20 percent may be authorized through an adjustment as set forth in Sections 22.54.020 F / 23.05.104.F (Adjustments) of the County Code.

Amendment No. 14

Section 503.2 “Specifications” is amended by addition there to as follows:

503.2.9 Driveway. A driveway may be used as an access road pursuant to this section only, when it serves no more than two structures, with no more than 3 dwelling units on a lot of record and any number of accessory structures. It must also meet the following specifications:

503.2.9.1 Driveway width for high and very high fire severity zones:

Length	Required Width
0-49'	10'
50'-199'	12'
Greater than 200'	16'

503.2.9.2 Turnarounds. Turnarounds must be provided if driveway exceeds 300 feet, and shall be within 50 feet of the building.

503.2.9.3 Driveway grade. The minimum level of improvement shall be determined by the grade of driveway providing access from the road to the building site or parking area as follows:

Surface:	Maximum Grade
All-weather ¹	Less than 12%
Nonskid ²	12% to 16%
Nonskid ³	Over 16%

Notes:

- 1 An all-weather surface road shall maintain 95% compaction as described in the County Public Works standard for an A-1j rural roadway.
- 2 Surface shall be asphalt or concrete as specified in San Luis Obispo County Standard Specifications and Improvement Drawings including a nonskid finish.
- 3 A road with a grade greater than 16 percent and less than 20 percent may be authorized through an adjustment as set forth in Sections 22.54.020 F (Adjustments) of the County Code. An adjustment may also be requested for a

driveway that exceeds 20 percent grade and is designed by a Registered Civil Engineer.

Amendment No. 15

Section 503.4 “Obstruction of Fire Apparatus Access Roads is amended to read as follows:

503.4 Obstruction of Fire Apparatus Access Roads Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The required width of a fire apparatus access road shall not be obstructed in any manner including parking of vehicles. Minimum required widths and clearances established under Section 503.2.1 shall be maintained at all times.

503.4.1 Authority to Remove Obstruction. The Fire Code Official and his authorized representatives shall have the power and authority to remove or cause to be removed, without notice, any vehicle or object parked or placed in violation of the California Fire Code and California Vehicle Code 22651. The owner of any item so removed shall be responsible for all towing, storage and other charges incurred.

Amendment No. 16

Section 505.1 “Address Identification” is amended to read as follows:

505.1 Address Identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of: Residential 6 inches, Commercial 8 inches, and Industrial 10 inches high with a minimum stroke width of 0.5 inch (12.7mm).

505.1.1 Directories. When required by the fire code official, complexes with multiple buildings may be required to provide directories, premises maps and directional signs. The scale, design and location of directory signs shall be approved by the fire code official and may be required to be illuminated.

Amendment No. 17

Section 603.1.4 “Fuel Oil” is amended to read as follows:

603.1.4 Fuel Oil. The grade of fuel oil used in a burner shall be that for which the burner is approved and as stipulated by the burner manufacturer. Oil containing gasoline shall not be used.

Amendment No. 18

Section 606.8 “Refrigerant Detector” is amended to read as follows:

606.8 Refrigerant Detector. Machinery rooms shall contain a refrigerant detector with an audible and visual alarm. The detector, or a sampling tube that draws air to the detector, shall be located in an area where refrigerant from a leak will concentrate. The alarm shall be actuated at a value not greater than the corresponding TLV-TWA values shown in the California Mechanical Code for the refrigerant classification. Detectors and alarms shall be placed in approved locations. In addition, emergency shutoff shall also be automatically activated when the concentration of refrigerant vapor exceeds 25 percent of LFL (Lethal Flammable Limits).

Amendment No. 19

Section 903.2 “Where Required” is amended to read as follows:

903.2 Where required. An approved automatic fire sprinkler system shall be installed:

1. Throughout new buildings.

Exceptions:

1. A single-story building where floor area does not exceed 1000 square feet (92.9 m²) and the occupancy is not a Group R, Group H or Group I occupancy.
 2. A building that contains only a Group A, Division 5 occupancy.
 3. Agricultural accessory buildings as defined in Title 22, Section 22.06.040, 22.30.060 and Title 23, Section 23.08.041 of the San Luis Obispo County Code.
 4. Greenhouses.
2. Throughout existing and new sections of an existing building where floor area is increased by 1000 square feet or where alterations exceed 50 percent of the floor area. Increase in floor area shall be cumulative from January 1, 2008, with each issuance of a building permit, regardless of any change of ownership.

Exception: Alterations limited to replacement of exterior coverings, windows, roofing, electrical services, sewer laterals, retaining walls, and routine plumbing, electrical and mechanical repairs.

3. Throughout existing and new sections of an existing building where an additional story is added.

Exception: A building that contains a Group R, Division 3 occupancy unless the resulting building will exceed two stories or where floor area is increased by 1000 square feet or where alterations exceed 50 percent of the floor area.

Increase in floor area shall be cumulative from January 1, 2008, with each issuance of a building permit, regardless of any change of ownership.

4. In additions to existing buildings equipped with an automatic fire sprinkler system.
5. Throughout existing and new sections of an existing building where there is an occupancy classification change in which the new occupancy results in a higher hazard or as deemed necessary by the fire code official.
6. In buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled.
7. At the top of rubbish and linen chutes and their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.
8. Automatic fire sprinklers installed at exterior locations shall be approved corrosion-resistant devices when environmental conditions warrant.

For the purpose of requiring the automatic fire sprinkler systems specified in this chapter, the floor area within the surrounding exterior walls shall be considered as one building.

Subsections 903.2.2, 903.2.3.1, 903.2.5, 903.2.6, 903.2.7.1, 903.2.8 and 903.2.11.2 through 903.2.18 are adopted and incorporated herein in their entirety without amendment.

Amendment No. 20

Section 903.3.6 "Hose Threads" is amended to read as follows:

903.3.6 Hose Threads. Fire hose threads used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the fire department.

Amendment No. 21

Section 903.4 "Sprinkler System Supervision and Alarms" is amended to read as follows:

903.4 Sprinkler System Supervision and Alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically monitored for integrity and to ensure valves are locked in the open position, by a central station listed by Underwriters Laboratories for receiving fire alarms.

Exceptions:

1. Automatic sprinkler systems protecting one and two-family dwellings.

2. Limited area sprinklers serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to a fire pump engine that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

Subsections 903.4.1 through 903.4.3 are adopted without amendment.

Amendment No. 22

Section 904.11 “Manual System Operation” is amended by addition thereto as follows:

904.11.1. Manual System Operation Training. It shall be the responsibility of the business owner to insure that all employees are knowledgeable in the use of manually operated or activated fire-extinguishing systems within the occupancy.

Amendment No. 23

Section 907.7.5 “Monitoring” is amended to read as follows:

907.7.5 Monitoring. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved supervising station listed by Underwriters Laboratory for receiving fire alarms in accordance with NFPA 72. The supervising station shall contact and notify the Fire Chief or their call receiving location immediately on notification of an alarm and prior to making contact with the protected premises.

Exception: Supervisory service is not required for:

1. Single- and multi-station smoke alarms required by Section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.4.
3. Automatic sprinkler systems in one- and two-family dwellings.

Amendment No. 24

Chapter 27, "Hazardous Materials-General Provisions", is amended by addition thereto as follows:

If any provision of Chapter 27 as it pertains to Explosive Material is in conflict with San Luis Obispo County Code Chapter 6.32, the provisions of Chapter 6.32 shall.

Amendment No. 25

Chapter 33, "Explosives and Fireworks", is amended by addition thereto as follows:

If any provision of Chapter 33 conflicts with San Luis Obispo County Code Chapter 6.32, the provisions of Chapter 6.32 shall control.

Amendment No. 26

Section 3309 "Reserved" is amended by addition thereto to read as follows:

3309.1 Fireworks Prohibited. The manufacturing, possession, storage, sale, use and handling of fireworks, including without limitation, "Safe and Sane" fireworks, is prohibited.

Exceptions:

1. Storage of fireworks in accordance with the requirements for low order explosives in Title 19, California Code of Regulations, Chapter 10.
2. Storage of fireworks, 1.4G in accordance with the Building Code.
3. Use and handling of fireworks for professional display in accordance with Title 19, California Code of Regulations, Chapter 6.

3309.2 Seizure of Fireworks. The fire code official shall have the authority to seize, take and remove fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19, California Code of Regulations, Chapter 6 and California Health and Safety Code, Chapter 9.

Amendment No. 27

Section B103.3 "Areas Without Water Supply Systems" of Appendix B Fire-Flow Requirements for Buildings, is amended to read as follows:

B103.3 Areas without water supply systems. In areas without service water companies, National Fire Protection Association (NFPA) Standard 1142, or NFPA Standard 13, current edition, is used to establish on-site storage capacities, except that in all cases a minimum storage capacity of 2,500 gallons is required if so authorized by the fire code official.

16.10.070 Appeals

- (a) Any appeals to the requirements of this section shall be heard in accordance with Section 108 of the California Fire Code.

SECTION 2:

The Board of Supervisors has considered the changes that are proposed with respect to the matter described above. The Board of Supervisors has, as a result of its consideration, the evidence presented at the hearings on said matter, and all comments that were received during the public hearing process, determined that this activity is exempt from review pursuant to Section 15061(b)(3) which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a "significant effect on the environment." The Board of Supervisors finds that it can be seen with certainty that there is no possibility that the adoption and amendment of the 2010 California Fire Code may have a significant effect on the environment because there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment. The Board of Supervisors hereby approves this adoption and amendment of the 2010 California Fire Code in accordance with the California Environmental Quality Act and the County's regulations implementing said Act.

SECTION 3:

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

SECTION 4:

The fire chief is hereby authorized and directed to transmit a copy of this ordinance to the California Building Standards Commission as required by California Health and Safety Code Section 17958.7.

SECTION 5:

This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof, but not before January 1, 2011. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at the regular meeting of the Board of Supervisors held on the _____ day of _____, 20 ____, and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 20 _____, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing ordinance is hereby adopted.

Chairman of the Board of Supervisors
of the County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
Of the Board of Supervisors of the County of San Luis Obispo, State of California

[seal]

ORDINANCE CODE PROVISIONS APPROVED
AS TO THE FORM AND CODIFICATION:

County Counsel

By: _____

Dated: _____