

DRAFT

For the meeting of November 7, 2016
Agenda Item No. 3

**SLEEPY HOLLOW FIRE PROTECTION DISTRICT
STAFF REPORT**

Date: November 7, 2016

To: Sleepy Hollow Fire Protection District Board of Directors

From: Mark Mills, Fire Chief
Robert Bastianon, Fire Inspector
Ruben Martin, Fire Inspector

Subject: Ordinance No. 2016-1 adopting the 2016 Edition of the California Fire Code and 2015 International Fire Code with certain local amendments and additions and Appendix A of the 2015 International Wildland-Urban Interface Code

Recommendation

1. That the Board of Directors holds a public hearing to introduce proposed Ordinance No. 2016-1 in connection with the proposed adoption of the 2016 Edition of the California Fire Code and 2015 International Fire Code with certain local amendments and additions and Appendix A of the 2015 International Wildland-Urban Interface Code.
2. That the Board of Directors at a subsequent public hearing to be held on November 22, 2016 adopts Ordinance No. 2016-1 adopting the 2016 Edition of the California Fire Code and 2015 International Fire Code with certain local amendments and additions and Appendix A of the 2015 International Wildland-Urban Interface Code

Procedural Note

Typically, the Board of Directors conducts the public hearing on a proposed ordinance at the time of introduction and first reading. California Government Code Sections 50022.1 *et seq.* requires a slightly different procedure for an ordinance that is adopting another code by reference, as is the case here. When a code is adopted by reference, the public hearing must be scheduled after the first reading (i.e., at the time of the second reading and adoption).

Discussion

This item involves consideration of an ordinance adopt the 2016 Edition of the California Fire Code and 2015 International Fire Code with certain local amendments and additions and Appendix

A of the 2015 International Wildland-Urban Interface Code. This adoption process is required by the Board of Directors to stay current with the minimum requirements of the State of California building and fire standards as determined by the California Building Standards Commission.

Every three years the California Building Standards Commissions publishes model codes such as the California Fire Code, Building Code, Mechanical Code, Plumbing Code, etc. Once published, local agencies have 180 days to make additions or amendments based on local conditions. If no changes are made during this 180-day window, the model codes become effective. Based on the 180-day cycle, the District had until January 1, 2017 to make local changes.

For the last six code adoption cycles, the Marin County Fire Prevention Officers have met and cooperatively reviewed the model code. This proposed ordinance represents a cooperative effort to develop standard ordinance language. While some minor changes occur between jurisdictions, the end result is a more consistent and cooperative approach to fire safety issues, making it easier for contractors and developers to work with each jurisdiction.

The proposed ordinance will take effect 30 days from the date of adoption.

Summary Text of Ordinance

Other than the new code references, there are no significant changes in the proposed Ordinance language as compared to the last Ordinance 2013-1 adopted by the Board of Directors in 2013. The Fire Code is arranged and organized to follow sequential steps that generally occur during plan review or inspection. The 2015 International Fire Code (IFC), which California adopts with amendments as the 2016 California Fire Code, has again been organized into 7 parts. Each part represents a broad subject matter and includes the chapters that logically fit under the subject matter of each part. The 2015 IFC was organized to allow for future chapters to be conveniently and logically expanded without requiring a major renumbering. Therefore, this code adoption, as in past adoptions, results in some renumbering.

Proposed changes to 2016-1 Ordinance include, but are not limited to:

- Adoption of the 2016 Edition of the California Fire Code and 2015 International Fire Code with certain local amendments and additions.
- Adoption of Appendix A from the 2015 International Wildland-Urban Interface Code.
- Adoption of Appendix N of the 2016 California Fire Code: Temporary haunted houses, ghost walks and similar amusement uses; this appendix reinforces standards that are already enforced throughout Marin County Fire agencies; Clarify definitions; Fire Code, Jurisdiction, Counsel, and Fire Code Official.
- Clarify application of Residential Code.
- Add a section providing Damage and Expense Recovery.
- Add a section providing for Fire Prevention Resource Sharing.

- Amend section for additional operational permits.
- Removed additional operating permits already covered in the existing code adoption.
- Correct the referenced sections for establishing limits for storage of various hazardous materials.
- Add section requiring a construction permit to implement a Vegetation Management Plan.
- Amend Chapter 1 to specify the offense, amount, and number of days as it relates to violations of the Fire Code.
- Added the definition of “Junior Accessory Dwelling Unit” and the exemption of residential fire sprinklers in these units to support existing regulations in the Marin County Code.
- Modified the definition of “Membrane Structure” and “Tent” to include the term “Umbrella Structure” in order to capture large scale umbrellas that are being installed around the District and the County. (*This wording will be added to the code in the 2018 IFC). Added the definition of “Umbrella Structure” to both support the addition of the term in “Membrane Structure” and “Tent”.)
- Added a section to address “Unwarranted Alarm Notification” in order to address the issue of continued unwarranted alarm responses.
- Added definition of “Unwarranted Alarm” to support the addition of the term for continued unwarranted alarm responses.
- Added requirement for “Emergency Preparedness for Hotels, Lodging, and Congregate Houses” to provide guests access to a telephone to report emergencies.
- Modified the requirement of “Commercial Cooking Systems” to include referenced standard NFPA 96.
- Add sections pertaining to public storage facilities addressing location, fire resistance, apparatus access, flammable liquids, and hazardous materials storage.
- Add a section addressing the manufacture, storage, sale, possession, handling, or use of fireworks.
- Add section requiring certain target hazard buildings to be subject to the creation of pre-plans conforming to Fire Department Standards.
- Add definitions of Coverings, Second Unit, Spark Arrester, Substantial Remodel, Temporary, Fire Road, and Public Storage Facilities.
- Add section requiring fire roads to gain access to improved, unimproved, and undeveloped areas.

- Add section requiring truck company access for buildings greater than 3 stories or 30 feet in height.
- Add section requiring load testing of bridges used by fire apparatus.
- Add section allowing for the prohibition of vehicle parking on private access ways.
- Add section to provide fire department connections within 100 feet of fire hydrants.
- Add exception to the requirement for a fire hydrant upgrade when an approved fire sprinkler system is installed throughout.
- Amend section requiring fire sprinkler system for all new construction, new second units, major additions, substantial remodels, commercial buildings greater than 3000sf that add greater than 10% floor area, and change of uses of structures that result in higher fire or life safety exposure.
- Modified the requirement for where sprinklers are required in residential occupancies to include manufactured homes, mobile homes, and multifamily manufactured homes with 2 or more dwelling units in accordance with Title 25 of the California Code of Regulations.
- Amend section to clarify that sprinklers required by amendments are not meant to disallow for other provisions allowed in the Building Code and to clarify how sprinklers shall be installed.
- Add additional language requiring fire alarm systems to be installed in commercial buildings.
- Add section allowing owner operator to provide smoke alarm documentation.
- Amend Chapter 49 referencing local Wildland-Urban Interface areas, fire hazard reduction and relocating language addressing hazard abatement in those designated areas.

In addition, the Ordinance deems violations of the District Fire Code to be a public nuisance and delegates authority to the Fire Chief of the Ross Valley Fire Department, or his or her duly authorized enforcement officer, to abate or correct these violations. The Fire Chief is authorized to recover abatement costs through civil action, a nuisance abatement lien or a special assessment against the property. Code enforcement may also be achieved through criminal penalties (misdemeanor or infraction) or through administrative citations. Finally, the Ordinance sets up an appeals process whereby a person may appeal decisions of the Fire Chief to the Board of Directors, except for response cost and expense determinations and orders to clear brush or vegetative growth.

Attachments

- Ordinance No. 2016-1
- Findings of Fact
- Appendix A from the 2015 International Wildland-Urban Interface Code