ITEM NO. 27

STAFF REPORT

CITY OF OCEANSIDE

DATE: May 7, 2008

TO: Honorable Mayor and City Councilmembers

FROM: Fire Department

SUBJECT: **INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 11 ARTICLE II OF THE CITY OF OCEANSIDE MUNICIPAL CODE TO REFLECT ADOPTION OF THE 2007 CALIFORNIA FIRE CODE, WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS; ADOPTION OF RESOLUTION OF FINDINGS SUPPORTING LOCAL AMENDMENTS TO THE FIRE CODE**

SYNOPSIS

Staff recommends that the City Council: (1) introduce an ordinance to amend Chapter 11 Article II of the City of Oceanside Municipal Code to reflect adoption of the 2007 California Fire Code and the 2006 International Fire Code, with certain amendments, additions, and deletions; and (2) adopt a resolution of findings supporting the local amendments proposed to the 2007 California Fire Code.

BACKGROUND

The California Fire Code (CFC) is the State of California's model fire code with its administrative authority being derived from the Health and Safety Code. Since its inception, the CFC has become internationally recognized for its role in affirmatively addressing the issues related to fire prevention, fire protection, and public safety.

A committee made up of building officials, fire service personnel, building industry officials, and other interested parties developed the code. This process has taken several years and has involved hundreds of stakeholders. Subsequently, the State of California adopted the amendments to the 2006 International Fire and Building Codes. These finalized California Codes were published on July 1, 2007, and became effective statewide on January 1, 2008.

The Office of the State Fire Marshal is responsible for publishing the code text complete with changes reflecting new philosophies, engineering knowledge, and technological applications. Once the State Fire Marshal adopts the CFC, it becomes effective throughout the State of California for all cities, counties, and fire districts. In addition, local adoption is necessary in order to amend the model code to reflect particular challenges unique to our region's climate, topography, and geology or to implement revisions necessary to provide fire protection consistent with a community's ability to

prevent, respond to, or mitigate fire, building, or safety hazards. Local amendments to the Oceanside Fire Code cannot be less stringent than the CFC provides.

ANALYSIS

The CFC is adopted and used throughout the state; by law, the City of Oceanside must enforce the current state fire code. However, it does not always meet the individual needs of each jurisdiction and it is a commonly accepted practice to amend portions of the code to meet the unique conditions of each city or county. The proposed amendments are contained in the attached Ordinance, and the findings supporting them are set forth in the attached Resolution.

Among the proposed amendments are:

1. Providing a definition of "Mid-Rise Building" as being any building having four stories or more in height, while being 75 feet or less in height, with measurement being from the underside of the roof or floor above topmost space that can be occupied, to the lowest fire apparatus access road level. The section on mid-rise buildings also identifies requirements for: smoke detectors, fire alarm systems, automatic fire sprinklers/standpipes, emergency voice alarm signaling systems, central control stations, annunciation identification, elevators, and various means of egress.

2. Detailed requirements for the installation of automatic fire sprinkler systems in Group A, B, F, M and S commercial buildings exceeding 5,000 square feet or 34 feet in height. The mitigation requirements contained within this portion of the proposed code must meet California Building and Fire Code Standards.

3. A fire sprinkler requirement for single-family dwellings over 5,000 square feet and multifamily dwellings between 5,000 and 10,000 square feet.

4. An updated version of the High Wildland Fire Hazard Severity Zone map. This map delineates areas of urban, moderate, and high hazard in relation to Wildland-Urban Interface life safety requirements.

The adoption of the International and California Fire Codes, along with the specified amendments, will enable Oceanside Fire Department to codify those practices that more accurately reflect the way that the Department currently operates and to more closely integrate the practices and procedures with our region. The Fire Prevention Division has conducted a significant outreach effort in advance of the 2007 Fire Code and Local Amendment adoption process. Internal outreach to Community Development, Economic Development, Redevelopment, Planning, Building and Engineering Divisions has been completed. Research was done to specifically identify the stakeholders in mid-rise development currently in any part of the planning process and personal contact was made with each entity. In addition, presentations have been

conducted for Police and Fire Commission, Planning Commission, the Building Industry Association and other external community and business stakeholders.

FISCAL IMPACT

No fiscal impact.

COMMISSION OR COMMITTEE REPORT

The proposed amendments were presented to the Police and Fire Commission on April 10, 2008. The Police and Fire Commission recommended adoption.

CITY ATTORNEY'S ANALYSIS

The ordinance and resolution have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council: (1) introduce an ordinance to amend Chapter 11 Article II of the City of Oceanside Municipal Code to reflect adoption of the 2007 California Fire Code and the 2006 International Fire Code, with certain amendments, additions, and deletions; and (2) adopt a resolution of findings supporting the local amendments proposed to the 2007 California Fire Code.

PREPARED BY:

Mike Margot
Fire Marshal

SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Terry Garrison, Fire Chief

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING CERTAIN SECTIONS OF CHAPTER 11 OF THE OCEANSIDE CITY CODE BY ADOPTING THE CALIFORNIA FIRE CODE, 2007 EDITION, WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS

WHEREAS, the California Building Standards Codes are published every three years by the California Building Standards Commission; and

WHEREAS, the California Building Standards Commission has published the 2007 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2008; and

WHEREAS, Title 24, Part 9 of the California Code of Regulations is known as the California Fire Code and incorporates, by adoption, the 2006 edition of the International Fire Code of the International Code Council with the California amendments; and

WHEREAS, the California Building Standards Codes may be adopted by cities by incorporation by reference; and

WHEREAS, cities may establish more restrictive building standards than those set forth in the California Building Standards Codes, if certain findings are made pertaining to local climatic, geologic or topographical conditions; and

WHEREAS, the City Council of the City of Oceanside finds that the City of Oceanside has certain climatic, geologic, and topographical features that can have a deleterious effect on emergency services such as fire protection and emergency medical services; and

WHEREAS, the City of Oceanside finds that modifications and changes to the 2007 California Fire Code are reasonably necessary to mitigate said deleterious effects.

NOW THEREFORE, the City Council of the City of Oceanside does ordain as follows:

SECTION 1. Chapter 11, Section 11.15 of the Oceanside City Code is amended to read as follows:

"Sec. 11.15 California Fire Code – Adopted by reference.

That certain document, one (1) copy of which is on file in the office of the City Clerk of

the City of Oceanside, being marked and designated as the 2007 California Fire Code, including Appendix Chapters 1 and 4, Appendix B, F, and H, as published by the International Code Council, is hereby adopted as the Fire Code of the City of Oceanside, 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 substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises and in the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use, and maintenance of buildings and structures; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk of the City of Oceanside are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in Sec. 11.18 of the Oceanside City Code."

SECTION 2. Chapter 11, Section 11.16 of the Oceanside City Code is amended to read as follows:

"Sec. 11.16. Definitions

A. Wherever the word 'jurisdiction' is used in the California Fire Code, it shall be held to mean the City of Oceanside.

B. 'Fire Marshal' is the chief of the Fire Prevention Bureau.

C. California Fire Code means the 2007 California Fire Code and all of its appendices and standards as adopted by reference by Section 11.15.

D. Wherever the terms 'this Code' or '2006 International Fire Code' are used, they shall mean the 2007 California Fire Code as modified by the City of Oceanside with the deletions, revisions and additions set forth in the amendments."

SECTION 3. Chapter 11, Section 11.17 of the Oceanside City Code is amended to read as follows:

"Sec. 11.17 Fire Code Enforcement.

The California Fire Code shall be enforced by the Fire Prevention Bureau in the Fire

Department of the City of Oceanside and other officials of the City as may be determined pursuant to the section 1.12 of the of Oceanside City Code."

SECTION 4. Chapter 11, Section 11.18 of the Oceanside City Code is amended to read as follows:

"Sec 11.18 Amendments to the California Fire Code.

The California Fire Code is hereby revised in the following respects:

Chapter 2 Definitions—Section 202 General Definitions is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(A) ADMINISTRATOR. City Council of the City of Oceanside. Whenever the term "City" is used it shall mean the City of Oceanside.

(A) CHIEF OF THE DIVISION OF FIRE PREVENTION. The Fire Marshal of the City of Oceanside.

(A) CORPORATION COUNSEL. The Oceanside City Attorney.

(A) FIRE DEPARTMENT. Any regularly organized fire department charged with the responsibility of providing fire protection to the jurisdiction.

(A) FIRE AUTHORITY HAVING JURISDICTION (FAHJ). The designated entity providing enforcement of fire regulations as they relate to planning, construction and development. This entity may also provide fire suppression and other emergency services.

(A) FIRE HAZARD. Any thing that increases or could cause an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or any thing or act which could obstruct, delay, hinder or interfere with the operations of the Fire Department or egress of occupants in the event of fire.

(A) HAZARDOUS FIRE AREA. Any geographic area mapped by the State or local jurisdiction as a high or very high fire hazard area, or as set forth by the FAHJ that contains the type and condition of vegetation, topography, weather, and structure density to potentially increase the possibility of vegetation conflagration fires shall be considered a hazardous fire

area.

(A) IGNITION-RESISTANT MATERIAL. Any product which, when tested in accordance with ASTM E84 for a period of 30 minutes, shall have a flame spread rating of not over 25 and show no evidence of progressive combustion. In addition, the flame front shall not progress more than 10½ feet (3200 mm) beyond the centerline of the burner at any time during the test.

Materials shall pass the accelerated weathering test and be identified as Exterior type, in accordance with ASTM D 2898 and ASTM D 3201. All materials shall bear identification showing the fire performance rating thereof. That identification shall be issued by ICC--ES or a testing facility recognized by the State Fire Marshal having a service for inspection of materials at the factory.

Fire-Retardant-Treated Wood or noncombustible materials as defined in section 202 shall satisfy the intent of this section.

The enforcing agency may use other definitions of ignition-resistant material that reflect wildfire exposure to building materials and/or their materials performance in resisting ignition.

(A) MID-RISE BUILDING. Any building having four stories or more in height, while being 75 feet (22.860 m) or less in height, and not defined as a high-rise building by section 202 of this code. Measurement will be from the underside of the roof or floor above the topmost space that can be occupied, to the lowest fire apparatus access road level.

(R) OCCUPANCY CLASSIFICATION.

High-hazard Group H. High-hazard Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of quantities allowed in control areas constructed and located as required in Section 2703.8.3. Hazardous uses are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall be in accordance with this code and the requirements of Section 415 of the California Building Code.

Exceptions: The following shall not be classified in Group H, but shall be classified in the occupancy that they most nearly resemble:

1. Buildings and structures that contain not more than the maximum allowable quantities per control area of hazardous materials as shown in Tables 2703.1.1(1) and 2703.1.1(2), provided that such buildings are maintained in accordance with this code.

2. Buildings utilizing control areas in accordance with Section 2703.8.3 that contain not more than the maximum allowable quantities per control area of hazardous materials as shown in Tables 2703.1.1(1) and 2703.1.1(2).

3. Wholesale and retail sales, and storage of flammable and combustible liquids in mercantile occupancies conforming to Chapter 34.

4. Closed piping systems containing flammable or combustible liquids or gases utilized for the operation of machinery or equipment.

5. Cleaning establishments that utilize combustible liquid solvents having a flash point of 140°F (60°C) or higher in closed systems employing equipment listed by an approved testing agency, provided that this occupancy is separated from all other areas of the building by one-hour fire barriers constructed in accordance with Section 706 of the California Building Code or one-hour horizontal assemblies constructed in accordance with Section 711 of the California Building Code, or both.

6. Cleaning establishments that utilize a liquid solvent having a flash point at or above 200°F (93°C).

7. Liquor stores and distributors without bulk storage.

8. Refrigeration systems.

9. The storage or utilization of materials for agricultural purposes on the premises.

10. Stationary batteries utilized for facility emergency power, uninterrupted power supply or telecommunication facilities, provided that the batteries are provided with safety venting caps and ventilation is provided in accordance with the California Mechanical Code.

11. Corrosives shall not include personal or household products in their original packaging used in retail display or commonly used building materials.

12. Display and storage of nonflammable solid, and nonflammable or noncombustible liquid hazardous materials, in quantities not exceeding the maximum allowable quantity per

control area in Group M or S occupancies complying with Section 2703.8.3.5.

13. The storage of black powder, smokeless propellant and small-arms primers in Groups M and R-3 and special industrial explosive devices in Groups B, F, M and S, provided such storage conforms to the quantity limits and requirements of this code.

(A) RESPONSE TIME. The time between when the original incident alarm is received by dispatch to when the first fire unit arrives on scene.

(A) STANDPIPE SYSTEM. A wet or dry system of piping, valves, outlets and related equipment designed to provide water at specified pressures and installed exclusively for the fighting of fires, including the following:

Class I is a standpipe system equipped with 2½-inch outlets.

Class II is a wet standpipe system directly connected to a water supply and equipped with 1½-inch outlets intended for use by the building occupants.

Class III is a combination standpipe system directly connected to a water supply and equipped with both 1½-inch outlets for use by the building occupants and 2½-inch outlets for use by the Fire Department or other trained personnel. Hose connections for Class III systems may be made through 2½-inch hose valves with easily removable 2½-inch by 1½-inch reducers.

(A) WILDLAND-URBAN INTERFACE CODE. Code regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels as adopted by the local FAHJ.

Chapter 3 General Precautions Against Fire is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(A) Section 307.5.1. An adult must be present at all times to watch and tend outdoor fires.

Chapter 4 Emergency Planning And Preparedness is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 405, Table 405.2, Footnote a.

a. The frequency in all school levels shall be allowed to be modified in accordance with Section 408.3.2. Secondary-level schools need only conduct evacuation drills twice each school year.

Chapter 5 Fire Service Features is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 502.1 Definitions.

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as driveway, fire lane, public street, private street, parking lot lane, and access roadway.

(R) Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed improved width of not less than 28 feet, except for single-family residential driveways. Fire apparatus access roads serving no more than two single-family dwellings shall have a minimum of 16 feet of unobstructed improved width.

EXCEPTIONS:

1. Upon approval by the Fire Chief, vertical clearances or width may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance.

2. Fire access roadways, gated entrances with card readers, guard stations or center medians that have separated lanes of one-way traffic, shall be not less than 14 feet wide per lane.

(R) Section 503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus not less than 75,00 0 lbs. unless authorized by the FAHJ and shall be provided with an approved paved surface so as to provide all-weather driving capabilities.

(R) Section 503.2.5 Dead ends. All dead-end fire apparatus access roads in excess of

150 feet in length shall be provided with an approved area for turning around fire apparatus. Unless otherwise approved by the Fire Chief, a cul-de-sac shall be provided in residential areas where the access roadway serves more than two (2) structures. The minimum unobstructed paved radius width for a cul-de-sac shall be 40 feet in residential areas with no parking.

(R) Section 503.2.7 Grade. The gradient for a fire apparatus access roadway shall not exceed 15%. Grades exceeding 12.0% (incline or decline) shall not be permitted without mitigation. Minimal mitigation shall be the installation of fire sprinkler systems and a surface of Portland cement concrete (PCC). The Fire Chief may require additional mitigation measures where he deems appropriate. The angle of departure and angle of approach of a fire access roadway shall not exceed seven (7) degrees (12 percent) or as approved by the Fire Chief.

(R) Section 503.3 Marking of Fire Apparatus Access Roads. When required, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. The Fire Chief may designate existing roadways as fire access roadways consistent with California Vehicle Code Section 22500.1, where the Fire Chief determines that such designation is necessary to ensure adequate fire access.

All new public roads, all private roads within subdivisions, and all private road easements serving four or more parcels shall be named. Road name signs shall comply with City of Oceanside Department of Public Works Design Standard #DS-13. The Fire Chief may require the posting of a fire access roadway where parking has obstructed or could obstruct the required width.

(A) Section 503.6.1 Security Gates and Other Roadway Obstructions. All gates or other structures or devices which could obstruct fire access roadways or otherwise hinder emergency operations are prohibited unless they meet standards approved by the Fire Chief, and receive Specific Plan approval.

All automatic gates across fire access roadways and driveways shall be equipped with approved emergency key-operated switches overriding all command functions and opening the gate(s). Gates accessing more than four residences or residential lots, or gates accessing

hazardous institutional, educational or assembly occupancy group structures, shall also be equipped with approved emergency traffic control-activating strobe light sensor(s), or other devices approved by the Fire Chief, which will activate the gate on the approach of emergency apparatus with a battery backup or manual mechanical disconnect in case of power failure.

All automatic gates must meet Fire Department policies deemed necessary by the Fire Chief for rapid, reliable access.

Automatic gates serving more than one dwelling or residential lot in existence at the time of adoption of this ordinance are required to install an approved emergency key-operated switch, or other mechanism approved by the Fire Chief, at an approved location, which overrides all command functions and opens the gate(s). Property owners must comply with this requirement within 90 days of written notice to comply.

(R) Section 505.1 Address Numbers. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway providing primary fire apparatus access to the property. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: 4" high with a 3/8" stroke for residential buildings, 6" high with a ½" stroke for commercial and multi-residential buildings, 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers. The Fire Chief may establish different minimum sizes for numbers for various categories of projects.

(A) Section 505.3 Multiple Tenant Buildings. Multiple tenant spaces serviced by vehicular access to the rear through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way. Multiple tenant spaces serviced by rear access through a corridor, exit passageway, exit court, or exit yard shall have approved numbers or addresses displayed on the rear of the tenant space. Multiple tenant spaces that front on the interior walkways or pedestrian malls shall have approved numbers or addresses placed near the

entrance door in all new and existing buildings. Illuminated directory boards shall be provided at vehicular access entrances to multiple building complexes.

(A) Section 505.3.1 Map/Directory. A lighted directory map, meeting current Fire Department standards, shall be installed at each driveway entrance to multiple-unit residential projects and mobile home parks, where the number of units in such projects exceeds 15.

(A) Section 505.4 Response Map Updates. Any new development that necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format (PDF, GIS and/or CAD) as approved by the FAHJ or compatible with current department mapping services. The Fire Department is authorized to charge a reasonable fee for updating all response maps.

(A) Section 506.2.1 Emergency Key Access. All central station-monitored fire detection systems and fire sprinkler systems shall have an approved emergency key access box on-site in an approved location. The owner or occupant shall provide and maintain current keys for the structure(s) for Fire Department placement in the box, and shall notify the Fire Department in writing when the building is re-keyed.

(A) Section 507.3.1 Penalties For Violations. Violations of Section 507.3 are subject to punishment pursuant to the California Penal Code, as well as other civil and administrative penalties.

(A) Section 508.2.3 Looping of Water Mains. All water mains which support fire hydrants will be looped as required in the City of Oceanside Engineer's Design and Processing Manual.

(R) Section 508.5.1 Where Required. The location, type and number of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public or private street, or on the site of the premises to be protected, or both, as required and approved by the fire code official. Fire hydrants shall be accessible to the Fire Department apparatus by roads meeting the requirements of Section 503. For fire safety during the construction, alteration or demolition of a building, see Section 1412.1.

(A) Section 508.5.1.1 Water Supplies and Fire Hydrants. Group R-3 and U

Occupancies: An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet (152,900 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required flow shall be provided when required by the Chief.

EXCEPTION: Remodels and additions: Existing structures that are remodeled or added to where the amount of new area does not exceed 1,500 square feet and the additional or remodeled area is protected with an approved automatic fire extinguishing system.

(A) Section 508.5.1.2 Fire Hydrants. All fire hydrants shall comply with the Engineer's Design and Processing Manual.

Chapter 6 Building Services and Systems is hereby amended by adding to (A), revising (R), or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 603.8 Incinerators. Incinerators are not permitted in the City of Oceanside.

(D) Sections 603.8.1 through 603.8.5, inclusive, are hereby deleted.

(A) Section 603.10 Public Safety Radio System Coverage. Except as otherwise provided, no person shall own, erect, construct or occupy any building or structure, or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for City emergency service workers operating on the 800MHz Countywide Coordinated Communication System, or the current radio system in use. Further, owners must maintain a reasonable standard of reliable radio communication within their buildings and structures once a Certificate of Occupancy is issued. The BDA coverage enhancers must be maintained as a condition of occupancy and tested annually. When tested, if the 800MHz signal strength readings (RSSI) fall below 65 in any portion of the building, either above or below grade as measured by an 800 MHz portable radio, the purchase and installation of one or more bidirectional amplifier radio

coverage enhancers is required. A minimum signal strength of (-95dBm) in 90 percent of the area of each floor building from both the 800 MHz Countywide Communications Systems and from within the building is required.

(A) Section 603.11 Smoke Evacuation System in Below-ground Parking Garages. A provision shall be made for all below grade parking structures to have a smoke removal system. A manual switch shall be provided above grade at an approved location to remove smoke from the parking structure in the event of a fire.

Chapter 9 Fire Protection Systems is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(A) Section 902.1 Definitions

LIFE SAFETY SPRINKLER SYSTEM shall mean an automatic sprinkler system that meets the most recent edition of National Fire Protection Association Standards 13-D or 13-R.

PROPERTY PROTECTION SPRINKLER SYSTEM shall mean an automatic sprinkler system that meets the most recent edition of National Fire Protection Association Standard 13.

(A) Section 903.1.2 Access. Automatic fire sprinkler systems meeting National Fire Protection Association Standard 13 shall not be obstructed in any manner. If a system riser is to be concealed by means of a wall, soffit, column, or other building construction: (i) there must be eighteen-inch (18") clearance to each side and to the front of the system riser, (ii) access shall be provided by means of a door with minimum dimensions of thirty (30) inches wide by eighty (80) inches tall, (iii) the system riser shall be provided with a means of access to the room directly from the exterior of the building, and (iv) durable signage shall be provided on the exterior side of the access door to identify the fire sprinkler riser and alarm room. Fire alarm control panels shall be located in the same room as, and share the same access as the fire sprinkler riser room, or as required by the Fire Chief.

(A) Section 903.1.3 Smoke Control Systems. Mechanical smoke control systems, such as those in high-rise buildings, buildings containing atria, covered mall buildings and

mechanical ventilation systems utilized in smoke-proof enclosures and for smoke removal systems utilized in high-piled combustible storage occupancies, shall be maintained in an operable condition at all times. Unless otherwise required by the Chief, quarterly tests of such systems shall be conducted by approved persons. A written record and current approved plans shall be maintained and shall be made available to the inspection authority.

(R) Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section. For the purpose of fire sprinkler systems, buildings separated by less than 10 feet from adjacent buildings shall be considered one building. Fire barriers, partitions, and walls, regardless of rating, shall not be considered as creating separate buildings for purposes of determining fire sprinkler requirements. Mezzanines shall be included in the total square-footage calculation.

Commercial Occupancies

The Fire Chief shall require the installation of an automatic fire sprinkler system meeting the requirements of California Building and Fire Code when any one of the following conditions exists:

1. In all Group A, B, F, M, and S commercial buildings hereinafter constructed when the square-footage exceeds 5,000 square feet or the height exceeds 34 feet.

Exception: Woodworking operations as provided for in Sec. 903.2.3.1

2. When Fire Department travel time exceeds five (5) minutes from the closest fire station to any building. (Time tests will be conducted by the Fire Department based on established testing procedures).

3. When a structure is in the direct urban wildland interface. (Refer to Urban Wildland Interface map located at the Fire Department).

4. When the building is located on a dead-end access road or cul-de-sac exceeding 500 feet. (Note: If a Fire Department-approved secondary access is provided to the dead-end access road or cul-de-sac, this condition will not apply).

5. When the building's calculated fire flow requirement, based on building square-footage and construction type, exceeds 2500 gallons per minute (G.P.M.).

Exception: Greenhouses and buildings constructed for use as greenhouses are exempt from fire sprinkler requirements unless physically connected to other structures.

6. Buildings with an assembly area above the first floor and with an occupant load over 50.

Residential Occupancies

The Fire Chief shall require the installation of an automatic fire sprinkler system in all residential buildings when any one of the following conditions exists:

1. Residential buildings containing two (2) or more dwelling units hereinafter constructed exceeding 10,000 square feet, or exceeding 34 feet in height, shall be protected with a fire sprinkler system meeting N.F.P.A. Standard 13 with life safety sprinkler heads in living areas.

2. Residential buildings containing two (2) or more dwelling units hereinafter constructed exceeding 5,000 square feet, but less than 10,000 square feet total area shall be protected with a fire sprinkler system meeting N.F.P.A. Standard 13-R.

3. Residential buildings containing one family dwelling unit in excess of 5000 square feet shall be protected by life safety fire sprinkler systems meeting the N.F.P.A. Standard 13-D. Residential buildings containing two or more dwelling units shall be protected by life safety fire sprinkler systems meeting the N.F.P.A. Standard 13-D.

4. When Fire Department travel time exceeds five (5) minutes from the closest fire station to any building. (Time tests will be conducted by the Fire Department based on established testing procedures).

5. When the structure is in the direct urban wildland interface. (Refer to Urban Wildland Interface map located at the Fire Department).

6. When a dead-end access road or cul-de-sac exceeds 500 feet, all buildings beyond 500 feet from the intersection will be equipped with automatic fire sprinklers. (**Note:** If an approved secondary fire access is provided to the dead-end, this condition shall not apply).

7. When required fire flow for the building is insufficient, as determined by the FAHJ.

(D) Section 903.2 Exception 1 is hereby deleted.

(A) Section 903.2.10.4 Systems in High Rise Buildings. The owner of a high-rise

building shall be responsible for assuring that the fire and life safety systems required by the Oceanside Fire Code and the Oceanside Building Code are maintained in an operable condition at all times. Unless otherwise required by the Fire Chief, quarterly tests of such systems shall be conducted by approved persons. A written record and current approved set of plans shall be maintained by the owner and shall be made available to the inspection authority.

(R) Section 903.3.7 Fire Department Connections. Fire Department connections shall be located within forty (40) feet of a fire hydrant, and no closer than forty (40) feet from the buildings they supply or other locations as approved by the Fire Chief.

(R) Section 903.4 Sprinkler System Monitoring and Alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Automatic sprinkler systems protecting one and two family dwellings.
2. Underground supply valves.

(R) Section 903.4.2 Alarms. Approved horn strobe devices shall be connected to every 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. Alarm devices shall be provided on the exterior of the building on the street-addressed side of the building. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

(A) Section 903.4.2.1 Alarm Locations. Duct or area detectors used for plenum detection, when located in areas which are not readily visible, shall have a remote visual indicator installed in the ceiling visible from the floor area and adjacent to the detector. Detectors which are not readily accessible from the floor shall have a remote test switch. Locations for both remote visual indicators and remote test switches shall be approved by the Fire Department. Activation of a duct detector shall enunciate a supervisory signal only to the building's fire alarm system.

(A) Section 903.4.2.2 Duct Detectors. Duct detectors shall be shown on fire alarm plans, and devices shall be tested by the Fire Department.

(A) Section 903.4.2.3 Automatic Telephone Dialing Devices. Automatic telephone dialing devices shall be in accordance with NFPA 72. Two separate telephone lines (numbers) shall be provided from the protected premises to the central station, which use Digital Alarm Communicator Transmitter (DACT).

(A) Section 903.4.2.4 Signage. Any company providing monitoring for any electronic monitoring system, fire suppression, or detection system shall post an approved visible sign at all control valves, control panels and monitoring panels. The sign shall state the name of the monitoring company, the 24-hour phone number of the central station, and instructions to call the central station before doing any work or testing on any system being monitored.

(A) Section 904.11.1.1 Commercial Extinguishing Systems. Existing commercial cooking systems protected with pre-engineered automatic dry or wet-chemical extinguishing systems that are not in compliance with UL 300 and listed and labeled for the intended application shall install an automatic fire extinguishing system as required by Section 904.11. The new automatic fire extinguishing system must be installed no later than the second required service of the existing automatic fire extinguishing system after January 1, 2008.

(R) Section 905.1 General. Standpipe systems shall be provided in new buildings and structures in accordance with this section. Fire hose threads used in connection with standpipe systems shall be approved and shall be compatible with Fire Department hose threads. The location of Fire Department hose connections shall be approved. In buildings used for high-piled combustible storage, fire protection shall be in accordance with Chapter 23. A valved outlet and a pressure gauge shall be installed on all standpipe systems.

(R) 907.2.10.2 Power Source. In new construction and in newly classified Group R-3.1 occupancies, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent

protection. Smoke alarms may be solely battery-operated when installed in existing buildings; or in buildings without commercial power; or in buildings that undergo alterations, repairs or additions regulated by Section 907.2.10.6.

(A) 907.2.10.6 Additions, Alterations or Repairs to Group R Occupancies. When the valuation of an addition, alteration or repair to a Group R occupancy exceeds $1,000 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R occupancies, smoke alarms shall be installed in accordance with Section 907.2.10.

Chapter 22 Motor Fuel-Dispensing Facilities and Repair Garages is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(A) Section 2201.1.1 Revised Scope of Sections 2205, 2206 and 2210. When provisions are made for Class IIIA liquids in Sections 2205, 2206 and 2210, the provisions shall apply to all Class III liquids.

Chapter 34 Flammable and Combustible Liquids is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(A) Section 3401.6 Permit. A flammable or combustible liquid permit may be denied by the Fire Chief when, in his or her opinion, the risk to life or property is significant.

(D) Section 3405.2.4 Class I, II and III liquids. Exception 4 is deleted.

Chapter 38 Liquefied Petroleum Gases is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(A) Section 3807.5 Securing Tanks to the Ground (LPG) – Tanks shall be secured to prevent the tank from rolling or moving when required by the FAHJ.

Chapter 47 Requirements for Wildland-Urban Interface Fire Areas is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 4704.1 General. Lands in the state are classified by the FAHJ or by the CDF Director in accordance with the severity of wildfire hazard expected to prevail in those areas and the responsibility for fire protection, so that measures may be identified which will reduce the potential for losses to life, property, and resources from wildfire.

(R) Section 4704.2 Classifications. The FAHJ or the CDF Director classifies land into fire hazard severity zones in accordance with California Public Resources Code Sections 4201 through 4204 for State Responsibility Areas and in accordance with Government Code Sections 51175 through 51189 for areas where a local agency is responsible for fire protection.

Appendix Chapter 1 is hereby amended by adding to (A), revising (R) or deleting from (D) the Fire Code portion of the California Building Standards Code to read as follows:

(R) Section 101.1 Title. These regulations shall be known as the Fire Code of the City of Oceanside, hereinafter referred to as "this code."

(A) Section 105.6.48 Christmas Tree Lots. An operational permit is required to operate a Christmas tree lot with or without flame-proofing services.

(R) Section 109.3 Violation Penalties. 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 certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(R) Section 111.4 Failure to Comply. Any person who shall continue any work having been served with a stop work order, except such work as that the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than two hundred fifty dollars ($250.00) or more than one thousand dollars ($1,000.00)."

SECTION 5. Chapter 11, Section 11.19 of the Oceanside City Code is amended to read as follows:

"Sec. 11.19 Mid-Rise Buildings

In addition to other applicable provisions of this Code, other laws and regulations, and any policies of the Chief, the provisions of this article apply to every newly constructed mid-rise building of any type construction, or any mid-rise building which undergoes a complete renovation that requires the complete vacancy of the building to complete the renovation.

Exceptions: The following structures, while defined as mid-rise buildings, will not be subject to the provisions of this article:

1. Buildings used exclusively as open parking garage.

2. Buildings where all floors above the fourth floor (16,764 mm) level are used exclusively as open parking garage.

3. Buildings such as power plants, lookout towers, steeples, grain houses, and similar structures with noncontinuous human occupancy, when so determined by the Chief.

Building Access. Building access must be provided and approved by the Chief.

Automatic Fire Sprinklers/Standpipes. Every mid-rise building must be protected throughout by an automatic fire sprinkler system that is designed and installed in conformance with latest Edition of N.F.P.A. 13 and in accordance with the following:

1. Shutoff valves and a water-flow alarm device must be provided for each floor. Each shutoff valve and flow device must be electronically supervised.

2. Every mid-rise building must be provided with a class I standpipe system that is interconnected with the fire sprinkler system. The system must consist of 2-½" hose valves that must be located in each stair enclosure on every floor level. Two hose outlets must also be located on the roof, outside of each stair shaft enclosure that penetrates the roof. The standpipe system must be designed, installed, and tested in accordance with N.F.P.A. 14. A valved outlet and a pressure gauge shall be installed on all standpipe systems.

3. Fire Department standpipe connections and valves serving the floor must be within the vestibule and located in a manner so as not to obstruct egress when hose lines are connected and charged.

Smoke Detection. Smoke detectors must be provided in accordance with this section. Smoke detectors must be connected to an automatic fire alarm system installed in accordance

with the latest edition of N.F.P.A. 72. The actuation of any detector required by this section will operate the emergency voice alarm signaling system and will place into operation all equipment necessary to prevent the circulation of smoke through air return and exhaust ductwork. Smoke detectors must be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, unmanned computer equipment, elevator machinery or similar room and in all elevator lobbies. Elevator lobby detectors must be connected to an alarm verification zone or be listed as a releasing device.

2. In the main return-air and exhaust-air plenum of each air-conditioning system. Such devices must be located in a serviceable area downstream of the last duct inlet.

3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air conditioning system. An approved smoke detector may be used in each return-air riser carrying not more than 5,000 cubic feet per minute and serving not more than 10 air inlet openings.

4. In all corridors serving as a means of egress for an occupant load of 10 or more.

Fire Alarm System. An approved and listed, automatic and manual, fully addressable and electronically supervised fire alarm system must be provided in conformance with this code and California Building Code.

Emergency Voice Alarm Signaling System. The operation of any automatic fire detector or water flow device must automatically sound an alert tone followed by a prerecorded voice instruction giving appropriate information and direction on a general or selective basis to the following terminal areas:

1. Elevators.
2. Elevator lobbies.
3. Corridors.
4. Exit stairways.
5. Rooms and tenant spaces.
6. Dwelling units.

7. Hotel guest rooms.

8. Areas designated as safe refuge within the building.

Central Control Station. A central control station room for fire and life safety department operations must be provided. The location and accessibility of the central control station room must be approved by the Fire Department. The room must be separated from the remainder of the building by not less than one-hour, fire-resistive occupancy separation. The room must be a minimum of 96 square feet with a minimum dimension of 8 feet. It must contain the following as a minimum:

1. The voice alarm and public address panels.
2. Fire Department communications panel.
3. The fire alarm enunciator panel.
4. Elevator annunciator panel (when building exceeds 55 feet in height).
5. Status indicators and controls of air handling systems (stairwell pressurization).
6. Controls for unlocking stairwell doors.
7. Fire pump status indicators (if required).
8. Complete building plans set.
9. Work table.
10. Elevator control switches for switching of emergency power.

Annunciation Identification. Control panels in the central control station must be permanently identified as to function. Water flow, automatic fire detection and manually activated fire alarms, supervisory and trouble signals must be monitored by an approved, UL listed Central Monitoring Station and annunciated in the central control station by means of an audible and visual indicator. For the purposes of annunciation, zoning must be in accordance with the following:

1. When the system serves more than one building, each building must be considered separately.

2. Each floor must be considered a separate zone.

3. When one or more risers serve the same floor, each riser must be considered a

separate zone.

Elevators. Elevators and elevator lobbies must be provided and must comply with the provisions of Chapter 30 of the California Building Code and the following:

1. At least one elevator cab must be assigned for Fire Department use, which must serve all floors of the building. All provisions hereinafter are in reference to said elevator cab(s).

2. The size of the elevator cab must have dimensions as specified: The elevator cab must be provided with adequate dimensions to accommodate an ambulance-type stretcher in accordance with the provisions of Chapter 30 of California Building Code.

Means of Egress:

Extent of Enclosure. Stairway enclosures must be continuous and must fully enclose all portions of the stairway. Exit enclosure must exit directly to the exterior of the building or include an exit passageway on the ground floor, leading to the exterior of the building. Each exit enclosure must extend completely through the roof and be provided with a door that leads onto the roof.

Pressurized Enclosures and Stairways. All required stairways and enclosures in a mid-rise building must be pressurized as specified in the California Building Code, Section 905 Pressurized Stairways will be designed to exhaust smoke manually when needed.

Vestibules. Pressurized stairway enclosures serving mid-rise buildings must be provided with a pressurized entrance vestibule on each floor, that complies with the California Building Code, Section 1020.1.7

Pressure Differences. The minimum pressure difference within a vestibule must be in accordance with the California Building Code, Section 909.20.2.4

Locking of Stairway Doors. All stairway doors that are locked to prohibit access from the interior of the stairway must have the capability of being unlocked simultaneously, without unlatching, upon a signal from the fire control room. Upon failure of normal electrical service, or activation of any fire alarm, the locking mechanism must automatically retract to the unlocked position.

A telephone or other two-way communication system connected to an approved

emergency service which operates continuously must be provided at not less than every third floor in each required exit stairway vestibule.

Approved signage must be provided in each stairwell vestibule stating doors are locked, on which floor(s) entry may be made, and on which floor(s) a telephone is located. Hardware for locking of stairway vestibule doors must be State Fire Marshal listed and approved by the Chief by permit before installation. Stairway doors located between the vestibules and stairway shaft must not be locked.

Systems in Mid-Rise Buildings. The owner of a mid-rise building shall be responsible for assuring that the fire and life-safety systems required by the Fire Code and Building Code are maintained in an operable condition at all times. Unless otherwise required by the Chief, quarterly tests of such systems shall be conducted by approved persons. A written record and current approved plans shall be maintained on site and shall be made available to the inspection authority."

SECTION 6. Chapter 11, Section 11.20 of the Oceanside City Code is amended to read as follows:

"Section 11.20 Plans.

In addition to the submittal of hard-copy plan sets, a digitized copy of the approved as-built drawings for new buildings and tenant improvements shall be submitted to the Fire Department. As-built plans shall be submitted in an acceptable format (PDF, and or CAD format as approved by the FAHJ) to the Fire Department within five (5) working days of the final acceptance testing."

SECTION 7. Chapter 11, Section 11.21 of the Oceanside City Code is amended to read as follows:

"Sec. 11.21 Geographic Limits Established.

The geographic limits referred to in certain sections of the 2007 California Fire Code are hereby established as follows:

Section 3204.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): The storage of flammable cryogenic fluids in

stationary containers is prohibited within the jurisdictional limits of the City of Oceanside except for areas zoned for mixed, general or high-impact industrial use, as determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Chief when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Section 3404.2.9.5.1 (geographic limits in which the storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited): The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the jurisdictional limits of the City of Oceanside except for areas zoned for mixed, general or high-impact industrial use, as determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Chief when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Exceptions. In addition to the exceptions at Section 3404.2.9.5.1 of the 2007 California Fire Code, the following exceptions apply:

1. 2,000 gallons maximum temporary above-ground tanks meeting UL 2085 for private use on farms, agricultural and rural property, remote construction sites, earthmoving projects, gravel pits or borrow pits.

2. Crankcase draining may be stored in specially constructed aboveground storage tanks, approved by the Chief, with a maximum capacity of 550 gallons. Such tanks may be located within a building when the Chief deems appropriate and the container meets the following: specially designed, approved and listed containers which have features incorporated into their design that mitigate concerns for exposure to heat, ignition sources and mechanical damage. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. In no case shall such storage be permitted in residential or institutional property.

3. With the Chief's approval, Class I and II liquids may be stored aboveground outside of buildings in specially designed, approved and listed containers which have features incorporated into their design which mitigate concerns for exposure to heat, ignition sources and mechanical damage. Containers must be installed and used in accordance with their listing,

and provisions must be made for leak and spill containment. The Chief may disapprove the installation of such containers when in his opinion their use presents a risk to life or property.

4. With the Chief's approval, temporary storage of a maximum of 10,000 gallons Class II liquids may be permitted for a period not to exceed ninety (90) days at remote construction sites, earthmoving projects, gravel pits or borrow pits, consistent with 3404 and 3406.

Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): Storage of Class I and Class II liquids in above-ground tanks is restricted in residential areas within the City of Oceanside except for areas zoned for mixed, general or high-impact industrial use, as determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Chief when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Section 3804.2 (geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas): The bulk storage of liquefied petroleum gas is prohibited within the jurisdictional limits of the City of Oceanside, except for areas zoned for mixed, general or high-impact industrial use, as determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Chief when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Exception: Bulk tanks with a maximum aggregate capacity of 30,000 gallons water capacity for aboveground storage of underground distribution to residential areas, where such storage and distribution meets Fire Code requirements as determined by the FAHJ."

SECTION 8. Chapter 11, Section 11.22 of the Oceanside City Code is amended to read as follows:

"Sec. 11.22 Appeals.

Whenever the chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal as per the City of Oceanside Fire Code Appendix Chapter 1, Section 108."

SECTION 9. Chapter 11, Section 11.23 of the Oceanside City Code is amended to read

as follows:

"Sec. 11.23 New materials, processes, or occupancies requiring permits.

The building official, the Chief of the Fire Department, and the Chief of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes, or occupancies, which shall require permits, in addition to those now enumerated in this code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons."

SECTION 10. Chapter 11, Section 11.24 of the Oceanside City Code is amended to read as follows:

"Sec. 11.24 Plan Review and Inspection Fees.

Fees for Plans reviewed and inspections conducted by the Fire Department shall be charged as set forth in a resolution adopted and amended from time to time by the City Council. A copy of same shall be placed on file with the City Clerk."

SECTION 11. A new section 11.25 is added to Chapter 11 of the Oceanside City Code, as follows:

"Sec. 11.25 Fireworks.

The sale, discharge, firing or use of all firecrackers, party poppers, bombs, rockets, torpedoes, roman candles or other fireworks or substances designed and intended for pyrotechnic display, and of all firework pistols/cannons, or other appliances using blank cartridges or caps containing chlorate of potash mixture or other mixtures designed to make an explosive sound, is hereby prohibited within the City of Oceanside. The City Council may permit the public display of fireworks by properly qualified individuals or organized bodies under the direct supervision of experts in the handling of fireworks."

SECTION 12. A new Section 11.26 is added to Chapter 11 of the Oceanside City Code, as follows:

"Sec. 11.26 Legal right or remedy is maintained

Nothing in this article or in the Fire Code hereby adopted shall be construed to affect any

suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance."

SECTION 13. Chapter 11, Section 11.27 of the Oceanside City Code is amended to read as follows:

"Sec. 11.27 Repeal of conflicting ordinances

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this article or of the 2007 California Fire Code as adopted and amended herein are hereby repealed."

SECTION 14. Chapter 11, Section 11.28 of the Oceanside City Code is amended to read as follows:

"Sec. 11.28 Severability

If any section, subsection, sentence, clause or phrase of this article or the 2007 California Fire Code as adopted and amended herein is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared invalid or unconstitutional."

SECTION 15. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

SECTION 16. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California, held on the ____ day of _____, 2008, and, therefore,

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PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oceanside, California, held on the ____day of _____, 2008, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING CERTAIN SECTIONS OF CHAPTER 11 OF THE OCEANSIDE CITY CODE BY ADOPTING THE CALIFORNIA FIRE CODE, 2007 EDITION, WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ADOPTING FINDINGS SUPPORTING AMENDMENTS TO THE 2007 CALIFORNIA FIRE CODE

WHEREAS, the California Building Standards Codes are published every three years by the California Building Standards Commission;

WHEREAS, the California Building Standards Commission has published the 2007 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2008;

WHEREAS, the California Building Standards Codes may be adopted by cities by incorporation by reference;

WHEREAS, cities may establish more restrictive building standards than those set forth in the California Building Standards Codes, if certain findings are made pertaining to local climatic, geological or topographical conditions; and

WHEREAS, City of Oceanside Ordinance No. _____, introduced concurrently with the adoption of this Resolution, adopts the 2007 California Fire Code (Part 9 of the 2007 California Building Standards Code) with certain additions, modifications and deletions.

NOW, THEREFORE, the City Council of the City of Oceanside does find and declare that the additions, modifications, and changes made to the substantive provisions of the 2007 California Fire Code, as authorized under Health and Safety Code Section 17958, are necessary for the protection of the public health, safety, and welfare due to climatic, geological, or topographical conditions. These findings are as follows:

SECTION 1. The City of Oceanside is situated on the slopes of and at the base of the Coastal Mountains, with drainage from the eastern portion of the City including the San Luis Rey River, which when flooded, could result in conditions rendering Fire Departments vehicular traffic access unduly burdensome or impossible.

Further, the flood conditions described above carry the potential for overcoming the

ability of the Fire Department to aid or assist in fire control, evacuations, rescues and the emergency tasks demands inherent in such situations. The potential for the aforementioned flooding conditions to limit Fire Department emergency vehicular traffic, with resulting overtaxing Fire Department personnel, may further cause a substantial or total lack of protection against fire for the buildings and structures located within the jurisdiction.

SECTION 2. The City of Oceanside is situated near several known major faults, each capable of generating earthquakes of significant magnitude. These include the Rose Canyon Fault, the Newport-Inglewood, the Coronado Banks, and the Silver Strand Faults, located generally west of the City, and the Elsinore Fault and the Agua Caliente Fault, located east of the City. These faults are subject to becoming active at any time; the City of Oceanside is particularly vulnerable to devastation should such an earthquake occur.

The potential effects of earthquake activity include isolating the City of Oceanside from the surrounding area and restricting or eliminating internal circulation due to the potential for collapsing of highway overpasses and underpasses, along with other bridges in the district, or an earth slide and the potential for vertical movement rendering surface travel unduly burdensome or impossible. Being a coastal community, the City of Oceanside may have other local and global effects of earthquakes including the generation of tsunamis with associated flooding, damage, and life hazard.

SECTION 3. The City of Oceanside is bisected by Interstate Highway 5, State Highway 78, and State Highway 76. These highways are heavily traveled by transportation vehicles carrying known toxic, flammable, explosive and hazardous materials.

The potential for release or threatened release of a hazardous material along this route and others within the City is likely, given the volume transported daily. Incidents of this nature will normally require all available emergency response personnel to prevent injury and loss of life and to prevent, as far as practicable, property loss. Emergency personnel responding to such aforementioned incidents may be unduly impeded and delayed in accomplishing an emergency response as a result of this situation, with the potential result of undue and unnecessary risk to the protection of life and public safety and, in particular, endangering

residents and occupants in buildings or structures without the protection of automatic fire sprinklers.

SECTION 4. The City of Oceanside and Southern California are semiarid regions and experience water shortages from time to time. Those shortages can have a severely adverse effect on water availability for firefighting. Fires starting in sprinkled buildings are typically controlled by one or two sprinkler heads, flowing as little as 13 gallons per minute.

Hose streams used by engine companies on well-established structure fires operate at about 250 gallons per minute each, and the estimated water need for a typical residential fire is 1,250 to 1,500 gallons per minute, according to the Insurance Service Office and the Uniform Fire Code.

Under circumstances such as lack of water infrastructure, earthquakes, multiple fires and wildland fires within a community, the limited water demands of residential fire sprinklers would control and extinguish many fires before they spread from building to wildland. In such a disaster, water demands needed for conflagration firefighting probably would not be available.

SECTION 5. The topography of the City of Oceanside presents problems in delivery of emergency services, including fire protection. Hilly terrain results in narrowed, winding roads with little circulation, which can prevent rapid access and orderly evacuation. Many of these hills are covered with highly non-fire-resistive natural vegetation. In addition to access and evacuation problems, the terrain makes delivery of water extremely difficult. Some hill areas are served by water pump systems subject to failure in fire, high winds, earthquake and other power failure situations. This would allow only domestic gravity-feed water from tanks and not enough water for firefighting.

SECTION 6. Due to the topography in much of the City of Oceanside, it is very important that roadways be named and identified in order to facilitate emergency response.

SECTION 7. Due to the topography in much of the City of Oceanside, steep, narrow and winding roads and areas of heavy brush are common. These features make it difficult for emergency response personnel to easily and quickly find the location of the site that requires

assistance. It is therefore essential that street numbers and signs be easily readable to ensure the quickest response times for a given location.

SECTION 8. Due to the topography in much of the City of Oceanside, roadway condition, gates, angle of approach or departure, steeply sloping roadways and grades are common. In addition, the combination of potentially severe rainstorms and groundwater retention of many areas of the City where there is expansive soil, produces a condition where the moisture content of the soil is sufficient that roadways become damaged due to soil expansion and shrinkage. All-weather, paved surfaces capable of supporting the imposed loads of fire apparatus are necessary to ensure access of emergency response personnel. These roadways, gates, approach angles, steep slopes and grades can also make it difficult for fire apparatus and other emergency vehicles to access a site. It is therefore essential that these roadway accesses be provided with proper all-weather, paved surfaces, angle of approach, grades and gate access.

SECTION 9. Areas in the City of Oceanside can have special fire prevention needs not fully covered by the provisions of the Fire Code itself. This is due to the unique topographic features found in mountain areas, forest-covered lands of brush or grass-covered lands, and/or accumulation of combustible or hazardous materials.

SECTION 10. Due to the steeply sloping topography in the City of Oceanside, the potential exists that new and future development will result in taller buildings on smaller parcels. Adding the definition of a mid-rise building and identifying fire control requirements modifies the application of special provisions for these buildings to all occupancies. Because of the need to mitigate the potential danger of mid-rise buildings, this change is necessary. In addition, the limitations of available firefighting equipment, limited availability of human resources in local fire departments, and the necessity to climb vertically up flights of stairs greatly impacting the response time to reach an incident scene, it is necessary to define the height of mid-rise buildings. The identified height and built-in protection will mitigate extended fire department response time and keep incidents manageable.

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PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____day of _____, 2008, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____, ASST.
City Attorney

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ADOPTING FINDINGS SUPPORTING AMENDMENTS TO THE 2007 CALIFORNIA FIRE CODE