ITEM NO. 21

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING CHAPTER 6 AND CHAPTER 11 OF THE OCEANSIDE CITY CODE BY THE ADOPTION OF THE 2013 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE, BUILDING, FIRE, PLUMBING, MECHANICAL, ELECTRICAL, ENERGY, RESIDENTIAL, HISTORICAL, AND GREEN BUILDING CODES

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

WHEREAS, the California Building Standards Commission has published the 2013 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2014; 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 topographic conditions; and

WHEREAS, the City Council of the City of Oceanside has adopted a resolution of local findings supporting modifications to the technical provisions of the California Building Code, 2013 edition; California Fire Code, 2013 edition; California Electrical Code, 2013 edition and the California Residential Code, 2013 edition.

NOW THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as follows:

SECTION 1. Articles I, II, III, IV, VI, XII, and XIII of Chapter 6 of the Oceanside City Code are hereby amended by the amendment of Sections 6.1, 6.2, 6.3, 6.6, 6.7, 6.8, 6.10, 6.12, 6.14, 6.15, and 6.16 to read as follows:

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ARTICLE I. ADMINISTRATIVE CODE

Sec. 6.1. Adoption by reference.

(a) The Administrative Code hereinafter referred to is the California Building Code, 2013 Edition, Volume 1, Chapter 1, Division II, Scope and Administration, published by the California Building Standards Commission; one copy of the Administrative Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Administrative Code including such provisions as are herein added, deleted or amended, are hereby adopted by reference and shall constitute the Administrative Code for the City of Oceanside, establishing the rules and regulations for the following technical codes; California Building Code, 2013 edition; California Residential Code, 2013 edition; California Electrical Code, 2013 edition; California Mechanical Code, 2013 edition; California Plumbing Code, 2013 edition; California Energy Code, 2013 edition; California Green Building Standards Code, 2013 edition.

Sec. 6.2. Modifications to the Administrative Code.

The Administrative Code, 2013 edition, is hereby modified by the amendments, deletions and additions of various sections, subsections and paragraphs as follows:

(a) *SECTION 101 - GENERAL* is modified by deleting subsection 101.4.4 and adding subsection 101.4.4 as follows:

101.4.4 PROPERTY MAINTENANCE. The provisions of the Uniform Housing Code 1997 edition and the Uniform Code for the Abatement of Dangerous Buildings 1997 edition shall apply as is applicable to existing structures and premises; equipment and facilities; light, ventilation, space heating, life and fire safety hazards; responsibilities of owners, operators, and occupants; and occupancy of existing premises and structures.

(b) *SECTION 105.2 WORK EXEMPT FROM PERMITS* is modified by deleting exceptions 1 and 2 and adding new exceptions 1 and 2 and by adding paragraphs 14, 15, and 16 to subsection 105.2 as follows:

1. When located in rear yards of property zoned for single-family dwellings and for property zoned for agriculture use, one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet. Limited to one accessory structure per single-family dwelling. The maximum height for any portion of the structure is 10 feet above ground level for flat lots or 10 feet above grade plane for sloping lots.

2. Fences not over 6 feet high do not require a building permit but must conform to City of Oceanside zoning regulations for maximum allowed height and location.

14. A skylight or other similar roof penetration, which does not require cutting of structural members other than roof sheathing, provided that the skylight is located in relation to property lines and fire walls. Any electrical work associated with such installations, is not exempt from a permit.

15. Seasonal plastic/hoop agricultural crop cover structures that do not exceed six (6) feet in height regardless of area, provided that the structures are located in accord with required zoning setbacks from property lines.

16. Minor roof repairs that do not exceed 200 square feet of roof area.

(c) *SECTION 105 – PERMITS* is modified by deleting subsections 105.3.2 and 105.5 and adding a new subsections 105.3.2 and 105.5 as follows:

105.3.2 *Plan Approval Expiration.* An application for a permit shall expire one (1) year after the date of approval for issuance of a permit. The Chief Building Official is authorized to grant, in writing, one or more extensions of time for additional periods not exceeding 90 days each. Such extensions shall be requested in writing and demonstrate justifiable cause for such extension.

105.5 Permit Expiration. Every permit issued by the Chief Building Official under provisions of this article and of the technical codes shall expire by limitation and become null and void if the work authorized by such permit is not completed within

three (3) years from date of permit issuance. The Chief Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. All extension requests must be in writing and demonstrate justifiable cause for the time extension.

(d) *SECTION 109 - FEES* is modified by deleting subsections 109.2, 109.2.1, 109.4 and 109.5 and adding subsections 109.2, 109.2.1, 109.4 and 109.5 as follows:

109.2 Schedule of permit fees. For buildings, structures, electrical, gas, mechanical, plumbing systems or alterations and miscellaneous activities regulated by the adopted technical codes requiring a permit, a fee for each permit shall be paid as required as set forth in fee schedules adopted by resolution of the Oceanside City Council. For items for which there is no specific fee established, the Chief Building Official shall determine the appropriate fee based upon consideration of the items listed in the fee schedule that most resemble the work proposed and the expected staff time involved to perform the required inspections.

109.2.1 Plan review fees. When submittal documents are required by section 107 of the Administrative Code, a plan review fee shall be paid at the time of filing the submittal documents for plan review. The plan review fee shall be as set forth in fee schedules adopted by resolution of the Oceanside City Council. Plan review fees are separate fees from the permit fees identified in section 109.2. When submittal documents are incomplete or changed so as to require additional plan reviews or when the project involves deferred submittal items as defined in section 107.3.4.2, an additional plan review fee shall be charged at the rate established in the adopted fee schedule. For items submitted for which there is no specific fee established, the Chief Building Official shall determine the appropriate fee based upon consideration of the items listed in the fee schedule that most resemble the submittal and the expected staff time involved to review and process the review.

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109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee in addition to the permit fee. The amount of the investigation fee shall be established by the Chief Building Official and shall not exceed two (2) times the permit fee established by resolution of the Oceanside City Council. The payment of such investigative fee shall not exempt an applicant from compliance with all other provisions of either this code, the technical codes nor from any penalty prescribed by law.

109.5 Related fees. Fees and surcharges for miscellaneous services provided by the Building Division shall be as set forth in the fee schedule established by resolution of the Oceanside City Council and by various requirements of California State law.

(e) *SECTION 113-BOARD OF APPEALS* is modified by deleting subsections 113.1 and 113.3, and adding subsection 113.1 as follows:

113.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of the technical codes, the City Council of the City of Oceanside is hereby designated as the board of appeals. The Chief Building Official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board shall render all decisions and findings in writing to the appellant with a duplicate copy to the Development Services Director.

Sec. 6.3. Technical Codes.

The California Building Code, 2013 Edition, Title 24 Part 2; California Fire Code, 2013 Edition, Title 24 Part 9; California Residential Code, 2013 Edition, Title 24 Part 2.5; California Plumbing Code, 2013 Edition, Title 24 Part 5; California Mechanical Code, 2013 Edition, Title 24 Part 4; California Electrical Code, 2013 Edition, Title 24 Part 3; California Energy Code, 2013 Edition, Title 24 Part 6; California Green Building Standards Code, 2013 Edition, Title 24 Part 11; Uniform Housing Code, 1997 Edition; Uniform Code for the Abatement of Dangerous

Buildings, 1997 Edition; and the Uniform Code for Building Conservation, 1997 Edition, as adopted by reference by this chapter, are hereby designated as the technical codes.

ARTICLE II. BUILDING CODE

Sec. 6.6. Adoption by Reference.

(a) The Building Code hereinafter referred to is the 2013 California Building Code including appendix G, flood resistant construction, published by order of the California legislature. One (1) copy of the Building Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Building Code including such provisions as are hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the Building Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

Sec. 6.7. Modifications to the Building Code.

The 2013 California Building Code is hereby modified in the following respects:

(a) *Chapter 2, Section 202, Definitions* is hereby amended by the addition of the following definition:

Mid-Rise Structure. Any new building having a floor level, measured to the finished floor, at or above four stories above fire department access, while being 75 feet, or less, in height.

(b) *Chapter 4 Special Detailed Requirements Based on Use and Occupancy. Chapter 4, Sections 450*-450.4.2 are hereby added to read as follows:

Section 450 Mid-Rise Structures.

Section 450.1 Applicability. The provisions of Sections 450-450.4.2 shall apply to all mid-rise structures that are newly constructed and to any existing mid-rise structures that undergo substantial renovation requiring vacating the structure.

Exception: Vehicle parking garages, towers, steeples and other similar occupancies that are not used for continuous human occupancy.

Section 450.2 Automatic Sprinkler System. Mid-Rise Structures shall be provided with an automatic fire sprinkler system that is designed and installed in conformance with the adopted edition of NFPA 13 and in accordance with the following:

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

2) A Class 1 standpipe system must be provided. This Class 1 standpipe system shall be interconnected with the fire sprinkler system. The standpipe system shall have two and one half inch (2 ½") hose valves located at every floor level in every stair enclosure. Two (2) hose outlets shall be located on the roof outside of any stair enclosure that penetrates the roof. The standpipe system shall be designed, installed and tested in accordance with the adopted edition of NFPA 14.

Section 450.3 Smoke Detection. A smoke detection system shall be provided. Smoke detectors shall be connected to the automatic fire alarm system required in section 450.4. The smoke detection system shall be designed and installed per the adopted edition of NFPA 72. The actuation of any smoke detector shall initiate operation of the emergency voice alarm signaling system and shall initiate shutdown of air handling systems. Smoke detectors shall be located as required in Chapter 9 of the California Building Code and as follows:

1) In each mechanical, electrical, telephone, or similar room.

2) In each elevator machine room and in elevator lobbies.

3) In the main return air and exhaust air plenums of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute. Such devices shall be located in a serviceable area downstream of the last duct inlet.

4) 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. In Group R-1 and R-2 occupancies, a smoke detector is allowed to 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.

5) In all interior corridors that provide means of egress.

Section 450.4 Fire Alarm System. An approved and listed, automatic and manual, fully addressable and electronically supervised fire alarm system shall be provided in conformance with the adopted edition of the California Building and Fire Codes.

Section 450.4.1 Emergency Voice/Alarm Communication System. Emergency voice/alarm communication systems required shall be designed and installed in accordance with NFPA 72 and in conformance with requirements contained in California Building code section 907.5.2.2. and 11B-215.

Section 450.4.2 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 main fire panel area. Upon failure of normal electrical service, or activation of any fire alarm, the locking mechanism must automatically retract to the unlocked position.

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

(A) Section 903.1.2 Access. Automatic fire sprinkler systems meeting National Fire Protection Association (NFPA) 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: (1) there must be eighteen-inch (18") clearance to each side and to the front of the system riser; (2) access shall be provided by means of a door with minimum dimensions of thirty (30) inches wide by eighty (80) inches high; (3) the system riser shall be provided with a means of access to the room directly from the exterior of the building; and (4) 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, and share the same access, as the fire sprinkler riser room or as required by the Fire Code Official.

(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 Fire Code Official, 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.

(A) Section 912.2.3 Fire Department Connections. Fire Department connections (FDCs) 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 Code Official. The FDC or FDCs shall also be located on the same side of the access road or driveway as the building it serves and marked with the address and/or area supplied by the FDC.

(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 903.4.2.4 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 903.4.2.5 Exterior Audible Devices in New R-3 Occupancies. One approved audible device, located on the street address side of the building in an approved location, shall be connected to each new R-3 Occupancy automatic sprinkler system.

(d) Section 1505.1 General, is revised as follows: Roof assemblies shall be divided into the classes defined below. Class A and B assemblies shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum class of roof coverings installed on buildings is Class B and shall comply with Table 1505.1 based upon the type of construction of the building.

Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610.

(e) *Table 1505.1* is revised as follows:

TABLE 1505.1

MINIMUM ROOF COVERINGS CLASSIFICATION FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

(f) *Section 1505.1.2* Roof Coverings within the Wildland Urban Interface Fire Area is revised as follows. The entire roof covering of every existing structure where more than fifty percent (50 %) of the total roof area is replaced within any one (1) year period , the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure , shall be a Class A roof covering. The Wildland Urban Interface Zone shall be as established and mapped by the Oceanside Fire Department.

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(g) *Section1505.1.3* Roof coverings within all other areas is revised as follows. The entire roof covering of every existing structure where more than fifty percent (50 %) of the total roof area is replaced within any one (1) year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every structure, shall be a fire-retardant roof covering that is at least Class B.

(h) *Section 1505.5* Non-classified roofing is deleted in its entirety.

ARTICLE III. PLUMBING CODE

Sec. 6.8. Adoption by reference.

(a) The Plumbing Code hereinafter referred to is the 2013 California Plumbing Code including the appendices, published by order of the California legislature. One (1) copy of the Plumbing Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Plumbing Code including the installation standards and appendices and including such provisions as are hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the Plumbing Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

ARTICLE IV. MECHANICAL CODE

Sec. 6.10. Adoption by reference.

(a) The Mechanical Code hereinafter referred to is the 2013 California Mechanical Code including the appendices, published by order of the California legislature. One (1) copy of the Mechanical Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Mechanical Code including all appendices and including such provisions as are hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the Mechanical Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

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ARTICLE V. HOUSING CODE

Sec. 6.12. Adoption by reference.

(a) The Housing Code hereinafter referred to is the Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials. One (1) copy of the Housing Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Housing Code including such provisions as are hereinafter added, deleted, or amended, except Chapter 10, are hereby adopted by reference and shall constitute the Housing Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

ARTICLE VI. ELECTRICAL CODE

Sec. 6.14. Adoption by reference.

(a) The Electrical Code hereinafter referred to is the 2013 California Electrical Code, published by order of the California legislature. One (1) copy of the Electrical Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Electrical Code including such provisions as are hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the Electrical Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

Sec. 6.15. – Modifications to the California Electrical Code.

The California Electrical Code, 2013 edition, is hereby modified as follows:

(a) Article 90 of the California Electrical Code is modified by the addition of section 90.10 as follows:

90.10 Power distribution panels. Each suite in a strip mall; each office under one owner or one tenant in an office building; or each dwelling unit in apartment buildings, duplexes, condominiums, and townhouses shall be so wired that each suite, office, or dwelling unit is wired from separate distribution panels. The wiring shall not be

intermixed. Distribution panels shall be readily accessible as required elsewhere in this code. Hotels and motels may be wired from one or more central distribution panels.

(b) Section 408.3(E) Phase arrangement. The phase arrangement on three-phase buses shall be A,B,C from front to back, top to bottom, or left to right, as viewed from the front of the switchboard or panel board. The C phase shall be that phase having the higher voltage to ground on the three-phase, four-wire delta connected systems. Other bulbar arrangements may be permitted for additions to existing installations.

ARTICLE VII. DANGEROUS BUILDINGS CODE

Sec. 6.16. Adoption by reference.

(a) The Dangerous Buildings Code hereinafter referred to is the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials. One (1) copy of the Dangerous Buildings Code shall be kept on file in the office of the City Clerk.

(b) All the provisions of said Dangerous Buildings Code are hereby adopted by reference and shall constitute the Dangerous Buildings Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

SECTION 2. Articles XII and XIII are hereby amended by the amendment of Sections 6.70, 6.71, and 6.80 of Chapter 6 of the Oceanside City Code to read as follows:

ARTICLE XII. RESIDENTIAL CODE

Sec. 6.70. Adoption by reference.

(a) The Residential Code hereinafter referred to is the California Residential Code, 2013 Edition, published by order of the California legislature. One (1) copy of the Residential Code shall be kept on file in the office of the City Clerk.

(b) All of the provisions of said Residential Code, including such provisions as are hereinafter added, deleted, or amended, are hereby adopted by reference and shall constitute the

Residential Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

Sec. 6.71. Modifications to the Residential Code

The 2013 California Residential Code is hereby modified in the following respects:

(a) TABLE R301.2(1) is filled in and footnote (g) is revised as required by the Residential Code for use in the City of Oceanside.

TABLE R301.2(1)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE BARRIER UNDERLAYMENT REQUIRED[h]	FLOOD HAZARDS[g]	AIR FREEZING INDEX[i]	MEAN ANNUAL TEMP[j]
	Speed (mph)	Topographic effects[k]		Weathering	Frost line depth[b]	Termite[c]					
ZERO	85	NO	D_2 or E	Negligible	12" – 24"	Very Heavy	43	NO	See revised footnote G	0	60

Footnote (g) The initial NFIP Map was an Index Map 060294A, Dated May 10, 1974. The map number was identified with the community number and suffix "A". The initial FIRM date was September 5, 1984, and seven (7) panels were issued for Oceanside. All panels had the same 06029400 prefix and ended with the following suffixes 05B, 07B, 09B, 11B, 12B, 13B, and 14B. There are twenty-two (22) current FIRM panels with effective date of May 16, 2012.

The following are the list of current effective panels:

- Index Maps (3 sheets) 06073CIND1C, 06073CIND2C, 06073CIND3C.
- All FIRM panel numbers begin with prefix 06073C0 and continue with the following suffixes: 464G, 468H, 469G, 488G, 490G, 734H, 742G, 751H, 752H, 753H, 754H, 756H, 757G, 758G, 759G, 761G, 762G, 766G, 767G, 769G, 776G, 786J.

(b) Section R403.1 is revised by deleting the exception allowing unreinforced foundations.

(c) Section R902.1 Roof covering materials is revised as follows. Roofs shall be covered with materials as set forth in sections R904 and R905. A minimum of Class A or B roofing shall be installed in areas designated by this section. Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry, and exposed concrete roof deck.

2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets or shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

(d) Section R902.1.3 Roof coverings within all other areas, is revised as follows. The entire roof covering of every existing structure where more than fifty percent (50 %) of the total roof area is replaced within any one (1) year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

(e) Section R902.2 Fire-retardant-treated shingles and shakes, is revised as follows. Fire-retardant-treated wood shakes and shingles are wood shakes and shingles which have been qualified for use on Class A or B roofs.

ARTICLE XIII. GREEN BUILDING CODE

Sec. 6.80. – Adoption by reference.

(a) The Green Building Code hereinafter referred to is the California Green Building Standards Code, 2013 Edition, published by order of the California legislature. One (1) copy of the Green Building Code shall be kept of file in the office of the City Clerk.

(b) All of the mandatory provisions of said Green Building Code, including such provisions as are hereinafter added, deleted, or amended, are hereby adopted by reference and shall constitute the Green Building Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

SECTION 2. Article II, Fire Prevention, of Chapter 11 of the Oceanside City Code is hereby amended by the deletion of existing sections 11.15, 11.16, 11.17, 11.18, 11.19, 11.20, 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.28 and replacement with new sections 11.15, 11.16, 11.17, 11.18, 11.19, 11.20, 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.28 to read as follows:

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

"Section 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 2013 California Fire Code, including Appendix Chapter 4, B, BB, C, CC, E, F, G, H, I, and K, as published by the International Code Council, and its amendments, 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 and/or revisions prescribed in section 11.18 of the Oceanside City Code."

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

Sec. 11.16 Definitions.

A. California Fire Code- The 2013 California Fire Code and all of its appendices and standards as adopted by reference in section 11.15.

B. Jurisdiction- The City of Oceanside.

C. Fire Marshal- A Chief Fire Officer appointed as the Chief of the Fire Prevention Bureau.

D. Wherever the terms "this Code" or "2012 International Fire Code" are used, they shall be held to mean the 2013 California Fire Code as modified by the City of Oceanside with the additions and revisions set forth in the amendments."

(c) 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 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."

(d) 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 1 Administration—is hereby amended by adding to (A) and/or revising (R) 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, herein after referred to as "this code."

(R) Section 104.8 Modifications. Wherever there are practical difficulties involved in carrying out the provision of this code, the Fire Code Official shall have the authority to grant modifications for individual cases, provided the Fire Code Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life, and fire safety requirements. In-lieu fees may be charged to re-coup costs associated with properly equipping the Fire Department with additional apparatus or equipment needed due to the modifications. The

details of action granting modifications shall be recorded and entered in the files of the Fire Prevention Bureau.

(A) Section 104.12 Cost Recovery.

(A) Section 104.12.1 Purpose. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or code enforcement action by the City of Oceanside Fire Department to protect the public from fire or hazardous situations.

(A) Section 104.12.2 Reimbursement.

(1) In accordance with the Health and Safety Code Section 13000 et seq., an individual who acts negligently or in violation of the law and thereby requires the jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substance shall be liable for reimbursement to the agency for the costs incurred.

(2) In accordance with Government Code Sections 53150 through 53158, any individual who is under the influence of an alcoholic beverage or any drug or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil aircraft caused by that influence, proximately causes any incident and thereby requires the agency to provide an emergency response shall reimburse the agency for the cost incurred.

(3) In accordance with Health and Safety Code Section Sections 13146 (b) and 13146(f), the City of Oceanside Fire Chief, and his or her authorized representatives, shall enforce within its jurisdiction the building standards and other regulations of the State Fire Marshal and charge a fee not to exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section 66014 of the Government Code.

(R) Section 105.4.1 Submittals. Construction documents and supporting data shall be submitted in three or more sets with each application for a permit and in such form and detail as required by the Fire Code Official. The construction documents shall

be prepared by a registered design professional or, when required by the State of California, an appropriately classified contractor, when required by the Fire Code Official, without charge to the jurisdiction. The Fire Code Official shall reserve the right to deny submittals from entities not meeting such form and detail as required by the Fire Code Official.

Exception: The Fire Code Official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with 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.

(A) Section 105.6.49 Green Waste Recycling, Mulching, Composting Operations, and Storage. An operational permit is required to conduct commercial mulching and composting operations.

(R) Section 109.4 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 of certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than $1,000 or by imprisonment not exceeding 180 days, 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 after having been served with a stop work order, except such work as that person is directed to perform to remove a violation of unsafe condition, shall be liable to a fine of not less than $100 or more than $1000.

(R) Section 113.2 Schedule of Construction and Operational Permit and Inspection Fees. A reasonable fee for each construction and operational permit and/or

associated inspection shall be paid as required, in accordance with the schedule as established by resolution of the Oceanside City Council. For items where there is no specific fee established, the Fire Code Official shall determine the appropriate fee based upon consideration of the items listed in the fee schedule that most resemble the work proposed and the expected staff time involved to perform the required construction plan processing and review and/or inspections.

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

(A) FIRE AUTHORITY HAVING JURISDICTION (FAHJ) OR AUTHORITY HAVING JURISDICTION (AHJ). The Oceanside Fire Department who is the designated entity providing enforcement of the California Fire Code and other standards or regulations. This entity may also provide fire suppression and other emergency services.

(R) FIRE CODE OFFICIAL. The Fire Chief, Fire Marshal, or Authorized Fire Department Representative as appointed by the Fire Chief, of the City of Oceanside charged with the administration and enforcement of the California Fire Code and other standards or regulations.

(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) HAZARDOUS SITUATION. Any situation deemed by the Fire Department, and any of its authorized representatives, to pose a threat to life safety, property, or the environment.

(A) MID-RISE STRUCTURE. Any new building having a floor level, measured to the finished floor, at or above four stories above fire department access, while being 75 feet, or less, in height.

(A) SKY LANTERN. An airborne lantern typically made of paper, Mylar, or other light-weight material with a wood, plastic, or metal frame containing a candle, fuel cell, or other heat source that provides buoyancy.

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

(A) Section 305.5 Sky lanterns or similar devices. Possession or use of a sky lantern or similar device employing a candle, fuel cell, or other heat source for the purpose of buoyancy shall be prohibited unless approved by the Fire Code Official.

(R) Section 307.5.1 An adult must be present at all times until the fire is extinguished.

(A) Section 316.7 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.

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

(R) Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed improved width of not less than 28 feet, or, if more restrictive, meet the requirements set forth in the City of Oceanside Engineering Design Manual and an unobstructed vertical clearance of not less than 13 feet 6 inches. Private driveways shall have an unobstructed improved width of not less than 20 feet to within 150 feet from the

rear of the structure(s), or, if more restrictive, meet the requirements set forth in the City of Oceanside Engineering Design Manual and an unobstructed vertical clearance of not less than 13 feet 6 inches.

EXCEPTIONS:

1. Upon approval by the Fire Code Official, clearances may be reduced, provided such reduction does not impair access by fire apparatus.

2. Fire access roads, 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, including bridges, shall be designed and maintained to support the imposed loads of fire apparatus, rated at not less than 78,000 lbs. unless authorized by the Fire Code Official and shall be provided with an approved paved surface so as to provide all-weather driving capabilities.

(A) Section 503.2.4 Turning Radius. The required turning radius of a fire apparatus access road or required private driveway shall have a minimum dimension of thirty (30) feet on the inside and fifty (50) feet on the outside.

(R) Section 503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with a cul-de-sac for turning around fire apparatus. The minimum unobstructed paved radius width for a cul-de-sac shall be forty (40) feet with no parking. The Fire Code Official may consider an alternate method for turning around fire apparatus if there is no option to construct a cul-de-sac.

(R) Section 503.2.7 Grade. The gradient for a fire apparatus access roadway shall not exceed fifteen (15%) percent. Grades exceeding twelve (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. The Fire

Code Official may require additional mitigation measures where he or she deems appropriate.

(R) Section 503.2.8. Angles of approach and departure. The angle of approach and angle of departure of a fire access roadway shall not exceed seven (7) degrees (12 percent) or as approved by the Fire Code Official.

(R) Section 503.3 Marking. Where required by the Fire Code Official, approved signs or other approved notices or markings that include the words NO PARKING- FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The Fire Code Official may designate existing roadways as fire lanes consistent with California Vehicle Code Section 22500.1, where the Fire Code Official 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 naming requirements. The Fire Code Official may require the posting of a fire lane where parking has obstructed or could obstruct the required width.

Section 503.6.1 Security Gates and Other Roadway Obstructions. All gates or other structures or devices which could obstruct fire apparatus access roads or otherwise hinder emergency operations are prohibited unless they meet standards approved by the Fire Code Official, and receive specific plan approval.

All automatic gates across fire apparatus access roads 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 Code Official, 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 Code Official 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 Code Official, 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 503.4.1 Traffic Calming Devices. Traffic calming devices shall be prohibited unless approved by the Fire Code Official and in accordance with the City of Oceanside Neighborhood Traffic Calming Program manual.

(R) Section 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 providing primary fire apparatus access to the property. These numbers shall contrast with their background. The numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4" high with a ½" stroke for residential buildings; 6" high with a ½" stroke for commercial and multi-residential buildings; and 12" high with a 1" stroke for industrial buildings. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Additional numbers shall be required where deemed necessary by the Fire Code Official, such as, but not limited to, rear access doors, building corners, and entrances to commercial centers. The Fire Code Official may establish different minimum sizes for numbers for various categories of projects.

(A) Section 505.3 Multiple Tenant Buildings' Signs. 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 Fire Code Official 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 507.2.3 Looping of Water Mains. All water mains which support fire hydrants will be looped as required in the City of Oceanside Engineering Design Manual.

(R) Section 507.4 Water Supply Test. The Fire Code Official shall be notified prior to a required water supply test. Water supply tests shall be witnessed by the Fire Code Official or an authorized representative. The Fire Code Official may require an approved consultant to provide a water supply test report indicating fire-flow capabilities at no cost to the City of Oceanside.

(R) Section 507.5.1.2 Location, Type, and Number. 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 in the California Fire Code, including appendices, and in the City of Oceanside Engineering Design Manual, whichever is more restrictive. An approved water supply for fire protection, either temporary or permanent, shall be made available at construction sights prior to combustible material arriving on the site.

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

(A) Section 903.1.2 Access. Automatic fire sprinkler systems meeting National Fire Protection Association (NFPA) 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: (1) there must be eighteen-inch (18") clearance to each side and to the front of the system riser; (2) access shall be provided by means of a door with minimum dimensions of thirty (30) inches wide by eighty (80) inches high; (3) the system riser shall be provided with a means of access to the room directly from the exterior of the building; and (4) 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, and share the same access, as the fire sprinkler riser room or as required by the Fire Code Official.

(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 Fire Code Official, 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.

(A) Section 912.2.3 Fire Department Connections. Fire Department connections (FDCs) 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 Code Official. The FDC or FDCs shall also be located on the same side of the access road or driveway as the building it serves and marked with the address and/or area supplied by the FDC.

(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 903.4.2.4 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 903.4.2.5 Exterior Audible Devices in New R-3 Occupancies. One approved audible device, located on the street address side of the building in an approved location, shall be connected to each new R-3 Occupancy automatic sprinkler system.

(i) Chapter 61 Liquefied Petroleum Gases is hereby amended by adding to (A) and/or revising (R) the Fire Code portion of the California Building Standards Code to read as follows:

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(A) Section 6107.5 Securing Tanks to the Ground (LPG)—Tanks shall be secured to prevent the tank from rolling or moving when required by the Fire Code Official.

(j) 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 the California Fire Code, the City Code, other laws and regulations, and any policies of the Fire Code Official, 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.

Exception: Vehicle parking garages, towers, steeples and other similar occupancies that are not used for continuous human occupancy.

Building access. Building access must be provided and approved by the Fire Code Official.

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 the adopted edition of NFPA 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 two and one-half-inch (2½") hose valves that must be located in each stair enclosure on every floor level. Two (2) 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 the adopted edition of NFPA 14.

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 adopted edition of NFPA 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 having a capacity greater than 2,000 cubic feet per minute. 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 (2) or more stories from a return-air duct or plenum of an air conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return-air riser carrying not more than five thousand (5,000) cubic feet per minute and serving not more than ten (10) air inlet openings.

4. In all corridors serving as a means of egress.

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

Emergency voice alarm communication system. An emergency voice alarm communication system shall be designed and installed in accordance with NFPA 72 and California Building Code 907.5.2.2, and its subsections, and 11B-215.

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 main fire panel area. Upon failure of normal electrical service, or activation of any fire alarm, the locking mechanism must automatically retract to the unlocked position.

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

"Sec. 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 Fire Code Official) to the fire department prior to the final acceptance testing.

(l) 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 2013 California Fire Code are hereby established as follows:

Section 5504.3.1.1.3.1 Locations where the storage of flammable cryogenic fluids outside of buildings is prohibited. The storage of flammable cryogenic fluids in stationary containers is prohibited within the City of Oceanside except for areas zoned for commercial use, industrial use, or agricultural use, as determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Code Official when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Section 5704.2.9.6.1 Locations where the storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the City of Oceanside except for areas zoned for commercial use, industrial use, or agricultural use, as

determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Code Official when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Exceptions. In addition to the exceptions for Section 5704.2.9.6.1 of the 2013 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 Fire Code Official, with a maximum capacity of 550 gallons. Such tanks may be located within a building when the Fire Code Official 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 Fire Code Official'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 Fire Code Official may disapprove the installation of such containers when in his or her opinion; their use presents a risk to life or property.

4. With the Fire Code Official'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 2013 California Fire Code Chapter 57.

Section 5706.2.4.4 Locations where the storage of Class I or II liquids in above-ground tanks is prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited in residential areas within the City of Oceanside. Exceptions to these limits may be granted by the Fire Code Official when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Section 6104.2 Locations where the storage of liquefied petroleum gas is prohibited. The storage of liquefied petroleum gas (LPG) is prohibited within the City of Oceanside, except for areas zoned for commercial use, industrial use, or agricultural use, as determined by the City's General Plan. Storage shall be in accordance with the California Fire Code and NFPA 58. The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons unless approved by the Fire Code Official. This section shall not prohibit the use of LPG for the purpose of cooking on a grill when use and storage are in accordance with the California Fire Code and NFPA 58. Additional locations and maximum quantities may be considered by the Fire Code Official when it can be demonstrated that the proposed exception poses no significant risk to life or property and there is a sufficient response capability by the Oceanside Fire Department."

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

"Sec. 11.22. Appeals.

Whenever the Fire Code Official 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 California Fire Code, Section 108."

(n) 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 Fire Chief, the Fire Marshal, and the Building Official 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."

(o) 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. For items where there is no specific fee established, the Fire Code Official shall determine the appropriate fee based upon consideration of the items listed in the fee schedule that most resemble the work proposed and the expected staff time involved to perform the required construction plan processing and review and/or inspections."

(p) Section 11. Chapter 11, Section 11.25 of the Oceanside City Code is amended to read 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 of Oceanside's Special Events Committee 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."

(q) Section 12. Chapter 11, Section 11.26 of the Oceanside City Code reads 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."

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

"Sec. 11.27. Repealing of conflicting ordinances.

All former ordinances or part thereof conflicting or inconsistent with the provisions of this chapter or of the 2013 California Fire Code as adopted and amended herein are hereby repealed."

(s) 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 chapter or the 2013 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 of the City of Oceanside, hereby declares that it would have passed this ordinance, and each section, subsection, sentence, 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 3. This ordinance shall take effect and be in force on January 1, 2014.

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SECTION 4. 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 a newspaper of general circulation published in the City of Oceanside.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California held on the day of_____, 2013, and, thereafter,

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oceanside, California held on this ____ day of _____, 2013, by the following vote

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

_____
CITY CLERK

_____
CITY ATTORNEY

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING CHAPTER 6 AND 11 OF THE OCEANSIDE CITY CODE BY THE ADOPTION OF THE 2013 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE, BUILDING, FIRE PLUMBING, MECHANICAL, HOUSING, ELECTRICAL, DANGEROUS BUILDING, RESIDENTIAL AND GREEN BUILDING CODES