

ORDINANCE NO 2019-03

AN ORDINANCE OF THE CITY OF MARINA ADOPTING AND AMENDING TITLE 15 OF THE MARINA MUNICIPAL CODE TO ADOPT 2019 EDITIONS OF CALIFORNIA BUILDING STANDARD CODES, SPECIFICALLY 2019 CALIFORNIA BUILDING CODE, 2019 CALIFORNIA MECHANICAL CODE, 2019 CALIFORNIA RESIDENTIAL CODE, 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 CALIFORNIA EXISTING BUILDING CODE, 2019 CALIFORNIA PLUMBING CODE, 2019 CALIFORNIA ELECTRIC CODE, 2019 CALIFORNIA ENERGY CODE, AND 2019 CALIFORNIA FIRE CODE, WITH CERTAIN EXCEPTIONS, MODIFICATIONS AND ADDITIONS REQUIRED BY LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS; AND APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS.

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WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City may adopt the provisions of the California Building, Mechanical, Residential, Green Building Standards, Existing Building, Plumbing, Electrical, Energy, and Fire Codes with certain exceptions, modifications and additions to provisions of the California codes which are reasonably necessary to protect the health, welfare and safety of the citizens of Marina because of local climatic, geological and topographical conditions; and

WHEREAS, the City Council has considered whether certain modifications to the building standards contained in Exhibit A, attached hereto are necessary in the City of Marina due to local climatic, geological or topographical conditions; and.

WHEREAS, the factual findings made are valid and relate to the amendments made to the California codes in this adoption; and

WHEREAS, the City Council directed that a public hearing be held and duly noticed and published in accordance with California Government Code §50022.3, and said hearing was held on November 5, 2019, concerning the purpose of this Ordinance to adopt the 2019 California Building Standard Codes with modifications to address unique local conditions; and

WHEREAS, this Ordinance was found to be categorically exempt from environmental review, per the provisions of Section 15061(b) (3) of the Guidelines to the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

1. Title 15 Amended: Title 15 entitled “Buildings and Construction” is hereby amended as set forth in the attached thirty-seven (37) pages, marked Exhibit “A,” and incorporated herein by this reference thereto.

2. Findings Adopted: The City Council hereby adopts the factual findings set forth in respective sections of Title 15 of the Marina Municipal Code, attached hereto as Exhibit A, relating to the amendments made to the California codes.

3. Savings Clause: Repeal of any provision of the Marina Municipal Code or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

4. Severability: If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person, property or circumstance is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons, property or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

5. Interpretation: The provisions of this ordinance are enacted for the public health, safety and welfare and are to be liberally construed to obtain the beneficial purposes thereof as specified in Chapter 1 of the Building Code. In the event of any conflict between this ordinance and any law, rule or regulation of the State of California, that requirement which established the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of the Municipal Code. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistency and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

6. Filing of Findings: The City Clerk is hereby directed to file a copy of this ordinance with the California Building Standards Commission of the State of California.

7. Notice: The City Council hereby determines that the form of the Notice of the public hearing held on November 5, 2019, which was published on October 22 and October 31, 2019, is sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

8. Liability: The provisions of this ordinance shall not be construed as imposing upon the City of Marina any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City of Marina, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this ordinance or of any permits or certificates issued under this ordinance.

9. Effective Date: This ordinance shall take effect on January 1, 2020.

10. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by resolution of the City Council and a summary of the ordinance, prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Marina prior to the effective date.

The forgoing ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on the 15th Day of October 2019, and first reading was passed and at a regular meeting duly held on the 5th Day of November 2019; and approved by the City Council of the City of Marina on the 19th day of November 2019 by the following vote

AYES: COUNCIL MEMBERS: Berkley, Urrutia, O'Connell, Morton

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Delgado

ABSTAIN: COUNCIL MEMBERS: None

Gail Morton, Mayor Pro-Tem

ATTEST:

Anita Sharp, Deputy City Clerk

**EXHIBIT A TO
ORDINANCE NO. 2019-03**

**AMENDMENTS TO TITLE 15 OF THE MARINA MUNICIPAL CODE
BUILDINGS AND CONSTRUCTION**

Editor's Note: **Bold**, [bracketed] numbers and text are for identification purposes only and are not a part of the Title as amended.

- 1- Section 15.04.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:**

15.04.010 Definitions.

"Building code" means the California Building Code or CBC, 2019 Edition, based on the 2018 International Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and this chapter.

"Dangerous building code" is the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

"Electrical code" means the California Electric Code or CEC, 2019 Edition, based on the 2017 National Electrical Code edition promulgated by the National Fire Protection Association, as amended and set forth in the California Building Standards Code, Title 24 of the California Code of Regulations, and in this title, known as the California Electrical Code (CEC).

"Energy Code" means the California Energy Code, 2019 Edition thereto, its appendices, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations,

"Emergency Work" means work that if not done immediately will affect the life safety of the occupant or cause damage the structure.

"Existing building code" means the California Existing Building Code, 2019 Edition, based on the 2018 International Existing Building Code promulgated by the International Code Council, including the appendix thereto.

"Fire code" is the California Fire Code or CFC, 2019 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions and additions there to as amended in the California Code of Regulations and in the Marina Municipal Code, known as the California Fire Code (CFC).

"Green building standards code" means the California Green Building Standards Code, 2019 Edition thereto, together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

"Housing code" is the Uniform Housing Code 1997, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in the Marina Municipal Code.

"Mechanical code" is the California Mechanical Code or UMC, 2019 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including Appendices A, B, C and D thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as California Mechanical Code (CMC).

“Plumbing code” is the California Plumbing Code or UPC, 2019 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including the Appendices G and I thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as the California Plumbing Code (CPC).

“Residential code” means the California Residential Code, 2019 Edition, based on the 2018 International Residential Code promulgated by the International Code Council together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

“Security code” is the Uniform Building Security Code, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in the Marina Municipal Code (UBSC).

(Ord. 2019-___ § 1 (Exh. A (1)), 2019)”

2. Section 15.08.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.010 Adoption of technical provisions of California Building Code (CBC).

A. Except as otherwise provided for in this chapter, the California Building Code (CBC), 2019 Edition, Volumes I and II, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CBC has been filed for use and examination of the public in the office of the building official of the city of Marina.

(Ord. 2019-___ § 1 (Exh. A (2)), 2019)

3. Section 15.08.020 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.020 Section 105.3.2 e amended.

Section 105.3.2 shall be amended to read as follows:

105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing AND pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

(Ord. 2019-___ § 1 (Exh. A (3)), 2019)

4. Section 15.08.025 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.025 Section 105.5 amended.

Section 105.5 shall be amended to read as follows:

105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2019 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted, and permit obtained along with all applicable fees applied for this new project. All existing projects are subject to this section and will be subject to the conditions listed above.

(Ord. 2019-___ § 1 (Exh. A (4)), 2019)

5. Section 15.08.040 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.040 Section 1505.1.1 amended.

A. Findings. The amendments set forth in this section are reasonably necessary because of the following local geological, topographical and climactic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.

2. The local geographic, topographic and climactic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina and may cause a delayed fire response time, allowing further growth of a fire.

3. The types of roof coverings as set forth in the amendment are a more restrictive standard, which will better prevent fire damage, which can result from local conditions.

B. Section 1505.1.1 shall be amended to read as follows:

“Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or class A roof.

(Ord. 2019-___ § 1 (Exh. A (5)), 2019)

6. Section 15.08.100 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

“15.08.100 Portions of the California Building Code which are not approved, adopted or incorporated by reference.

The following portions of the California Building Code 2019 Edition or the appendices thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the building code of the city of Marina.

Chapter 9 (All. See Chapter 9 of the California Fire Code, 2019 Edition with amendments.)

Appendices:

2019 CBC Appendix A (Employee Qualifications)
2019 CBC Appendix B (Board of Appeals)
2019 CBC Appendix C (Ag Buildings)
2019 CBC Appendix D (Fire Districts)
2019 CBC Appendix F (Rodent Proofing)
2019 CBC Appendix G (Flood Proofing)
2019 CBC Appendix K (Flooding)
2019 CBC Appendix M (Tsunami Flood Map)

(Ord. 2019-____ § 1 (Exh. A (6)), 2019)

7. Section 15.12.010 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

15.12.010 Adoption of technical provisions of California Mechanical Code (CMC).

A. Except as otherwise provided for in this chapter, the California Mechanical Code, 2019 Edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CMC has been filed for use and examination of the public in the office of the building official of the city of Marina.

(Ord. 2019-____ § 1 (Exh. A (7)), 2019)"

8- Section 15.12.011 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

15.12.011 Portions of California Mechanical Code which are not approved, adopted or incorporated by reference.

The following portions of the California Mechanical Code or CMC, 2019 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the mechanical code of the city of Marina:

Chapter 1, Division II, and all of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CMC Appendices A, B, C and D.

(Ord. 2019-____ § 1 (Exh. A (8)), 2019)

9. Chapter 15.14 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

Chapter 15.14 RESIDENTIAL CODE

Sections:

- 15.14.010 Adoption of technical provisions of California Residential Code (CRC).
- 15.14.020 Section R105.2 amended.
- 15.14.030 Section R106.5 amended.
- 15.14.040 Section R106.6 amended
- 15.14.050 Section Table R302.6 amended
- 15.14.060 Section R313 deleted

- 15.14.070 Section R403.1.3 amended
- 15.14.080 Section R902.11. amended
- 15.14.090 Section R902.1.2 amended
- 15.14.100 Section R902.1.3 amended
- 15.14.110 Section Portions of California Residential Code not adopted or incorporated by reference

15.14.010 Adoption of technical provisions of California Residential Code (CRC)

A. Except as otherwise provided for in this chapter, the California Residential Code, 2019 Edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto are approved and adopted, and hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein

B. One copy of the CRC has been filed for use and examination of the public in the office of the building official of the city of Marina

C. Findings. The amendments set forth in Sections 15.14.020, 15.14.030, 15.14.040, 15.14.050, 15.14.060, 15.14.070, 15.14.080 and 15.14.090 are reasonably necessary because of the following local geological, topographical and climatic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.
2. The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina, and may cause a delayed fire response time, allowing further growth of the fire
3. The type of residential construction provisions set forth in the amendments are more restrictive standards, which will better prevent fire and seismic damage, which can result from local conditions.

(Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.020 Section R105.2 “Work exempt from permit” amended.

Section R105.2 is amended to read as follows:

(10) Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve more the exit door required by Section R311.4..

(Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.030 Section R105.5 amended.

Section R105.5 is hereby amended to read as follows:

R105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2019 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has

obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted, and permit obtained along with all applicable fees applied for this new project.

All existing projects are subject to this section and will be subject to the conditions listed above.

(Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.040 Section R106.6 amended.

Section R106.6 is hereby amended to read as follows:

R106.6 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing and pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

(Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.050 Table 302.6 amended.

Table R302.6 is amended to read as follows:

“Not less than 5/8” type X” in all columns in the table.

(Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.060 Section R313 deleted.

Section R313 is hereby deleted.:

15.14.070 Section R403.1.3 amended.

Section R403.1.3 is hereby amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2 (1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook. In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family *dwelling*s which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

(Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.080 Section R902.1.1 amended.

Section R902.1.1 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof. (Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.090 Section R902.1.2 amended.

Section R902.1.2 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof. (Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.100 Section R902.1.3 amended.

Section R902.1.3 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof. (Ord. 2019-____ § 1 (Exh. A (9)), 2019)

15.14.110

Portions of California Residential Code which are and are not approved, adopted or incorporated by reference.

The following portions of the California Residential Code or CRC, 2019 Edition, or the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the residential code of the city of Marina:

- A. Section R313 (All. See Chapter 9 of the California Fire Code, 2019 Edition with amendments.)
- B. CRC Appendices G and H.

(Ord. 2019-____ § 1 (Exh. A (9)), 2019)"

10. Chapter 15.18 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

“Chapter 15.18 GREEN BUILDING STANDARDS CODE

Sections:

15.18.101 Adoption of California Green Building Standards Code (CGBSC).

15.18.020 Portions of California Green Building Standards Code which are not approved, adopted or incorporated by reference.

15.18.010 Adoption of California Green Building Standards Code (CGBSC).

A. Except as otherwise provided for in this chapter, the California Green Building Standards Code, 2019 Edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CGBSC has been filed for use and examination of the public in the office of the building official of the city of Marina. (Ord. 2010-06 § 1 (Exh. A (10)), 2019)

15.18.020 Portions of California Green Building Standards Code which are not approved, adopted or incorporated by reference.

The following portions of the California Green Building Standards Code or CGBSC, 2019 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the green building standards code of the city of Marina:

All of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CGBSC Appendices A-4 and A-5.

(Ord. 2019-____ § 1 (Exh. A (10)), 2019)"

11. Chapter 15.22 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows]

"Chapter 15.22 EXISTING BUILDING CODE

Sections

15.22.010 Adoption of California Existing Building Code (CEBC).

15.22.010 Adoption of California Existing Building Code (CEBC).

A. The California Existing Building Code, 2019 edition is approved and adopted, and is hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEBC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina."

(Ord. 2019-____ § 1 (Exh. A (11)), 2019)"

12. Section 15.24.010 of the Marina Municipal Code is repealed in its entirety and replaced to read as follows:]

"15.24.010 Adoption of Technical Provisions of California Plumbing Code (CPC).

A. Except as otherwise provided for in this Chapter, the California Plumbing Code, 2019 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted,

and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CPC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.

(Ord. 2019-____ § 1 (Exh. A (12)), 2019)”

13. Section 15.24.030 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

“15.24.030 Portions of California Plumbing Code which are not approved, adopted or incorporated by reference.

The following portions of the California Plumbing Code or CPC, 2019 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the plumbing code of the City of Marina:

Chapter 1 – Division II and all of the Appendices with the exception of the following Appendix Chapters or portion thereof (which are approved, adopted and incorporated in this Chapter by reference):

A. CPC Appendix G

B. CPC Appendix I.

(Ord. 2013-____ § 1 (Exh. A (13)), 2013)”

14. Chapter 15.28 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

“Chapter 15.28 ELECTRICAL CODE

Sections

15.28.010 Adoption of the technical provisions of the California Electrical Code

15.28.010 Adoption of Technical Provisions of California Electrical Code (CEC).

A. Except as otherwise provided for in this Chapter, the California Electrical Code, 2019 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.”

(Ord. 2019-____ § 1 (Exh. A (14)), 2019)”

15. Chapter 15.30 of the Marina Municipal Code is hereby added to read as follows:

“Chapter 15.30 ENERGY CODE

Section

15.30.010 Adoption of the technical provisions of the California Energy Code

15.28.010 Adoption of Technical Provisions of California Energy Code.

A. Except as otherwise provided for in this Chapter, the California Energy Code, 2019 edition, including the appendices, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the California Energy Code has been filed for use and examination of the public in the
Office of the Building Official of the City of Marina.”

(Ord. 2019-____ § 1 (Exh. A (15)), 2019)”

16. Chapter 15.32 of the Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

“Chapter 15.32 ADOPTION OF THE CALIFORNIA FIRE CODE (CFC)

Sections: -

- 15.32.050 Adoption of technical provisions of California Fire Code.
- 15.32.010 Definitions.
- 15.32.020 Bureau of fire prevention established.
- 15.32.030 Findings.
- 15.32.040 Section 101.1 Amended - Title
- 15.32.050 Section 101.2.1 Amended - Appendices
- 15.32.060 Section 102.1 Amended – Construction & Design Provisions
- 15.32.070 Section 102.3 Amended
- 15.32.080 Section 103,.0 Added
- 15.32.090 Section 103.5 Added
- 15.32.100 Section 105.6.1.5 Added
- 15.32.110 Section 110.2 Amended.
- 15.32.120 Section 110.4 Amended
- 15.32.130 Section 112.4 Amended
- 15.32.140 Section 202 Amended

- 15.32.150 Section 321 Added
- 15.32.160 Section 503.2.7 Amended
- 15.32.170 Section 503.2.7.1 Added
- 15.32.180 Section 503.7 Added
- 15.32.190 Section 506.1 Amended
- 15.32.200 Section 507.5.2 Amended
- 15.32.210 Section 603.6.6 Added
- 15.32.220 Section 901.1.1 Added
- 15.32.230 Section 901.2.2 Added
- 15.32.240 Section 901.4 Amended
- 15.32.250 Section 901.4.7 Added
- 15.32.260 Section 901.6.3.1 Added
- 15.32.270 Section 901.6.4 Added
- 15.32.280 Section 901.11 Added
- 15.32.290 Section 903.2 Amended
- 15.32.300 Section 903.2.8 Amended
- 15.32.310 Section 903.3.1.1.1 #8 Added
- 15.32.320 Section 903.3.1.1.2 Deleted.
- 15.32.330 Section 903.3.1.2 Amended
- 15.32.340 Section 903.3.1.3 Amended
- 15.32.350 Section 903.4.1 Amended
- 15.32.360 Section 903.4.2 Amended
- 15.32.370 Section 903.4.2.1 Added

15.32.380 Section 903.4,3 Amended
 15.32.390 Section 904.122 Amended
 15.32.400 Section 904.5.2 Amended
 15.32.410 Section 907.1.6 Added
 15.32.420 Section 907.2 Amended
 15.32.430 Section 907.6.5 Amended
 15.32.440 Section 907.6.6 Amended
 15.32.450 Section 907.6.6.4 Added
 15.32.460 Section 907.7.2 Amended.
 15.32.470 Section 1204.1.1 Added
 15.32.480 Section 1204.2.1 Amended
 15.32.490 Section 1204.1.4 Added
 15.32.500 Section 1204.4.1 Added
 15.32.510 Section 3905.3 Added
 15.32.520 Section 5609 Added
 15.32.530 Section 5609.1 Added
 15.32.540 Section 5609.1.2 Added
 15.32.550 Section 5609.1.3 Added
 15.32.560 Section 5609.1.4 Added
 15.32.070 Section 5609.1.5 Added
 15.32.580 Section 5698.1.6 Added
 15.32.590 Section D103.2 Amended
 15.32.600 Appendix P Added
 15.32.610 Appendix Q Added.

15.32.005 Adoption of technical provisions of California Fire Code

A. Except as otherwise provided for in this chapter, the California Fire Code or CFC, 2019 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations, are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CFC has been filed for use and examination of the public in the office of the fire chief of the City of Marina.

(Ord. 2019-___ § 1 (Exh. A (16) (part)), 2019)

15.32.010 Definitions.

As used in this chapter or in any other uniform codes or other nationally recognized fire safety standard made a part of this chapter, unless otherwise apparent from the context:

A. "City" means the city of Marina when it refers to a political entity and means the incorporated area of the city of Marina when it refers to an area.

B. "City council" means the city council of Marina.

C. "Fire Chief" means the chief of the fire department serving the city of Marina.

D. "Fire code official" means the Fire Chief or his or her designee.

E. "Mayor" means the mayor of the City of Marina.

F. "Municipality" means the City of Marina.

(Ord. 2019-___ § 1 (Exh. A (16) (part)), 2019)

15.32.020 Bureau of fire prevention established.

The California Fire Code shall be enforced by the fire chief or his/her designee. The fire chief is appointed as the fire code official. The bureau of fire prevention is established within the city under the direction of the fire code official. The function of the fire prevention bureau shall be the implementation, administration and enforcement of the provisions of the Fire Code. References within the California Fire Code to the "department of fire prevention" shall mean the bureau of fire prevention

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.030 Findings.

The amendments set forth in Sections 15.32.040 through 15.32.____ are reasonably necessary because of the following local climatic, geological and topographical conditions:

A. Climate. The city, on average, experiences an approximate annual rainfall of fifteen inches. The heaviest months for rainfall can be expected between January and April. During winter months, the city may experience periods of heavy rain, which can cause local flooding. Due to the proximity of the Pacific Ocean, winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The city has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. Light to gusty winds occur during dry periods which, when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into brush covered coastal hill areas, wind driven fires could have severe consequences, as have been demonstrated on several occasions throughout the state.

B. Geologic. The city is susceptible to seismic hazards resulting from movement along any one of several known faults. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat-producing appliances and the unavailability to water for fire control due to broken water mains. In the event of a major earthquake many areas of the city may not be accessible to emergency equipment and, if bridges or roads are damaged, the city may be isolated from outside assistance.

C. Topographical. The city is divided by California State Highway 1. The freeway creates barriers which obstruct traffic patterns and delay response time for fire equipment. The water supply within the city is directly affected by the topographical layout. In the event of a major catastrophe, the city does not have an elevated water storage system to supply pressurized water to the city fire hydrants.

D. Conclusion. Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity and size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Fire Code be amended by this chapter to mitigate the effects of these conditions.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.040 Section 101.1 - Amended.

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Marina, hereinafter referred to as "Fire Code".

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.050 Section 101.2.1 – Amended

Section 101.2.1 is amended to read as follows:

101.2.1 Appendices. Provisions in all appendices to this code are hereby adopted in their entirety and shall apply.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.060 Section 102.1 – Amended

Section 102.1 is amended to read as follows:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when identified in specific sections of this code.
4. Existing structures, facilities and conditions, which, in the opinion of the fire code official, constitute a distinct hazard to life and property.
5. Existing structures alterations and repairs.
 5. a. All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter.
 5. b. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the existing internal structural and/or non-structural framework, independently or in combinations thereof, within a five-year period, the entire building shall be made to conform to the current provisions of this Chapter.
 5. c. Calculations of linear wall measurements shall be shown on all plans submitted for building permits, on the cover page in the project description of said plans.
 5. d. The determination under this section of the requirement for upgrading any existing structure to full conformance with the current provisions of this Chapter shall be at the sole discretion of the fire code official.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.070 Section 102.3 – Amended

MARINA CITY CODE INTERPRETATION

With regards to construction provisions of this Code being required on building remodels:

1. If wall coverings (drywall, paneling, etc.) are removed down to bare studs, do these walls get included in the calculations?
ANSWER: NO
2. If new wall coverings are installed over existing wall coverings, do these walls get included in the calculations?
ANSWER: NO

3. What is the measurement parameter for determining the 50% figure?

ANSWER: ALL WALLS ARE MEASURED USING LINEAR FOOTAGE OF THE WALLS.

MARINA CITY CODE COMMENTARY

The following formula is used to determine the 50% linear wall length in the City of Marina and is a standard adopted by the Monterey County Fire Prevention Officers Association:

Step 1: Determine the total linear length of all walls of the existing building.

Step 2: Determine the total linear length of all walls of the proposed remodeled building, including additions to the building.

Step 3. Determine the total linear length of all walls that are proposed to be removed during the remodel.

Step 4. Add the results of Steps 1, 2, and 3.

Step 5. Determine whether Step 4 result is over 150% of the Step 1 result. If so, Section 102.1 applies. If not, it does not apply.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.080 Section 103.0 – Added

Section 103.0 is added to Chapter 1 of the Fire Code to read as follows:

103.0 Responsibility for enforcement.

103.0.1 Within established fire protection districts, incorporated cities and community services districts, responsibility for enforcement of this code shall be under the direction of the Fire Chief within each district.

Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.090 Section 103.5 – Added

Section 103.5 is added to Chapter 1 of the Fire Code to read as follows:

103.5 Police powers. The fire code official and his authorized deputies shall have the powers of police offices in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official in enforcing the provisions of this code.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.100 Section 105.6.1.5 – Added

Section 105.6.1.5 is added to Chapter 1 of the Fire Code to read as follows:

105.6.1.5 Agricultural Explosive Devices. An operational permit is required for storage or use of any agricultural explosive device including “bird bombs”.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.110 Section 110.2 – Amended

Section 110.2 is amended to read as follows:

110.2 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If the occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the correction or abatement of such hazardous conditions.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.120 Section 110.4 – Amended

Section 110.4 is amended to read as follows:

110.4 Violation penalties. Persons who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or 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 an infraction, punishable by a fine not more than five hundred dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.130 Section 112.4 – Amended

Section 112.4 is amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of an infraction as specified in Section 109.4 of this code.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.140 Section 202 – Amended

Section 202 is amended to add the following definitions and to read as follows:

ALL WEATHER SURFACE. A road surface constructed to the minimum standards adopted by the jurisdiction.

BRIDGE. A structure to carry a roadway over a depression or obstacle.

IDLE PALLET. A pallet or similar product storage and/or lifting device not currently in use and empty of product.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.150 Section 321 – Added

Section 321 is added to Chapter 3 of the Fire Code to read as follows:

321 Storage of idle pallets

321.1 General. The requirements of this section apply to all pallets, whether wood or plastic. The requirements of this section supersede the requirements of Chapter 28.

321.2 Storage of idle pallets.

1. Idle pallets shall be stored outside, except as permitted by Section 320.2(2) of this code.
2. Idle pallets shall be permitted to be stored in a building if the building is sprinklered in accordance with NFPA 13.
3. Idle pallets stored outside shall be stored in accordance with Section 320.2 of this code.

321.3 Physical characteristics of outside storage shall be as follows:

1. Idle pallet stacks shall not exceed 20 feet in height.
2. Idle pallet stacks shall not cover an area of greater than 400 square feet, except as approved by the fire code official.
3. Idle pallet stacks shall be arranged to form stable piles.
4. A distance of not less than 25 feet shall separate stacks.
5. Stacks shall be no closer than 25 feet to any property line.
6. Stacks shall be no closer than 25 feet to any other yard storage.
7. Stacks shall be no closer than the distances shown on Table 321.3 to buildings.

Table 321.3 Required clearances between outside idle pallet storage and buildings.

Wall Construction	Under 50 Pallets	51-200 Pallets	Over 200 Pallets
Masonry with no openings	No restrictions	No restrictions	15 feet
Masonry with wired glass in openings, outside sprinklers and 1-hour doors	No restrictions	10 feet	20 feet
Masonry with wired or plain glass, outside sprinklers and ¾ hour doors	10 feet	20 feet	30 feet

Wood or metal with outside sprinklers	10 feet	20 feet	30 feet
Wood, metal or other	20 feet	30 feet	50 feet

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.160 Section 503.2.7 – Amended

Section 503.2.7 is amended to read as follows:

503.2.7 Grade. The grade of fire apparatus access roads shall be no greater than 15% unless specifically approved by the fire code official.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.170 Section 503.2.7.1 – Added

Section 503.2.7.1 is added to Chapter 5 of the Fire Code to read as follows:

503.2.7.1 Paving. All fire apparatus access roads over eight percent (8%) shall be paved with a minimum 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base. All fire apparatus access roads over fifteen percent (15%) where approved shall be paved with perpendicularly grooved concrete.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.180 Section 503.7 – Added

Section 503.7 is added to Chapter 5 of the Fire Code to read as follows:

503.7 Fire apparatus access road names. All fire apparatus access road names shall be issued by the jurisdictional authority.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.190 Section 506.1 – Amended

Section 506.1 is amended to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box or other approved emergency access device to be installed in an approved location. The key box or other approved emergency access device shall be of an approved type and shall contain keys or other information to gain necessary access as required by the fire code official. Where a key box is used, it shall be listed in accordance with UL 1037.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.200 Section 507.5.2 – Amended

Section 507.5.2 is amended to read as follows:

507.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards. When required by the fire code official, hydrants shall be painted in accordance with the most current edition of NFPA 291. Records of test and required maintenance shall be maintained and forwarded to the fire code official upon request.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.210 Section 603.6.6 – Added

Section 603.6.6 is added to Chapter 6 of the Fire Code to read as follows:

603.6.6 Spark arresters. An approved spark arrester shall be installed on all chimneys, incinerators, smokestacks or similar devices using solid fuel for conveying smoke or hot gases to the outer air.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.220 Section 901.1.1 – Added

Section 901.1.1 is added to Chapter 9 of the Fire Code to read as follows:

901.1.1 Responsibility. The owner of the protected premises shall be responsible for all fire protection systems within the protected premises, whether existing or installed under this code.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.230 Section 901.2.2 – Added

Section 901.2.2 is added to Chapter 9 of the Fire Code to read as follows:

901.2.2 Additional documentation. Additional documentation as required by the fire code official shall be provided to the fire code official in an acceptable format.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.240 Section 901.4 – Amended

Section 901.4 is amended to read as follows:

901.4 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. All systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

(Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

15.32.250 Section 901.4.7 – Added

Section 901.4.7 is added to Chapter 9 of the Fire Code to read as follows:

901.4.7 Nonoperational equipment. Any fire protection equipment that is no longer in service shall be removed.

With regards to construction provisions of the Marina City Fire Code being required on ancillary buildings based on proximity to the main structure, when are detached buildings to be considered “attached” for the purposes of imposing fire protection system requirements of the Marina City Fire Code?

ANSWER: Ancillary buildings within 10 feet of the main structure are considered “attached” for the purpose of imposing fire protection system requirements.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.260 Section 901.6.3.1 – Added

Section 901.6.3.1 is added to Chapter 9 of the Fire Code to read as follows:

901.6.3.1 Additional records. All documentation generated during any scheduled inspection or test of any fire protection system, whether required or voluntarily installed, shall be forwarded to the fire code official within 21 calendar days after the date of the inspection or test.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.270 Section 901.6.4 – Added

Section 901.6.4 is added to Chapter 9 of the Fire Code to read as follows:

901.6.4 Qualifications of Inspection, Testing and Maintenance Personnel. All personnel performing any inspection, testing or maintenance of any fire protection system shall be qualified. Where such inspection, testing and maintenance is performed by an outside service company, the company shall be appropriately licensed by the California Contractors State License Board in accordance with the California Business and Professions Code or by the California State Fire Marshal.

15.32.280 Section 901.11 Added

Section 901.11 is added to Chapter 9 of the Fire Code to Read as follows:

901.11 Fire Protection Features for Plant Processing and Extraction Facilities

901.11.1 Scope. This section applies to occupancies regulated by Chapter 39 of this Code.

901.11.2 Definitions.

901.11.2.1 Plant processing shall include all plant post-harvest operations, excluding retail sales of plant and related products.

901.11.2.2 Indoor cultivation shall be defined as all nursery or cultivation conducted in other than Group U occupancies (greenhouses).

901.11.3 Fire Protection Systems. All buildings or portions thereof housing plant post-harvest or indoor cultivation operations shall be protected as defined in this section.

901.11.3.1 Fire Sprinklers. Fire sprinklers shall be installed in all buildings or portions thereof; such fire sprinkler systems shall be designed to Ordinary Group II design standards in the latest adopted edition of NFPA 13 and Section 903 of this code.

EXCEPTION: If the occupancy is classified as a Group H Occupancy the fire sprinkler system may be required to be designed and installed as an Extra Hazard fire sprinkler system.

901.11.3.2 Fire Alarm Systems. Fire alarm systems shall be installed in all buildings or portions thereof; such fire alarm systems shall include both fire sprinkler system monitoring and complete occupant notification as specified in the latest adopted edition of NFPA 72 and Section 907 of this code.

901.11.3.3 Special Hazard Systems. Where specified by appropriate UL listings for extraction booths utilizing volatile solvents, dry chemical fire protection systems shall be installed according to the latest adopted edition of NFPA 17. If there is no UL listing for the extraction booth, a dry chemical fire protection system shall be installed.

901.11.3.4 Portable Fire Extinguishers. Portable fire extinguishers shall be installed in accordance with NFPA 10 and Section 906 of this code.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.290 Section 903.2 – Amended

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into or relocated within the jurisdiction.

Exceptions:

(1) Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the fire code official permits alternate protection.

903.2.1.1 Group A-1. Required in all new construction.

903.2.1.2 Group A-2. Required in all new construction.

903.2.1.3 Group A-3. Required in all new construction.

903.2.1.4 Group A-4. Required in all new construction.

903.2.1.5 Group A-5. Required in all new construction.

903.2.3. Group E. Required in all new construction.

903.2.4 Group F-1. Required in all new construction.

903.2.5 Group H. Required in all new construction.

903.2.6 Group I. Required in all new construction.

903.2.7 Group M. Required in all new construction.

903.2.9 Group S-1. Required in all new construction.

903.2.9.1 Repair Garages. Required in all new construction.

903.2.9.2 Bulk storage of tires. Required in all new construction.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all new construction with a Group R fire area, including but not limited to, one- and two-family dwellings, townhomes, and manufactured homes and mobile homes located outside of licensed mobile home parks hereafter constructed, moved into or relocated within the City, including all additions to buildings already equipped with automatic fire sprinkler systems

The following subsections are amended by changing requirements to 500 square feet for fire sprinkler installation, as follows (the complete text of the subsections is not provided):

903.2.18 Group U. Change All new construction to any construction greater than 500 square feet

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.300 Section 903.2.8 – Amended

Section 903.2.8 is amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all buildings with a Group R fire area, including, but not limited to, one- and two-family dwellings, townhomes, and manufactured homes and mobile homes located outside of licensed mobile home parks hereafter constructed, moved into or relocated within the jurisdiction, including all additions to buildings already equipped with automatic fire sprinkler systems.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.310 Section 903.3.1.1.1 #8 – Added

Section 903.3.1.1.1 #8 is added to Chapter 9 of the Fire Code to read as follows:

8. Passenger elevator shafts or associated passenger elevator mechanical rooms, where elevator shafts are constructed with a 2-hour fire resistive method.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.320 Section 903.3.1.1.2 – Deleted

Section 903.3.1.1.2 is deleted in its entirety:

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.330 Section 903.3.1.2 – Amended

Section 903.3.1.2 is amended to read as follows:

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R as amended in Chapter 47.

903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

903.3.1.2.2 Attics. Where NFPA 13R sprinkler systems are installed, all attic areas shall be provided with sprinkler protection in accordance with NFPA 13.

903.3.1.2.3 Sprinkler control valves. Where NFPA 13R sprinkler systems are installed, sprinkler system control valves shall be installed in accordance with NFPA 13.

903.3.1.2.4 Bathrooms. Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

903.3.1.2.5 Accessible storage areas. Automatic sprinklers shall be installed in all accessible storage areas.

903.3.1.2.6 Under-stair spaces. Automatic sprinklers shall be installed in all under-stair spaces including all under-stair closets.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.340 Section 903.3.1.3 – Amended

Section 903.3.1.3 is amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Automatic fire sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. The requirements of this section supersede the requirements of the California Residential Code. 903.3.1.3.1 All fire sprinkler systems installed in one- and two-family dwellings shall be tested for leakage by undergoing a hydrostatic test made at 200 psi for a two-hour duration.

903.3.1.3.2 Each water system supplying both domestic and fire protection systems shall have a single indicating-type control valve, arranged to shut off both the domestic and sprinkler systems. A separate shut-off valve for the domestic system only shall be permitted to be installed. The location of the control valve shall be approved by the fire code official.

903.3.1.3.3 Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

903.3.1.3.4 Automatic sprinklers shall be installed in all attached garages and other accessory structures and in all garages and other accessory structures located within 20 feet of the main residence.

903.3.1.3.5 Automatic sprinklers shall be installed in all accessible storage areas.

903.3.1.3.5.1 Automatic sprinklers shall be installed in all under-stair spaces including all closets.

903.3.1.3.6 Automatic fire sprinklers shall be installed to protect all furnaces and heating system appliances.

903.3.1.3.7 Local water flow alarms shall be provided on all sprinkler systems. Local water flow alarms shall be powered from the main kitchen refrigerator circuit. The local water flow alarm shall be clearly audible from within the master bedroom at an audibility level of not less than 75 dBA. Where no kitchen exists in the building, the water flow alarm shall be powered from the bathroom lighting circuit.

MARINA CITY FIRE CODE INTERPRETATION

With regards to requiring fire sprinkler installation in bathrooms,

Do rooms with toilets and/or bidets only and no electrical receptacles require fire sprinklers?

ANSWER: No, unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D.

Do rooms with showers only and no electrical receptacles require fire sprinklers?

ANSWER: No, unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.350 Section 903.4.1 – Amended

Section 903.4.1 is amended to read as follows:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72, or, when approved by the fire code official, shall sound an audible signal at a constantly attended location. The fire alarm system installed to transmit such signals shall be considered a building fire alarm system (exceptions remain unchanged).

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.360 Section 903.4.2 – Amended

Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. One exterior approved audible appliance shall be connected to every automatic sprinkler system in an approved location. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Interior alarm notification appliances shall be installed as required by Section 903.4.2.1.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.370 Section 903.4.2.1 – Added

Section 903.4.2.1 is added to Chapter 9 of the Fire Code to read as follows:

903.4.2.1 Where an automatic fire sprinkler system is installed in a building with more than one tenant or with over 100 sprinkler heads, audible and visible notification appliances shall be installed throughout the building as follows:

a. Audible notification appliances shall be installed so as to be audible at 15 dBa above average sound pressure level throughout the building.

b. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.

c. Visible notification appliances can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

EXCEPTION: The requirements of this section do not apply to Group R-3 Occupancies.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.380 Section 903.4.3 – Amended

Section 903.4.3 is amended to read as follows:

903.4.3 Floor control valves. Approved indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in all buildings over one story in height, and shall be individually annunciated as approved by the fire code official.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.390 Section 904.122 – Amended

Section 904.12.2 is amended to read as follows:

904.12.2 System interconnection. The actuation of the fire extinguishing system shall automatically shut down all fuel and electrical power located under the hood, except for the electrical power to the exhaust air supply. The fuel and electrical supply reset shall be manual.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.400 Section 904.5.2 – Amended

Section 904.12.5.2 is amended to read as follows:

904.12.5.2 Extinguishing system service. Automatic fire extinguishing systems shall be serviced by a CSLB licensed C-16 contractor or a CSFM licensed “A” licensee at least every six months and after activation of the system. Inspection shall be performed by the owner at least monthly in accordance with the currently adopted edition of NFPA 17-A. The service contractor shall review the records of monthly inspections every six months, and deficiencies shall be reported to the fire code official. A service report shall be forwarded to the fire code official by the licensed service contractor within 21 days after every service on the appropriate AES form.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.410 Section 907.1.6 – Added

Section 907.1.6 is added to Chapter 9 of the Fire Code to read as follows:

907.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within a single protected premises are not permitted, unless specifically authorized by the fire code official.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.420 Section 907.2 – Amended

Section 907.2 is amended to read as follows:

907.2 Exception 1. The manual fire alarm box is not required for fire alarm control units dedicated to elevator recall control.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.430 Section 907.6.5– Amended

Section 907.6.5 is amended to read as follows:

907.6.5 Access. Access shall be provided to each fire alarm system component for periodic inspection, maintenance and testing.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.440 Section 907.6.6– Amended

Section 907.6.6 is amended to read as follows:

907.6.6 Monitoring. Fire alarm systems, whether required by this chapter or the California Building Code or voluntarily installed, shall be monitored by an approved supervising station in accordance with NFPA 72 and this section.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.450 Section 907.6.6.4 – Added

Section 907.6.6.4 is added to Chapter 9 of the Fire Code to read as follows:

907.6.6.4 Means of communication. The use of either POTS or cable telephone lines with a digital alarm communicator transmitter shall not be permitted.

EXCEPTION. Where no other communications methods are available, the use of telephone lines shall be permitted to be used on a temporary basis not to exceed one year from the date of final acceptance test or until permitted alternate means of communications are available.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019

15.32.460 Section 907.7.2– Amended

Section 907.7.2 is amended to read as follows:

907.7.2 Completion documents. The following documentation shall be provided at the time of acceptance testing for all fire alarm system installations:

1. A record of completion in accordance with NFPA 72.
2. A contractor's statement verifying that the system has been installed in accordance with the approved plans and specifications, and has been 100% tested in accordance with NFPA 72.
3. A contractor's affidavit of personnel qualifications, indicating that all personnel involved with the installation of the fire alarm system meet the qualification requirements of the fire code official.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019

15.32.470 Section 1204.1.1 – Added

Section 1204.1.1 is added to read as follows:

1204.1.1 Signing and Marking. In addition to signing and marking requirements of the California Building Code and the California Residential Code, the following signing and marking is required:

1204.1.1.1 Main Panel Exterior Marking. A placard is required to be permanently affixed to the main service disconnect panel. The placard shall be red in color with white capital letters at least 3/4" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather-resistant, durable plastic with engraved letters, or other approved material.

1204.1.1.2 Circuit Disconnecting Means Marking. A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non—serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

1204.1.1.3 Secondary Power Sources. Where photovoltaic systems are interconnected to battery systems, generator backup systems, or other secondary power systems, additional signage acceptable to the fire code official shall be required indicating the location of the secondary power source shutoff switch.

1204.1.1.4 Installer Information. Signage acceptable to the fire code official indicating the name and emergency telephone number of the installing contractor shall be required to be installed adjacent to the man disconnect.

15.32.480 Section 1204.2.1 – Amended

Section 1204.2.1 is amended as follows:

Eliminate Exceptions 1 and 2.

15.32.490 Section 1204.1.4 - Added

Section 1204.2.1.4 is added to read as follows:

Section 1204.2.1.4 Hip and Valley Layout. Hip and Valley Layouts. Modules shall be located no closer than one and one-half feet (1-1/2') to a hip or valley if modules are to be placed on both sides of a hip or valley. Where modules are located on only one side of a hip or valley that is of equal length, the modules shall be permitted to be placed directly adjacent to the hip or valley.

15.32.500 Section 1204.4.1 – Added

Section 1204.4.1 is added to read as follows:

1204.4.1 Non-Combustible Base. A gravel base or base acceptable to the fire code official shall be installed and maintained under and around the installation.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019

15.32.510 Section 3905.3 – Added

Section 3905.3 is added to read as follows:

3905.3. Fire Protection Systems. Fire protection systems in occupancies regulated by this chapter shall be in accordance with Section 901.11 of this Code.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019

15.32.520 Section 5609 added

Section 5609 is added to Chapter 56 of the California Fire Code to read as follows:

5609. Safe and Sane Fireworks Permitted. Notwithstanding the foregoing provision of law, safe and sane fireworks, as defined by the California Health and Safety Code or regulations issued by the Office of the State Fire Marshal, may be sold and discharged within the City during the period from 12:00 o'clock noon on June 28 to and until 11:59 p.m. on July 4 of each year, pursuant to the provisions of this ordinance and not otherwise.

No fireworks shall be sold, or offered for sale, discharged, or possessed within the city of Marina that are classified by the California Health and Safety Code as a dangerous firework.

Any property owner that allows the willful possession, sale or discharge of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both. Any person in possession of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both, all fireworks shall be confiscated.

The safe and sane firework known as a “Piccolo Pete”, “Whistling Phantom”, or similar type of whistling fountain shall not be sold or discharged within the city of Marina.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.530 Section 5609.1 added

Section 5609.1 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1 Sale Permit Required. No person, co-partnership, partnership, organization or group shall sell safe and sane fireworks within the City without first having applied for and received a permit therefor in compliance with the terms of this ordinance. Upon receipt of a written application for a permit pursuant to this ordinance, the city manager shall direct the Fire Chief to cause an investigation to be made and make a report to the city manager of his findings and his recommendations for or against the issuance of a permit, together with his reasons therefor. After the receipt of such report and recommendations, the City Manager shall have the power, in his discretion, to grant or deny the application. The denial of an application may be appealed to the City council by a written notice of appeal filed with the city clerk within five (5) days after notice of the city manager’s action. Any permit granted by the city manager may be subject to such reasonable conditions and restrictions as may be imposed by the city manager, and such conditions and restrictions shall be complied with by the permittee.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.540 Section 5609.1.2 added.

Section 5609.1.2 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.2 Permittee. The sale of “safe and sane” fireworks within the City is allowed by non-profit agency, certified by the Secretary of the State of California or the Internal Revenue Service, that is based in the City of Marina and having a mailing address within the city of Marina and whose primary purpose is to benefit the youth and adults that live in the city of Marina. No permit for the sale of safe and sane fireworks shall be issued to any person, corporation, partnership, organization or group which has not been in business or in operation within the City for at least one (1) year continuously preceding the filing of the application. Being in business shall require the prior payment of a business license fee to the City. An organization or group shall be deemed to be in operation if it has a principal and permanent meeting place in the City, holds regular business meetings at that location and has a bona fide membership of at least twenty (20) members.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.550 Section 5609.1.3 added.

Section 5609.1.3 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.3. Application for Permit. Application for a permit to sell safe and sane fireworks shall:

- a) Be made in writing;
- b) Be filed with the Fire Chief on or prior to May 1 of each year;
- c) Set forth the proposed location of all fireworks stands, and the dimensions thereof;
- d) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deliver to the city manager satisfactory evidence of an insurance policy with \$50,000/100,000 public liability and \$10,000 property damage coverages, with a rider attached to the policy designating the City and its agents and employees as additional insured thereunder;

e) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deposit \$100.00 cash with the city clerk, which deposit shall be refunded to the permittee after the permit period has ended, if said permittee has complied with all applicable provisions of law for the sale of fireworks, but to be forfeited and retained by the City in the event of noncompliance with such law;

f) Be accompanied by a nonrefundable application fee as specified in Chapter 3 of the Marina Municipal Code; and

g) Shall contain the following information: name and address of the applicant; applicant's business or organization status; the date the applicant was organized or first conducted business; the names and addresses of applicant's officers, if any; the location of applicant's principal and permanent place of business or meeting; the location where applicant will sell and store fireworks; and the applicant's State Board of Equalization Sales Tax Permit Number.

Provided the above requirements are met, permits shall be granted on a first-applied for, first-granted basis. Applicants for permits hereunder shall be notified by the Fire Chief or his or her designee of the granting or denial of their application for a permit on or before the first day of June each year.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.560 Section 5609.1.4 added.

Section 5609.1.4 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.4 Fireworks Stands, Regulations. All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is prohibited. Such stands shall be subject to the following regulations:

a) No person, corporation, partnership, organization or group other than the designated permittee shall operate the stand for which a permit is issued or share or otherwise participate in the profits from the operation of such stand.

b) No person other than individuals who are employees of the permittee or members of a permittee organization or group, or the spouses or children, eighteen years or older, of such persons, shall sell or otherwise participate in the sale of fireworks at such stand.

c) Fireworks stands shall comply with the provisions of the Building Code of the City, and all stands shall be erected under the supervision of the building official, who shall require that stands be constructed in a manner which will reasonably ensure the safety of attendants and patrons. An electrical permit and compliance with electrical codes are required.

d) If, in the judgment of the building official or fire department inspector, the construction of the stands or the conduct of the operators therein does not conform to the provisions of this ordinance, such officer may order the stands immediately closed.

e) No person shall be allowed in the interior of the stands except those directly employed in the sale of fireworks.

f) There shall be at least one supervisor, twenty-one (21) years of age or older, on duty at all times. There shall be no sale of fireworks to persons under sixteen (16) years of age.

g) No stand shall be placed closer than thirty (30) feet to any other building.

h) NO SMOKING signs shall be prominently displayed both inside and outside the stand. No smoking shall be permitted within the stand, or within five (5) feet of the stand.

- i) All weeds and combustible material shall be cleared from the location of the stand. No rubbish shall be allowed to accumulate in or around any fireworks stand, nor shall a fire nuisance be permitted to exist.
- j) No stand shall be erected before June 15th of any year. The premises on which the stand is erected shall be cleared of all structures and debris not later than noon of the 12th day of July following.
- k) All stands must be equipped with at least one 2 1/2-gallon water pressure type extinguisher for each exit in the stand. Each fire extinguisher shall have a current State Fire Marshal tag affixed and have been serviced within the last year.
- l) Each stand in excess of twenty (20) feet in length must have at least two (2) exits; and each stand in excess of forty (40) feet in length must have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty (20) feet.
- m) No stand shall be constructed with a depth of more than twelve (12) feet.
- n) All unsold safe and sane fireworks shall be returned to the wholesaler not later than the eighth (8) day of July.
- o) Fireworks shall be stored only in a metal type Conex container and be equipped with a lock for overnight storage at the firework stand location. No fireworks shall be stored in the temporary fireworks stands when the stand is not occupied and not in operation.
- p) In addition to the above, the permittee shall also conform to all regulations relating to the storage and sale of fireworks as set forth in the California Health and Safety Code and the Fireworks Rules and Regulations of the State Fire Marshal.
- q) No one shall possess, use, or sell dangerous or illegal fireworks from the stand or near the stand. Violation of this section shall cause for immediately revoking the Fire Department permit and the stand will be shut down.
- r) No fireworks shall be sold or discharged on the Marina Municipal Airport property.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.570 Section 5609.1.5 added.

Section 5609.1.5 is added to Chapter 56 of the California Fire Code to read as follows:

- a. 5609.1.5 NUMBER OF FIREWORK STAND PERMITS.
 - (a) Firework stand permits shall be limited to one (1) permit being available for firework stands in the City per every three thousand (3,000) in City population.
 - (b) As the population of the City increases, the then current limit on the number of permits for any calendar year shall be increased by one (1) permit per every three thousand (3,000) in additional City population. Population to be determined using the then current State of California Department of Finance, Demographic Research Unit's Population Estimates for California cities.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.580 - Section 5609.1.6 – Added

Section 5609.1.6 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.6 Safe and Sane Fireworks Cost Recovery Surcharge.

(a) All nonprofit retail booth locations shall assess a surcharge, on all retail sales of Safe and Sane Fireworks that occur in the City. The assessment shall be paid by the permittee upon presentment of an invoice by the City. The surcharge will be assessed to the public for each retail sale and is in addition to the retail price of the fireworks and will not be deducted from the permittees' net profit.

(b) The assessment is intended to raise sufficient funds for the City to pay for the cost of enforcement; inspection of stands; public education and awareness campaigns; enforcing the provisions of this Chapter, including extra personnel time, and cleanup of the Safe and Sane Fireworks trash and debris left behind each year. "Extra personnel time" shall be defined as employee or contracted employee time that the City would not otherwise incur but for the sale and use of Safe and Sane Fireworks. On or around the first regular City Council meeting in May of each year, the City Manager or his/her designee must submit to the City Council for its approval, a proposed budget for police, fire, administrative services and public works departments. The exact amount of the assessment shall be determined each year on or about the second regular City Council meeting in May of that year and notice sent to each of the permittees.. The fireworks wholesaler with whom each permittee has contracted shall be responsible for collecting the estimated assessment from their nonprofit organizations, advising the City of the amount of each estimated assessment collected, and holding the funds in trust pending notification by the City of the exact amount owed. After the City determines each permittee's share of the total annual sales volume, each permittee shall be billed for its share of the total assessment. A duplicate copy of each permittee's invoice will be sent to its fireworks wholesaler. Payment of the assessment by each permittee shall be due to the City 30 days after the issuance of the invoice. The expenses submitted are subject to review, audit and dispute by any permittee who has to pay the assessment that year. Any dispute of the assessment must be filed within 15 days of its receipt or any right to contest it will be deemed waived. The City Council is the final arbiter of any disputed assessment. The entire surcharge amount shall be deposited with the City. The City Council shall consider giving a credit toward future surcharge at the second City Council meeting of May.

(c) Failure by any permittee to pay the amount assessed to it by the City shall be cause to bar the permittee from selling Safe and Sane Fireworks in the future, until the assessment is paid in full. Furthermore, if the assessment is not paid by the due date, it shall be subject to 10% penalty for each month or portion of a month that it is late.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.590 Section D103.2 – Amended

Section D103.2 is amended to read as follows:

D103.2 Grade. Fire apparatus access roads shall not exceed 15 percent in grade with a maximum side slope of 5%.

EXCEPTION: Grades steeper than 15 percent, if approved by the fire code official, shall be paved with perpendicularly grooved concrete.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.600 Appendix P adopted and added.

Appendix P is adopted and added to read:

APPENDIX P: Standard Fire Conditions for Single Family Dwellings

SECTION P101 – GENERAL

P101.1 Scope. Applications for the construction or remodel of single family dwellings, including one- and two-family dwellings, townhomes, modular and manufactured homes, and mobile homes outside of established mobile home parks, shall be subject to the fire conditions in this appendix when required by the fire code official.

P101.2 Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

SECTION P102 – ROADS

P102.1 General. These conditions will be used primarily when conditioning a subdivision or other project that requires roads. Roads are defined as access pathways for more than two parcels.

P102.2 Road access. (FIRE 001). Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name.

P102.3 Roadway engineering. (FIRE 002). The grade for all roads shall not exceed 15 percent with a maximum side slope of 5%. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

P102.3 Dead end roads.

P102.3.1 Parcels less than one (1) acre. (FIRE 003) For parcels less than 1 acre, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 800 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

P102.3.2 Parcels greater than 1 acre and not exceeding 5 acres (FIRE 004) For parcels greater than 1 acre and not exceeding 5 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 1320 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

P102.3.3 Parcels greater than 5 acres and not exceeding 20 acres. (FIRE 005)

For parcels greater than 5 acres and not exceeding 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 2640 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

P102.3.4 Parcels greater than 20 acres. (FIRE 006) For parcels greater than 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 5280 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

SECTION P103 DRIVEWAYS, GATES, AND BRIDGES

P103.1 Driveways (FIRE 007) Driveways shall be defined as access pathways for one or two parcels. Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent with a maximum side slope of 5%. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. If permitted by the fire code official, grades over 15% shall be paved with perpendicularly grooved concrete. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be 30 feet long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

P103.2 Gates (FIRE 008) All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.

P103.3 Bridges (FIRE 009) All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than 12 feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges.

SECTION P104. SIGNS AND ADDRESSES

P104.1 Road signs (FIRE 010) All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, 1/2-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of the jurisdiction. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the fire code official.

P104.2 Addresses for buildings. (FIRE 011) All buildings shall be issued an address in accordance with jurisdictional requirements. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance.

SECTION P105 - WATER SUPPLY

P105.1 Water systems (FIRE 012) The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available

P105.2 RESERVED (FIRE 013)

P105.3 Single parcel fire protection water supply. (FIRE 014) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.

P105.4 Fire hydrants and valves. (FIRE 015) A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive

hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

SECTION P106 SETBACKS

P106.1 Setbacks (FIRE 016) All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the fire code official to provide the same practical effect.

SECTION P107 - VEGETATION AND DEBRIS DISPOSAL

P107.1 Disposition of vegetation and debris fuels. (FIRE 017) Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit.

SECTION P108 - GREENBELTS

P108.1 Greenbelts. (FIRE 018) Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the fire code official.

SECTION P109 – DEFENSIBLE SPACE

P109.1 Standard defensible space requirements. (FIRE 019) Combustible vegetation shall be removed from within a minimum of 100 feet or to the property line from structures, whichever is closer. Vegetation shall be no taller than four inches (4") high. Tree limbs shall be removed to 6 feet up from the ground and from within 10 feet from chimneys. Additional or alternate fire protection approved by the fire code official may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by the fire code official and other jurisdictional authorities.

P109.2 RESERVED (FIRE 020)

SECTION P110 FIRE PROTECTION SYSTEMS

P110.1 Residential fire sprinkler systems (Standard) (FIRE 021) The building(s) and attached structure(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection.

P110.2 RESERVED (FIRE 022)

P110.3 RESERVED (FIRE CONDITION 023)

P110.4 Residential fire alarm systems. (FIRE 024) The residence shall be fully protected with an approved household fire warning system as defined by NFPA 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the California Residential Code shall meet the requirements of the California Residential Code.

P110.5 RESERVED (FIRE 025)

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

15.32.610 Appendix Q adopted and added.

Appendix Q is adopted and added to read:

APPENDIX Q - ROOFS

SECTION Q101 – General

Q101.1 Scope. Applications for the construction or remodel of any buildings shall be subject to the roofing conditions of this appendix when conditioned by the fire code official.

Q101.2 Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

SECTION Q102 – NEW BUILDINGS

Q102.1 General. (FIRE 026) Roofing requirements for all new buildings shall be a minimum Class “A” roof assembly as defined by the International Building Code.

EXCEPTION: Greenhouses shall be exempt from the requirements of this section.

Q102.2 Very High Hazard Severity Zones. (FIRE 027) Roofing requirements for all new buildings in Very High Hazard Severity Zones shall be a minimum Class “A” roof assembly as defined by the International Building Code.

SECTION Q103 – EXISTING BUILDINGS

Q103.1 General. (FIRE 026) Roofing requirements for existing buildings when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class “A” roof assembly as defined by the International Building Code. Where there is no permit issued, this section is applicable to buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

Q103.2 Very High Hazard Severity Zone. (FIRE 027) Roofing requirements for existing buildings within a very high hazard severity zone when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class “A” roof assembly as defined by the International Building Code. Where there is no permit issued, this section is applicable to such buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

SECTION Q104 – ADDITIONS TO EXISTING BUILDINGS

Q104.1 General. The requirements of this Appendix shall apply to all additions to existing buildings, except that only the new portions of the roof shall be required to meet the requirements of this appendix.

(Ord. 2019-____ § 1 (Exh. A (16) (part)), 2019)

