

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: CEO / Office of Emergency Services *BD*

BOARD AGENDA # \*B-6

Urgent

Routine

AGENDA DATE January 8, 2008

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance Amending Chapter 16.55 of the Stanislaus County Code, and Adopting by Reference the California Fire Code, 2007 Edition with Certain Changes, Additions, and Modifications thereto and to Set a Public Hearing on January 29, 2008 at 9:15 a.m.

STAFF RECOMMENDATIONS:

1. Introduce and waive the first reading of Amending Chapter 16.55 of the Stanislaus County Code, and Adopting by Reference the California Fire Code, 2007 Edition with Certain Changes, Additions, and Modifications Thereto.
2. Set a public hearing on January 29, 2008 at 9:15 a.m. regarding the proposed ordinance.
3. Order the Clerk of the Board to give notice of the hearing as required by Government Code sections 50022.6, and 6066 and to publish the ordinance in accordance with Government Code section 25124(b).

FISCAL IMPACT:

There is minimal fiscal impact associated with this item for new code books, research, and staff training which will be funded through the current Fire Prevention budget. There is no additional cost to the General Fund.

BOARD ACTION AS FOLLOWS:

No. 2008-010

On motion of Supervisor Grover, Seconded by Supervisor O'Brien  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE C.S. 1025

*Christine Ferraro*

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-F-4

Approval to Introduce and Waive the First Reading of an Ordinance Amending Chapter 16.55 of the Stanislaus County Code, and Adopting by Reference the California Fire Code, 2007 Edition with Certain Changes, Additions, and Modifications thereto and to Set a Public Hearing on January 29, 2008 at 9:15 a.m.

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#### DISCUSSION:

The proposed ordinance, when adopted, will update the County's regulations for the enforcement of the Fire Code within the unincorporated area of the County, in accordance with the State Fire Code and local amendments.

The Stanislaus County Fire Warden's Office has responsibility for providing specified fire prevention services to the districts and cities that contribute to the Less Than Countywide Fire Tax. Among those responsibilities is the coordination of codes and ordinances. The California Fire Code is the primary code used to regulate and enforce fire safety standards in California. Every three years, as part of the California Building Standards Code, the State of California amends the International Fire Code and adopts it as the California Fire Code. The California Fire Code is applicable throughout the State 180 days after its adoption by the State. (Health and Safety Code §17958.) The state most recently adopted revisions to the California Fire Code on July 1, 2007. The proposed ordinance updates the local fire code to be consistent with the current California Fire Code/ International Fire Code.

The Fire Warden at the request of all the fire districts in the County is proposing to make changes to the California Fire Code to add requirements for automatic fire sprinkler systems for new construction over 5,000 square feet. The Cities of Modesto, Ceres and Turlock have already adopted similar requirements. The City of Turlock is more restrictive and requires automatic sprinkler systems in new construction over 4,000 square feet. In addition, the Cities of Riverbank, Waterford, Patterson, and Newman are in the process of adopting a 5,000 square foot sprinkler requirement.

A local jurisdiction, such as the County, may establish more restrictive standards in the County Fire Code than those contained in the State Fire code that are reasonably necessary because of local climatic, geological, or topographical conditions. (Health and Safety Code §§13143.5, 17958, 8941.5 (b).) Stanislaus County has historically amended the California Fire Code to better address local conditions. Before making changes or modifications to the State Fire Code, the County must make findings that the changes are necessary due to local climatic, geological or topographical conditions. (§17958.7.)

In addition, as part of the Fire Code adoption process, each local fire agency may also adopt a more restrictive building standard than those adopted by the State or the County. Once a local agency has followed the process to adopt their local ordinance, it must be transmitted to the County where it will apply. The Board of Supervisors may ratify, modify, or deny an adopted ordinance. Some local agencies have already adopted their

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ordinances; those are being brought to the Board under a separate item for ratification. As other agencies complete the adoption process, they will bring theirs to the Board for ratification as well.

Adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that, pursuant to CEQA guidelines section 15061(b)(3), there is no possibility that the ordinance may have a significant effect on the environment.

In accordance with Government Code section 50022.3 the Board must schedule a public hearing after the first reading of the title of the proposed ordinance and give notice in a publication of general circulation once a week for two successive weeks. At the public hearing, staff will recommend the Board:

- a. Find that the proposed changes and modification to the 2007 California Fire Code standards contained in the proposed ordinance are necessary because of local climatic, geographical, and/or topographical conditions, as detailed in the proposed ordinance;
- b. Adopt the ordinance amending Chapter 16.55 of the Stanislaus County Code, and Adopting by Reference the California Fire Code, 2007 Edition with certain changes, additions, and modifications thereto.
- c. Find that the proposed ordinance is exempt under the provision of the California Environmental Quality Act pursuant to State Guidelines section 15061(b)(3);
- d. Direct the Fire Marshal to file the adopted ordinance and the Board's findings with the California Building Standards Commission; and
- e. Order the Clerk of the Board to publish the ordinance in accordance with Government Code section 25124(b).

**POLICY ISSUES:**

The Board should determine if approval of this ordinance supports the Board's priorities of a safe community and a healthy community.

**STAFFING:**

There is no staffing impact associated with this request.

ORDINANCE NO. C.S. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 16.55 OF THE STANISLAUS COUNTY CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA FIRE CODE, 2007 EDITION WITH CERTAIN CHANGES, ADDITIONS, AND MODIFICATIONS THERETO**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

**Section 1. Section 16.55.010 of the Stanislaus County Code is amended to read as follows:**

16.55.010 California Fire Code Adopted.

Except as hereafter changed or modified, the California Fire Code, 2007 Edition, including Appendix Chapters 1 and 4, Appendices A, B, C, D, E, F, G, and H as published by the International Code Council, are adopted by reference and incorporated in this Chapter 16.55 as if fully set forth herein, and shall be known and referred to as the Fire Code of the County. A copy of said fire code, together with all adopted appendices, shall be kept and maintained in the office of Stanislaus County Fire Prevention Bureau for use and examination by the public.

**Section 2. Section 16.55.020 Deletions of the Stanislaus County Code is hereby repealed.**

**Section 3. Section 16.55.040 of the Stanislaus County Code is amended to read as follows:**

16.55.040 Amendments, Deletions and Additions to the California Fire Code and Appendices

The following sections of the California Fire Code, are amended, deleted, and added as follows:

1. Section 307.1.2 Permitted Open Burning is hereby added to the Fire Code to read as follows:

Section 307.1.2 Permitted Open Burning. No person shall kindle, conduct, or maintain any burning of grass, weeds, agricultural trimmings, or other combustibles or authorize any such fire to be kindled, conducted, or maintained without a permit as required by the San Joaquin Valley Unified Air Pollution Control District and in compliance with all safeguards pursuant thereto. Any such permitted burning shall be restricted to

agricultural purposes and confined to areas of the County in which agricultural uses are lawful.

2. Section 309.7 Powered Industrial trucks is hereby added to the Fire Code to read as follows:

309.7 Powered Industrial trucks. Powered Industrial trucks shall be listed and labeled for use in the environment intended and shall be in accordance with nationally recognized standards.

3. Section 312.2 of the Fire Code is hereby amended to read as follows:

312.2 Protection from vehicles: Guard posts or other approved means shall be provided to protect storage tanks and connected piping, valves and fittings; dispensing areas; and use areas subject to vehicular damage. When guard posts are installed, the posts shall be:

1. Constructed of steel not less than six (6) inches in diameter and concrete filled,
2. Spaced not more than four (4) feet between posts on center,
3. Set not less than three (3) feet deep in a concrete footing of not less than a fifteen (15) inch diameter,
4. Set with the top of the posts not less than three (3) feet above ground, and
5. Located not less than five (5) feet from the tank.

4. Section 405.10 False Alarms is hereby added to the Fire Code to read as follows:

405.10 False Alarms. No person shall give, signal, or transmit a false alarm, or cause or permit a false alarm to be given, signaled or transmitted. The County may adopt by resolution reasonable fees to recover the costs associated with responses to building or structures that have excessive false alarms.

5. Fire Code section 508.5.1 is amended to read as follows:

508.5.1 Required Water Supply for fire protection. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet (45 720 mm) from a water supply on a public street, as measured by an approved route around the exterior of the faculty or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the fire code official. Fire hydrants shall be located on the supply side of the fire suppression system check valve. Fire hydrants shall be accessible to the Fire Department apparatus by roads meeting the requirements of Section 503.1.

6. Fire Code section 903.2 is amended to add the following at the end of the paragraph:

Area Separation walls shall not be used in lieu of the automatic sprinklers required by this section.

7. Fire Code section 903.2.1.1 Group A-1, subparagraph 1 is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

8. Fire Code section 903.2.1.2 Group A-2, subparagraph 1 is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

9. Fire Code section 903.2.1.3 Group A-3, subparagraph 1 is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

10. Fire Code section 903.2.1.4 Group A-4, subparagraph 1 is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

11. Fire Code section 903.2.2 Group E, subparagraph 1 is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

12. Fire Code section 903.2.3 Group F-1, subparagraph 1 is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

13. Fire Code section 903.2.6 Group M, subparagraph 1 is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

14. Fire Code section 903.2.7, is amended to read as follows:

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area for any building exceeding 5,000 square feet (465 m<sup>2</sup>) or for all residential structures containing 5 or more dwelling units under a single roof. For buildings and structures classified as R-3 occupancies, the square footage of the structures shall include garages and all other enclosed spaces under one roof. Garages that share at least one common wall, roof or attic with the dwelling shall be considered under the same roof as the dwelling and shall be provided with automatic fire sprinklers when required by this chapter.

15. Section 903.2.7.1 Buildings 30 Feet or 3 Stories in Height is hereby added to the Fire Code to read as follows

903.2.7.1 Buildings 30 Feet or 3 Stories in Height. An automatic fire sprinkler system shall be installed throughout buildings with a floor level that is located 30 feet (9.144 m) or more above the lowest level of fire department vehicle access or 3 or more stories in height.

16. Section 903.2.7.2 Cluster Homes is hereby added to the Fire Code to read as follows:

903.2.7.2 Cluster homes. Cluster homes will be defined as a community of three or more buildings or structures over 120 square feet (11 m<sup>2</sup>) in area, with a single point of fire truck access, when the access is less than 30 feet (9 m) in width. Constructed of lightweight building materials spaced ten feet or less apart. The construction is Type 5, in which walls, beams, girders, trusses and roofs are made of dimensional lumber. They have narrow travel lanes separating each occupancy.

17. Section 903.2.7.3. R Occupancy is hereby added to the Fire Code to read as follows:

903.2.7.3. R Occupancy. Any building on plot sizes less than 5000 square feet.

18. Fire Code section 903.2.8 Group S-1, subparagraph 1, is amended to read as follows.

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

19. Fire Code section 903.2.8.1 Repair Garages, subparagraph 1, is amended to read as follows:

1. The building exceeds 5,000 square feet (465 m<sup>2</sup>).

20. Section 903.2.18 Existing Buildings and Structures is hereby added to the Fire Code to read as follows:

903.2.18 Existing Buildings and Structures. An approved automatic fire sprinkler system shall be installed in all existing buildings and structures when additions, alterations, or repairs are made within any twelve-month period that exceed fifty (50) percent of the total value (current county assessed valuation or valuation determined by a certified real estate appraiser) of an existing building or structure that exceeds five thousand (5,000) square feet (total floor area under roof) or which result in said building or structure exceeding five thousand (5,000) square feet (total floor area under roof).

Exceptions:

(1) Non-residential buildings and structures that are located in Agricultural zones and permitted by the Planning Department under Stanislaus County Code Section 21.20.020(A).

(2) All buildings and structures classifies as R-3 or U occupancies.

- (3) Each portion of an existing building or structure separated by one or more area separation walls, constructed in accordance with the current adopted edition of the Building Code, when each portion does not exceed five thousand (5,000) square feet.
- (4) Existing buildings or structures and their addition(s) are exempt from automatic sprinklers when the cost of the remodel of the existing building(s) or structures(s) is less than fifty (50) percent of the value (current county assessed valuation for improvements) of the buildings or structures, and sprinklers are permitted to be omitted from the addition(s), due to type of construction, use, or other special situations, by the California Fire Code or National Fire Protection Association Standard 13.

21. Section 903.2.18.1 Isolated Buildings or Groups of Buildings is hereby added to the Fire Code to read as follows:

903.2.18.1 Isolated Buildings or Groups of Buildings. For isolated buildings or groups of buildings (meeting the requirements of subsection 6 or 7 in rural area where no water is available from a municipal water system, a fire sprinkler system meeting all of the following criteria shall be considered as an alternative to systems that are in full compliance with the applicable NFPA Standard.

1. Sprinklers will be designed and installed per the applicable NFPA Standards.
2. The required sprinkler demand (not including hose stream allowance) shall be provided by a hydro pneumatic tank for a minimum duration of 15 minutes. The Tank may be pressurized by the domestic well pump and may serve both the fire supply and domestic supply for the building. The tank must have a capacity equal to or greater than the calculated sprinkler demand. Calculations shall be provided to determine the actual size of tank required for each project.
3. A separate storage tank or other water source acceptable to the Fire Chief shall be provided to accommodate sprinkler and hose demand for an additional 30 minutes beyond the storage required in 8(b).
4. An Approved sprinkler system monitoring alarm as defined in section 1003.3.1 of the Stanislaus County Fire Code shall be provided.

Exception: Buildings and structures classified as R-3 are exempt from the storage tank requirements of 8(c).

22. Section 903.2.19 U Occupancy is hereby added to the Fire Code to read as follows:

903.2.19 U Occupancy. An automatic fire sprinkler system shall be installed in any building that exceeds 5,000 square feet (465 m<sup>2</sup>).

Exception:



(1) Non-residential buildings and unoccupied structures that are located in Agricultural zones and permitted by the Planning Department under Stanislaus County Code Section 21.20.020(A).

23. Section 903.2.20 B Occupancy is hereby added to the Fire Code to read as follows:

903.2.20 B Occupancy. An automatic fire sprinkler system shall be installed throughout all buildings when the building exceeds 5,000 square feet (465 m<sup>2</sup>).

24. Section 907.1.5 Fire Alarm Systems is hereby added to the Fire Code to read as follows:

907.1.5 Fire Alarm Systems. A certificate from Underwriters Laboratories (UL) shall be required on all commercial fire alarm systems installed after the effective date of this ordinance. UL certification is required to be maintained for commercial fire alarm systems throughout the life of the alarmed building.

25. Section 907.2.1.4 Supervision is hereby added to the Fire Code to read as follows:

907.2.1.4 Supervision. Places of assembly shall be under the constant supervision of a competent adult on the premises during the time that the premises are open to the public. Communications. When required by the Fire Chief, places of assembly shall be provided with a method for notifying the fire department in the event of an emergency. Such method can consist of a telephone, an alarm system connected to the fire department or other approved agency, or other approved means. Methods of notifying the fire department shall be readily available to the public.

26. Section 1008.1.10 Special Latching Devices is hereby added to the Fire Code to read as follows:

1008.1.10 Special Latching Devices. An exit door from a business which has as its primary commercial activity the sale, resale, exchange, or trade of gold or silver coin, bullion, or metal ore may be equipped with a locking mechanism which is not able open from inside without the use of a key or which requires special knowledge or effort so long as all of the following conditions are met during all times that the business is open to the public:

1. The locking mechanism is connected to a smoke detector system in such a manner that activation or malfunction of the smoke detector system results in automatically unlocking the exit door;
2. The locking mechanism is connected to the electrical power supply for the building in such a manner that any loss of electrical power to the building results in automatically unlocking the exit door;

3. Two (2) employees must be within the area of the premises used for retail purposes, including adjacent service and utility rooms, at all times; and
4. A sign is permanently posted upon the premises so as to be readily seen by any person or persons entering the business stating that the management electronically controls ingress and egress.

27. Section 2604.2.6 of the Fire Code is hereby amended by adding the following to the end of the paragraph:

When required by the Fire Chief a minimum 2-A: 20B: C-rated fire extinguisher shall be mounted to each portable welding cart.

28. Section 2701.5.3 Key Box is hereby added to the Fire Code to read as follows:

2701.5.3 Key Box. When required by the Fire Chief, an approved key box, sized to contain emergency information, shall be provided.

29. Section 2703.3.1.4 of the Fire Code is hereby amended to read as follows:

2703.3.1.4 Responsibility for cleanup. The person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. When deemed necessary by the Fire Chief, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be born by the owner, operator or other person responsible for the unauthorized discharge. The remedy provided by this section shall be in addition to any other remedies provided by law. For purposes of this section, costs incurred by the County shall include, but shall not necessarily be limited to, the following: actual labor costs of County personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the County; and cost of any contract labor and materials. The authority to recover costs under this section shall not include actual fire suppression services that are normally or usually provided by the Fire Department.

30. Section 3308.1 is amended to read as follows:

3308.1 General. The display of fireworks, including proximate audience displays and pyrotechnic special effects in theatrical, and group entertainment productions, shall comply with this chapter, Title 19 California Code of Regulations, Chapter 6 - Fireworks, and Stanislaus County Code Chapter 9.84 Fireworks.

31. Section 3404.2.7.3.5.4 Protected aboveground tanks is hereby added to the Fire Code to read as follows:

3404.2.7.3.5.4 Protected aboveground tanks. Protected aboveground tanks and connected piping shall be maintained in a safe operating condition. Protected aboveground tanks shall be maintained in accordance with their listings. Damage to protected aboveground tanks shall be repaired using material having equal or greater strength and fire resistance or the protected aboveground tank shall be replaced or taken out of service.

32. Section 3404.2.9.5.1 of the Fire Code is hereby amended to read as follows:

3404.2.9.5.1 Locations where above-ground tanks are prohibited. Storage of Class I and II Liquids in aboveground tanks outside of buildings is prohibited, with the exception of protected tanks designed, installed and maintained in accordance with the 2007 California Fire Code. The provisions of this section shall not apply to facilities for the production, generation, or transmission of electric energy that provide power to entities furnishing retail electrical services to the general public within Stanislaus County.

33. Section 3405.3.3 of the Fire Code is hereby amended to read as follows:

3405.3.3 Heating, lighting and cooking appliances. Heating, lighting and cooking appliances which utilize Class I, Class II, and Class III liquids shall not be operated within a building or structure.

Exception: Operation in single-family dwellings.

34. Section 3406.4 of the Fire Code is hereby amended to read as follows:

3406.4 Bulk plants or terminals. The construction of new bulk plants for storage of flammable or combustible liquids is restricted to areas of Stanislaus County zoned Heavy Industrial Zones. All existing nonconforming bulk plants for storage of flammable or combustible liquids, which substantially comply with the requirements of this Code, may be continued in use if the Fire Chief grants a permit.

35. Section 3406.5.1.1 of the Fire Code is hereby amended by adding the following paragraph:

Tank vehicles and tank cars shall be unloaded as soon as possible after arrival at point of delivery and shall not be used as storage tanks. Unless otherwise approved, a tank car shall not be allowed to remain on a siding at the point of delivery for more than twenty-four (24) hours while connected for transfer operations.

36. Section 3801.2 of the Fire Code is hereby amended to read as follows:

3801.2 Permits. Permits shall be required as set forth in Appendix Chapter1, Sections 105.6 and 105.7. Distributors shall not fill an LP-gas container for which a permit is required unless the fire code official has issued a permit for installation for that location.

Exception:

1. Containers not exceeding five (5) gallon water capacity, used for “barbecue” cooking, when used and stored outside of buildings.
2. Approved containers not exceeding sixteen and four-tenths (16.4) ounces when displayed for sale in mercantile occupancies.
3. Factory installed containers for recreational vehicles not exceeding ten (10) gallon water capacity.
4. Factory installed tanks that are permanently attached to recreational vehicles.

37. Section 3804.2 of the Fire Code is amended as follows:

3804.2 Maximum capacity within established limits. The outside storage of liquefied petroleum gas (LP-gas) shall conform to the provisions of Stanislaus County zoning ordinances. The outside storage and use of liquefied petroleum gases is restricted as specified in this section.

1. Storage and dispensing of LP-gas for resale purposes, into approved containers and vehicles, is restricted to those areas of the Stanislaus County zoned as Commercial-Light Industrial, Heavy Industrial, and, in addition thereto, to other commercially zoned properties used as automotive service stations. Only qualified persons shall perform dispensing.
2. Dispensing of LP-gas for private use is restricted to those zones identified in subsection 1, and when approved by the Fire Chief, may be permitted in those areas of the Stanislaus County zoned General Commercial. Only qualified persons shall perform dispensing.
3. For cooking, lighting, or heating in a building, only on a property that does not have natural gas service existing on a boundary line of said property or when prohibition of such storage would cause undue hardship.
4. For temporary use on construction sites, when authorized by the Fire Chief.
5. For use as an alternative fuel supply for an emergency standby generator, when authorized by the Fire Chief.
6. For use with certain mobile vending and certain commercial barbecue equipment and other specific uses when authorized by the Fire Chief.
7. For use by Artisans in pursuit of their trade, when authorized by the Fire Chief.
8. Storage of portable containers awaiting exchange may be permitted in commercially zoned areas of the Stanislaus County, including those zoned Neighborhood Commercial, when approved by the Fire Chief and stored in accordance with Section 3809. Such storage shall be located a minimum of twenty (20) feet from any fuel dispenser.
9. Containers that exceed 2,000 gallons shall comply with procedure FPB 82-01

38. Fire Code Appendix Chapter 1, section 109.2.2 is amended to read as follows:

109.2.2 Compliance with Orders, Notices and Tags. Criminal Violations. It shall be unlawful for any person to violate any provision or to fail to comply with any of the requirements of this chapter. A violation of any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall constitute a misdemeanor; except that notwithstanding any other provision of this code, any such violation constituting a misdemeanor under this code may, in the discretion of the Stanislaus County District Attorney, be charged and prosecuted as an infraction. Any person convicted of a misdemeanor under the provisions of this chapter, unless provision is otherwise herein made, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for a period of not more than six (6) months or by both fine and imprisonment. Any person convicted of an infraction under the provisions of this code, unless provision is otherwise herein made, shall be punishable by a fine only as follows: Upon a first conviction, by a fine of not exceeding two hundred fifty dollars (\$250.00) and for a second conviction or any subsequent conviction within a period of one year, by a fine of not exceeding five hundred dollars (\$500.00). Each such person shall be charged with a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued or permitted by such person and shall, upon conviction, be punished accordingly.

39. Fire Code Appendix, Chapter 1, sections 105.6.15, 105.6.19, and 105.6.30 related to permits are deleted in their entirety.

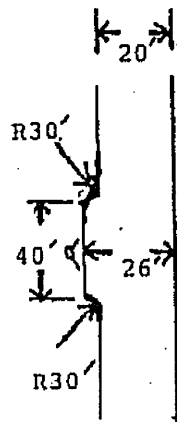
40. Fire Code Appendix Chapter 1, section 109.3 is amended to read as follows:  
Section 109.3 Violation Penalties. Persons who shall violate a provision of this code shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directives of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

41. Fire Code Appendix Chapter 1, section 111.4 is amended to read as follows:  
Section 111.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500 dollars or more than \$1,000 dollars.

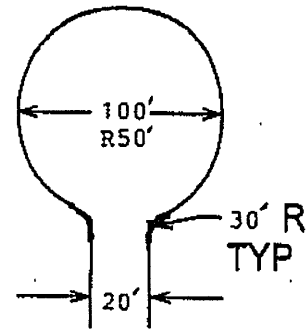
42. Fire Code Appendix D, Table D103.4 is amended to read as follows:  
 Requirements for Dead-End Fire Apparatus Access Roads

Length (feet)	Width (feet)	Turnarounds Required
0-150	20	None Required
151-500	20	100-foot hammerhead or 100 foot cul-de-sac
501-750	26	100-foot hammerhead or 100 foot cul-de-sac
Over 750	Special Approval Required	

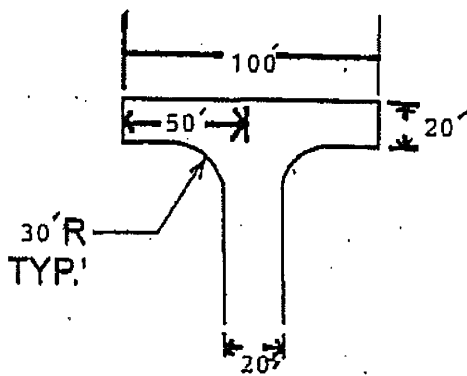
43. Fire Code Appendix D, Figure D103.1 is amended to read as follows:  
 Dead-End Fire Apparatus Access Road Turnaround



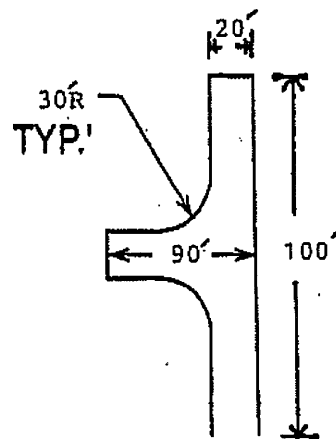
MINIMUM CLEARANCE  
 AROUND A FIRE  
 HYDRANT



100' DIAMETER  
 CUL-DE-SAC



100' HAMMERHEAD



ACCEPTABLE ALTERNATIVE  
 TO 100' HAMMERHEAD

Note: Drawing not to scale.

**Section 4. Section 16.55.045 Additions of the Stanislaus County Code is hereby repealed.**

**Section 5. Section 16.55.220 Permits--Contents of the Stanislaus County Code is hereby repealed.**

**Section 6. Section 16.55.230 Fuel Tank Standards of the Stanislaus County Code is hereby repealed.**

**Section 7. Section 16.55.250 Homes--Fire Alarms Required of the Stanislaus County Code is hereby repealed.**

**Section 8. Section 16.55.255 Day Care--Fire Alarms Required of the Stanislaus County Code is hereby repealed.**

**Section 9. Findings for Deletions, Modifications and Additions to the California Fire Code, 2007 Edition.**

Various provisions of this ordinance contain changes, modifications and additions to the 2007 Edition of the California Fire Code. Many changes are administrative in nature and do not constitute changes or modifications to requirements contained in the California Fire Code.

Pursuant to California Health and Safety Code Section 17958.5, 17958.7 and 18941.5 the Board of Supervisors hereby expressly finds that all of the changes and modifications to the California Fire Code made by this ordinance, and which are not merely administrative changes, are reasonably necessary because of local climatic, geological or topographical conditions in Stanislaus County as more particularly described in the table set forth below.

Fire Code Section(s)	Condition	Findings
307.1.2	Climatic, Geologic and Topographic	1,2,3,4,5,6
309.7	C, G, and T	1,2,3,4,5,6
312.2	Topographic	3,4,5
405.10	Topographic	3,4,5
508.5.1	C, G, and T	1,2,3,4,5,6
903.2	C, G, and T	1,2,3,4,5,6
903.2.1.1	C, G, and T	1,2,3,4,5,6
903.2.1.2	C, G, and T	1,2,3,4,5,6
903.2.1.3	C, G, and T	1,2,3,4,5,6
903.2.1.4	C, G, and T	1,2,3,4,5,6
903.2.2	C, G, and T	1,2,3,4,5,6
903.2.3	C, G, and T	1,2,3,4,5,6

903.2.6	C, G , and T	1,2,3,4,5,6
903.2.7	C, G , and T	1,2,3,4,5,6
903.2.7.1	C, G , and T	1,2,3,4,5,6
903.2.7.2	C, G , and T	1,2,3,4,5,6
903.2.7.3	C, G , and T	1,2,3,4,5,6
903.2.8	C, G , and T	1,2,3,4,5,6
903.2.8.1	C, G , and T	1,2,3,4,5,6
903.2.18	C, G , and T	1,2,3,4,5,6
903.2.18.1	C, G , and T	1,2,3,4,5,6
903.2.19	C, G , and T	1,2,3,4,5,6
903.2.20	C, G , and T	1,2,3,4,5,6
907.1.5	C, G , and T	1,2,3,4,5,6
907.2.1.4	C, G , and T	1,2,3,4,5,6
1008.1.10	Administrative	
2604.2.6	C, G, and T	1,2,3,4,5,6
2701.5.3	C, G , and T	1,2,3,4,5,6
2703.3.1.4	A	1,2,3,4,5,6
3308.1	A, C, G , and T	1,2,3,4,5,6
3404.2.7.3.5.4	C, G , and T	1,2,3,4,5,6
3404.2.9.5.1	C, G , and T	1,2,3,4,5,6
3405.3.3	C, G , and T	1,2,3,4,5,6
3406.4	C, G , and T	1,2,3,4,5,6
3406.5.1.1	C, G , and T	1,2,3,4,5,6
3801.2	C, G , and T	1,2,3,4,5,6
3804.2	C, G , and T	1,2,3,4,5,6
Appendix, Ch. 1, 105.6.15	Administrative	
Appendix, Ch. 1, 105.6.19	Administrative	
Appendix, Ch. 1, 105.6.30	Administrative	
Appendix, Ch. 1, 109.2.2	Administrative	
Appendix, Ch. 1, 109.3	Administrative	
Appendix, Ch. 1, 111.4	Administrative	
Appendix D Table D103.4	C, G , and T	1,2,3,4,5,6
Appendix D Figure D103.1	C, G , and T	1,2,3,4,5,6



1. Summer Weather Conditions are very dry, hot, and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading.
2. Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response.
3. Fire response is delayed by railroad tracks which:
  - Extend through the county, running north to south from Riverbank through Empire, Hughson, and Denair;
  - Extend through the county, running north to south from Salida through Modesto and Turlock;
  - Extend through the county, running north to south from Modesto, through Ceres, and the rural area west of Keyes and Turlock;
  - Extend through the eastern portion of the county, running east and west from Oakdale to the county line; and
  - Extend through the county, running north and south through Grayson, Patterson, Crows Landing and Newman, parallel to Highway 33.
4. Fire response is delayed by the following rivers and creeks:
  - The San Joaquin River, which runs north to south in the western portion of the county;
  - The Stanislaus River, which runs east to west from the eastern edge near Knights Ferry through Oakdale, Riverbank, and Salida before it reaches the San Joaquin near the western county boundary;
  - The Tuolumne river, which runs east to west from La Grange and through Modesto before it reaches the San Joaquin near the western county boundary; and
  - Dry Creek, an uncontrolled creek that originates in the watershed in the eastern foothills and runs west and southwest until it reaches the Tuolumne River in Modesto.
5. Irrigation canals run through nearly every community and restrict access to neighborhoods and developments throughout the county.
6. Many areas of Stanislaus County are rural agricultural and many residents are not located near fire stations.

**Section 6.** This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California in accordance with Government Code section 21124(b)(1).

Upon motion of Supervisor \_\_\_\_\_ seconded by Supervisor \_\_\_\_\_, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2008, by the following-called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

\_\_\_\_\_  
Chairman of the Board of Supervisors of  
the County of Stanislaus, State of  
California

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk of the  
Board of Supervisors of the County of Stanislaus,  
State of California

By \_\_\_\_\_  
Liz King, Deputy Clerk

APPROVED AS TO FORM:

MICHAEL H. KRAUSNICK  
County Counsel

By \_\_\_\_\_  
Thomas E. Boze  
Deputy County Counsel

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on January 29, 2008 at 9:15 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to hold a public hearing to consider the adoption of an Ordinance Amending Chapter 16.55 of the Stanislaus County Code, and Adopting by Reference the California Fire Code, 2007 Edition with Certain Changes, Additions, and Modifications Thereto. This ordinance amends those sections of Chapter 16.55 of the Stanislaus County Code that incorporate superseded Fire Code standards to incorporate by reference the new 2007 California Fire Code, as published by the California Building Standards Commission, and makes changes to those standards as required by local climatic, geologic, and topographic conditions. The ordinance further adopts administrative procedures for implementation of the 2007 Fire Code Code.

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinance and the California Fire Code, 2007 Edition will be available for review at the Office of the Fire Warden Fire Prevention Bureau at (209) 552-3700, 3705 Oakdale Road, Modesto, California 95357.

NOTICE IS FURTHER GIVEN that at any time prior to the time fixed for the hearing, any interested person may file written comments on the proposed ordinance with the Clerk of the Board of Supervisors of the County of Stanislaus. The Board of Supervisors will consider both oral and written comments at the time and place fixed for hearing.

For further information, contact Ken Slamon, Fire Marshal, Office of the Fire Warden Fire Prevention Bureau at (209) 552-3700, 3705 Oakdale Road, Modesto, California 95357.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: January 8, 2008

ATTEST: Christine Ferraro Tallman, Clerk of  
the Board of Supervisors  
of the County of Stanislaus,  
State of California.

BY: Elizabeth A. King, Assistant Clerk

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

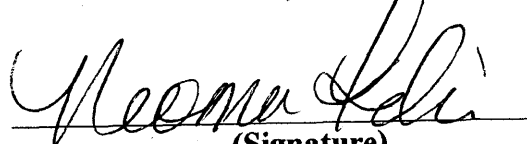
**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

**JANUARY 15, 22, 2008**

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at **MODESTO, California** on

**JANUARY 22, 2008**

  
(Signature)

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**BY ORDER OF THE BOARD OF SUPERVISORS**

**DATED: January 8, 2008**

**ATTEST: Christine Ferraro Tallman,**  
Clerk of the Board of Supervisors of the County of Stanislaus, State of California.

**BY: Elizabeth A. King, Assistant Clerk**  
**JANUARY 15, 22, 2008**