

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

DEPT: CEO-Office of Emergency Svcs/Fire Warden

BOARD AGENDA # \*B-12

Urgent

Routine

*G. Hineshaw*

AGENDA DATE December 14, 2010

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, 2010 Edition with Certain Changes, Additions, and Modifications thereto and to Set a Public Hearing on January 18, 2011 at 6:35 p.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, 2010 Edition with certain changes, additions, and modifications thereto.
2. Set a public hearing on January 18, 2011 at 6:35 p.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. 2010-756

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION: **INTRODUCED AND WAIVE THE FIRST READING OF ORDINANCE C.S. 1097**

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-N-6

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, 2010 Edition with Certain Changes, Additions, and Modifications Thereto and to Set a Public Hearing on January 18, 2011 at 6:35 p.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, 2010. The proposed ordinance updates the local fire code to be consistent with the current California Fire Code/ International Fire Code.

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 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

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, 2010 Edition with Certain Changes, Additions, and Modifications Thereto and to Set a Public Hearing on January 18, 2011 at 6:35 p.m.  
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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 2010 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, 2010 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.

**CONTACT:** Gary Hinshaw 552-3600

ORDINANCE NO. CS. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 16.55 OF THE STANISLAUS COUNTY CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA FIRE CODE, 2010 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, 2010 Edition, including Appendix Chapter 4, and Appendices A, B, C, D, E, F, G, H, I and J 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 16.55.030 of the Stanislaus County Code is hereby deleted.**

**Section 3. 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. Fire Code Sections 105.6.15, 105.6.19, and 105.6.30 related to permits are deleted in their entirety.
2. Fire Code Section 109.2.2 is amended to read as follows:

**Section 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.

3. Fire Code Section 109.3 is amended to read as follows:

**Section 109.3 Violation Penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or 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.

4. Fire Code 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.

5. 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.

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

**Section 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.

7. Section 318 Solar Photovoltaic Systems is hereby added to the Fire Code to read as follows:

**Section 318 Solar Photovoltaic Systems.** Solar photovoltaic systems shall be designed, constructed and installed per the California Department of Forestry and Fire Protection, Office of the State Fire Marshal Solar Photovoltaic Installation Guidelines.

8. Fire Code Section 401.5 False Alarms is hereby amended to read as follows:

**Section 401.5 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.

9. Fire Code section 507.1 is amended to read as follows:

**Section 507.1 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. 2

10. Section 507.3.1 Fire Protection Water Supply For Pallets is hereby added to the Fire Code read as follows.

**Section 507.3.1 Fire Protection Water Supply for Pallets.** Fire protection water supply for pallets shall be in accordance with section 1909.5

11. Section 907.1.6 Fire Alarm Systems is hereby added to the Fire Code to read as follows:

**Section 907.1.6 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.

12. Section 907.2.1.3 Supervision Is hereby added to the Fire Code to read as follows:

**Section 907.2.1.3 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.

13. Section 907.2.1.4 Communication is hereby added to the Fire Code to read as follows:

**Section 907.2.1.4 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 department shall be readily available to the public.

14. Section 1008.1.9.9 Special Latching Devices is hereby added to the Fire Code to read as follows:

**Section 1008.1.9.9 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.

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

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

16. Fire Code Section 2703.3.1.4 Responsibility for cleanup is hereby amended to read as follows:

**Section 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 workers 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.

17. Section 3404.2.9.6.1 of the Fire Code is hereby amended to read as follows:

**Section 3404.2.9.6.1 Locations Where Aboveground 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.

18. Section 3404.2.9.7.1.1 Protected aboveground tanks is hereby added to the Fire Code to read as follows:

**Section 3404.2.9.7.1.1 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.

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

**Section 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

20. Section 3405.3.5.2 number 7 of the 2010 California Fire Code is hereby amended by adding 7.1: The manufacture and storage of

biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

21. Section 3405.3.5.2 paragraph number 7 of the Fire Code is hereby amended by adding paragraph 7.2: The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.
22. **Section 3406.4 Bulk Plants or Terminals currently reads as follows:** Portions of properties where flammable and combustible liquids are received by tank vessels, pipelines, tank cars or tank vehicles and which are stored or blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tanks cars, tank vehicles or containers shall be in accordance with Section 3406.4.1 through 3406.4.10.4.

Section 3406.4 of the Fire Code is hereby amended by adding the following at the end of the above paragraph:

**Section 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.

23. Section 3406.5.1.1 Location of the Fire Code is hereby amended by adding the following section:

**Section 3406.5.1.1.1 Tank Vehicles and Tank Cars.** 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.

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

**Section 3801.2 Permits.** Permits shall be required as set forth 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.
25. Section 3804.2 of the Fire Code is amended to read as follows:

**Section 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.

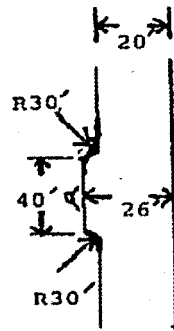
9. Containers that exceed 2,000 gallons shall comply with procedure FPB 82-01
  
26. Fire Code Appendix D, Table D103.4 is amended to read as follows:

**Requirements for Dead-End Fire Apparatus Access Roads**

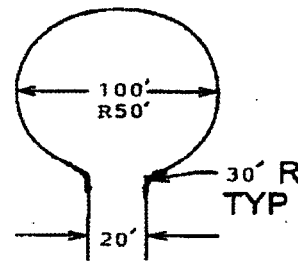
Length (feet)	Width (feet)	Turnarounds Required
0-150	20	None Required
151-500	20	100-foot hammerhead or 100 foot cul-de-sac
501-750	26	100-foot hammerhead or 100 foot cul-de-sac
Over 750	Special Approval Required	

27. Fire Code Appendix D, Figure D103.1 is amended to read as follows:

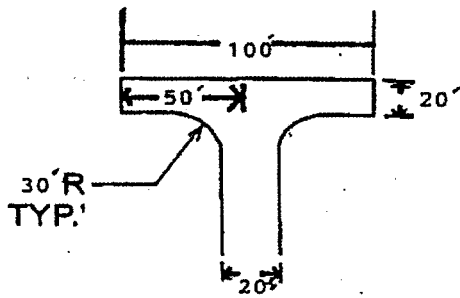
### Dead-End Fire Apparatus Access Road Turnaround



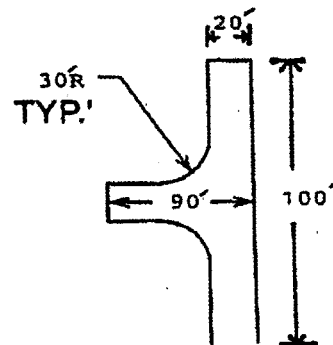
MINIMUM CLEARANCE  
AROUND A FIRE  
HYDRANT



100' DIAMETER  
CUL-DE-SAC



100' HAMMERHEAD



ACCEPTABLE ALTERNATIVE  
TO 100' HAMMERHEAD

Note: Drawing not to scale.

**Section 4. Findings for Deletions, Modifications and Additions to the California Fire Code, 2010 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
105.6.15	Administrative	
105.6.19	Administrative	
105.6.30	Administrative	
109.2.2	Administrative	
109.3	Administrative	
111.4	Administrative	
307.1.2	Climatic, Geologic and Topographic	1,2,3,4,5,6
312.2	Topographic	3,4,5
318	Topographic	3,4,5
405.1.5	Topographic	3,4,5
507.1	Climatic, Geologic and Topographic	1,2,3,4,5,6
507.3.1	Climatic, Geologic and Topographic	1,2,3,4,5,6
907.1.6	Climatic, Geologic and Topographic	1,2,3,4,5,6

907.2.1. 3	Climatic, Geologic and Topographic	1,2,3,4,5,6
1008.1. 9.9	Administrative	
2701 .5.3	Climatic, Geologic and Topographic	1,2,3,4,5,6
2703.3.1.4	Administrative	1,2,3,4,5,6
3404.2. 9.7.1.1	Climatic, Geologic and Topographic	1,2,3,4,5,6
3404.2.9.6.1	Climatic, Geologic and Topographic	1,2,3,4,5,6
3404.3.5.2 No. 7.1	Climatic, Geologic and Topographic	1,2,3,4,5,6
3404.3.5.2 No. 7.2	Climatic, Geologic and Topographic	1,2,3,4,5,6
3405.3.3	Climatic, Geologic and Topographic	1,2,3,4,5,6
3405.3.5.2	Climatic, Geologic and Topographic	1,2,3,4,5,6
3406.4	Climatic, Geologic and Topographic	1,2,3,4,5,6
3406.5.1.1	Climatic, Geologic and Topographic	1,2,3,4,5,6
3801.2	Climatic, Geologic and Topographic	1,2,3,4,5,6
3804.2	Climatic, Geologic and Topographic	1,2,3,4,5,6
Appendix D Table D103.4	Climatic, Geologic and Topographic	1,2,3,4,5,6
Appendix D Figure 0103.1	Climatic, Geologic and Topographic	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 5.** 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 \_\_\_\_\_, 2010, 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

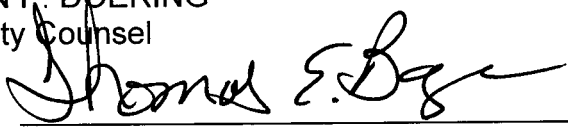
ATTEST:

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:

JOHN P. DOERING  
County Counsel

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

**Title 16 BUILDINGS AND CONSTRUCTION**

**Chapter 16.55 FIRE CODE**

**16.55.010 California Fire Code adopted.**

Except as hereafter changed or modified, the California Fire Code, ~~2007~~ 2010 Edition, including Appendix Chapters ~~1 and 4~~, Appendices A, B, C, D, E, F, G, and H, ~~I and J~~ 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. (Ord. CS 1025 51,2008; Ord. CS 969 61,2006; Ord. CS 649 51 (part), 1997; Ord. CS 625 \$13 (part), 1996).

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~~16.55.030 Conflicting provisions deleted. (Section 2. Section 1655.030 of the Stanislaus County Code is hereby deleted.~~

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~~Any other provisions of the primary code or secondary codes in conflict or inconsistent with, or the subject matter of which is regulated by the laws of the state, are deleted therefrom and are not adopted. (Ord. CS 625 613 (part), 1996).~~

**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:~~

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~~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:

3 12.2 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.

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

**Section 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.

Section 318 Solar Photovoltaic Systems is hereby added to the Fire Code to read as follows:

**Section 318 Solar Photovoltaic Systems.** Solar photovoltaic systems shall be designed, constructed and installed per the California Department of Forestry and Fire Protection, Office of the State Fire Marshal Solar Photovoltaic Installation Guidelines.

4. Section 405.10.5 False Alarms is hereby added to the fire code to read as follows:

~~405.10.5 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~~507.1 is amended to read as follows:

~~508.5.1~~ 507.1 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 011 a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the fire code official. Fire hydrants shall be located on the supply side of the fire

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suppression system check valve. Fire hydrants shall be accessible to the Fire Department apparatus by roads meeting the requirements of Section 503.1.

Section 507.3.1 Fire Protection Water Supply For Pallets is hereby added to the Fire Code read as follows.

Section 507.3.1 Fire Protection Water Supply for Pallets. Fire protection water supply for pallets shall be in accordance with section 1909.5

~~6. Fire code Section 903.2 is amended to add the following at the end of the paragraph:~~

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~~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.

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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:

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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.

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16. Section 903.2.7.2 Cluster Homes is hereby added to the fire code to read as follows:

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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.

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17. Section 903.2.7.3. R Occupancy is hereby added to the fire code to read as follows:

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903.2.7.3. R Occupancy. Any building on plot sizes less than 5,000 square feet.

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18. Fire code Section 903.2.8 Group S-1, subparagraph 1, is amended to read as follows:

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

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

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

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

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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).

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~~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(e).~~

~~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').~~

~~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).~~

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~~23. Section 903.2.20 B Occupancy is hereby added to the fire code to read as follows:~~

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~~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 m2).~~

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~~24. Section 907.1.5.6 Fire Alarm Systems is hereby added to the fire code to read as follows:~~

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~~907.1.5.6 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.~~

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~~25. Section 907.2.1.4.3 Supervision is hereby added to the fire code to read as follows:~~

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~~907.2.1.4.3 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.~~

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~~907.2.1.4 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 department shall be readily available to the public.~~

~~26. Section 1008.1.10.9.9 Special Latching Devices is hereby added to the fire code to read as follows:~~

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~~1008.1.10.9.9 Special Latching Devices. An exit door from a business which has as its primary 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:~~

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- ~~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.~~

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~~27. Section 2604.2.6 of the fire code is hereby amended by adding the following to the end of the paragraph:~~

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

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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.

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~~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.~~

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31. Section 3404.2.7.3.5.4 3404.2.9.7.1.1 Protected aboveground tanks is hereby added to the fire code to read as follows:

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~~3404.2.7.3.5.4~~ 3404.2.9.7.1.1 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.

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32. Section 3404.2.9.5, ~~3404.2.9.6.1~~ of the fire code is hereby amended to read as follows:

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~~3404.2.9.5.1 3494.2.9.6.1~~ 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.

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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.

Section 3405.3.5.2 number 7 of the 2010 California Fire Code is hereby amended by adding 7.1: The manufacture and storage of biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

Section 3405.3.5.2 paragraph number 7 of the Fire Code is hereby amended by adding paragraph 7.2: The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

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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~~ section:

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Section 3406.5.1.1.1 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 Chapter 1, 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:

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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

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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.

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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.

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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:

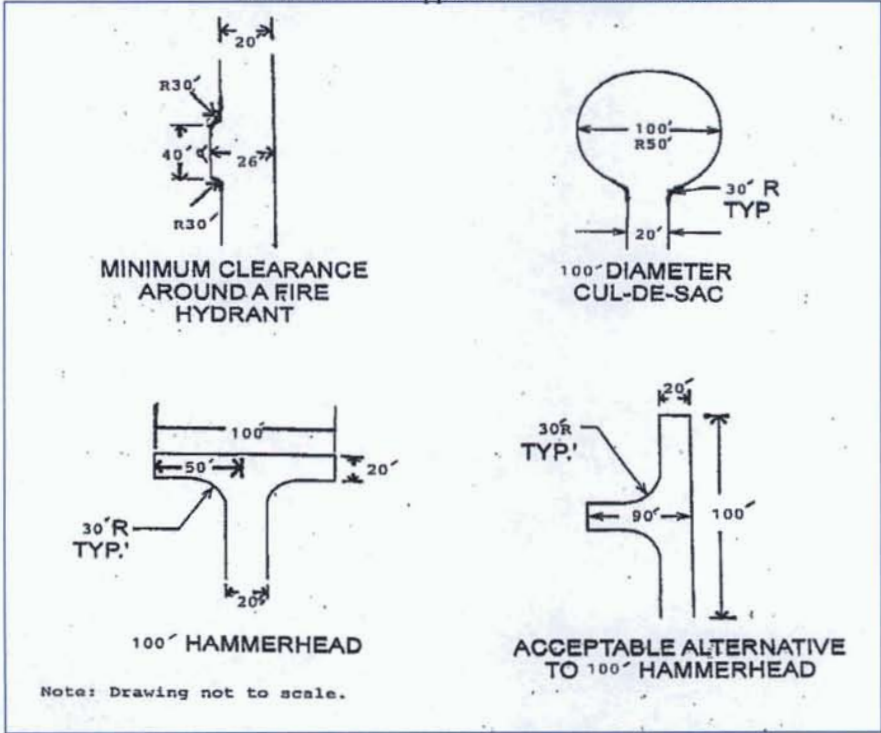
Requirements for Dead-End Fire Apparatus Access Roads

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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

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(Ord. CS 1025 54,2008; Ord. CS 969 52,2006; Ord. CS 649 52, 1997; Ord. CS 625 513 (part), 1996).

**16.55.050 County Fire Warden and Fire Chief defined.**

The terms "county fire warden" or "fire warden" mean the person appointed by the county board of supervisors pursuant to Government Code Section 24008. The terms "fire chief" or "chief" mean the chief officer of each regularly organized fire department of a city, county, city and county, or any district formed under the Fire Protection District Law of 1961 (Health and Safety Code, sections 13801 et seq.),



or any fire company formed under Part 4 (commencing with Section 14825) of Division 12 of the Health and Safety Code, serving the jurisdiction in which such department is located. As used in this chapter and in the Uniform Fire Code, the terms "county fire warden," "fire warden," "fire chief" and "chief" are interchangeable and include such officer's assistant, deputy or duly authorized agent. (Ord. CS 649 54, 1997; Ord. CS 625 §13 (part), 1996).

**1655.061 Fire hazard.**

The chief may order the operation or use stopped or the evacuation of any premises, building or vehicle or portion thereof which has or is a fire hazard. (Ord. CS 625 §13 (part), 1996)

**16.55.070 Fire breaks.**

Every person, firm, corporation, copartnership, district, or association of persons whatsoever, being in possession of, or occupying, or having control of any land within the county outside of incorporated cities and towns, upon which there has been sown, or is standing, growing, or grown, any wheat, oats, barley, hay or other vegetation of any kind whatsoever, which when so sown, standing, growing, grown or being upon said land in any way has become inflammable and in such a condition as to be easily set on fire, at all times during the season when the wheat, oats, barley, hay or other vegetation is inflammable and in such a condition as to be easily set on fire, shall maintain on every portion of the boundary of the land where the land adjoins other land upon which the other land there is standing, growing, or being any wheat, oats, barley, hay or other vegetation of any kind which is inflammable and in such a condition as to be easily burned, an effective fire protection or fire break, the fire protection or fire break to be made by plowing along the boundary a strip of the land not less than three feet in width, or by the removal of all inflammable matter from a strip of the land not less than six feet in width along the boundary when the fire protection or fire break is made in some other manner than by plowing; provided that when the land adjoins a highway the fire break may be made by removing all inflammable matter from the half of the highway next to the land. (Ord. CS 625 §13 (part), 1996).

**16.55.080 Fire extinguishers required on harvesting machinery.**

Every person, firm, corporation, copartnership, district or any association of persons whatsoever, harvesting grain or causing grain to be harvested by means of a combined harvester, header or stationary threshing machines, or baling hay by means of a hay press shall keep at all times in convenient places upon each combined harvester, header or stationary threshing machine, or hay press, one fully equipped fire extinguisher, having no less than a 2A 10BC rating and one fully equipped fire extinguisher, having a capacity of not less than two and one-half gallons of water. (Ord. CS 625 §13 (part), 1996).

**16.55.090 Spark arrestor required on agricultural machinery.**

Every person, firm, corporation, copartnership, district or any association of persons, whatsoever, operating or causing to be operated any gas or diesel tractor or gas or diesel harvesting machine or field

trucks, in harvesting grain or hay in the county shall maintain attached to the exhaust of the gas or diesel tractor, field truck, and harvesting machine an effective spark arresting and burning carbon arresting devices as defined in Volume I, Health and Safety Code, Section (13005(b)) and Public Resources Code (Section 4442). (Ord. CS 625 §13 (part), 1996).

**16.55.100 Muffler and exhaust requirements on agricultural machinery.**

No person shall operate or drive a motor vehicle of any kind other than gas tractors or gas propelled harvesting machines over or across any land upon which there is any inflammable vegetation of any kind unless the motor vehicle is so constructed that the exhaust from the engine must pass from the engine into and through a muffler before being released to the air and the exhaust must be released to the air through the muffler. (Ord. CS 625 § 13 (part), 1996).

**16.55.110 Grain warehouse fire protection.**

Every person, firm, corporation, copartnership, district or association of persons whatsoever being in possession or occupying or having control of any warehouse or building maintained for the storage of grain, hay or foodstuffs, or other property of any kind or character, for hire, outside of incorporated cities and towns, shall at all times maintain around the warehouse or building an effective fire protection or fire break, the fire protection or fire break to be made by removing all inflammable material from the ground around the warehouse or building for a distance of not less than twenty feet from the exterior walls of the warehouse or building; and, in addition to the fire protection or fire break, the persons shall maintain in each of the warehouse or buildings one chemical fire extinguisher of a capacity of two and one-half gallons, for each two thousand five hundred square feet of floor space in the warehouse or building; or a forty-two gallon barrel filled with water and three, two and one-half gallon pails for each two thousand five hundred square feet of floor space in the warehouse or building. (Ord. CS 625 § 13 (part), 1996).

**16.55.150 Leaving fire unattended prohibited.**

It is unlawful to leave or cause or permit to be left any outdoor or open fire unattended by an adult person, or by the person or persons named in any permit issued by the county fire warden or his duly authorized agent. Before leaving any such fire, the person or persons in charge of the fire shall thoroughly extinguish same by completely covering it with dirt, saturating it with water, or otherwise treating it in a manner to prevent rekindling of the fire. (Ord. CS 625 §13 (part), 1996).

**16.55.160 Allowing fire to escape prohibited.**

It is unlawful for any person to allow a fire kindled or attended by him or her to escape from his control or to spread to the lands of another. (Ord. CS 625 § 13 (part), 1996).

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**16.55.190 Interfering with fire extinguishing.**

It is unlawful for any person at the scene of any fire to disobey the lawful orders of the County Fire Warden, or of his or her duly authorized agents; to offer any resistance to or interference with the lawful efforts of the County Fire Warden to extinguish any fire; to engage in any disorderly conduct calculated to prevent any fire from being extinguished, or to forbid, prevent, or dissuade others from assisting in extinguishing any fire. (Ord. CS 625 §13 (part), 1996).

**16.55.200 Fire break around structures.**

Any person owning, leasing, controlling, operating, or maintaining any cabin, house, hotel, apiary, incinerator, or other building or structure upon or adjoining any mountainous, or forest, or brush covered land or land covered with flammable growth, and any person owning, leasing or controlling any land adjacent to such structures, shall at all times maintain on such person's land around and adjacent to such cabin, house, hotel, apiary, incinerator, building or structure an effective fire protection or fire break made by removing and clearing away, for a distance therefrom of not less than 30 feet on each side thereof, flammable vegetation or growth or other combustible material. (Ord. CS 625 §13 (part), 1996).

**16.55.210 Assistance at Fires.**

The County Fire Warden and his duly authorized agents shall have authority to call upon able-bodied male persons between the ages of 19 and 50 years in the County for assistance in putting out fires, and it shall be the duty of such persons to obey such summons. (Ord. CS 625 §13 (part), 1996).

**16.55.240 Home – Inspection required.**

Homes for the full care of six or fewer individuals shall be required to have an inspection by the County Fire Warden Department. (Ord. CS 625 § 13 (part), 1996).

**16.55.260 Enforcement.**

The County Fire Warden and his or her deputies are empowered, and it shall be their duty, to enforce the provisions of this chapter. Any person whose duty it is to enforce the provisions of this chapter may, at any reasonable time, enter upon private property for such purpose. It is unlawful for any person to interfere with, oppose or resist any authorized person enforcing this chapter. (Ord. CS 625 §13 (part), 1996).

**16.55.270 Arrest powers.**

Pursuant to the provisions of California Penal Code Section 836.5, the County Fire Warden and his deputies are authorized to arrest without a warrant and issue a written notice to appear whenever any such person has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his her presence which is a violation of this chapter or a violation of any other ordinance or statute which lie or she has a duty to enforce. (Ord. CS 625 §13 (part), 1996).

**16.55.280 Authority to carry firearms.**

Pursuant to the provision so Section 830.3 of the California Penal Code, the County Fire Warden and such employees as he or she may designate, in writing, are authorized to carry weapons when acting in the course and scope of their employment. (Ord. CS 625 §13 (part), 1996).



## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on January 18, 2011 at 6:35 p.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, 2010 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 2010 California Fire Code, as published by the Building Standards Commission, and makes changes to those standards to as required by local climatic, geologic, and topographic conditions. The ordinance further adopts administrative procedures for implementation of the 2010 Fire Code.

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinance and the California Fire Code, 2010 Edition will be available for review at the Office of the Fire Warden, Fire Prevention Bureau at 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. Both oral and written comments will be considered by the Board of Supervisors 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: December 14, 2010

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:

Jan 04, 2011, Jan 11, 2011

**NOTICE OF PUBLIC HEARING**

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BY ORDER OF THE BOARD OF SUPERVISORS. DATED: December 14, 2010. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk  
Pub Dates Jan 4, 11, 2011

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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 11th, 2011

(By Electronic Facsimile Signature)

*Marie Dickman*