

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

DEPT: CEO / Office of Emergency Services

BOARD AGENDA # *B-2

Urgent

Routine

AGENDA DATE March 4, 2014

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Ratify Oakdale Fire Protection District, Salida Fire Protection District and Stanislaus Consolidated Fire Protection District Ordinances Adopting and Amending the 2013 California Fire Code

STAFF RECOMMENDATIONS:

1. Ratify ordinances passed by Oakdale Fire Protection District, Salida Fire Protection District and Stanislaus Consolidated Fire Protection District adopting and amending the 2013 California Fire Code.
2. Authorize the Stanislaus County Fire Warden or his designee to file a copy of the findings, with the California Department of Housing and Community Development as prescribed by Government Health and Safety Code (§13869.7(c)).

FISCAL IMPACT:

The proposed ordinances will update the Oakdale Fire Protection District, Salida Fire Protection District and Stanislaus Consolidated Fire Protection regulations for the enforcement of the State Fire Code and amendments within their jurisdictions of the County. There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2014-99

On motion of Supervisor Withrow, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: Chiesa

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

Approval to Ratify Oakdale Fire Protection District, Salida Fire Protection District and Stanislaus Consolidated Fire Protection District Ordinances Adopting and Amending the 2013 California Fire Code

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DISCUSSION:

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 applies 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, 2013. The attached ordinances update and amend the local fire code in the Oakdale Fire Protection District, Salida Fire Protection District and Stanislaus Consolidated Fire Protection District to be consistent with the current State Fire Code and amendments for local conditions.

A local jurisdiction, such as a fire protection district, may establish more restrictive building standards in their Fire Code than those contained in the State or County Fire Code that are reasonably necessary because of local climatic, geological, to topographical conditions. (Health and Safety Code §§13143.5, 17958, 18941.5 (b).) Before making changes or modifications to the State Fire Code, the Districts must make findings that the changes are necessary due to local climatic, geological or topographical conditions in their districts. (§17958.7.) Once adopted, the ordinance must be transmitted to the County where the ordinance will apply. The Board of Supervisors may ratify, modify, or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination. After ratification, the county is required to file a copy of the finding related to local conditions, together with the modification or change with the California Department of Housing and Community Development.

The ordinances, when ratified by the Board of Supervisors, will update the Oakdale Fire Protection District, Salida Fire Protection District and Stanislaus Consolidated Fire Protection District's regulations for the enforcement of the State Fire Code and amendments within their jurisdictions of the County. It is expected that as other districts pass their ordinances they will be brought to the Board in a similar fashion.

POLICY ISSUES:

Approval of this item supports the Board's priorities of A Safe Community and A Healthy Community by ensuring local fire districts are in compliance with California Fire Code.

STAFFING:

There is no staffing impact associated with this request.

CONTACT INFORMATION:

Dale Skiles, County Fire Warden (209) 552-3600

"To Save Life & Property"

OAKDALE FIRE PROTECTION DISTRICT



1398 EAST "F" STREET
OAKDALE, CALIFORNIA 95361
PHONE (209) 847-6898
FAX (209) 847-1520



Board Members *Sherry Schlegel-Chairperson Betty Gripenstraw Don Armario John Bairos*

OAKDALE FIRE PROTECTION DISTRICT

ORDINANCE NO. 2013-09

ORDINANCE FOR ADOPTION OF THE 2013 CALIFORNIA FIRE CODE AND PROVIDING FOR THE MODIFICATION THEREOF

An ordinance of the Oakdale Fire Protection District adopting the 2013 Edition of the California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Oakdale Fire Protection District; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No.2010-07 of the Oakdale Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

Findings and Adoption of the 2013 California Fire Code

The Board of the Oakdale Fire Protection District hereby finds and determines:

1. That the International Code Council is a private organization, which has been in existence for at least three (3) years. That the California Fire Code, 2013 Edition, and 2013 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization;
2. That said 2013 California Fire Code and Fire Code Standards have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the Government Code;
3. That one (1) copy of the 2013 California Fire Code and one (1) copy of the International Fire Code Standards, certified by the Clerk to be true copies, have been filed for use and examination by the public in the office of the Clerk;
4. That the sections of said 2013 California Fire Code and California Fire Code Standards may be referred to by the number used in said published compilation, preceded by the words "California Fire Code Section," or "Fire Code Section," and may also be referred to by additional reference to Municipal Code and sections therein pertaining to said 2013 California Fire Code and Fire Code Standards;
5. That the additional requirements and standards established herein are needed to properly protect the health, safety, and welfare of the existing and future residents and workers of the Oakdale Fire Protection District;
6. Said requirements and standards are reasonably necessary because of local climatic, geological, and topographical conditions, and comply with existing state laws and regulations;
7. Amendment of the 2013 California Fire Code is necessary so as to provide more stringent standards for fire extinguishing systems, fire hazard and hazardous materials controls as

- (a) Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;
- (b) Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response;
- (c) Fire response is delayed by railroad tracks.

THEREFORE, for the above reasons taken individually and cumulatively and in accordance with the authority granted in Sections 17958.5 and 17958.7 of the California Health and Safety Code, the Board of the Oakdale Fire Protection District expressly finds there are local climatic and topographical conditions that make the increased fire protection requirements set forth in this ordinance reasonably necessary.

The Board of Directors of the Oakdale Fire Protection District does ordain as follows:

Section 1. That a certain document, one (1) copy of which is on file in the office of the Modesto Regional Fire Authority Fire Prevention Division being marked and designated as the California Fire Code, 2013 edition, including Appendix Chapter 4, Appendices B, BB, C, CC, D, E, F, G, I, K and Division II Administration as published by the International Code Council, be and is hereby adopted as the Fire Code of the Oakdale Fire Protection District, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Oakdale Fire Protection District are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertion, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections of the 2013 California Fire Code are hereby revised:

Section 101.1 Title these regulations shall be known as the Fire Code of: Oakdale Fire Protection District, hereinafter referred to as "this code".

Permit Required for Certain Operations

Section 105.6.15 of the California Fire Code is hereby deleted.

Board of Appeals

Section 108.1 of the 2013 California Fire Code is hereby amended to read as follows:

The applicant may appeal the decision of the Chief to the Oakdale Fire Protection District within thirty (30) days from the date of the decision being appealed whenever the Chief:

1. Disapproves an application for use of alternate materials, methods and/or types of construction,
2. Disapproves an application for permit or refuses to grant a permit applied for,
3. When it is claimed that the provisions of the code do not apply, or
4. That the true intent and meaning of the code have been misconstrued or wrongly interpreted.

Compliance with Orders and Notices

Section 109.3.2 of the 2013 California Fire Code is hereby added as follows:

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 180 days 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.

Violation Penalties

Section 109.4 of the 2013 California Fire Code is hereby amended as follows:

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 directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$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.

Administrative Penalties

Section 109.5 of the 2013 California Fire Code is hereby added as follows:

In addition to any other remedies set forth in this chapter, administrative penalties may be imposed against any person, as defined in Section 202 of this Code, for violating any of the requirements set forth in this code or who are in violation of section 12676 or 12677 of the California Health and Safety Code. Any administrative penalties assessed shall be as follows:

(a) For violations of this Code or section 12676 or 12677 of the California Health and Safety Code, Possession, Sale, Use or Discharge of Dangerous Fireworks, the administrative penalty shall be five hundred dollars (\$500.00) for each specific act found to be in violation of that section.

(b) For all violations of this code, other than subsection (a) Possession, Sale, Use or Discharge of Dangerous Fireworks, the amount of the administrative penalty shall be one hundred dollars (\$100.00) for the first violation, two hundred dollars (\$200.00) for a second violation within any twelve (12) month period and five hundred dollars (\$500.00) for any subsequent violations within any twelve (12) month period.

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.

Fees

Section 113.6 of the 2013 California Fire Code is hereby added as follows:

(a) **Permit Fee.** The Board of the Oakdale Fire Protection District may, by resolution adopted from time to time, a fee for any permit issued pursuant to the Fire Code.

(b) **Plan Check Fee.** When a plan is required to be submitted the plan-checking fee shall be paid at the time of submitting plans and specifications for checking.

Where plans are incomplete, or changed so as to require an additional plan check, an additional plan-check fee shall be charged at a rate shown in a schedule setting forth fees as adopted from time to time by resolution of the Oakdale Fire Protection District.

Vegetation

Section 304.1.2 of the 2013 California Fire Code is hereby amended by adding the following:

Vegetation abatement shall comply with Stanislaus County Code Title 9. The fire district may recover from the property owner, those costs associated with the suppression costs incurred in fighting a fire and for providing rescue or emergency medical services should a fire occur on said property after the owner has been notified to abate such public nuisance and has failed to do so.

Open Burning

Section 307.1 of the 2013 California Fire Code is hereby amended by adding the following:

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 compliance with all safeguards pursuant thereto. Any such permitted burning shall be restricted to agricultural purposes and confined to areas of the Oakdale Fire Protection District in which agricultural uses are lawful.

Vehicle Impact Protection

Section 312.2 of the 2013 California Fire Code is hereby amended to read as follows:

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 three (3) 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 protected object.

Key Boxes

Section 506.3 of the 2013 California Fire Code is hereby added as follows:

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

Required Water Supply

Section 507.1 of the California Fire Code is hereby amended to read as follows: The Oakdale Fire District Water Tender Mitigation Fee is an approved water supply.

Water Supply for Pallets

Section 507.3.1 of the 2013 California Fire Code is hereby amended to read as follows:

Pallet yards. Fire protection water supply for pallets shall be in accordance with section 2809.5

Water Supplies and Fire Hydrants

Section 507.5.1 of the 2013 California Fire Code is hereby amended to read as follows:

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 from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. 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.

Private fire service mains and water tanks.

Section 507.5.3 of the 2013 California Fire Code is amended by adding:

Private fire service mains and water tanks shall also comply with the California National Fire Protection Association Standard 25, 2011 Edition.

Private Water Agreement.

Section 507.5.7 is hereby added to the 2013 California Fire Code to read as follows:

Private water agreements shall be required when a private fire protection water supply is required by this code. The agreement shall be entered into by the property owner and the Oakdale Fire Protection District.

Automatic Sprinkler Systems

Section 903.2 of the 2013 California Fire Code is hereby amended to read as follows:

New Construction. An approved automatic fire sprinkler system is required in all new buildings and structures constructed on or after the effective date of this ordinance, notwithstanding the use and occupancy thereof, when the total floor area under one roof exceeds five thousand (5,000) square feet. Area separation walls shall not be used for the purpose of eliminating automatic fire sprinkler systems required by this section.

EXCEPTIONS:

1. Buildings and structures classified as F-1 Nut Hullers less than 12,001 square feet and unattached Group U occupancies as defined in section 202 of the California Fire Code.
2. If the provisions of 903.2.1 through 903.2.19 are more restrictive, then the more restrictive requirement shall apply.

Existing Buildings

Section 903.2.20 is hereby added to the 2013 California Fire Code to read as follows:

An approved automatic fire sprinkler system shall be installed in all existing buildings and structures when additions or alterations are made that cause said building or structure to exceed five thousand (5,000) square feet.

EXCEPTION:

1. Buildings and structures classified as unattached U occupancies.
2. Each portion of an existing building or structure separated by one or more fire walls that limit each fire area to a maximum of five thousand (5,000) square feet.

Isolated Buildings In Rural Areas

Section 903.2.20. is hereby added to the 2013 California Fire Code to read as follows:

For isolated buildings or groups of buildings in rural areas 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 chief shall be provided to accommodate sprinkler and hose demand for an additional 30 minutes beyond the storage required in 2 above.

4. An Approved sprinkler system monitoring alarm as defined in section 1003.3.1 of the Stanislaus County Fire Code shall be provided.

Standpipe Systems

Section 905.3.1 of the California Fire Code is amended to read as follows:

Occupancies three or more stories in height shall be provided with a class one standpipe system approved by the Fire Chief (Except R Division 3).

Occupancies less than three stories in height but greater than 20,000 square feet per floor shall be required to install a class one standpipe system approved by the Fire Chief.

Garden type apartment complexes may be required to install type one standpipe systems approved by the Fire Chief.

Fire Alarm Systems

Section 907.2 of the 2013 California Fire Code is hereby amended by adding the following:

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.

Supervision and Communication System

Section 907.2.1.4 is hereby added to the 2013 California Fire Code to read as follows:

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 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.

False Alarms

Section 908.8 of the 2013 California Fire Code is hereby amended by adding the following:

False alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted. The Oakdale Fire Protection District may adopt by resolution reasonable fees to recover the costs associated with responses to building or structures that have excessive false alarms.

Deposits of Hazardous Materials; Cleanup, Abatement, or Mitigation Required; Liability for Costs

Section 5003.3.1.4 of the 2013 California Fire Code is hereby amended to read as follows:

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 Chief, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be borne 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 Oakdale Fire Protection District shall include, but shall not necessarily be limited to, the following: actual labor costs of Oakdale Fire Protection District personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the Oakdale Fire Protection District; 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.

Fireworks

Section 5608.1.2 is hereby added to the 2013 California Fire Code to read as follows:

The provisions of Stanislaus County Code Chapter 9.84 FIREWORKS is incorporated herein by reference and shall also apply to unincorporated areas of the county as identified in section 9.84.110.

Restricted Locations of Flammable and Combustible Liquids in Tanks

Section 5704.2.9.6.1 of the 2013 California Fire Code is hereby amended to read as follows:

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 2013 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 the Oakdale Fire Protection District.

Maintenance of Protected Aboveground Tanks

Section 5704.2.9.6.1.1 of the 2013 California Fire Code is hereby added to read as follows:

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.

Biodiesel and Ethanol

Manufacture of Biodiesel at Residential Occupancies.

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.1 to read as follows:

The manufacture and storage of biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

Manufacture of Ethanol at Residential Occupancies.

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.2 to read as follows:

The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies."

Operating Heating, Lighting, and Cooking Appliances Prohibited

Section 5705.3.3 of the 2013 California Fire Code is hereby amended to include the following:

Class II and III Liquids

Location of Bulk Plants for Storage of Flammable and Combustible Liquids

Section 5706.4 of the 2013 California Fire Code is hereby amended by adding the following:

The construction of new bulk plants for storage of flammable or combustible liquids is restricted to areas of the Oakdale Fire Protection District 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 Chief grants a permit.

Transfer Operations

Section 5706.5.1.1 of the 2013 California Fire Code is hereby amended by adding the following:

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.

Outside Storage and Use of Liquefied Petroleum Gases

Section 6104.2 of the 2013 California Fire Code is amended as follows:

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 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 Chief.
5. For use as an alternative fuel supply for an emergency standby generator, when authorized by the Chief.
6. For use with certain mobile vending and certain commercial barbecue equipment and other specific uses when authorized by the Chief.
7. For use by Artisans in pursuit of their trade, when authorized by the 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 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

Permits and Plans for Liquefied Petroleum Gases

Section 6101.2 of the 2013 California Fire Code is hereby amended to read as follows:

Permits shall be required as set forth in Sections 105.6 and 105.7

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. 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.

Section 3 That the geographic limits referred to in certain sections of the 2013 California Fire Code are hereby established as follows:

Section 5806.2 add second paragraph to read as follows: Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. All R-1, R-2, and R-3 zoning designations as identified by Title 21 of Stanislaus County Code.

Section 5704.2.9.6.1 All R-1, R-2, and R-3 zoning designations as identified by the Title 21 of Stanislaus County Code.

Section 5706.2.4.4 All R-1, R-2, and R-3 zoning designations as identified by Title 21 of Stanislaus County Code.

Section 6104.2 the incorporated boundary within the Oakdale Fire Protection District.

Section 4 That Ordinance No.2010-07 of the Oakdale Fire Protection District entitled Ordinance for Adoption of the 2010 California Fire Code and Providing for the Modification Thereof and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5 That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrase. Thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6 That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law: nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 7 That the Clerk of the Board for the Oakdale Fire Protection District is hereby ordered and directed to cause this ordinance to be published in a newspaper in general circulation.

Section 8 That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2014 from and after the date of its final passage and adoption.

Section 9 The Board of Directors of the Oakdale Fire Protection District finds its adoption of the 2013 Edition of the California Fire Code as set forth in this ordinance to be exempt from review under provisions of the California Environmental Quality Act (Public Resources Code section

APPROVED and ADOPTED by the Board of Directors of the Oakdale Fire Protection District at a regular meeting thereof held on December 17, 2013, by the following vote:

AYES: 4

NOES: 0

ABSENT: 0

ABSTAIN: 0

Dated:


ATTEST:


Sherry Schlegel, Chairperson of the Board

APPROVED AS TO FORM:


William Ross, District Counsel

APPROVED AS TO CONTENT:


Danielle Denczek, Clerk of the Board



**ORDINANCE NO. 2013-01
ORDINANCE OF THE BOARD OF DIRECTORS OF THE SALIDA FIRE
PROTECTION DISTRICT, CALIFORNIA**

**AN ORDINANCE FOR ADOPTION OF THE 2013 CALIFORNIA FIRE CODE AND
PROVIDING FOR THE MODIFICATION THEREOF**

WHEREAS: An ordinance of the Salida Fire Protection District adopting the 2013 Edition of the California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Salida Fire Protection District; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2010-02 of the Salida Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

Findings and Adoption of the 2013 California Fire Code

NOW THEREFORE BE IT RESOLVED: The Board of the Salida Fire Protection District hereby finds and determines:

1. That the International Code Council is a private organization, which has been in existence for at least three (3) years. That the California Fire Code, 2013 Edition, and 2013 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization;
2. That said 2013 California Fire Code and Fire Code Standards have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the Government Code;
3. That one (1) copy of the 2013 California Fire Code and one (1) copy of the International Fire Code Standards, certified by the Clerk to be true copies, have been filed for use and examination by the public in the office of the Clerk;

4. That the sections of said 2013 California Fire Code and California Fire Code Standards may be referred to by the number used in said published compilation, preceded by the words "California Fire Code Section," or "Fire Code Section," and may also be referred to by additional reference to Municipal Code and sections therein pertaining to said 2013 California Fire Code and Fire Code Standards;
5. That the additional requirements and standards established herein are needed to properly protect the health, safety, and welfare of the existing and future residents and workers of the Salida Fire Protection District;
6. Said requirements and standards are reasonably necessary because of local climatic, geological, and topographical conditions, and comply with existing state laws and regulations;
7. Amendment of the 2013 California Fire Code is necessary so as to provide more stringent standards for fire extinguishing systems, fire hazard and hazardous materials controls as necessary to serve the public interest by reducing the risk to life and property of the citizens of Salida Fire Protection District because of the following local conditions:

- (a) Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;
- (b) Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response;
- (c) Fire response is delayed by railroad tracks.

THEREFORE, for the above reasons taken individually and cumulatively and in accordance with the authority granted in Sections 17958.5 and 17958.7 of the California Health and Safety Code, the Board of the Salida Fire Protection District expressly finds there are local climatic and topographical conditions that make the increased fire protection requirements set forth in this ordinance reasonably necessary.

The Board of Directors of the Salida Fire Protection District does ordain as follows:

Section 1. That a certain document, one (1) copy of which is on file in the office of the Modesto Regional Fire Authority, Fire Prevention Division being marked and designated as the California Fire Code, 2013 edition, including Appendix Chapter 4, Appendices B, BB, C, CC, D, E, F, G, I, K and Division II Administration as published by the International Code Council, be and is hereby adopted as the Fire Code of the Salida Fire Protection District, in the State of California

regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Salida Fire Protection District are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertion, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections of the 2013 California Fire Code are hereby revised:

Section 101.1 Title these regulations shall be known as the Fire Code of: Salida Fire Protection District, hereinafter referred to as "this code".

Permit Required for Certain Operations

Section 105.6.15 of the California Fire Code is hereby deleted.

Board of Appeals

Section 108.1 of the 2013 California Fire Code is hereby amended to read as follows:

The applicant may appeal the decision of the Chief to the Salida Fire Protection District within thirty (30) days from the date of the decision being appealed whenever the Chief:

1. Disapproves an application for use of alternate materials, methods and/or types of construction,
2. Disapproves an application for permit or refuses to grant a permit applied for,
3. When it is claimed that the provisions of the code do not apply, or
4. That the true intent and meaning of the code have been misconstrued or wrongly interpreted.

Compliance with Orders and Notices

Section 109.3.2 of the 2013 California Fire Code is hereby added as follows:

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 180 days 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.

Violation Penalties

Section 109.4 of the 2013 California Fire Code is hereby amended as follows:

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 directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$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.

Administrative Penalties

Section 109.5 of the 2013 California Fire Code is hereby added as follows:

In addition to any other remedies set forth in this chapter, administrative penalties may be imposed against any person, as defined in Section 202 of

this Code, for violating any of the requirements set forth in this code or who are in violation of section 12676 or 12677 of the California Health and Safety Code. Any administrative penalties assessed shall be as follows:

(a) For violations of this Code or section 12676 or 12677 of the California Health and Safety Code, Possession, Sale, Use or Discharge of Dangerous Fireworks, the administrative penalty shall be five hundred dollars (\$500.00) for each specific act found to be in violation of that section.

(b) For all violations of this code, other than subsection (a) Possession, Sale, Use or Discharge of Dangerous Fireworks, the amount of the administrative penalty shall be one hundred dollars (\$100.00) for the first violation, two hundred dollars (\$200.00) for a second violation within any twelve (12) month period and five hundred dollars (\$500.00) for any subsequent violations within any twelve (12) month period.

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.

Fees

Section 113.6 of the 2013 California Fire Code is hereby added as follows:

(a) Permit Fee. The Board of the Salida Fire Protection District may, by resolution adopted from time to time, a fee for any permit issued pursuant to the Fire Code.

(b) Plan Check Fee. When a plan is required to be submitted the plan-checking fee shall be paid at the time of submitting plans and specifications for checking.

Where plans are incomplete, or changed so as to require an additional plan check, an additional plan-check fee shall be charged at a rate shown in a schedule setting forth fees as adopted from time to time by resolution of the Salida Fire Protection District.

Vegetation

Section 304.1.2 of the 2013 California Fire Code is hereby amended by adding the following:

Vegetation abatement shall comply with Stanislaus County Code Title 9. The fire district may recover from the property owner, those costs associated with the suppression costs incurred in fighting a fire and for providing rescue or emergency medical services should a fire occur on said property after the owner has been notified to abate such public nuisance and has failed to do so.

Open Burning

Section 307.1 of the 2013 California Fire Code is hereby amended by adding the following:

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 compliance with all safeguards pursuant thereto. Any such permitted burning shall be restricted to agricultural purposes and confined to areas of the Salida Fire Protection District in which agricultural uses are lawful.

Vehicle Impact Protection

Section 312.2 of the 2013 California Fire Code is hereby amended to read as follows:

Posts. 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 three (3) 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 protected object.

Key Boxes

Section 506.3 of the 2013 California Fire Code is hereby added as follows:

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

Water Supply for Pallets

Section 507.3.1 of the 2013 California Fire Code is hereby amended to read as follows:

Pallet yards. Fire protection water supply for pallets shall be in accordance with section 2809.5

Water Supplies and Fire Hydrants

Section 507.5.1 of the 2013 California Fire Code is hereby amended to read as follows:

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 from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. 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.

Private fire service mains and water tanks.

Section 507.5.3 of the 2013 California Fire Code is amended by adding:

Private fire service mains and water tanks shall also comply with the California National Fire Protection Association Standard 25, 2011 Edition.

Private Water Agreement.

Section 507.5.7 is hereby added to the 2013 California Fire Code to read as follows:

Private water agreements shall be required when a private fire protection water supply is required by this code. The agreement shall be entered into by the property owner and the Salida Fire Protection District.

Automatic Sprinkler Systems

Section 903.2 of the 2013 California Fire Code is hereby amended to read as follows:

New Construction. An approved automatic fire sprinkler system is required in all new buildings and structures constructed on or after the effective date of this ordinance, notwithstanding the use and occupancy thereof, when the total floor area under one roof exceeds five thousand (5,000) square feet. Area separation walls shall not be used for the purpose of eliminating automatic fire sprinkler systems required by this section.

EXCEPTIONS:

1. Buildings and structures classified as F-1 Nut Hullers less than 12,001 square feet and unattached Group U occupancies as defined in section 202 of the California Fire Code.
2. If the provisions of 903.2.1 through 903.2.19 are more restrictive, then the more restrictive requirement shall apply.

Existing Buildings

Section 903.2.20 is hereby added to the 2013 California Fire Code to read as follows:

An approved automatic fire sprinkler system shall be installed in all existing buildings and structures when additions or alterations are made that cause said building or structure to exceed five thousand (5,000) square feet.

EXCEPTION:

1. Buildings and structures classified as unattached U occupancies.
2. Each portion of an existing building or structure separated by one or more fire walls that limit each fire area to a maximum of five thousand (5,000) square feet.

Isolated Buildings In Rural Areas

Section 903.2.20. is hereby added to the 2013 California Fire Code to read as follows:

For isolated buildings or groups of buildings in rural areas 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 chief shall be provided to accommodate sprinkler and hose demand for an additional 30 minutes beyond the storage required in 2 above.
4. An Approved sprinkler system monitoring alarm as defined in section 1003.3.1 of the Stanislaus County Fire Code shall be provided.

Standpipe Systems

Section 905.3.1 of the California Fire Code is amended to read as follows:

Occupancies three or more stories in height shall be provided with a class one standpipe system approved by the Fire Chief (Except R Division 3).

Occupancies less than three stories in height but greater than 20,000 square feet per floor shall be required to install a class one standpipe system approved by the Fire Chief.

Garden type apartment complexes may be required to install type one standpipe systems approved by the Fire Chief.

Fire Alarm Systems

Section 907.2 of the 2013 California Fire Code is hereby amended by adding the following:

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.

Supervision and Communication System

Section 907.2.1.4 is hereby added to the 2013 California Fire Code to read as follows:

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 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.

False Alarms

Section 908.8 of the 2013 California Fire Code is hereby amended by adding the following:

False alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted. The Salida Fire Protection District may adopt by resolution reasonable fees to recover the costs associated with responses to building or structures that have excessive false alarms.

Deposits of Hazardous Materials; Cleanup, Abatement, or Mitigation Required; Liability for Costs

Section 5003.3.1.4 of the 2013 California Fire Code is hereby amended to read as follows:

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 Chief, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be borne 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 Salida Fire Protection District shall include, but shall not necessarily be limited to, the following: actual labor costs of Salida Fire Protection District personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the Salida Fire Protection District; 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.

Fireworks

Section 5608.1.2 is hereby added to the 2013 California Fire Code to read as follows:

The provisions of Stanislaus County Code Chapter 9.84 FIREWORKS is incorporated herein by reference and shall also apply to unincorporated areas of the county as identified in section 9.84.110.

Restricted Locations of Flammable and Combustible Liquids in Tanks

Section 5704.2.9.6.1 of the 2013 California Fire Code is hereby amended to read as follows:

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 2013 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 the Salida Fire Protection District.

Maintenance of Protected Aboveground Tanks

Section 5704.2.9.6.1.1 of the 2013 California Fire Code is hereby added to read as follows:

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.

Biodiesel and Ethanol

Manufacture of Biodiesel at Residential Occupancies.

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.1 to read as follows:

The manufacture and storage of biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

Manufacture of Ethanol at Residential Occupancies.

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.2 to read as follows:

The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies."

Operating Heating, Lighting, and Cooking Appliances Prohibited

Section 5705.3.3 of the 2013 California Fire Code is hereby amended to include the following:

Class II and III Liquids

Location of Bulk Plants for Storage of Flammable and Combustible Liquids

Section 5706.4 of the 2013 California Fire Code is hereby amended by adding the following:

The construction of new bulk plants for storage of flammable or combustible liquids is restricted to areas of the Salida Fire Protection District 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 Chief grants a permit.

Transfer Operations

Section 5706.5.1.1 of the 2013 California Fire Code is hereby amended by adding the following:

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.

Outside Storage and Use of Liquefied Petroleum Gases

Section 6104.2 of the 2013 California Fire Code is amended as follows:

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 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 Chief.

5. For use as an alternative fuel supply for an emergency standby generator, when authorized by the Chief.

6. For use with certain mobile vending and certain commercial barbecue equipment and other specific uses when authorized by the Chief.

7. For use by Artisans in pursuit of their trade, when authorized by the 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 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

Permits and Plans for Liquefied Petroleum Gases

Section 6101.2 of the 2013 California Fire Code is hereby amended to read as follows:

Permits shall be required as set forth in Sections 105.6 and 105.7

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.

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.

Section 3 That the geographic limits referred to in certain sections of the 2013 California Fire Code are hereby established as follows:

Section 5806.2 add second paragraph to read as follows: Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. All R-1, R-2, and R-3 zoning designations as identified by Title 21 of Stanislaus County Code.

Section 5704.2.9.6.1 All R-1, R-2, and R-3 zoning designations as identified by the Title 21 of Stanislaus County Code.

Section 5706.2.4.4 All R-1, R-2, and R-3 zoning designations as identified by Title 21 of Stanislaus County Code.

Section 6104.2 the incorporated boundary within the Salida Fire Protection District.

Section 4 That Ordinance No 2010-02 of the Salida Fire Protection District entitled Ordinance for Adoption of the 2010 California Fire Code and Providing for the Modification Thereof and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5 That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrase. Thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6 That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law: nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 7 That the Clerk of the Board for the Salida Fire Protection District is hereby ordered and directed to cause this ordinance to be published in a newspaper in general circulation.

Section 8 That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2014 from and after the date of its final passage and adoption.

Section 9 The Board of Directors of the Salida Fire Protection District finds its adoption of the 2013 Edition of the California Fire Code as set forth in this ordinance to be exempt from review under provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq., "CEQA") consistent with, among other things, the provisions of CEQA guidelines section 15321 (Class 21) which exempts review of the adoption of a general rule of enforcement under CEQA.

SIGNATORIES:

Introduced at a regular meeting of the Board of Directors of the Salida Fire Protection District, California, on 13th day of November, 2013.

PASSED, ADOPTED AND APPROVED on this 18th day of December, 2013 by the following vote:

On motion of Director Boyd and Seconded by Director DeBoer

And approved by the following vote:

AYES: 4 Directors: Burns, Boyd, DeBoer, Rusca

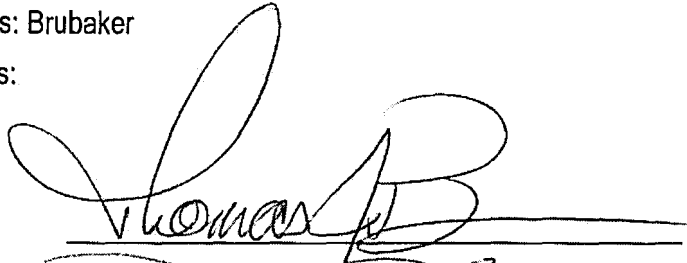
NO'S: 0 Directors:

Excused or Absent: 1 Directors: Brubaker

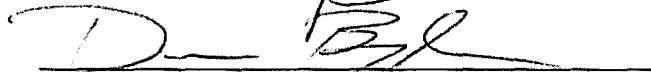
Abstaining: 0 Directors:

SIGNATORIES:


Director Thomas Burns



Director Dave Boyd



Director Jerry DeBoer



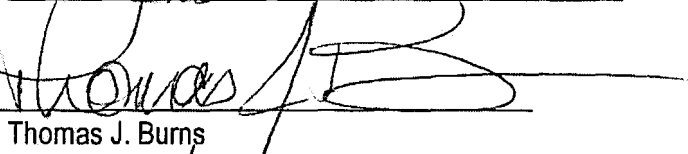
Director Emil Rusca



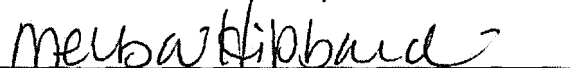
Director Mark Brubaker



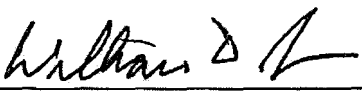
CHAIRMAN:


Thomas J. Burns

ATTEST:


Melba Hibbard, Clerk

APPROVED AS TO FORM BY:



William Ross, Esquire
District Council

**STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT
ORDINANCE NO. 2013-7**

**ORDINANCE FOR ADOPTION OF
THE 2013 CALIFORNIA FIRE CODE
AND PROVIDING THE MODIFICATION THEREOF**

An ordinance of the Stanislaus Consolidated Fire Protection District adopting the 2013 edition of the California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Stanislaus Consolidated Fire Protection District; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 5 of the Stanislaus Consolidated Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

Findings and Adoption of the 2013 California Fire Code

The Board of Directors of the Stanislaus Consolidated Fire Protection District does ordain as follows:

1. That the International Code Council is a private organization, which has been in existence for at least three (3) years. That the California Fire Code, 2013 Edition, and 2013 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization;
2. That said 2013 California Fire Code and Fire Code Standards have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the Government Code;
3. That one (1) copy of the 2013 California Fire Code and one (1) copy of the International Fire Code Standards, certified by the Clerk to be true copies, have been filed for use and examination by the public in the office of the Clerk;
4. That the sections of said 2013 California Fire Code and California Fire Code Standards may be referred to by the number used in said published compilation, preceded by the words "California Fire Code Section" or "Fire Code Section" and may also be referred to by additional reference to Municipal Code and sections therein pertaining to said 2013 California Fire Code and Fire Code Standards;
5. That the additional requirements and standards established herein are needed to properly protect the health, safety, and welfare of the existing and future residents and workers of the Stanislaus Consolidated Fire Protection District;
6. Said requirements and standards are reasonably necessary because of local climatic, geological, and topographical conditions, and comply with existing state laws and regulations;
7. Amendment of the 2013 California Fire Code is necessary so as to provide more stringent standards for fire extinguishing systems, fire hazard and hazardous materials controls as necessary to serve the public interest by reducing the risk to life and property of the citizens of Stanislaus Consolidated Fire Protection District because of the following local conditions:

(a) Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;

(b) Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response;

(c) Fire response is delayed by railroad tracks.

Therefore, for the above reasons taken individually and cumulatively and in accordance with the authority granted in Sections 17958.5 and 17958.7 of the California Health and Safety Code, the Board of the Stanislaus Consolidated Fire Protection District expressly finds there are local climatic and topographical conditions that make the increased fire protection requirements set forth in this article reasonably necessary.

Section 1 That a certain document, one (1) copy of which is on file in the office of the Modesto Regional Fire Authority Fire Prevention Division, being marked and designated as the California Fire Code, 2013 edition, including Appendix Chapter 4, Appendices B, BB, C, CC, D, E, F, G, I and K and Division II Administration as published by the International Code Council, be and is hereby adopted as the Fire Code of the Stanislaus Consolidated Fire Protection District, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Modesto Regional Fire Authority Fire Prevention Division are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertion, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2 That the following sections of the 2013 California Fire Code are hereby revised:

Section 101.1 Title these regulations shall be known as the Fire Code of: Stanislaus Consolidated Fire Protection District, hereinafter referred to as "this code."

Information on Construction Documents.

Section 105.4.2.2 of the 2013 California Fire Code is hereby added to read as follows:

An 8 ½" x 11" document and an electronically submitted "detail" page for emergency responder data files shall be submitted to and approved by fire department before final inspection. Detail page shall include site plan showing:

- a. Property, site layout
- b. Roads, fire access lanes, and building access points
- c. Premises Identification (Address, building identification, suites, room numbers, etc.)
- d. Hydrants and FDC locations
- e. Knox product locations
- f. Fire alarm control locations
- g. Fire riser locations
- h. Hose valve locations
- i. "Main Electrical" and "Main Gas Disconnect" locations
- j. Hazardous materials storage

Permit Required for Certain Operations

Section 105.6.15 of the 2013 California Fire Code is hereby deleted.

Appeals

Section 108.1 of the 2013 California Fire Code, Board of Appeals is hereby amended to read as follows: Applicant may appeal the decision of the Chief to the Stanislaus Consolidated Fire Protection District within thirty (30) days from the date of the decision being appealed whenever the Chief:

1. Disapproves an application for use of alternate materials, methods and/or types of construction,
2. Disapproves an application for permit or refuses to grant a permit applied for,
3. When it is claimed that the provisions of the code do not apply, or
4. That the true intent and meaning of the code have been misconstrued or wrongly interpreted.

Compliance with Orders and Notices

Section 109.3.2 of the 2013 California Fire Code is hereby added to read as follows:

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, City of Riverbank Attorney or City of Waterford 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 180 days 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.

Violation Penalties.

Section 109.4 of the 2013 California Fire Code is hereby added as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$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.

Administrative Penalties

Section 109.5 of the 2013 California Fire Code is hereby added as follows:

In addition to any other remedies set forth in this chapter, administrative penalties may be imposed against any person, as defined in Section 202 of this Code, for violating any of the requirements set forth in this code or who are in violation of Section 12676 or 12677 of the California Health and Safety Code. Any administrative penalties assessed shall be as follows:

- (a) For violations of this Code or Section 12676 or 12677 of the California Health and Safety Code, Possession, Sale, Use or Discharge of Dangerous Fireworks, the administrative penalty shall be five hundred dollars (\$500.00) for each specific act found to be in violation of that section
- (b) For all violations of this chapter, Possession, Sale, Use or Discharge of Dangerous Fireworks, the amount of the administrative penalty shall be one hundred dollars (\$100.00) for the first violation, two hundred dollars (\$200.00) for a second violation within any twelve (12) month period and five hundred dollars (\$500.00) for any subsequent violations within any twelve (12) month period.

Failure to Comply

Section 111.4 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 that \$500 dollars or more than \$ 1,000 dollars.

Fees

Section 113.6 of the 2013 California Fire Code is hereby added to read as follows:

- (a) Permit Fee. The Board of the Stanislaus Consolidated Fire Protection District may, by resolution adopted from time to time, charge a fee for any permit issued pursuant to the Fire Code.
- (b) Plan Check Fee. When a plan is required to be submitted, the plan-checking fee shall be paid at the time of submitting plans and specifications for checking as applicable. Where plans are incomplete, or changed so as to require an additional plan check, an additional plan-check fee shall be charged at a rate shown in a schedule setting forth fees as adopted from time to time by resolution of the Stanislaus Consolidated Fire Protection District.

Vegetation

Section 304.1.2 of the 2013 California Fire Code is hereby amended by adding the following:

Vegetation abatement shall comply with Stanislaus County Code Title 9, Chapter 9.20, Riverbank Municipal Code Title IX Chapter 97 and Waterford Municipal Code Title 8 Chapter 8.12.

The Fire District may recover, from a property owner, those costs associated with the suppression costs incurred in fighting a fire and for providing rescue or emergency medical services should a fire occur on said property after the owner has been notified to abate such public nuisance and has failed to do so.

Open Burning

Section 307.1 of the 2013 California Fire Code is hereby amended by adding the following:

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 compliance with all safeguards pursuant thereto. Any such permitted burning shall be restricted to agricultural purposes and confined to areas of the Stanislaus Consolidated Fire Protection District in which agricultural uses are lawful.

Vehicle Impact Protection

Section 312.2 of the 2013 California Fire Code is hereby amended to read as follows:

Posts. 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 three (3) 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 protected object.

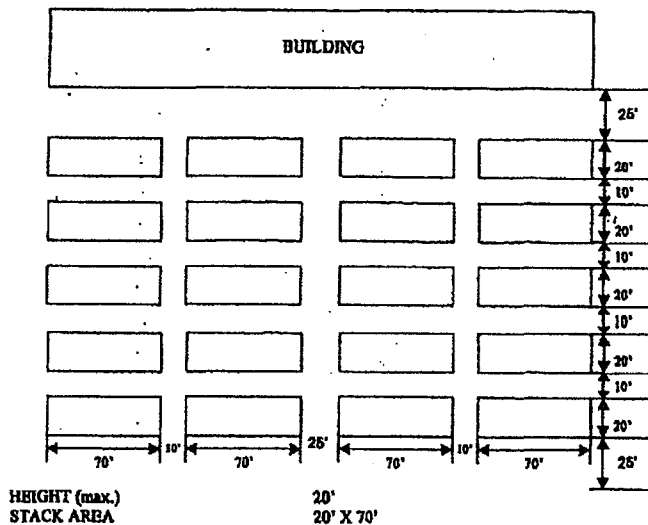
Outdoor Storage of Pallets

Section 315.6 is hereby added to the 2013 California Fire Code to read as follows:

Requirements for Outdoor Storage of Pallets.

1. Open yards required by the California Building Code shall be maintained around structures. CFC 2803.1 (Yard – An open space, other than a court, unobstructed from the ground to the sky, except where specifically provided by the California Building Code, on the lot on which a building is situated.) CFC Definitions Section 202.
2. Piles shall be a minimum of 25 feet from a structure.
3. Piles shall not be located within 10 feet of a property line.
4. The maximum dimensions of a pile shall not exceed 20 feet x 70 feet.
5. Pile height shall not exceed 20 feet.
6. There shall be 10 feet of aisle ways between piles.
7. Piles shall be placed in grids not to exceed 140 feet by 150 feet.
8. Each grid shall be separated by an approved fire apparatus access road.
9. Permanent pallet storage areas shall be surrounded with an approved fence. Fences shall be a minimum of six (6) feet in height.
10. Adequate water supply as required by the fire department shall be provided for fire suppression needs.

Note: Pallets shall not obstruct fire apparatus access roads or fire apparatus access to water supplies (fire hydrants, etc.)



Fire Safety and Evacuation Plans

Section 404.2 of the 2013 California Fire Code is hereby amended to add:
 16. Buildings over 100,000 square feet in aggregate floor area.

Premises Identification

Section 505.1 of the 2013 California Fire Code is hereby amended to read as follows:

Address Identification. New and existing buildings shall have approved address numbers, building numbers or other approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with the background and be illuminated either internally or externally between dusk and dawn daily. Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response. Residential address numbers shall be a minimum of 4" tall with a minimum stroke width of 1/2". Commercial address numbers shall be a minimum of 6" tall Arabic numerals with a minimum stroke width of 3/4". Larger numbers, suite and rear door identification, etc. may be required by fire code official to facilitate emergency response. Where access is by means of a private road or building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

Key Boxes

Section 506.1 of the 2013 California Fire Code is hereby amended to read as follows:

Where required. All commercial projects (new, remodel, change of occupancy, addition or new business license inspection) shall install a Knox Key Box if one is not already installed. A Knox Key Box capable of containing Material Safety Data Sheets (MSDS) and hazardous materials plans may be required for commercial sites with significant amounts of hazardous materials.

506.1.3 Key Boxes shall be installed and secured in accordance with manufactures specifications and mounted to the right of the main entrance door with the top of box no higher than 6' above finished grade. Additional Key Boxes may be required for large facilities.

506.1.4 When manually operated gates cross required fire access lanes, or prevent access to building, a Knox padlock or Knox Key Box shall be installed at access gate. Electrically operated gates that cross fire access lanes shall be required to be equipped with an Opticom type strobe light system or Knox Key Switch used by the Stanislaus Consolidated Fire Protection District. A dual keyed switch to accommodate law enforcement may be required.

Water Supply for Pallets

Section 507.3.1 of the 2013 California Fire Code is hereby amended to read as follows:

Fire protection water supply for pallets shall be in accordance with Section 2809.5.

Water Supplies and Fire Hydrants

Section 507.5.1 of the 2013 California Fire Code is hereby amended to read as follows:

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 from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief.

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 and Appendix D.

Exception: For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 500 feet.

Private Fire Service Mains and Water Tanks

Section 507.5.3 of the 2013 California Fire Code is hereby amended by adding at the end: and shall be in accordance with *California* National Fire Protection Association 25 Edition (2011 Edition).

Private Water Agreement

Section 507.5.7 is hereby added to the 2013 California Fire Code to read as follows:

Private water agreements shall be required when a private fire protection water supply is required by this code. The agreement shall be entered into by the property owner and the Stanislaus Consolidated Fire Protection District.

Fuel Fired Appliances

Section 603.4 of the 2013 California Fire Code is hereby amended to read as follows:

Portable Unvented Heaters. The use of listed portable unvented fuel-fired heating equipment is limited to supplemental heating in Group S-2 and U occupancies.

Electrical Equipment, Wiring and Hazards

Section 605.3.2 of the 2013 California Fire Code is hereby amended to add:

Main Disconnects. The main electrical service to any commercial building shall be accessible for emergency shut off from the outside of the building. This may be accomplished by providing one (1) main disconnect, a Knox disconnect or shunt trip device. If, out of necessity, there is more than one main service disconnect, these disconnects shall be located in close proximity to each other as approved by the Fire Chief.

If a generator system activates automatically when a shunt trip or main disconnect shuts down, a control to stop the generator must be located with the main disconnect or shunt trip. Shunt trips, main disconnects and generator controls shall be identified by signs approved by the Fire Chief.

Exception:

1. Electrical control room with a marked door that is directly accessible from the outside of the building.

Automatic Sprinkler Systems

Section 903.2 of the 2013 California Fire Code is hereby amended to read as follows:

New Construction. An approved automatic fire sprinkler system is required in all new buildings and structures constructed on or after the effective date of this ordinance, notwithstanding the use and occupancy thereof, when the total floor area under one roof exceeds five thousand (5,000) square feet.

The means of measuring square footage used to determine if automatic fire sprinklers are required shall be as follows: The total aggregate floor area shall be determined by measuring and totaling the area within the outside walls of the structure for each floor, or mezzanine and basement; the area beneath all attached projections from the outside walls that are four (4') feet or larger. If the structure has no outside walls, the area shall be measured from the edge of the eaves projection. If structures are within six (6') feet of each other as measured from the outside walls, or any projection therefrom, or are attached by a breezeway or covered walkway, the measured floor area of each shall be aggregated. Area separation walls shall not be used for the purpose of eliminating automatic fire sprinkler systems.

Exceptions:

1. Buildings and structures classified as F-1 Nut Hullers less than 12,001 square feet and unattached U occupancies as defined in Section 202 of the California Fire Code.
2. If the provisions of the 2013 California Fire Code Section 903.2.1 through 903.2.19 are more restrictive, then the more restrictive requirement shall apply.

Existing Buildings.

Section 903.2.20 of the 2013 California Fire Code is hereby added to read as follows:

An approved automatic fire sprinkler system shall be installed in all existing buildings and structures when additions or alterations are made that cause said building or structure to exceed five (5,000) square feet.

Exceptions:

1. Buildings and structures classified as unattached U occupancies.
2. Each portion of an existing building or structure separated by one or more fire walls that limit each fire area to a maximum of five thousand (5,000) square feet,

Isolated Buildings in Rural Areas

Section 903.2.21 of the 2013 California Fire Code is hereby added to read as follows:

For isolated buildings or groups of buildings 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 chief shall be provided to accommodate sprinkler and hose demand for an additional 30 minutes beyond the storage required in 2 above.
4. An Approved sprinkler system monitoring alarm as defined in Section 1003.3.1 of the Stanislaus County Fire Code shall be provided.

Hose Threads

Section 903.3.6 of the 2013 California Fire Code shall be amended to read as follows:

Fire hose threads and fittings used in connection with automatic sprinkler systems shall be "National Hose" (NH).

Standpipe Systems

Section 905.3.1 of the California Fire Code is amended to read as follows:

Occupancies three or more stories in height shall be provided with a class one standpipe system approved by the Fire Chief (Except R Division 3).

Occupancies less than three stories in height but greater than 20,000 square feet per floor shall be required to install a class one standpipe system approved by the Fire Chief.

Garden type apartment complexes may be required to install type one standpipe systems approved by the Fire Chief.

Fire Department Connections

Section 912.2.1 of the 2013 California Fire Code shall be amended to add:
Fire department connections shall be within fifty (50) feet of a fire hydrant.

Fire Alarm Systems

Section 907.2 of the 2013 California Fire Code is hereby amended to read as follows:
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.

Supervision and Communication System

Section 907.2.1.4 is hereby added to the 2013 California Fire Code to read as follows:

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 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.

False Alarms

Section 908.8 of the 2013 California Fire Code is hereby amended to read as follows:
False alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted. The Stanislaus Consolidated Fire Protection District has adopted by resolution reasonable fees to recover the costs associated with responses to buildings or structures that have excessive false alarms.

Hot Works

Section 3504.2.6 of the 2013 California Fire Code is hereby amended to read as follows:
Fire Extinguisher. A minimum of one portable fire extinguisher complying with Section 906 and with a minimum 2-A:20 B:C rating shall be readily accessible within thirty (30) feet of the location where hot works is performed and shall be accessible without climbing stairs. When required by the Fire Code Official, a minimum 2-A:20-B:C rated fire extinguisher shall be mounted to each portable welding cart.

Deposits of Hazardous Materials; Cleanup, Abatement, or Mitigation Required; Liability for Costs

Section 5003.3.1.4 of the 2013 California Fire Code is hereby amended to read as follows:
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 Chief, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be borne 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 Stanislaus Consolidated Fire Protection District shall include, but shall not necessarily be limited to, the following: actual labor costs of Stanislaus Consolidated Fire Protection District personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the Stanislaus Consolidated Fire Protection District; 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.

Fireworks

Section 5608.1.2 is hereby added to the 2013 California Fire Code to read as follows:

The provisions of Stanislaus County Code Chapter 9.84 FIREWORKS is incorporated herein by reference and shall also apply to unincorporated areas of the county as identified in Section 9.84.110.

Restricted Locations of Flammable and Combustible Liquids in Tanks

Section 5704.2.9.6.1 of the 2013 California Fire Code is hereby amended to read as follows:

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 2013 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 the Stanislaus Consolidated Fire Protection District.

Maintenance of Protected Aboveground Tanks

Section 5704.2.9.6.1.1 is hereby added to the 2013 California Fire Code to read as follows: Maintenance of 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.

Manufacture of Biodiesel at Residential Occupancies

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.1 to read as follows:

The manufacture and storage of biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

Manufacture of Ethanol at Residential Occupancies

Section 5704.3.4.2 number 7 of the 2013 California Fire Code is hereby amended by adding subsection 7.2 to read as follows:

The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

Operating Heating, Lighting, and Cooking Appliances Prohibited

Section 5705.3.3 of the 2013 California Fire Code is hereby amended to include the following:

Class II and III Liquids

Location of Bulk Plants for Storage of Flammable and Combustible Liquids

Section 5706.4 of the 2013 California Fire Code is hereby amended to by adding the following:

The construction of new bulk plants for storage of flammable or combustible liquids is restricted to areas of the Stanislaus Consolidated Fire Protection District 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 Chief grants a permit.

Transfer Operations

Section 5706.5.1.1 of the 2013 California Fire Code is hereby amended by adding the following:

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.

Permits and Plans for Liquefied Petroleum Gases

Section 6101.2 of the 2013 California Fire Code is hereby amended to read as follows:

Permits. Permits shall be required as set forth in Sections 105.6 and 105.7

EXCEPTIONS:

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.

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.

Outside Storage and Use of Liquefied Petroleum Gases

Section 6104.2 of the 2013 California Fire Code is amended as follows:

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 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 Chief, may be permitted in those areas of 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 Chief.
5. For use as an alternative fuel supply for an emergency standby generator, when authorized by the Chief.
6. For use with certain mobile vending and certain commercial barbecue equipment and other specific uses when authorized by the Chief.
7. For use by Artisans in pursuit of their trade, when authorized by the Chief.
8. Storage of portable containers awaiting exchange may be permitted in commercially zoned areas of Stanislaus County, including those zoned Neighborhood Commercial, when approved by the Chief and stored in accordance with Section 6109. 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 FPB 82-01

Section 3 That the geographic limits referred to in certain sections of the 2013 California Fire Code are hereby established as follows:

Section 5704.2.9.6.1

All R-1, R-2, and R-3 zoning designations as identified by the Title 21 of Stanislaus County Code; or Title 15 of Riverbank Municipal Code; or Title 17 of Waterford Municipal Code.

Section 5706.2.4.4

All R-1, R-2, and R-3 zoning designations as identified by Title 21 of Stanislaus County Code; or Title 15 of Riverbank Municipal Code; or Title 17 of Waterford Municipal Code.

Section 5806.2 add second paragraph to read as follows:

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. All R-1, R-2, and R-3 zoning designations as identified by Title 21 of Stanislaus County Code; or Title 15 of Riverbank Municipal Code; or Title 17 of Waterford Municipal Code.

Section 6104.2

The incorporated boundary within the Stanislaus Consolidated Fire Protection District.

Section 4 That Ordinance No.2013-7 of the Stanislaus Consolidated Fire Protection District entitled Ordinance for Adoption of the 2013 California Fire Code and Providing for the Modification Thereof and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5 That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6 That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 7 That the Stanislaus Consolidated Fire Protection District is hereby ordered and directed to cause notification of this proposed ordinance to be published.

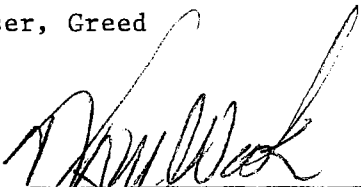
Section 8 That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect ON JANUARY 1, 2014 from and after the date of its final passage and adoption.

Section 9 The Board of Directors of the Stanislaus Consolidated Fire Protection District finds its adoption of the 2013 Edition of the California Fire Code as set forth in this ordinance to be exempt from review under provisions of the California Environmental Quality Act (Public Resources Codes Section 21000 et seq., "CEQA") consistent with, among other things, the provisions of CEQA guidelines Section 15321 (Class 21) which exempts review of the adoption of a general rule of enforcement under CEQA.

I HEREBY CERTIFY that the foregoing Ordinance was duly adopted by the District Board by the following vote:

AYES: Directors; Woods, Guzman, Strasser, Greed
NOES: None
ABSENT: None
ABSTAIN: None

Dated:



Dave Woods, Board President

ATTEST:


The foregoing is certified to be a correct copy of the original on file in this office which has not been revoked and is now in full force and effect.

APPROVED AS TO CONTENT:



Brian M. Kelly, Interim Fire Chief
Clerk of the Board

APPROVED AS TO FORM:



Bill Ross
District Counsel