

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

DEPT: Office Of Emergency Services

BOARD AGENDA #: *B-5

AGENDA DATE: December 6, 2016

SUBJECT:

Approval to Ratify Hughson Fire Protection District, Oakdale Rural Fire Protection District and Salida Fire Protection District Ordinances Adopting and Amending the 2016 California Fire Code

BOARD ACTION AS FOLLOWS:

No. 2016-600

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: 
PAM VILLARREAL, Assistant Clerk

DF-04-A-7
DF-8-C-6
File No. DF-10-B-9

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Office Of Emergency Services
Urgent Routine

BOARD AGENDA #: *B-5

AGENDA DATE: December 6, 2016

CEO CONCURRENCE:

pht

D.S.

4/5 Vote Required: Yes No

SUBJECT:

Approval to Ratify Hughson Fire Protection District, Oakdale Rural Fire Protection District and Salida Fire Protection District Ordinances Adopting and Amending the 2016 California Fire Code

STAFF RECOMMENDATIONS:

1. Ratify ordinances passed by Hughson Fire Protection District, Oakdale Rural Fire Protection District and Salida Fire Protection District adopting and amending the 2016 California Fire Code.
2. Authorize the Stanislaus County Fire Wardens Office 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)).

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 State most recently adopted revisions to the California Fire Code on July 1, 2016, which goes into effect on January 1, 2017. The attached ordinances update and amend the State and County Fire Codes in the Hughson Fire Protection District, Oakdale Rural Fire Protection District and Salida Fire Protection District to be consistent with the 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).) Once adopted, the ordinance must be transmitted to the County where the ordinance will apply. The County 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, which have been approved by the governing boards of Hughson, Oakdale Rural and Salida Fire Protection District, primarily consists of changes to the formatting and

Attachment A

HUGHSON FIRE PROTECTION DISTRICT

ORDINANCE NO. 2016-01 ORDINANCE FOR ADOPTION OF THE 2016 CALIFORNIA FIRE CODE AND PROVIDING FOR THE MODIFICATION THEREOF

An ordinance of the Hughson Fire Protection District adopting the 2016 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 Hughson Fire Protection District, and providing for the issuance of permits and collection of fees therefore; repealing Ordinance No 2013-1 of the Hughson Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

Findings and Adoption of the 2016 California Fire Code

The Board of the Hughson 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, 2016 Edition, and 2016 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization;
2. That said 2016 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 2016 California Fire Code and one (1) copy of the National Fire Protection Association Code, certified by the Clerk to be true copies, have been filed for use and examination by the public in the office of Stanislaus County Fire Prevention Division, 1010 Tenth Street Place Modesto, California.
4. That the sections of said 2016 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 2016 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 Hughson 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 2016 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 Hughson Fire Protection District because of the following local conditions:

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

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

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 Hughson 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 Hughson 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 Stanislaus County Fire Prevention Division, 1010 Tenth Street Place Modesto California being marked and designated as the California Fire Code, 2016 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 Hughson 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 Hughson 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 2016 California Fire Code are hereby revised:

Section 101.1 Title

These regulations shall be known as the Fire Code of: Hughson Fire Protection District, hereinafter referred to as "this code".

Permit Required for Certain Operations

Section 105.6.16 of the California Fire Code is hereby deleted.

Board of Appeals

Section 108.1 of the 2016 California Fire Code is hereby amended to read as follows:

The applicant may appeal the decision of the Chief to the Hughson 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 2016 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 subject to 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 one hundred eighty (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 subject to 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 2016 California Fire Code is hereby amended as follows:

Persons who violates a provision of this code, who fails to comply with any of the requirements thereof, or who erects installs, alters, repairs or does any work in violation of the approved construction documents, directive of the fire code official, or of a permit of certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment not exceeding one hundred eighty (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 2016 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 for 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 as set forth in subsection (a), 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 continues 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 subject to a fine of not less than five hundred dollars (\$500) dollars or more than one thousand dollars (\$1,000).

Fees

Section 113.6 of the 2016 California Fire Code is hereby added as follows:

- a. Permit Fee. The Board of the Hughson Fire Protection District may, by resolution adopted from time to time, establish 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 Hughson Fire Protection District.

Vegetation

Section 304.1.2 of the 2016 California Fire Code is hereby amended by adding the following:

Vegetation abatement shall comply with Title 9 of the Stanislaus County Code. 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 2016 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 Hughson Fire Protection District in which agricultural uses are lawful.

Vehicle Impact Protection

Section 312.2 of the 2016 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.

Exception:

Protected above ground tanks meeting U.L. 2085 vehicle impact protection standards may have additional guard posts waived when in the opinion of the fire code official the incorporated protection will provide adequate protection.

Key Boxes

Section 506.3 of the 2016 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 2016 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 2016 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 one hundred fifty (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 and appendix D.

Private fire service mains and water tanks.

Section 507.5.3 of the 2016 California edition, Fire Code is hereby amended by adding:

Private fire service mains and water tanks shall also comply with the California National Fire Protection Association Standard 25, 2013 Edition.

Private Water Agreement.

Section 507.5.7 is hereby added to the 2016 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 Hughson Fire Protection District.

The private water agreement to be recorded as part of the parcel deed when required by the Fire Chief.

Automatic Sprinkler Systems

Section 903.2 of the 2016 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 by the Building Official as F-1 Nut Hullers less than twelve thousand one (12,001) square feet and unattached Group U occupancies.
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 2016 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.

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 903.2.20 is hereby added to the 2016 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 fifteen (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 thirty (30) minutes beyond the storage required in subsection 2' above.
4. An Approved sprinkler system monitoring alarm as defined in section 903.4 of the 2016 California Fire Code shall be provided. NFPA 13 D systems shall be exempt from monitoring.

Standpipe Systems

Section 905.3.1 of the 2016 California Fire Code is hereby amended to read as follows:

Occupancies three (3) 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 (3) stories in height but greater than twenty thousand (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 2016 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 2016 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 2016 California Fire Code is hereby amended by adding the following:

False alarms shall not be given, signaled, transmitted or caused or permitted to be given, signaled or transmitted. The Hughson 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 2016 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 Hughson Fire Protection District shall include, but shall not necessarily be limited to, the following: actual labor costs of Hughson Fire Protection District personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the Hughson 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 5608.12 is hereby added to the 2016 California Fire Code to read as follows:

The provisions of Stanislaus County Code Chapter 9.84 FIREWORKS are 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 2016 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 2016 California Fire Code.

Exception #1: 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 Hughson Fire Protection District.

Exception #2: The provisions of this section shall not apply to tanks at Farms and Construction sites for private use complying with 2016 California Fire Code Section 5706.2.

Maintenance of Protected Aboveground Tanks

Section 5704.2.10.6 of the 2016 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 5705.3.5.2 number 7 of the 2016 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 5705.3.5.2 number 7 of the 2016 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 2016 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 2016 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 Hughson 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 2016 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 2016 California Fire Code is hereby 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 two thousand (2,000) gallons shall comply with procedure FPB 82-01

Permits and Plans for Liquefied Petroleum Gases

Section 6101.2 of the 2016 California Fire Code is hereby amended to read as follows:

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.

Section 3

That the geographic limits referred to in certain sections of the 2016 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 Hughson Fire Protection District.

Section 4

That Ordinance Number 2013-1 of the Hughson 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 law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or 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 currently pending in any court, or any existing rights acquired, 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 Hughson 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, 2017 from and after the date of its final passage and adoption.

Section 9

The Board of Directors of the Hughson Fire Protection District finds its adoption of the 2016 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 at Section 15321 (Class 21) which exempts review of the adoption of a general rule of enforcement under CEQA.

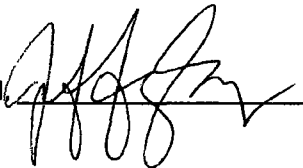
Passed and adopted on November, 9, 2016 By a vote of 4 to 0.

Ayes, Absher, Camagna, Serpa, Vincent

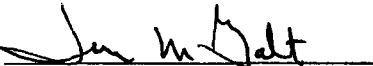
Noes, 0

Absent, Villarreal

President of the Board,



Attest, Secretary of the Board,



Attachment B



P.O. Box 932
OAKDALE, CALIFORNIA 95361
PHONE (209) 552-3862

Board Members *John Bairos –Chairman* *Raymond Martin* *Ryan Cope* *Vincent Victorine* *Richard Ardis*

OAKDALE FIRE PROTECTION DISTRICT

ORDINANCE NO. 2016-01

ORDINANCE FOR ADOPTION OF THE 2016 CALIFORNIA FIRE CODE AND PROVIDING FOR THE MODIFICATION THEREOF

An ordinance of the Oakdale Fire Protection District adopting the 2016 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.2013-09 of the Oakdale Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

Findings and Adoption of the 2016 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, 2016 Edition, and 2016 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization;
2. That said 2016 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 2016 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 2016 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 2016 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 2016 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 Oakdale 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 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 Stanislaus County Fire Warden, Fire Prevention Division being marked and designated as the California Fire Code, 2016 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 2016 California Fire Code are hereby revised:

**Administration
Scope and General Requirements**

Title.

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

**Administration
Permits**

Information on Construction Documents.

Section 105.4.2.2 of the 2016 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 the fire department before final inspection. Detail page shall include a 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. Fire Hydrant and Fire Department Connection (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 105.6.16 of the California Fire Code is hereby deleted.

Operational Permits - Liquefied Petroleum Gases.

Section 105.6.28, item number 1 of the 2016 California Fire Code is hereby amended to include the following:

Distributors shall not fill an LP-gas container for which a permit is required unless the fire code official has issued a permit for installation for that location.

EXCEPTION:

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

Construction Permits – LP-gas.

Section 105.7.12 the 2016 California Fire Code is hereby amended to include the following:

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.

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.

**Administration
Board of Appeals**

Appeals.

Section 108.1 of the 2016 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.

Administration Violations

Compliance with Orders and Notices.

Section 109.3.2 of the 2016 California Fire Code is hereby amended 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 2016 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 2016 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.

Administration Stop Work Order

Failure to Comply.

Section 111.4 of the 2016 California Fire Code is hereby amended to read as follows:

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.

Administration Fees

Fees.

Section 113.6 of the 2016 California Fire Code is hereby added as follows:

- (a) Permit Fee. The Board of the Oakdale Fire Protection District may, by resolution adopt 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.

General Requirements Combustible Waste Material

Vegetation.

Section 304.1.2 of the 2016 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.

**General Requirements
Open Burning, Recreational Fires
And Portable Outdoor Fireplaces**

Open Burning.

Section 307.1 of the 2016 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.

**General Requirements
Vehicle Impact Protection**

Vehicle Impact Protection.

Section 312.2 of the 2016 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.

**General Requirements
General Storage**

Outdoor Storage of Pallets.

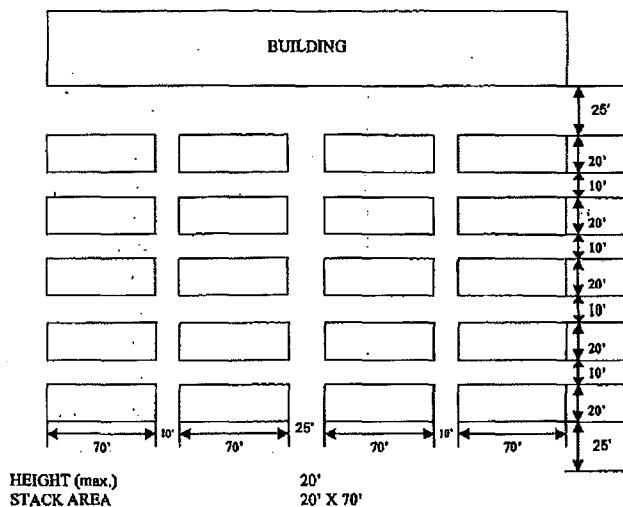
Section 315.7 is hereby added to the 2016 California Fire Code to read as follows:

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.)



Emergency Planning and Preparedness Emergency Preparedness Requirements

Fire Safety and Evacuation Plans.

Section 403.11.5 of the 2016 California Fire Code is hereby added:

Buildings greater than 100,000 square feet. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for buildings greater than 100,000 square feet in aggregate floor area.

Fire Service Features Premises Identification

Address Identification.

Section 505.1 of the 2016 California Fire Code is hereby amended to read as follows:

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.

Fire Service Features Key Boxes

Where required.

Section 506.1 of the 2016 California Fire Code is hereby amended to read as follows:

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 the Material Safety Data Sheets (MSDS) and hazardous materials plans may be required for commercial sites with significant amounts of hazardous materials.

Installation.

Section 506.1.3 of the 2016 California Fire Code is hereby added as follows:

Key boxes shall be installed and secured in accordance with manufacturer's specifications and mounted to the right of the main entrance door with the top of the box no higher than 6' above finished grade. Additional key boxes may be required for larger facilities.

Gates.

Section 506.1.4 of the 2016 California Fire Code is hereby added as follows:

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

Key Box.

Section 506.3 of the 2016 California Fire Code is hereby added as follows:

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

Fire Service Features Fire Protection Water Supplies

Required Water Supply.

Section 507.1 of the California Fire Code is hereby amended by adding the following:

The Oakdale Fire District Water Tender Mitigation Fee is an approved water supply.

Water Supply for Pallets.

Section 507.2.1.1 of the 2016 California Fire Code is hereby added to read as follows:

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

Water Supplies and Fire Hydrants.

Section 507.5.1 of the 2016 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 Fire 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 2016 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 2016 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.

**Building Services and Systems
Fuel-Fired Appliances**

Portable Unvented Heaters.

Section 603.4 of the 2016 California Fire Code is hereby amended to read as follows:

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

Building Services and Systems

Electrical Equipment, Wiring and Hazards

Main Disconnects.

Section 605.3.2 is hereby added to the 2016 California Fire Code to read as follows:

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.

Fire Protection Systems Automatic Sprinkler Systems

New Construction.

Section 903.2 of the 2016 California Fire Code is hereby amended to read as follows:

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 of the 2016 California Fire Code are more restrictive, then the more restrictive requirement shall apply.

Existing Buildings.

Section 903.2.20 is hereby added to the 2016 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 903.2.21 is hereby added to the 2016 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 903.4 of the California Fire Code shall be provided.

Hose Threads

Section 903.3.6 of the 2016 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).

**Fire Protection Systems
Standpipe Systems**

Height.

Section 905.3.1 of the 2016 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 Protection Systems
Fire Alarm and Detector Systems**

Where required – new buildings and structures.

Section 907.2 of the 2016 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.

False Alarms.

Section 907.8.5 of the 2016 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.

**Fire Protection Systems
Fire Department Connections**

Visible location.

Section 912.2.1 of the 2016 California Fire Code shall be amended to add:

Fire department connections shall be within fifty (50) feet of a fire hydrant.

**Welding and Other Hot Work
Fire Safety Requirements**

Fire Extinguisher.

Section 3504.2.6 of the 2016 California Fire Code is hereby amended to read as follows:

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.

**Hazardous Materials – General Provisions
General Requirements**

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

Section 5003.3.1.4 of the 2016 California Fire Code is hereby amended to read as follows:

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.

Explosives and Fireworks Fireworks Display

Fireworks.

Section 5608.1.2 is hereby added to the 2016 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.

Flammable and Combustible Liquids Storage

Restricted Locations of Flammable and Combustible Liquids in Tanks.

Section 5704.2.9.6.1 of the 2016 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 2016 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 5704.2.9.8 of the 2016 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.

Manufacture of Biodiesel at Residential Occupancies.

Section 5704.3.4.2 number 7 of the 2016 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 2016 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."

**Flammable and Combustible Liquids
Dispensing, Use, Mixing, and Handling**

Operating Heating, Lighting, and Cooking Appliances Prohibited.

Section 5705.3.3 of the 2016 California Fire Code is hereby amended to include the following:

Class II and III Liquids

**Flammable and Combustible Liquids
Special Operations**

Location of Bulk Plants for Storage of Flammable and Combustible Liquids.

Section 5706.4 of the 2016 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 2016 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.

**Liquefied Petroleum Gases
Location of LP-Gas Containers**

Outside Storage and Use of Liquefied Petroleum Gases.

Section 6104.2 of the 2016 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

Section 3 That the geographic limits referred to in certain sections of the 2016 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.2013-09 of the Oakdale 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 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, 2017 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 2016 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 Oakdale Fire Protection District, California, on 20th day of September, 2016

PASSED, ADOPTED AND APPROVED on this 25th day of October, 2016 by the following vote:

On motion of Director Ardis and Seconded by Director Martin
And approved by the following vote:

AYES: 5 Directors: Bairos, Martin, Cope, Victorine & Ardis.
NAYS: 0 Directors:
Excused or Absent: 0 Directors:
Abstaining: 0 Directors:

SIGNATORIES:

Director John Bairos [Signature]
Director Ray Martin [Signature]
Director Ryan Cope [Signature]
Director Vincent Victorine [Signature]
Director Richard Ardis [Signature]

CHAIRMAN: [Signature]
John Bairos, Board Chairman

ATTEST: [Signature]
Danielle Denczek, Clerk of the Board

APPROVED AS TO FORM BY:

[Signature]
William Ross, Esquire
District Council

Attachment C



**ORDINANCE NO. 2016-01
ORDINANCE OF THE BOARD OF DIRECTORS OF THE SALIDA FIRE
PROTECTION DISTRICT, CALIFORNIA**

**AN ORDINANCE FOR ADOPTION OF THE 2016 CALIFORNIA FIRE CODE AND
PROVIDING FOR THE MODIFICATION THEREOF**

WHEREAS: An ordinance of the Salida Fire Protection District adopting the-2016 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. 2013-01 of the Salida Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

Findings and Adoption of the 2016 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, 2016 Edition, and 2016 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization;
2. That said 2016 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 2016 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;

SFPD ORDINANCE 2016-01

4. That the sections of said 2016 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"
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 2016 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 Stanislaus County Fire Prevention Division, 1010 Tenth Street Place, Modesto California, being marked and designated as the California Fire Code, 2016 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 2016 California Fire Code are hereby revised:
SFPD ORDINANCE: 2016-01

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 105.6.16 of the California Fire Code is hereby deleted.

Board of Appeals

Section 108.1 of the 2016 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 2016 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 2016 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 2016 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 2016 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 a deposit shall be collected at submittal. An hourly rate shall be charged for actual time spent on plan check by Salida Fire or contracted personnel.

Where plans are incomplete, or changed so as to require an additional plan check, an additional plan-check fee shall be charged at an hourly rate for actual time spent. The

hourly rate shall be 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 2016 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 2016 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 2016 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.

Exemption

Protected above ground tanks meeting U.L. 2085 Standards, including impact protection, may have the Vehicle Impact Protection Section 312.2 waived if in the opinion of the Fire Code Official that the incorporated protection will provide adequate vehicle impact protection.

Key Boxes

Section 506.3 of the 2016 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 2016 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 2016 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 and/or Appendix D.

Private fire service mains and water tanks.

Section 507.5.3 of the 2016 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, 2013 Edition.

Private Water Agreement.

Section 507.5.7 is hereby added to the 2016 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. The agreement may be required to be recorded on the parcel deed when required by the Chief.

Automatic Sprinkler Systems

Section 903.2 of the 2016 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 classified by the Stanislaus County Building Official.
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 2016 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 by the Stanislaus County Building Official 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 2016 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 903.4 of the 2016 California Fire Code shall be provided. Exception, Monitoring not required for NFPA 13D systems

Standpipe Systems

Section 905.3.1 of the 2016 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 2016 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 2016 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 2016 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 2016 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 2016 California Fire Code to read as follows:

The provisions of Stanislaus County Code Chapter 9.84 FIREWORKS are 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 2016 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 2016 California Fire Code.

Exception # 1 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.

Exception #2 Tanks for private use at farms and construction sites complying with California Fire Code section 5706.2.

Maintenance of Protected Aboveground Tanks

Section 5704.2.10.6 of the 2016 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 5705.3.5.2 number 7 of the 2016 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 5705.3.5.2 number 7 of the 2016 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

SFPD ORDINANCE 2016-01

Section 5705.3.3 of the 2016 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 2016 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 2016 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 2016 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.

SFPD ORDINANCE 2016-01

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 2016 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 2016 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.

SFPD ORDINANCE 2016-01

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 2013-01 of the Salida 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 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, 2017 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 2016 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 the 20th day of September, 2016

PASSED, ADOPTED AND APPROVED on this 25th day of October, 2016 by the following vote:

On motion of Director Rusca and Seconded by Director Bert

And approved by the following vote:

AYES: 4 Directors: Brubaker, Rusca, Bert & De Boer
NAYS: 0 Directors:
Excused or Absent: 1 Directors: Boyd
Abstaining: 0 Directors:

SIGNATORIES:

Director Thomas Bert [Signature]
Director Dave Boyd Absent
Director Jerry DeBoer [Signature]
Director Emil Rusca [Signature]
Director Mark Brubaker [Signature]

CHAIRMAN: [Signature]
Mark Brubaker, Board Chair

ATTEST: [Signature]
Danielle Denczek, Clerk of the Board

APPROVED AS TO FORM BY:
[Signature]
William Ross, Esquire
District Council