ORDINANCE 444

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING CHAPTERS 15.08, 15.10, 15.12, 15.16, 15.20, 15.22, 15.23 AND 15.32 OF THE SOLANA BEACH MUNICIPAL CODE

WHEREAS, Health & Safety Code Section 17958 mandates that the City of Solana Beach shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health & Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health & Safety Code Section 17922 to impose the same requirements as are contained in the 2013 California Building Standards Code, Title 24 of the California Code of Regulations; and

WHEREAS, the State of California is mandated by Health & Safety Code Section 17922 to impose the same requirements as are contained in the 2013 California Building Standards Code, together with the City of Solana Beach amendments, which collectively shall be the City of Solana Beach Building Code, for the purpose of prescribing regulations in the City of Solana Beach; and

WHEREAS, Health & Safety Code Section 17958.5 permits the City of Solana Beach to make such changes or modifications to the 2013 California Building Standards Code as are reasonably necessary because of local conditions; and

WHEREAS, pursuant to the foregoing authority, local amendments adopted by the City of Solana Beach shall take precedence over the 2013 California Building Standards Code; and

WHEREAS, Health & Safety Code Section 17958.7 requires that the City of Solana Beach, before making any changes or modifications to building standards pursuant to Section 17958.5, make express findings that such changes or modifications are needed due to climatic, geographic, or topographic conditions and files the same with the California Building Standards Commission; and

WHEREAS, the City Council of the City of Solana Beach does herewith find that the City has certain climatic, geologic, and topographical features that can have a deleterious effect on the safety and fitness of property, buildings and structures, all of which are more fully discussed herein; and

WHEREAS, Sections 50022.1 through 50022.10, inclusive, of the Government Code provide authority for the adoption by reference of codes, or portion of such codes; and

WHEREAS, if a City does not make changes then the California Building Standards Code becomes effective in such city 180 days after publication of the California Building Standards Code by the California Building Standards Commission; and

WHEREAS, amendments to provisions relating to civil, administrative, or criminal procedures and remedies available for enforcing violations do not require findings pursuant to Health & Safety Code Section 17958.7.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLANA BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1: The above recitals are true and correct and incorporated herein as though set forth in full.

SECTION 2: Chapter 15.08 of the Solana Beach Municipal Code, entitled "Building Code", is hereby amended to read:

Sections:

15.08.010 Adoption of the California Building Code, Part 2, Title 24 of the California Code of Regulations.
15.08.020 Chapter 1, Administration, Division II, deleted.
15.08.030 Table 1505.1 amended.
15.08.040 Appendices C, H and I adopted.

15.08.010 Adoption of the California Building Code, Part 2, Title 24 of the California Code of Regulations.

A. There is adopted and incorporated by reference herein as the City building for the purpose of prescribing regulations in the City of Solana Beach for erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and structures, the 2013 California Building 2, Title 24 of the California Code of Regulations, a portion of the 2013 Building Standards Code, as defined in the 2013 California State Health and Safety Code, Section 18901 et seq., including those Appendix chapters not shown as deleted by this chapter. Except as otherwise provided by this all erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures within the City of Solana Beach in conformance with the 2013 California Building Code which is based on

International Building Code, 2012 Edition, and the adopted Appendix published by the California Building Standards Commission.

B. Findings. The City of Solana Beach has many large brush-covered hillsides. The City is subject to frequent Santa Ana conditions consisting of dry gusting winds, which create extreme fire dangers. The City council specifically finds that these geographic and topographical conditions necessitate greater fire protection than that provided by the State Building Code. Therefore, this chapter alters the 2013 California Building Code to require more fire-retardant roof coverings.
C. Deletions, revisions and additions to the 2013 California Building Code shall be as follows.

15.08.020 Chapter 1, Administration, Division II, deleted.
Chapter 1, Administration, Division II, of the 2013 California Building Code is deleted.
15.08.030 Table 1505.1 amended.
Table 1505.1 of the 2013 California Building Code is amended to read as follows:

Table 1505.1

MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

15.08.040 Appendices C, H and I adopted.
Appendices C, H and I are adopted.

SECTION 3: Chapter 15.10 of the Solana Beach Municipal Code, entitled "Residential Code", is hereby amended to read:

Sections:

15.10.010 Adoption of the California Residential Code, Part 2.5, Title 24 of the California Code of Regulations.
15.10.020 Chapter 1, Administration, Division II, deleted.
15.10.030 Section R902.1.3 amended.
15.10.040 Appendix H adopted.

15.10.010 Adoption of the California Residential Code, Part 2.5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City residential code for the purpose of prescribing regulations in the City of Solana Beach for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of one- and two-family dwellings and townhouses not over three stories above grade and their accessory structures, the 2013 California Residential Code, Part 2.5, Title 24 of the California Code of Regulations a portion of the California Building Standards Code. Except as otherwise provided by this chapter of the City of Solana Beach Municipal Code, all construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of one- and two-family dwellings and townhouses not more than three stories above grade, shall be in conformance with the 2013 California Residential Code which is based on the International Residential Code, 2012 Edition, and the adopted appendix chapters, published by the California Building Standards Commission.

15.10.020 Chapter 1, Administration, Division II, deleted.

Chapter 1, Administration, Division II of the California Residential Code is hereby deleted.

15.10.030 Section R902.1.3 amended.

Section R902.1.3 is amended to read as follows:

> R902.1.3 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within a one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class A.

15.10.040 Appendix H adopted.

Appendix H of the California Residential Code is adopted.

SECTION 4: Chapter 15.12 of the Solana Beach Municipal Code, entitled "Electrical Code", is hereby amended to read:

Sections:

15.12.010 Adoption of the California Electrical Code, Part 3, Title 24 of the California Code of Regulations.

15.12.010 Adoption of the California Electrical Code, Part 3, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City electrical code for the purpose of prescribing regulations in the City of Solana Beach for the installation, alteration or repair of electrical systems and permit requirements and inspection thereof, the 2013 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code. Except as otherwise provided by this chapter of the City of Solana Beach Municipal Code, all installation, alteration or repair of electrical systems within the City of Solana Beach shall be in conformance with California Electrical Code, published by the California Building Standards Commission.

SECTION 5: Chapter 15.16 of the Solana Beach Municipal Code, entitled "Plumbing Code", is hereby amended to read:

Sections:

15.16.010 Adoption of the California Plumbing Code, Part 5, Title 24 of the California Code of Regulations.
15.16.020 Deletions to the California Plumbing Code.

15.16.010 Adoption of the California Plumbing Code, Part 5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein, as the City plumbing code for the purpose of prescribing regulations in the City of Solana Beach for the construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment in or on any building or structure or outdoors on any premises or property, the 2013 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. Except as otherwise provided by this chapter of the City of Solana Beach Municipal Code, all construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment within the City of Solana Beach shall be in conformance with 2013 California Plumbing Code and the Uniform Plumbing Code, published by the California Building Standards Commission.

15.16.020 Deletions to the California Plumbing Code.

Deletions to the California Plumbing Code shall be as follows:

A. Chapter 1 – Administration, Division II Deleted. Chapter 1 – Administration, of the 2013 California Plumbing Code is deleted.

SECTION 6: Chapter 15.20 of the Solana Beach Municipal Code, entitled "Mechanical Code", is hereby amended to read:

Sections:

15.20.010 Adoption of the California Mechanical Code, Part 4, Title 24 of the California Code of Regulations.
15.20.020 Deletions to the California Mechanical Code.

15.20.010 Adoption of the California Mechanical Code, Part 4, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City mechanical code for the purpose of prescribing regulations in the City of Solana Beach for the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances, the 2013 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq., which is based on the Uniform Mechanical Code, 2012 Edition. Except as otherwise provided by this chapter, all erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances shall be in conformance with the California Mechanical Code and any rules and regulations promulgated pursuant thereto published by the California Building Standards Commission.

15.20.020 Deletions to the California Mechanical Code.

Deletions to the 2010 California Mechanical Code shall be as follows:

A. Chapter 1 – Administration, Division II, of the 2013 California Mechanical Code is deleted.

SECTION 7: Chapter 15.22 of the Solana Beach Municipal Code, entitled "Energy Code", is hereby amended to read:

Sections:

15.22.010 Adoption of the California Energy Code, Part 6, Title 24 of the California Code of Regulations.

15.22.010 Adoption of the California Energy Code, Part 6, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City energy code for the purpose of prescribing regulations in the City of Solana Beach for the conservation of energy the 2013 California Energy Code, Part 6, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. Except as otherwise provided by this chapter, all construction of buildings where energy will be utilized shall be in conformance with the 2013 California Energy Code and any rules and regulations promulgated pursuant thereto, published by the California Building Standards Commission.

SECTION 8: Chapter 15.23 of the Solana Beach Municipal Code, entitled "Green Building Code", is hereby amended to read:

Sections:

15.23.010 Adoption of the California Green Building Standards Code, Part 11, Title 24 of the California Code of Regulations.

15.23.010 Adoption of the California Green Building Standards Code, Part 11, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City green building code for the purpose of improving public health, safety and general welfare by enhanced design and construction of buildings through the use of building concepts having a reduced negative impact or a positive environmental impact and encourage sustainable construction practices the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. excluding the appendix chapters. Except as otherwise provided by this chapter the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, shall be in conformance with the 2013 California Green Building Code and any rules and regulations promulgated pursuant thereto as published by the California Building Standards Commission.

SECTION 9: Findings for Chapter 15.32 Amendments – Fire Code

As required by Health and Safety Code section 17958 the City of Solana Beach does herewith make express findings that amendments to the California Building Standards Code are necessary for the protection of the public health, safety and welfare due certain climatic, topographic or geological features existing in the City of Solana Beach.

The City Council hereby makes the following findings concerning the special circumstances and the climatic, topographic and geological conditions that: (a) exist in the City of Solana Beach: (b) increase the exposure of the public to the dangers of fire; (c) could severely restrict the response of emergency services to fire dangers; and (d) can be mitigated by amendments to the international fire and construction codes:

Finding A

The City of Solana Beach is bisected by a major transportation corridor (Interstate 5) which traverses in a north/south direction. Interstate 5 is used to transport hazardous materials and is designated by the State of California as an approved route for transporting highly toxic and radioactive materials.

The City of Solana Beach is bisected by a railroad line running north/south. Hazardous materials are transported on the railroad.

Underground pipes run parallel to the railroad line and carry natural gas under high pressure. Underground pipes run in a north/south direction in the eastern portion of the City and carry liquid petroleum under high pressure.

The transport, through the City, of hazardous, toxic and radioactive materials, as well as natural gas and liquid petroleum, on a regular basis, increases the threat of fire ignition and spread. This adds to the fire danger posed by the City's climatic, topographic and geological conditions.

Finding B

The City of Solana Beach topography is characterized by many large hillsides. The City's climate promotes the heavy growth of natural vegetation that covers the hillsides and is highly flammable, especially in the dry season. There are numerous areas of wildland-urban interface where structures, especially residences, are in close proximity to the natural vegetation.

The City's climate is characterized by Santa Ana conditions involving dry gusty winds. In summer and fall, the typical weather is hot and dry. In combination, these climatic conditions create an extreme fire danger to the community.

Seasonal winds also have the potential for impeding emergency vehicle access by toppling trees (especially eucalyptus and pine which is a species that is prevalent in the City and susceptible to being felled by winds). As a result of the above conditions, the risk of fire ignition is greater. Also, once a fire is ignited, it is more likely that embers will be blown into the air, increasing the spread of the fire into the community. Therefore, land use projects need to be developed to provide a greater ability to avoid fire ignition, suppress fires, and facilitate access of emergency vehicles.

Finding C

The City of Solana Beach is situated on the west slope of the coastal foothills that contain drainages, which contribute to flooding within the community.

Because flooding conditions can impede fire service vehicles reaching the site of a fire, land use projects need to be developed to provide a greater ability to avoid fire ignition, suppress fires, and facilitate access of emergency vehicles.

Finding D

The City of Solana Beach is situated near the Rose Canyon Fault, the Elsinore Fault, and the Agua Caliente Fault. A cluster of faults known as the "South Coast Offshore Zone of Deformation" is located off the City's coast. These geologic conditions are capable of generating earthquakes of significant magnitude at any time.

An earthquake may: (1) cause fires; (2) impede emergency vehicles responding to fires; and (3) interrupt the City's water supply which is needed to fight fires.

Because the community is subject to damage from earthquakes, land use projects need to be developed to provide a greater ability to avoid fire ignition, suppress fires, and facilitate access of emergency vehicles.

Finding E

The City of Solana Beach and Southern California are semi-arid regions and experience water shortages from time to time. Those shortages can have a severely adverse effect on water availability for firefighting. Fires starting in sprinkled buildings are typically controlled by one to three sprinkler heads, flowing as little as 13 gallons per minute.

Hose streams used by engine companies on well-established structure fires operate at approximately 250 gallons per minute each, and the estimated water needed for a typical residential fire is 1,250 to 1,500 gallons per minute, according to the Insurance Service Office and the International Fire Code.

The water estimate for a commercial building is typically greater than that of a residential structure.

Under circumstances such as; lack of water, infrastructure, earthquakes, multiple fires and wildland fires within a community, the limited water demand needs of residential fire sprinklers would control and extinguish many fires before they spread from building to wildland, or building to building. In such a disaster, water demands needed for conflagration firefighting probably would not be available.

Finding F

Due to the sloping topography and coastal foothills in the City of Solana Beach, the potential exists that new and future development will result in taller buildings on smaller parcels. Defining mid-rise buildings from 75 feet in height to 3 story modifies the application of special provisions for these buildings to all occupancies. Because of the need to mitigate the potential danger of mid-rise this change is necessary.

In addition, the limitations of available firefighting equipment, limited availability of human resources in local fire departments, and the necessity to climb vertically up flights of stairs, greatly impacting the response time to reach an incident scene, it is necessary to define the height of mid-rise buildings. The reduced height and built in protection will mitigate extended fire department response time and keep incidents manageable.

Finding G

Based upon the circumstances previously described, the protection of persons and property requires the City to adopt standards that are more stringent than those set forth in: (1) the State Building Standards Code Sections 202, 319, 503, 507, 903, 905, 5608, 5704, 5705, 5706, B, H, I and Section 3 of the International Fire Code.

SECTION 10: The following matrix lists the corresponding amendments to Chapter 15.32 of the Solana Beach Municipal Code, entitled "Fire Code", to the findings set forth in Section 9 of this Ordinance:

Chapters or Sections	***FINDING NUMBER(S)***
Chapter 1 Administration	
Section 101.5 Validity	All
Section 102.13 Repeal Conflicting Ordinance	All
Chapter 2 Definitions	All
Chapter 3 General Precautions Against fire	All
Section 319.1 and 319.2 Mid-Rise Buildings	A,D,E,F
Chapter 5 - Fire Service Features	A,B,C & D
Section 503.1.2 Additional Access	A, B,C,D & E
Section 503.2.1 Dimensions	B,C & D
Section 503.2.3 Surface	B,C,& D
Section 503.2.7 Grade	B, C
Section 503.2.8 Angles of Approach and Departure	A,B,C,D,E,F
Section 503.2.9 Roadway Turnouts	All
Section 503.3 Marking	A, B,C & D
Section 503.6. Security Gates	B, C

Section 507.2.2 Water Storage Tanks	All
Section 507.1.1.1 Required Installation	All
Chapter 9 - Fire Protection Systems	B,C,D & E
Section 902.1 Life Safety Sprinkler System	B,C, & E
Section 903.2 Where Required	All
Section 903.2.01 Group R Section 903.2.01.1 Additions Section 903.2.01.2 Remodels & Reconstruction Section 903.3.02 Commercial and Group U Section 903.2.33 Exception for Agricultural building Section 905.3.01 Standpipes	All All All All All All
Chapter 56 Fireworks Section 5608.2 Fireworks: Use, Display, Disposal, Seizure	B, C
Section 5608.4 Fireworks Penalty	B,C
Chapter 57 Flammable & Combustible Liquids	
Section 5704.2.9.6.1 Class I, II and III Liquids	All
Section 5705.2.4 Class I, II & III Liquids	All
Section 5706.2.4.4 Class I & II Storage in Residential	All
Chapter 61 Liquefied Petroleum Gases	
Section 6104.2 Bulk Storage of Liquefied Petroleum Gases	All
Appendix "B" Fire Flow Requirements for Buildings	All
Appendix "H" Hazardous Materials Management Plans *(No Amendments to appendix)*	All
Appendix "I" Fire Protection Systems – Non Compliant Conditions *(No Amendments to Appendix)*	All

SECTION 11: Chapter 15.32 of the Solana Beach Municipal Code, entitled "Fire Code", is hereby amended to read:

Sections:

15.32.010 Adoption of the 2013 California Fire Code
15.32.030 Definitions – Revised
15.32.040 Establishment of limits of districts in which storage of flammable or combustible liquids in outside above ground tanks is prohibited.
15.32.100 Section 319 - Revised – Mid-Rise Buildings
15.32.110 Section 113.6 - Revised – Fees
15.32.120 Section 114.1 – Firefighting cost recovery
15.32.130 Section 109.5 Added – Enforcement cost recovery.
15.32.170 Section 503 – Fire Apparatus Access Roads
15.32.190 Sections 503.4.2, 503.4.3 - Added – Fire lane parking restrictions
15.32.200 Section 503.6 - Revised – Security gates
15.32.210 Section 507 - Revised – Fire Protection Water Supplies.

15.32.230 Sections 903, 905 - Revised – General fire extinguishing system requirements
15.32.350 Sections 5608.2 – 5608.3 - Added - Explosives and Fireworks

15.32.010 Adoption of California Fire Code

A. That a certain document, three (3) copies of which are on file in the office of the City of Solana Beach Fire Department being marked and designated as the 2013 California Fire Code, including Appendix Chapters; Appendix Chapter 4, Appendix B, H and I as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Solana Beach, 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 erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use, and maintenance of buildings and structures, including that 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 City of Solana Beach Fire Department are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this Chapter.

B. Sections of Chapter 1 Administration are hereby revised in or added to the 2013 California Fire Code to read as follows:

Section 101.5 City of Solana Beach Validity

The City Council of the City of Solana Beach hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council of the City of Solana Beach that it would have passed all other portions of this ordinance independently of the elimination here from of any such portion as may be declared invalid.

Section 102.13 Repeal of Conflicting Ordinances, Resolutions or Motions

All former ordinances, resolutions or motions, or parts thereof, including Ordinance 382 and SBMC 11.04.040 (C), which conflict or are inconsistent with the provisions of this Ordinance or of the Code or standards hereby adopted are hereby repealed.

Section 104.12 Response Map Updates

104.12 Response Map Updates. Any new development, project, or request for change of address which necessitates updating of emergency response maps by virtue of new structures, fire hydrants, roadways or similar features, shall be charged a reasonable fee for the updating of all response maps.

Section 109.4 Violation penalties

A. Any person, corporation, association or entity that violates the provisions of Sections, 105, 106, 107, 109,110, 111 or 113 of the California Fire Code is guilty of a misdemeanor. Any person, corporation, association or entity that violates any other provisions of this chapter is guilty of a misdemeanor or infraction as determined under Chapter 1.16 SBMC. The penalty for violations shall be determined under Chapter 1.16 SBMC. Each day or portion thereof that a violation of this chapter exists shall constitute a separate violation. Each violation of this chapter, in addition to the offenses under this section, shall constitute a public nuisance.
B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
C. Section 109.4.1 of the 2013 California Fire Code shall remain in effect.

15.32.030 Definitions

Chapter 2 Definitions – Certain definitions of Section 202 are hereby amended in or added to the 2013 California Fire Code to read as follows:

Section 202 General Definitions

Fire Hazard - is any condition or conduct which a) increases or may increase the threat of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or b) may obstruct, delay, hinder or interfere with the operations of the fire department or egress of occupants in the event of fire.

Fireworks - is any combustible or explosive composition, or any substance or combination of substances, or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, firecrackers, torpedoes, sky-rockets, roman candles, Daygo bombs, sparklers, snap caps, poppers or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing any explosive substance, except that the term "fireworks" shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times. "Fireworks" shall include snap caps and poppers, regardless of the amount of explosive content included in each device.

Hazardous Fire Area - Any geographic area mapped by the State or local jurisdiction as a moderate, high or very high fire hazard area, or as set forth by the FAHJ that contains the type and condition of vegetation, topography, weather, and structure density to potentially increase the possibility of vegetation conflagration fires shall be considered a hazardous fire area.

Mid-Rise Building – A building not defined as a high-rise building by section 202 of the California Building Code and is three stories or more in height. Measurements shall be made from the underside of the roof or floor above the topmost space that may be occupied to the lowest fire apparatus access road level. Nothing in section319 shall imply or allow a building height in excess of current City of Solana Beach planning and zoning requirements.

Story - STORY also includes basements, garages, cellars, mezzanines or similar structures or uses. The definition of the word STORY differs in that used in the International Building Code. Separate contiguous levels of a building will be considered as separate stories.

Whenever the terms "This Code" and "2012 International Fire Code" are used they shall mean the 2013 California Fire Code as modified by the City of Solana Beach with the deletions, revisions and additions set forth in the amendments.

In addition to the definitions set forth in the California Fire Code as adopted by reference, whenever the following words or phrases are used in this chapter, they shall have the meanings established by this section:
A. "Chief of fire prevention bureau" means the fire marshal or, if there is none, the chief of the fire department.
B. "Jurisdiction" means the City of Solana Beach.
C. "Corporation counsel" means the City attorney of Solana Beach.

15.32.040 Establishments of limits of districts in which any storage of flammable or combustible liquids in containers and tanks regardless of location are prohibited.

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

Chapter 57 -Flammable and Combustible Liquids

Section 5704.2.9.6.1 Location Where Above-ground Tanks are Prohibited:

In the City of Solana Beach, (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): The limits referred to in Section 5704 .2.9. 6.1 And 5706 .2.4.4 of the 2013 California Fire Code and the 2012 International Fire Code in which storage of flammable or

combustible liquids in outside aboveground tanks is prohibited are hereby established as the jurisdictional limits of the City of Solana Beach.

EXCEPTIONS:

1. 2000 gallons maximum temporary (six months maximum) above ground tanks meeting UL 2085 for private use on farms, agricultural and rural property, remote construction sites, earth moving projects, gravel pits or borrow pits. Such tanks shall be specially designed, approved and listed, and have features incorporated into their design which mitigates concerns for exposure to heat (two-hour fire resistance), ignition sources and mechanical damage. A fire department permit will be required.

2. Crankcase draining may be stored in specially constructed above ground storage tanks, approved by the Chief, with a maximum capacity of 550 gallons. Such tanks may be located within a building when the Chief deems appropriate, and the container meets the following: specially designed, approved and listed containers which have features incorporated into their design which mitigates concerns for exposure to heat, ignition sources and mechanical damage.

3. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. In no case shall such storage be permitted in residential or institutional property. All installations require a fire department permit.

4. With the Chief's approval, Class I and II liquids may be stored aboveground tanks inside or outside of buildings in specially designed, approved and listed containers which have features incorporated into their design which mitigates concerns for exposure to heat, ignition sources and mechanical damage. Class I liquids will be limited to 550 gallons and class II liquids will be limited to 1100 gallons. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. The Chief may disapprove the installation of such containers when in his opinion their use presents a risk to life or property.

5. With the Chief's approval, temporary storage of a maximum 10,000 gallons of Class II liquids may be permitted for a period not to exceed ninety (90) days at remote construction sites, earth moving projects, gravel pits or borrow pits, consistent with 5704 and 5706.

Section 5705.2.4 Class I, II and III liquids
This section is revised to delete Exception: 4

Section 5706 Special Operations

Section 5706.2.4.4 Locations Where Above-ground Tanks are Prohibited

The geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited in residential areas within the City of Solana Beach.

Section 5706.4 Bulk Plants or Terminals

The geographic limits in which bulk plants and terminals of flammable and combustible liquids are received are prohibited for the protection of heavily populated and congested areas and are hereby established as jurisdiction limits of the City of Solana Beach.

Chapter 61 Liquefied Petroleum Gases

Section 6104.2 Maximum Capacity Within Established Limits

The geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdiction limits of the City of Solana Beach except for areas zoned by the County of San Diego for mixed, general or high impact industrial uses.

15.32.100 Section 319 Revised – Mid-Rise Buildings.

Section 319 is added to the 2013 California Fire Code to read as follows:

Section 319 Mid-Rise Buildings

Section 319.1 General

All newly constructed mid-rise buildings, and, or any existing midrise building which undergo a complete structural or non-structural renovation that requires the complete vacancy of the building to complete the renovation shall require the installation of fire sprinklers and standpipes throughout the building. The renovation of an existing mid-rise building which is less than $100,000 dollars in cost; which includes any and all work that requires a Building, Mechanical, Electrical, Plumbing or Fire Protections System Permit, will not require the installation of a fire sprinkler or standpipe system. Any change of use in occupancy classification of an existing mid-rise building shall require the installation of fire sprinklers throughout the building and a class I standpipe system, with 2-1/2 inch hose outlets in each stair enclosure and on each floor level. The fire department connection serving a wet-pipe fire sprinkler system and wet-pipe standpipe system shall be interconnected.

Dry-pipe standpipe systems when used shall have a stand-alone fire department connection.

Section 319.1.2 Elevators

At least one elevator cab shall be assigned for fire department use, which shall serve all floors of the building.

15.32.110 Section Fees

Section 113.6 is revised in the 2013 California Fire Code to read as follows:

SECTION 113.6 – FEES

113.6 When any construction project, building, manufacturing process, hazardous occupancy or such similar occurrence present demands on the fire protection service levels that are in excess of those already established and provided by the fire department, and cannot be mitigated by the installation of fire protection appliances or devices, then the owner and/or operator of that entity shall be responsible for costs associated with necessary training and equipment purchases that may be incurred by the fire department to provide an adequate and safe level of emergency response. This level of emergency response will be established by the Fire Chief.

15.32.120 Section 114.1 Revised – Firefighting cost recovery.

Section 114.1 is revised in the 2103 California Fire Code to read as follows:

SECTION 114 – FIRE FIGHTING COST RECOVERY
114.1 Where a fire has resulted from failure to comply with fire safety requirements after notice was given, the Chief may recover costs relating to the response, suppression and overhaul of the fire from the responsible party.

15.32.130 Section 109.4 Abatement of Violation-Non-Compliance Penalty

Section 109.4 is revised in the 2013 California Fire Code to read as follows:

Section 109 – Violations
109.4 When a person fails to comply with a second notice of correction, notice of violation, or notice to cure, the Chief may impose a fee for the recovery of expenses incurred as a result of activities undertaken pursuant to enforcing the fire prevention provisions of this Code. The penalty for non-compliance shall be determined under Chapter 1.16 SBMC.

15.32.170 Section 503 Fire Apparatus Access Roads

The following sections of Chapter 5 – Section 503, Fire Apparatus Access Roads, of 2103 the California Fire Code shall be revised to read as follows:

Chapter 5 - Section 503, Fire Apparatus Access Roads

Section 503.1.2 Additional Access

The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

The Chief may require one or more secondary means of access to a project: development or area where he deems that such access is necessary for emergency operations and/or evacuation. The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcels zoned for less than 1 acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1,320 feet
Parcels zoned for 5 acres to 19.99 acres	2,640 feet
Parcels zoned for 20 acres or larger	5,280 feet

These requirements may be modified when in the opinion of the Chief conditions warrant. All lengths shall be measured from the edge of the roadway sizes, requiring different length limits, the shortest allowable length shall apply.

Section 503.2.1 Dimensions

Fire apparatus access roads shall have an unobstructed improved width of not less than 20 feet, except for single-family residential driveways; serving no more than two, single-family dwellings, shall have a minimum of 16 feet of unobstructed improved width.

EXCEPTION:

1. Fire access roadways, gated entrances with card readers, guard stations or center medians, which have separated lanes of one-way traffic, shall be not less than 14 feet wide per lane.

Section 503.2.1.1 Road Phasing Policy- Single Family Dwellings

The fire access roadway requirement for widening existing improved fire apparatus roadway shall be per TABLE 503.2.1.1A – PHASING POLICY - Fire Apparatus Access and will extend from the property out to the nearest public road.

TABLE 503.2.1.1A - PHASING POLICY
Fire Apparatus Access – Single Family Dwellings

Number of Parcels	Unobstructed Road width	Roadways Over 600 foot Long	Extend to Nearest Public Road
1-2	16-foot, paved	Turnouts every 400-feet	Yes
3-8	20-foot, paved	Turn-outs every 400-feet	Yes
9 or more	24-foot, paved	Not required	Yes

Existing legal lots that have easement access roadways less than 20 feet wide that provide primary access to other lots shall record a covenant granting Easement rights for emergency vehicle ingress and egress purposes and shall Relinquish rights to build any building, wall, fence or other structure within 5 Feet of the existing access easement.

Section 503.2.3 Surface

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus not less than 75,000 lbs. and shall be provided with an approved paved surface to provide all-weather driving capabilities.

Section 503.2.7 Grade

Grades exceeding 15.0% (incline or decline) on fire apparatus access roads shall not be permitted without mitigation. Minimal mitigation shall be a surface of Portland cement concrete (PCC), with a deep broom finish perpendicular to the entire direction of travel, or equivalent, to enhance traction the entire length of the grade. The Chief may require additional mitigation measures where he deems appropriate.

Section 503.2.8 Angles of Approach and Departure

The angle of departure and angle of approach of a fire access roadway shall not exceed seven degrees (12 percent) or as approved by the Chief.

Section 503.2.9 Roadway Turnouts

Turnouts shall be a minimum of 10 feet wide and 30 feet long with a minimum 25 foot taper on each end.

Section 503.3 Marking

When required by the fire code official, approved signs or other approved notices shall be provided for all public and private fire apparatus access roads to identify such roads or prohibit obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility. All new public roads, all private roads within major subdivisions and all private roads serving four or more parcels shall be named. Road name signs shall comply with City of Solana Beach standards.

15.32.190 Sections 503.4.2, 503.4.3 - Added – Fire lane parking restrictions.

Sections 503.4.2-503.4.3 are added to the 2013 California Fire Code to read as follows:

503.4.2 Fire Lanes – No Parking
No person shall park, stand or leave unattended any vehicles in any fire lane or fire apparatus access road designated and marked according to the provisions of this Section.

503.4.3 Fire Lanes-No Parking
The Chief or the Fire Marshal shall have the authority to designate fire lanes or fire apparatus access roads within the City, and to enforce the provisions of this Section. The Chief or the Fire Marshal may designate existing roadways as fire access roadways consistent with California Vehicle Code Section 22500.1, and 22685 (a) where he/she determines that such designation is necessary to provide adequate emergency apparatus access.

15.32.200 Section 503.6 – Security gates

Section 503.6 of the 2013 California Fire Code is revised to read as follows:

Sec. 503.6 Security Gates

No person shall install a security gate or security device across a fire access roadway without the fire code official's approval.

1. All gates providing access from a road to a driveway shall be located a minimum of 30 feet from the nearest edge of the roadway and shall be at least two feet wider than the width of the traffic lane(s) serving the gate.

2. An automatic gate across a fire access roadway or driveway shall be equipped with an approved emergency key-operated switch overriding all command functions and opening the gate.
3. A gate accessing more than four residences or residential lots or a gate accessing hazardous institutional, educational or assembly occupancy group structure, shall also be equipped with an approved emergency traffic control-activating strobe light sensor or other device approved by the fire code official, which will activate the gate on the approach of emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure.
4. An automatic gate shall meet fire department policies deemed necessary by the fire code official for rapid, reliable access.
5. An automatic gate serving more than one dwelling or residential lot in existence at the time of adoption of this chapter is required to install an approved emergency key-operated switch and/or an approved emergency traffic control-activating strobe light sensor approved by the fire code official, at an approved location, which overrides all command functions and opens the gate. A property owner shall comply with this requirement within 90 days of receiving written notice to comply.
6. Where this section requires an approved key-operated switch, it may be dual-keyed or equipped with dual switches provided to facilitate access by law enforcement personnel.
7. Electric gate openers, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

15.32.210 Section 507 - Fire Protection Water Supplies

The following sections of Chapter 5 – Section 507, Fire Protection Water Supplies, in the 2013 California Fire Code shall be revised to read as follows:

Chapter 5 Fire Service Features

Section 507.2.2 Water Tanks

Section 507.2.2A Water Tanks Table 507.2.2A - Water storage tanks, when permitted by the Chief, shall comply with Table No. 507.2.2A

WATER STORAGE TANKS
Table No. 507.2.2A

TABLE NO. 507.2.2A			
Building Square Feet	Gallons Per Minute Water Flow	Capacity Gallons	Duration Minutes
Up to 1,500	250	5,000	20
Over 1,500	250	10,000	40
When exposure distance is one hundred feet (100') or less from adjacent property, Or where additional hazards or higher fire flow exists, the required water storage may be modified by the fire code official.			

1. Tank elevation shall be equal to or higher than the fire department connection on the premises. Regardless of domestic use, all tanks shall be equipped with a device that will ensure that the tank contains the designated amount of water for fire flow duration as determined by the fire department. Tank size may be increased to serve multiple structures on a single parcel.

2. Supply outlet shall be at least 4 inches in diameter from the base of the tank to the point of outlet at the fire department connection. The fire department connection shall provide an approved means of controlling water flow.

3. The outlet shall be located along an access roadway and shall not be closer than 50 feet or further than 150 feet from the structure.

4. All exposed tanks and supply pipes shall be of an alloy or other material listed for above ground use. Adequate support shall be provided.

Section 507.5.1 Where Required
The location, type and number of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public or private street, or on the site of the premises to be protected or both. Fire hydrants shall be accessible to fire department apparatus by roads meeting the requirements of section 503.

Section 507.5.1.01 Requirements for single family dwellings

In zones other than industrial, commercial and multi-family, fire hydrants shall be installed in accordance with Table No. 507.5.1.1A.

Table No. 507.5.1.1A

TABLE 507.5.1.1A	
Parcels ½ acre and larger:	Every 500 feet to the structure
Parcels less than ½ acre:	Every 350 feet

Section 507.5.1.02 Requirements for multi-family, commercial and industrial zones

In multi-family zones and in commercial and industrial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs, and every 300 feet of fire access roadways, regardless of parcel size.

15.32.230 Sections 903, 905 - General fire extinguishing system requirements

The following sections of Chapter 9 – Fire Protection Systems, in the 2013 California Fire Code shall be revised to read as follows:

Section 902.1 Definitions – Added Definition

LIFE SAFETY SPRINKLER SYSTEM shall meet National Fire Protection Association Standards 13-D and 13-R latest addition, and City of Solana Beach installation policies as appropriate

Section 903 – Automatic Sprinkler Systems

Section 903.2 - Where required

Approved automatic sprinkler systems in new building and structures shall be provided in the locations described in this sections 903.2.01.1 through 903.2.12, and may be required in additions and remodels of existing structures as described in section 903.2.(A) through 903.2(E)

Section 903.2(A) - Additions

An automatic sprinkler system installed in accordance with 903.3 may be required to be installed throughout structures when the addition is more than 50% of the existing building or when the altered building will exceed a fire flow of 1,500 gallons per minute as calculated per section 507.3. The fire code official may require an automatic sprinkler system be installed in

buildings where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade, bluffs and canyon rims, hazardous brush and response times greater than 5 minutes by a fire department.

Section 903.2(B) Remodels or Reconstruction

An automatic sprinkler system installed in accordance with section 903.3 may be required if the scope of work includes significant modification to the interior of the dwelling or the roof of the building, and the cost of the installation does not exceed 15 percent of the construction costs of the remodel. This section is not intended to require fire sprinkler retrofits for maintenance or improvements of the infrastructure around the structure. Maintenance shall be defined for this section as the normal replacement of existing fixtures. Examples of maintenance work include items such as flooring, plumbing repairs or windows. Improvements required by legislation such as the Americans with Disabilities Act (ADA) do not require fire sprinkler protection under this section.

903.2(C) - New Commercial and Group U

An automatic sprinkler system Installed in accordance with section 903.3 shall be required in new buildings and structures where the required fire flow exceeds 1500 gallons per minute as calculated by section 507.3., or when the square footage of a new commercial building exceeds 5000 square feet. The fire code official may also require an automatic sprinkler system to be installed in buildings where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade, bluffs and canyon rims, hazardous brush.

903.2(D) - Existing Commercial Office Buildings

An automatic sprinkler system installed in accordance with section 903 shall be required in existing buildings and structures when the total valuation of the remodel exceeds one hundred thousand dollars (100,000.00).

The renovation of an existing commercial building that is less than $100,000 dollars in cost; that includes any and all work that requires a Building, Mechanical, Electrical, Plumbing or Fire Protection System Permit, will not require the installation of a fire sprinkler or standpipe system. This section shall not supersede state mandated requirements for a specific occupancy, nor apply to any change in use of occupancy.

903.2(E) - Exception

Agricultural buildings constructed of wood or metal frame, over which fabric or similar material is stretched, which are specifically used as green houses are exempt from the automatic sprinkler requirements unless physically connected to other structures.

Section 905 Standpipe Systems - Required Installations

Section 905.3 Standpipes for New Commercial Buildings:

A Class I standpipe with 2.5 inch hose valves shall be provided for all new commercial buildings three levels or more in height, regardless of occupancy type. Hose valves and connections shall be located in each stair enclosure and on each floor level, including the roof. For single story buildings or parking structures with large floor areas, class I standpipe connections may be required when hose pull lengths exceed 150 feet.

Section 905.3.1 Standpipes for Existing Commercial Buildings:

A Class I standpipe system with 2.5 inch hose valves shall be provided for existing commercial buildings three levels or more in height, when the valuation of a remodel exceeds one hundred thousand (100,000) dollars. The renovation of an existing commercial building which is less than $100,000 dollars in cost; which includes any and all work that requires a Building, Mechanical, Electrical, Plumbing or Fire Protections System Permit, will not require the installation of a standpipe system. If an existing commercial occupancy has a change in use of occupancy, then standpipes will be required to be installed. Hose valves and connections shall be located in each stair enclosure and on each floor level, including the roof. For single story buildings or parking structures with large floor areas, class I standpipe connections may be required when hose pull lengths exceed 150 feet.

15.32.350 Explosives and Fireworks

The following sections of Chapter 56 – Explosives and Fireworks, in the 2013 California Fire Code shall be added to read as follows:

Chapter 56 Explosives and Fireworks

Section 5608.2 Fireworks

Fireworks shall not be sold, manufactured, disposed or discharged within the jurisdictional boundaries of the City of Solana Beach, except when all necessary permits have been issued by all the relevant agencies, including a

permit for public display, theatrical purposes and/or group entertainment issued by the fire department, to a California State Fire Marshal licensed pyro-technician and the minimum requirements of Title-19, California Code of Regulations, Chapter-6, fireworks are met. The San Diego County Regulatory Ordinance, Title-3, Division-2, Chapter 1, section 32.101 through 32.108 may be used as a guide when enforcing these requirements.

Section 5608.3 Fireworks Penalty

Any person violating any provisions or failing to comply with this Chapter or the requirements of Title-19 California Code of Regulations, chapter 6, and/or San Diego County Regulatory Ordinance,Title-3, Division-2, Chapter 1, section 32.101 through 32.108, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed One Thousand dollars ($1000) or by imprisonment in the County jail for a period of not more than one year or by both such fine and imprisonment.

SECTION 12: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Title or Chapter, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Chapter, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause

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or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

EFFECTIVE DATE: This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code Section 36933.

INTRODUCED AND FIRST READ at a special meeting of the City Council of the City of Solana Beach, California, on the 20th day of November, 2013; and

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, on the 11th day of December 2013, by the following vote:

AYES:	Councilmembers – Campbell, Heebner, Zito, Zahn, Nichols
NOES:	Councilmembers – None
ABSTAIN:	Councilmembers – None
ABSENT:	Councilmembers – None

THOMAS M. CAMPBELL, Mayor

APPROVED AS TO FORM:

JOHANNA N. CANLAS, City Attorney

ATTEST:

ANGELA IVEY, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.
CITY OF SOLANA BEACH)

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **ORDINANCE 444** adopting 2013 California Building Standards Codes and City of Solana Beach regulations as duly introduced on November 20, 2013 and adopted on December 11, 2013, a regular meeting, by the City Council of Solana Beach. This Ordinance has been published as required pursuant to law and the original is filed in the City Clerk's Office. (GC 40806).

ANGELA IVEY, City Clerk

Date of this Certification 12-18-2013