

ORDINANCE NO. 34

AN ORDINANCE OF THE SAN RAMON VALLEY FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING PROVISIONS CONTAINED IN THE 2016 CALIFORNIA FIRE CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9) AND THE 2015 INTERNATIONAL FIRE CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL INCLUDING APPENDIX CHAPTERS B, C, F, H AND K WITH CERTAIN ADDITIONS, DELETIONS AND AMENDMENTS THERETO, AND REPEALING SAN RAMON VALLEY FIRE PROTECTION DISTRICT ORDINANCE NUMBER 29.

THE BOARD OF DIRECTORS OF THE SAN RAMON VALLEY FIRE PROTECTION DISTRICT DOES ORDAIN AS FOLLOWS:

Part 1. ADOPTION OF THE INTERNATIONAL FIRE CODE

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion or hazardous materials, that certain Code known as the California Fire Code published by the California Buildings Standards Commission being particular the 2016 edition thereof and the whole thereof. save and except such portions as are hereinafter added , deleted, modified or amended by Part 4 and the 2015 International Fire Code with such portions as are hereinafter added, deleted, or modified or amended by Part 2 of this ordinance, which contain non-building standards, is hereby adopted pursuant to Section 13869 of the California Health and Safety Code and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the San Ramon Valley Fire Protection District.

Part 2. AMENDMENTS TO THE INTERNATIONAL FIRE CODE

The International Fire Code is amended and changed in the following respects:

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of, San Ramon Valley Fire Protection District, hereinafter referred to as "this code."

Section 105.6 is amended to read as follows:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.49.

Section 105.6.49 is added to read as follows:

105.6.49 Christmas tree sales. An operational permit is required to engage in the business of Christmas tree sales.

Section 105.7 is amended to read as follows:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.20.

Section 105.7.19 is added to read as follows:

105.7.19 Fire apparatus access. A construction permit is required to install, improve, modify, or remove public or private roadways, driveways, gates and bridges for temporary or permanent fire apparatus access.

Section 105.7.20 is added to read as follows:

105.7.20 Construction, alteration, or renovation of a building for which a building permit is required. A construction permit is required to construct, add to, alter, renovate, rebuild, or move into the jurisdiction a structure for which a building permit is required.

Section 109.4 is amended to read as follows:

109.4. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to the criminal sanctions set forth in California Health and Safety Code, Section 13871. Each day that a violation continues after such due notice has been served shall be deemed a separate offense.

Section 111.4 is amended to read as follows:

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 not more than 5,000 dollars.

Section 202 is amended to include certain definitions and reads as follows:

Board of Directors. Shall mean the governing body of the District.

Fire trail. Shall mean a graded fuel break of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Unwarranted fire alarm notification. The giving, signaling or transmission of an alarm notification to a public fire station or emergency communications center when such alarm is the result of a defective condition of an alarm system, system servicing or testing, construction activities, ordinary household activities or other cause when no such danger exists.

Section 304.1.2 is amended to read as follows:

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance upon default of owner or occupant shall be in accordance with Appendix K.

Exception: Vegetation clearance in areas deemed hazardous fire areas within wildland-urban interface areas shall be in accordance with Appendix K.

Section 401.3.4 is added and reads as follows:

401.3.4 Unwarranted fire alarm notification. Notification of emergency responders based on an unwarranted alarm may be punishable by a fine. In addition, the responsible party may be liable for the operational and/or administrative costs incurred from the emergency response and /or mitigation procedures resulting from an unwarranted fire alarm notification.

Chapter 4 Section 404 Fire Safety, Evacuation and Lockdown Plans is deleted in its entirety.

Chapter 4 Section 405 Emergency Evacuation Drills is deleted in its entirety.

Chapter 4 Section 406 Employee Training and Response Procedures is deleted in its entirety.

Section 503.1.2.1 is added and reads as follows:

503.1.2.1 Required additional access roads for residential developments. The fire code official shall have the authority to require additional access roads serving residential development(s). The minimum number of access roads serving residential development(s) shall be based upon the number of dwelling units served as follows:

- 1-75 units, one public or private access road
- 76-150 units, one public or private access road and one emergency access road
- 151+ units, a minimum of two public or private access roads

Section 503.1.4 is added and reads as follows:

503.1.4 Access to open space and fire trails. Access to open land/space or existing fire trail systems shall be maintained. Proposed land-use modifications impacting existing access shall provide alternate acceptable access, as approved by the fire code official.

Section 503.2 is amended and reads as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8. The fire code shall have the authority to modify the access specifications. When required by the fire code official, technical assistance in accordance with Section 104.7.2 may be required.

Section 503.2.1 is amended and reads as follows:

503.2.1.1 Parking of vehicles on fire apparatus access roads. For the parking of vehicles on a fire apparatus access road, roadway widths shall be increased to accommodate the parking of vehicles as follows:

1. Roadways 20 feet (6096 mm) in width, no parking permitted,
2. Roadways 28 feet (8534 mm) in width, parking permitted on one side only. Parking is permitted on the side of the street absent fire hydrants, and
3. Roadways 36 feet (10,973 mm) in width when parking is not restricted.

Section 503.4.1 is amended and reads as follows:

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the fire code official. The design of traffic calming devices shall be in concurrence with the responsible public works agency and the fire code official.

Section 503.7 is added as a section brought forth from Appendix D, Section D105 and reads as follows:

503.7 Aerial Fire Apparatus Access Roads.

503.7.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceed 30 feet (9144mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

503.7.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

503.7.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

503.7.4 Obstructions. Overhead utility power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

Section 507.2 is amended to read as follows:

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing fire flow. Swimming pools and ponds shall not be considered water storage for the purposes of Section 507.

Chapter 11 Construction requirements for existing buildings is deleted in its entirety;

Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks within the jurisdiction of the San Ramon Valley Fire Protection District are prohibited.

Exceptions:

1. Deleted
2. Deleted
3. The use of fireworks for fireworks displays as allowed in California Code of Regulations, Title 19.
4. Deleted

Section 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited, see Part 3.

Section 5706.2.4.4 is amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits

established by law as the limits of districts in which such storage is prohibited, see Part 3.

Section 5806.2 is amended to read as follows:

5806.2 Limitation. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is prohibited, see Part 3.

Section 6104.2 is amended to read as follows:

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons, see Part 3 for established limits.

Chapter 11 is deleted in its entirety.

Appendix K is added and reads as follows:

K101 Appendix K – Hazardous Fuel Abatement

K101.1 Scope. This appendix provides provisions intended to identify hazard areas and mitigate the risk of life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate fires from spreading to wildland fuels that may threaten to destroy life, overwhelm fire suppression capabilities, or result in large property loss.

K101.2 Purpose. The purpose of this appendix is to establish minimum requirements in wildland-urban interface areas that will increase the ability of a building to resist the intrusion of flame or burning embers projected by a vegetation fire, including the identification of hazardous fire areas that require applicable defensible space provisions as set forth herein and enforced by the fire code official and applicable state and local fire-resistive building standards that are enforced by the local building official.

K101.3 Jurisdictional authority. The Board of Directors as the supervising, legislative and executive authority of this jurisdiction has the authority to act pursuant to Part 5 (commencing with Section §14875), Division 12, of the State of California Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with the provisions of said Part 5 and/or this Ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceeding under this Ordinance and the Fire Protection District Law of 1961, the terms "Board

of Directors” or “Board” when used in Part 5, shall mean the Board of Directors of this jurisdiction under this article; and the officer designated in Section §14890 of Part 5 shall mean the Fire Chief.

K102 Definitions

K102.1 Definitions. For the purpose of this appendix certain terms are defined as follows:

Combustible material includes seasonal and recurrent weeds, stubble, brush, dry leaves, tumbleweeds, rubbish, litter or flammable materials of any kind.

Cost of abatement. Shall include all expenses incurred by the jurisdiction in its work of abatement undertaken and administrative costs pursuant to Section K111 of this Ordinance.

Defensible space. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensify of an advancing wildfire and to create an area for fire suppression operations to occur.

Fuelbreak. Shall mean a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Fuel management plan. Is a plan that shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire resistance factors, fire protection systems and equipment, defensible space and vegetation management. (Reference California Government Code 51182)

Hazardous fire area is a parcel of land which is privately or publicly owned and located within 500 feet of any mountainous area, forest or brush-, grass-covered land, or any land that is covered with flammable material. This may include both native vegetative or ornamental shrubbery. Such areas may be designated as a hazardous fire area by the fire code official. (Reference: California Government Code 51179, Public Resource Code 4291 and State Fire Hazardous Severity Zone Maps)

Parcel is a portion of land of any size, the area which is determined in the records of the County Assessor. (Reference Health and Safety Code 14883)

Person. Includes; individuals, firms, partnerships, and corporations.

Public nuisance is a declaration by the fire code official that the presence of combustible material on a parcel creates a fire hazard. (Health and Safety Code 14875 and 14876)

Rubbish. Means waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction which is, or when dry may become, a fire hazard.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

Weeds. Means all vegetation growing upon streets or private property in this jurisdiction and includes any of the following:

1. Vegetation that bears seeds of a downy or wingy nature.
2. Sagebrush, chaparral, and any other brush or weeds which, attains such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Vegetation that is otherwise noxious or dangerous.
4. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
5. Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard. (Reference Health and Safety Code 14875)

Wildland-Urban interface area. Is that geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

K103 Unlawful disposal. Every person who places, deposits or dumps combustible material on a parcel whether or not he owns such parcel, or whether or not he so places, deposits or dumps on such parcel with the consent of the owner, thereof, is subject to the criminal sanctions set forth in Health and Safety Code Section 13871.

K104 Public nuisance. The Board of Directors may declare that all hazardous fire areas, including any combustible materials and dead trees, upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

K105 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish or weeds, trees, or other vegetation, which constitutes a fire hazard.

K106 Contract for services. This Board of Directors reserves and retains the power to award a contract for such hazard abatement work where the employees of this jurisdiction are not used to perform such abatement work.

K107 General abatement requirements. The provisions of this section shall govern the abatement of combustible material creating a fire hazard upon premises (reference Government Code 51175 – 51189 and Public Resources Code 4291).

K107.1 Clearance of brush or vegetative growth from streets. The fire code official is authorized to require areas within 10 feet on each side of fire apparatus access roads and driveways to be abated of flammable vegetation and other combustible growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

K107.2 Clearance of brush, vegetative growth and combustible material from parcels. All parcels declared a public nuisance by the Board of Directors shall be cleared entirely of combustible material. If the fire code official determines this impractical, the provisions of Section K107.2 may be used.

K107.2.1 Clearance of dead trees. Remove from the parcel all dead trees within 100 feet of all structures.

K107.2.2 Abatement of parcels 1 acre or less. Parcels one acre or less (43,560 square feet) shall require abatement of the entire parcel.

K107.2.3 Abatement of parcels greater than 1 acre. Parcels over one acre (43,560 square feet) may be required to comply with the following requirements:

1. Parcels shall provide 15-foot disced or bladed fuelbreaks along the perimeter of the property line that borders a developed property.

EXCEPTION: Mowed fuelbreaks are only acceptable if an area cannot be disced due to terrain or other factors. Mowed fuelbreaks should be maintained at a maximum height of 3-inches and a minimum width of 60-feet.

2. Parcels 10 acres or more shall provide a 15-foot crossbreak to divide the parcel into approximately 5-acre sections.

EXCEPTION: Parcels that are used for agricultural purposes may contact the Fire Prevention Division to request modifications to this requirement.

K107.3 Clearance of brush or vegetative growth from structures. Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all combustible material for a distance not less than 100 feet from all portions of the structure. Distances may be increased by the fire code official based on site specific analysis of local conditions.

EXCEPTION: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

K107.3.1 Clearance of trees from chimney. Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

K107.3.2 Clearance of trees from structure. Maintain any tree, shrub, or other plant adjacent to or overhanging any structure free of dead limbs, branches and other combustible material.

K107.3.3 Clearance of roofs. Maintain the roof of any structure and roof gutters free of leaves, needles, twigs and other combustible materials.

K107.3.4 Ground clearance of trees. Limb trees within 100 feet of any building or structure or within 10 feet of that portion of any highway, street, alley or driveway which is improved or used for vehicle travel or other vehicular purposes, so that no leafy foliage, twigs or branches are within 5 feet of the ground.

K107.3.5 Clearance of trees from roofs. Maintain 5 feet of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.

K107.3.6 Clearance of trees from roadways and driveways. Maintain an unobstructed vertical clearance of not less than 13'6" above all roadways and driveways.

K108 Fire management plan. A fire management plan shall be prepared by the applicant when required by the fire code official.

K108.1 Cost. The cost of fire management plan preparation and review shall be the responsibility of the applicant.

K109 Clearance upon default of owner.

K109.1 Notice. The fire code official of this jurisdiction may order the abatement of weeds, trees, and rubbish as described in Sections 304.1.2 and Appendix K. Copies of the legal notice shall be headed with the words "Legal Notice to Abate Fire Hazard" in letters at least one inch high. The notice shall be in substantially the following form:

LEGAL NOTICE TO ABATE FIRE HAZARD

You are hereby notified that an accumulation of grass, weeds, dead trees, and/or rubbish constitutes a fire hazard on the following described property owned by you:

(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You are hereby notified to remove the grass, weeds, dead trees and/or rubbish within fifteen (15) days from the date of this legal notice. If you fail to do so, the *San Ramon Valley Fire Protection District* will abate it and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid. The lien may prevent the sale of the property and it shall be the responsibility of the property owner upon payment of the property taxes to have the lien removed. Contact the Fire District for a release of lien that must be filed by the property owner at the County Recorder's Office.

You are hereby further notified that the Board of Directors has declared that such grass, weeds, dead trees and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear in person before the Board of Directors of this jurisdiction on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced. (Signed): (Name of fire code official or name of jurisdiction)

K109.2 Mailed notice. The fire code official of this jurisdiction shall mail a copy of the legal notice to the owner of the affected property as he/she and his/her address appear upon the current and last county equalized assessment roll as of January 1 of each calendar year, or as his/her address is known to this jurisdiction. As an alternative to mailing, the notice may be posted upon the affected property and published in this jurisdiction, not less than fifteen (15) days prior to the date of the abatement hearing. The notice shall also be provided to the Clerk of the Board of Directors three days prior to the Board hearing. It shall be the responsibility of the current owner of record to notify the fire code official of a change in ownership on the form provided.

K109.3 Hearing. A date for hearing on the legal notice shall be scheduled at least fifteen (15) days after the date of the notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the time and place stated in the notices, the Board of Directors shall meet to hear the report of the fire code official and any objections thereto. The fire code official shall attend, inform the Board as to the alleged public nuisance, and supply the description of the parcel upon which it exists, the name and address of the last known property owner thereof, and state what has been done in order to give notice of the hearing according to the provisions of this code. At the hearing, the property owner or their agent may appear to show cause why the order shall not be enforced. For good cause shown, the Board of Directors may extend the time for compliance with the order or may rescind the order. The decision by the Board at the hearing is final. Upon the completion of the hearing, the Board shall authorize and direct the fire code official to abate any public nuisance found by the District to exist on the parcel after the date specified in said notice.

K109.4 Order of work. If, after a hearing, the Board of Directors finds that a public nuisance exists upon a parcel, the Board may direct the fire code official to abate the public nuisance. The Board shall maintain a record of its proceedings at such hearing and retain therewith the report of the fire code official and a description of such parcel and, where applicable, the name and address of its last known property owner.

K109.5 Contract award. If the owner fails to comply with the order, the fire code official of this jurisdiction may have the public nuisance abated either by employees of this jurisdiction or by contract.

K110 Seasonal and recurrent nuisances

K110.1 Resolution. If, in the opinion of the fire code official, the public nuisance on a parcel is seasonal and recurrent, the fire code official may ask the Board of Directors to so declare by resolution. If the Board of Directors makes such a declaration by resolution, such seasonal and recurring public nuisance thereafter shall be abated every year without the necessity of any further hearing.

K110.2 Notice. For a parcel subject to a declaration described in Section K110.1, it is sufficient to mail the legal notice to the same person and in the same manner as set forth in Section K109. The notice shall describe the parcel and shall state that the parcel is subject to seasonal and recurring weeds that constitute a public nuisance and must be cleared every year without the necessity of any further hearing. The notice shall further state that if the weeds constituting a public nuisance are not cleared by the owners of the parcel by a specified date, they will be abated by the District, in which case the cost of such abatement shall be assessed upon the parcel from which the private nuisance is abated and that such cost will constitute a lien upon such parcel until paid. In the event the fire code official sets a hearing before the Board of Directors as authorized by Section K110.3, the notice shall also set forth the date, time and place of such hearing and shall be mailed at least fifteen (15) days before the hearing.

K110.3 Optional hearing. Notwithstanding Section K110.1, the fire code official may set a hearing before the Board of Directors to consider any objections to the proposed abatement of the public nuisance as described in the notice pursuant to Section K110.2. The decision by the Board at the hearing is final. Upon the completion of the hearing, the Board shall authorize and direct the fire code official to abate any public nuisance found by the District to exist on the parcel after the date specified in said notice. The fire code official will place a work order on the property as stated in K109.4.

K110.4 Optional second notice. At the discretion of the fire code official, if a public nuisance is found to exist on a parcel after the date specified in the first notice pursuant to Section K110.2, a second notice may be mailed or delivered to the same person to whom the first notice was mailed. The second notice shall

state that the public nuisance will be abated by the District unless it is otherwise abated immediately or by a specified date. The mailing or delivery of a second notice does not create any right to object or further object to the proposed abatement of the public nuisance.

K111 Collection of the cost of abatement

K111.1 Abatement report of costs. The fire code official or his or her designee abating the nuisance shall keep an account of the cost of abatement in front of or on each separate parcel of land and shall render an itemized report in writing to the Board of Directors showing the cost of removing the weeds, dead trees and rubbish on or in front of each separate lot or parcel of land, or both.

K111.2 Confirmation of expense account. Before the report is submitted to the Board of Directors, a copy of it shall be posted for at least three days on or near the chamber door of the Board with a notice of the time and when the report will be submitted to the Board for confirmation. Said report and notice shall also be posted for the said three days in two other public places in the District. At the time fixed for receiving and considering the report, the Board of Directors shall hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, the Board of Directors may make such modifications in the report, as it deems necessary, after which by order of resolution, the report shall be confirmed.

K111.3 Special assessment and lien. The amounts of the cost, including administrative costs, for abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed shall constitute special assessment against the respective parcels of land, and a lien on the property for the amount of the respective assessments.

K111.4 Transmittal of account. Such lien attaches upon recordation in the office of the County Recorder of the County in which the property is situated of a certified copy of the Resolution of Confirmation.

K111.5 Cost assessments. Upon confirmation of the report of cost by the Board of Directors of this jurisdiction and the recordation of the Resolution of Confirmation by the administrator, a copy of the report of cost shall be sent to the County Auditor, who shall enter the amount of the assessments against the parcels. Thereafter the amount of the assessments shall be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of County taxes are applicable to these assessment taxes.

K111.6 Grounds for cancellation or refund. If a property owner believes an assessment against the owner's property pursuant to Section K109 and K110 was

entered, charged or paid more than once, through clerical error, through the error or mistake of the District in respect to any material fact, or illegally, the owner must in compliance with applicable law present a claim to the Board of Directors for an order cancelling (if uncollected) or refunding (if collected) the assessment.

K112 Alternate mitigation.

K112.1 Fuelbreaks. In lieu of ordering abatement as provided in Section K107, the fire code official of this jurisdiction may order the preparation of fuelbreaks around parcels of property where combustible grass, weeds, crops, or brush are present. In determining the proper width for fuelbreaks, the fire code official shall consider the height of the growth, weather condition, topography, values at risk and the accessibility to the property for fire protection equipment. The procedure set forth in Section K109 for the abatement of weeds and rubbish shall apply to the preparation of fuelbreaks.

Part 3. GEOGRAPHIC LIMITS FOR CERTAIN HAZARDOUS MATERIALS

That the geographic limits referred to in certain sections of the 2016 California Fire Code are hereby established as follows, these provisions may be modified based on the General or Specific Plan of the city or County:

3.1 The limits referred to in Section 5704.2.9.6.1 of the International Fire Code in which storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, are hereby established as follows: Prohibited in any area as established by applicable land-use and zoning standards.

3.2 The limits referred to in Section 5706.2.4.4 of the International Fire Code in which storage of Class I and II liquids in above-ground tanks is prohibited, are hereby established as follows: Prohibited in any area as established by applicable land-use and zoning standards.

3.3 The limits referred to in Section 5806.2 of the International Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited is hereby established as follows: Prohibited in any area as established by applicable land-use and zoning standards.

3.4 The limits referred to in Section 6104.2 of the International Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows: Prohibited in any area as established by applicable land-use and zoning standards.

Part 4 CHANGES TO BUILDING STANDARDS

I. Changes or Modifications more stringent than the California Building Standards Code

Changes and modifications that are more stringent than the requirements published in the California Building Standards Code are adopted pursuant to the provisions contained in California Health and Safety Code 13869.7

In the event the City of San Ramon, Town of Danville, or Contra Costa County, adopt more restrictive requirements, or amend provisions contained herein in accordance with California Health and Safety Code Section 13869.7(c); those more restrictive or amended requirements shall only apply within the jurisdiction ratifying such requirements.

The Board of Directors of the San Ramon Valley Fire Protection District, in its Ordinance adopting and amending regulations that are more restrictive than the **2016 California Building Standards Code, Title 24, Part 9, Section 903 of the California Fire Code** are described below;

Section 902 is added and reads as follows:

SUBSTANTIAL REMODEL. In existing buildings, any alteration that causes additional floor area that is more than fifty percent (50%) of the existing floor area and where the total floor area exceeds 5000 square feet.

SUBSTANTIAL REMODEL, Group R-3. In an existing R-3 structure, any alteration that causes additional floor area that exceeds fifty percent (50%) of the existing floor area and where the total floor area exceeds 5000 square feet.

Section 903 is amended and reads as follows:

903.1 General. Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings. An automatic sprinkler system shall be provided for all new buildings with a gross floor area that exceeds 5000 square feet and in the locations set forth in Section 903.

EXCEPTION: Group U occupancies.

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for fire areas containing Group A-1 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5000 square feet.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for fire areas containing Group A-3 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5000 square feet.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for fire areas containing Group A-4 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5000 square feet

903.2.2.1 Group B. An automatic sprinkler system shall be provided for fire areas containing Group B occupancies and intervening floors of the building where one of the following conditions exist:

1. The fire area exceeds 5,000 square feet.

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5,000 square feet in area.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings with a fire area containing a repair garage exceeding 5,000 square feet.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 5,000 square feet

Section 903.3.1.1.3 is added to read as follows:

903.3.1.1.3 Undeclared Use and Tenant Space. In buildings of undeclared use or with tenant space areas; the fire sprinkler system may be required to be designed to conform to the design density of the most hazardous occupancy use allowed within the building. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.6.1 is added and reads as follows:

903.6.1 Substantial Remodel. In an existing building, if a substantial remodel occurs the entire building shall be protected by an automatic sprinkler system in accordance with section 903.

Section 903.6.1.1 is added and reads as follows:

903.6.1.1 Substantial Remodel, Group R-3. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial remodel occurs or where the gross floor area of the building exceeds 8,000 square feet.

EXCEPTION: When additional floor area does not exceed 1000 square feet.

II. Findings

Pursuant to Section §17958.5 and §17958.7 of the California Health and Safety Code, the Board of Directors of the San Ramon Valley Fire Protection District finds that the above referenced change, modification, and amendment is needed and is reasonably necessary because of certain local climatic, geological, and topographic conditions as described below.

A. Climatic

1. Precipitation and Relative Humidity

(a) Conditions

Precipitation ranges from 15 to 24 inches per year with an average of approximately 20 inches per year. Ninety-six (96) percent falls during the months of October through April and four (4) percent from May through September. This is a dry period of at least five (5) months each year. Additionally, the area is subject to occasional drought. Relative humidity remains in the middle range most of the time. It ranges from forty-five (45) to sixty-five (65) percent during spring, summer, fall, and from sixty (60) to ninety (90) percent in the winter. It occasionally falls as low as fifteen (15) percent.

(b) Impact

Locally experienced dry periods cause extreme dryness of untreated wood shakes and shingles on buildings and non-irrigated grass, brush and weeds, which are often near buildings with wood roofs and sidings. Such dryness causes these materials to ignite very readily and burn rapidly and intensely.

Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings by means of radiation or flying brands, sparks and embers. A small fire can rapidly grow to a magnitude beyond the control capabilities of the Fire District resulting in an excessive fire loss.

2. Temperature

(a) Conditions

Temperatures have been recorded as high as 114⁰ F. Average summer highs are in the 90⁰ range, with average maximums of 105⁰ F.

(b) Impact

High temperatures cause rapid fatigue and heat exhaustion of firefighters, hereby reducing their effectiveness and ability to control large building and wildland fires.

Another impact from high temperatures is that combustible building material and non-irrigated weeds, grass and brush are preheated, thus causing these materials to ignite more readily and burn more rapidly and intensely. Additionally, the resultant higher temperature of the atmosphere surrounding the materials reduces the effectiveness of the water being applied to the burning materials. This requires that more water be applied, which in turn requires more Fire District resources in order to control a fire on a hot day. High temperatures directly contribute to the

rapid growth of fires to an intensity and magnitude beyond the control capabilities of the Fire District.

3. Winds

(a) Conditions

Prevailing winds in the area are from the south or southwest in the mornings and from the north or northwest in the afternoons. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the fourteen (14) mph to twenty-three (23) mph ranges, gusting to twenty-five (25) to thirty-five (35) mph. Forty (40) mph winds are experienced occasionally and winds up to fifty-five (55) mph have been registered locally. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days creating extremely dry conditions.

(b) Impact

Winds such as those experienced locally can and do cause fires, both interior and exterior, to burn and spread rapidly. Fires involving non-irrigated weeds, grass and brush can grow to a magnitude and be fanned to an intensity beyond the control capabilities of the Fire District very quickly even by relatively moderate winds. When such fires are not controlled, they can extend to nearby buildings, particularly those with untreated wood shakes or shingles.

Winds of the type experienced locally also reduce the effectiveness of exterior water streams used by the Fire District on fires involving large interior areas of buildings, fires which have vented through windows and roofs due to inadequate built-in fire protection and fires involving wood shake and shingle building exteriors. Local winds will continue to be a definite factor towards causing major fire losses to buildings not provided with fire resistive roof and siding materials and buildings with inadequately separated interior areas or lacking automatic fire protection systems. National statistics frequently cite wind conditions, such as those experienced locally, as a major factor where conflagrations have occurred.

4. Summary

These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity, and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area can have a tremendous impact upon structure fires. During wood shake and shingle roof fires, or exposure fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fires back into the building and can create a blow torch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

B. Geological and Topographic

1. Seismicity

(a) Conditions

Contra Costa County is located in Seismic Risk Zone 4, which is the worst earthquake area in the United States. Buildings and other structures in Zone 4 can experience major seismic damage. Contra Costa County is in close proximity to the San Andreas Fault and contains all or portions of the Hayward, Calaveras, Concord, Antioch, Mt. Diablo, and other lesser faults. A 4.1 earthquake with its epicenter in Concord occurred in 1958, and a 5.4 earthquake with its epicenter also in Concord occurred in 1955. The Concord and Antioch faults have a potential for a Richter 6 earthquake and the Hayward and Calaveras faults have the potential for a Richter 7 earthquake. Minor tremblers from seismic activity are not uncommon in the area.

Interstate 680 runs the length of the San Ramon Valley to Interstate 580 in Alameda County. The interstate divides the valley into a west and east side. Through the valley, the interstate is transversed by 8 underpasses and 7 overcrossings. An overpass or undercrossing collapse would significantly alter the response route and time of responding emergency equipment. This is due to limited crossings of the interstate and that the valley has only one surface street, which runs parallel to the interstate which, would be congested during a significant emergency.

Earthquakes of the magnitude experienced locally can cause major damage to electrical transmission facilities, which, in turn, cause power failures while at the same time starting fires throughout the Fire District. The occurrence of multiple fires will quickly deplete existing fire department resources; hereby reducing and/or delaying their response to any given fire. Additionally, without electrical power, elevators, smoke management systems, lighting systems, alarm systems and other electrical equipment urgently needed for building evacuation and fire control in large buildings would be inoperative, thereby resulting in loss of life and/or major fire losses in such buildings.

(b) Impact

A major earthquake could severely restrict the response of the Fire District and its capability to control fires involving buildings of wood frame construction, with ordinary wood shake and shingle exteriors, or with large interior areas not provided with automatic smoke and fire control systems.

2. Soils

(a) Conditions

The area is replete with various soils, which are unstable, clay loam and alluvial fans being predominant. These soil conditions are moderately to severely prone to swelling and shrinking, are plastic, and tend to liquefy.

Throughout the San Ramon Valley, the topography and development growth has created a network of older, narrow roads. These roads vary from gravel to asphalt surface and vary in percent of slope, many exceeding twenty- (20) percent. Several of these roads extend up through the winding passageways in the hills providing access to remote, affluent housing subdivisions. The majority of these roads are private with no established maintenance program. During inclement

weather, these roads are subject to rock and mudslides, as well as down trees, obstructing all vehicle traffic. It is anticipated that during an earthquake, several of these roads would be impassable.

Examples:

1. Roundhill Estates in Alamo – access restricted for fire equipment due to road grade and width.
2. West hillside area in Danville and Alamo would restrict access for Station's 31, 32, and 33.
3. Tassajara Valley and Morgan Territory roads would restrict access for Station's 30, 35, 36 and 37.

3. Topographic

(a) Conditions

i. Vegetation

Highly combustible dry grass, weeds, and brush are common in the hilly and open space areas adjacent to built-up locations six (6) to eight (8) months of each year. Many of these areas frequently experience wildland fires, which threaten nearby buildings, particularly those with wood roofs, or sidings. This condition can be found throughout the District, especially in those developed and developing areas of the District.

ii. Surface Features

The arrangement and location of natural and manmade surface features, including hills, creeks, canals, freeways, housing tracts, commercial development, fire stations, streets and roads, combine to limit feasible response routes for Fire District resources in and to District areas.

iii. Buildings, Landscaping and Terrain

Many of the "newer" large buildings and building complexes have building access and landscaping features and designs, which preclude or greatly limit any approach or operational access to them by Fire District vehicles. In addition, the presence of security gates and roads of inadequate width and grades which are too steep for Fire District vehicles adversely effect fire suppression efforts.

When Fire District vehicles cannot gain access to buildings involved with fire, the potential for complete loss is realized. Difficulty reaching a fire site often requires that fire personnel both in numbers and in stamina. Access problems often result in severely delaying, misdirecting or making impossible fire and smoke control efforts.

(b) Impact

The above local geological and topographical conditions increase the magnitude, exposure, accessibility problems, and fire hazards presented to the San Ramon Valley Fire Protection District. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. Hazardous

materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. Public Safety resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single dwelling or structure fires.

Other variables may tend to intensify the situation:

1. The extent of damage to the water system.
2. The extent of isolation due to bridge and/or freeway overpass collapse.
3. The extent of roadway damage and/or amount of debris blocking the roadways.
4. Climatic conditions (hot, dry weather with high winds).
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours.
6. The availability of timely mutual aid or military assistance.
7. The large portion of dwellings with wood shake or shingles coverings could result in conflagrations.

4. Summary

Local climatic, geologic, and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. An example of this was the October 17, 1989 Loma Prieta earthquake measuring 6.9 on the San Andreas fault centered near Santa Cruz, caused one residential fire and numerous commercial buildings to have damage.

Part 5. REPEAL OF CONFLICTING ORDINANCES

The following Ordinance previously adopted by the Board of Directors is hereby repealed: Ordinance No.29, San Ramon Valley Fire Protection District.

Part 6. PUBLICATIONS

That the Fire District Clerk of San Ramon Valley Fire Protection District is hereby directed to cause this ordinance to be published within fifteen (15) days of passage, with the names of the Directors voting for and against it, in the San Ramon Valley Times, a newspaper of general circulation in this District.

Part 7. EFFECTIVE DATE

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force, beginning January 1, 2017 and after its final passage and adoption.

Passed and Adopted on October 27, 2016, by the following Vote:

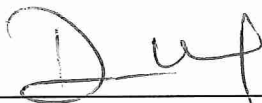
Roll-call vote: Directors Stamey, Kerr, Stark, and Parker. Director Campbell absent.

AYES: Stamey, Kerr, Stark and Parker


NOES: None

ABSENT: Director Campbell

ATTEST:



Donna Maxwell
District Clerk



Donald R. Parker, President
Board of Directors