



# Moraga-Orinda Fire District

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**TO:** The Board of Directors

**FROM:** Dave Winnacker, Fire Chief

**DATE:** July 15, 2020

**SUBJECT:** **Item 3.2 – Public Hearing on Second Reading of Ordinance 20-01 adopting the 2019 California Fire Code and the 2018 International Fire Code with Fire District Amendments; consideration of Findings of Fact pursuant to Section 18941.5 of the Health and Safety Code**

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## **BACKGROUND:**

Recognizing the significant risk of wildfire to which our community is exposed, staff propose progressive modifications to the fire code in order to adopt best practices to harden homes, create defensible space, and ensure roadway access.

Under state law, the District is required to hold a public hearing and a first and second reading before the proposed ordinance is adopted (Government Code § 50022.3). Following adoption of the ordinance, copies of the signed document will be forwarded to the Town of Moraga, City of Orinda, and Contra Costa County Board of Supervisors (for unincorporated areas). This submittal is required in order for each agency to ratify the document.

In accordance with Health and Safety Code section 13869.7, copies of the proposed Ordinance and Findings of Fact have been provided to the Town of Moraga, the City of Orinda, and Contra Costa County for review and comment. The proposed ordinance is the product of significant inter-agency coordination to ensure all concerns have been addressed.

Attached are the proposed amendments for the 2020 California Fire Code and 2020 International Fire Code. Presentations outlining the proposed changes were made to the City of Orinda and Town of Moraga Councils earlier this year.

## **MAJOR CHANGES:**

Every three years new editions of the state codes are published. The new codes and local amendments reflect changes in technology, fire safety techniques, and the building industry. These codes become the minimum standards for the State of California on January 1, 2020. By adopting the 2019 Fire Code, the Moraga-Orinda Fire District will be enforcing a code that is consistent with state regulations.

The following is a summary of the proposed changes to the 2019 Fire Code:

- Chapter 2 Definitions
  - Clearly defined Fire Protection Plans and where they will be required
  - Defined hazardous vegetation and combustible material

- Cleaned up the language for substantial addition, expansion, remodel, or renovation
- Added definition of surface fuels
- Chapter 3 General Safety Provisions
  - Move annual exterior hazard compliance date from 15 June to 31 May
  - Ban the use of combustible ground cover (to include Mulch & Bark) within 2' of structures
  - Require at least a 1' air gap between the ground and lower portion of bushes within 2' of structures
  - Increase the vertical clearance for trees above roofs from 5' to 6'
  - Increase the vertical clearance for trees from 5' to 6' above the ground and surface fuels
  - Require the removal of Eucalyptus and Monterrey Pine within 6' of structures
  - Require an exterior fire hazard inspection for real property transfers
  - Require the removal of Juniper and Bamboo within 10' of a road by the end of 2023
  - Streamline and define inspection process. Post card - Property Assessment – Inspection –re-inspection- Lien hearing.
- Chapter 5 Fire Service Features
  - Increases new road width from 16' to 18' for 1-2 new units
  - Increases new road width to 28' for 3 or more new units
- Chapter 9 Fire Protection and Life Safety Systems
  - Major Remodels and Additions to Existing Structures:
    - Require fire sprinklers for any remodel or addition in all occupancies except Group R-3 that have an addition or expansion where the new fire area exceeds 50 percent of the existing fire area.
    - Require fire sprinklers for any remodel or addition in group R-3 that have an addition or alteration where the removal or replacement of 50 percent or greater of linear length of walls of the building (exterior plus interior) and 50 percent of the roof are permitted within a one year period.
  - New Structures
    - Requires exterior under eave sprinklers for residential sprinkler systems
- Appendix D
  - Allows for waiver of remoteness requirement for large development road access with a Fire Protection Plan

**RECOMMENDATION:**

- 1) Discuss; 2) Deliberate; 3) Conduct a public hearing; 4) Introduce and waive the second reading of Ordinance 20-01 – An Ordinance of the Moraga-Orinda Fire District of Contra Costa County Adopting the 2019 California Fire Code and the 2018 International Fire Code with Fire District Amendments; consideration of Findings of Fact pursuant to Section 18941.5 of the Health and Safety Code; 5) Direct changes if needed.

**ATTACHMENTS**

1. Attachment A – Ordinance 20-01
2. Attachment B – Findings of Fact