



**Contra
Costa
County**

To: Board of Supervisors

From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District

Date: October 18, 2022

Subject: Fix Public Hearing - Ordinance 2022-34 to Adopt 2022 California Code with Local Amendments

RECOMMENDATION(S):

Acting in its capacity as the Contra Costa County Board of Supervisors and as the Board of Directors of the Contra Costa County Fire Protection District and the Crockett-Carquinez Fire Protection District:

1. INTRODUCE Ordinance No. 2022-34, adopting the 2022 California Fire Code, with local amendments, as the fire code within Contra Costa County, the Contra Costa County Fire Protection District, and the Crockett-Carquinez Fire Protection District; WAIVE reading; and FIX November 8, 2022, at the Contra Costa County Fire Protection District Board of Directors meeting, at 1:00 p.m., as the hearing date for the proposed adoption of the ordinance.
2. DIRECT the Clerk of the Board to publish notice of the hearing pursuant to Government Code section 6066.
3. AUTHORIZE the preparation of an ordinance summary by County Counsel and the publication of the summary in accordance with Government Code section 25124.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **10/18/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 18, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Chris Bachman, Assistant Fire Chief / Fire Marshal (925) 941-3300 x1520

By: June McHuen, Deputy

cc:

4. DIRECT the Clerk of the Board of Supervisors to post at its office, and each Fire District to post at its office, a copy of the full text of Ordinance No. 2022-34.

RECOMMENDATION(S): (CONT'D)

FISCAL IMPACT:

The fiscal impact is neutral. The adoption of this ordinance will provide the administrative authority to enforce the provisions of the California Fire Code as amended.

BACKGROUND:

The California Building Standards Commission has adopted and published the 2022 Building Standards Code, which includes the 2022 California Fire Code prepared and adopted by the State Fire Marshal. The statewide code becomes effective January 1, 2023.

Although the code applies statewide, Health and Safety Code sections 17958.5 and 18941.5 authorize a local jurisdiction to modify or change the statewide code and establish more restrictive standards if the jurisdiction finds that the modifications and changes are reasonably necessary because of local climatic, geological, or topographical conditions. Ordinance No. 2022-34 adopts the 2022 California Fire Code and amends it to address local conditions. There are no material changes to the local ordinance previously adopted by the Board in the 2019 code adoption process, and the amendments previously adopted by the Board are either now reflected in the new 2022 California Fire Code or are reflected in the proposed ordinance.

The attached ordinance amends the 2022 California Fire Code by establishing automatic sprinkler system requirements that are more restrictive than the sprinkler requirements in the statewide code. The attached ordinance requires the installation of automatic fire sprinkler systems in most commercial buildings greater than 5,000 square feet, and in private and charter schools greater than 2,000 square feet. New public schools are required to install fire sprinklers regardless of square footage. Reducing the sprinkler threshold to 2,000 square feet for private schools brings the requirement more in line with public schools. Several other occupancies were clarified to require sprinklers as well, including light hazard warehouse type occupancies. The more restrictive requirements are necessary due to Contra Costa County's climatic, geological, and topographical conditions, which impact fire prevention efforts and the frequency, spread, acceleration, intensity, and size of fire involving buildings. The automatic sprinkler system requirements are set forth in Section 903.2 of the attached ordinance. The automatic sprinkler system requirements specific to schools are set forth in Section 903.2.3 of the attached ordinance.

The attached ordinance clarifies a requirement for standby EMS personnel for large events that may tax the EMS system. The clarification is necessary because the statewide code as written does not assume that a fire agency is also an ambulance providing entity.

The attached ordinance defines the additional site security requirements that could be required if deemed necessary by the building official and fire official from arson fires or

hazards occurring within the jurisdiction. And, the ordinance will provide the fire official the ability to require a risk assessment stamped by a fire protection engineer if the facility manager is unable to provide an accurate risk assessment of the facility to include all hazardous materials stored onsite.

Chapter 5 and Appendix D of the ordinance will establish requirements for fire apparatus access roads, including requirements for turnouts, parking on access roads, and maximum grades.

Notice of the public hearing will be published in accordance with Government Code section 6066. A summary of the ordinance will be prepared and published in accordance with Government Code section 25124(b).

CONSEQUENCE OF NEGATIVE ACTION:

Without the adoption of the 2022 California Fire Code (CFC) with local amendments, the Fire District will not have the legal authority to enforce any exterior hazard abatement standards or the ability to conduct fire and life safety inspections in occupancies other than high-rise buildings, schools, hotels, motels, apartments, and day care facilities. In addition, without adoption of the CFC, occupancies that conduct operations such as the production, storage, and sale of hazardous materials, places of assembly, and the review of construction documents and testing of fire protection and fire alarm systems would no longer be regulated by the Fire District.

Furthermore, adoption of the 2022 CFC is necessary to continue allowing the Fire District to collect fees to recover the costs of providing fire prevention related services. Without adoption of the CFC, as amended, the Fire District general fund revenues would be required to provide the fiscal support necessary to fund the positions currently supported by operational permit and inspection fees and new construction plan review fees. This would result in a decrease in the amount of general fund revenues available for conducting emergency response activities or critical fire prevention services and personnel would need to be reduced or eliminated.

ATTACHMENTS

Fire Code Ordinance 2022-34

Findings in support of Ordinance No. 2022-34