

ORDINANCE NO. 9

POINT MONTARA FIRE PROTECTION DISTRICT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

AN ORDINANCE ADOPTING THE CALIFORNIA FIRE CODE
2001 EDITION AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS
HAZARDOUS TO LIFE, PROPERTY AND THE ENVIRONMENT FROM FIRE,
PANIC, EXPLOSION, HAZARDOUS MATERIALS AND HAZARDOUS USES AND
ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS

The Board of Directors of the Point Montara Fire Protection District does hereby ordain as follows:

Section I. Adoption of California Fire Code. Ordinance number 8 related to providing a Fire Prevention Code for the Point Montara Fire Protection District is hereby repealed. Furthermore there is hereby adopted by the Board of Directors of the Point Montara Fire Protection District, for the purpose of prescribing regulations governing conditions hazardous to life, property and the environment from fire, or explosion, hazardous materials, and hazardous uses, that certain code known as the California Fire Code Volumes 1 and 2, including Appendix Divisions I-A, I-B, I-C, II-A, II-B, II-C, II-D, II-E, II-F, II-H, II-I, II-K, III-A, III-AA, III-B, III-BB, III-C, III-D, IV-A, IV-B, V-A, VI-A, VI-B, VI-C, VI-D, VI-E, VI-F, VI-G, VI-H, VI-I, VI-J, and VI-K, which has been adopted in part by the California Building Standards Commission. The 2001 California Fire Code utilizes the 2000 Uniform Fire Code, published by the Western Fire Chiefs, as the base document. State Fire Marshal amendments that are considered Building Standards are included to form the California Fire Code. The California Fire Code is published and printed by the Western Fire Chiefs, being particularly the 2001 edition thereof, and whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section IX of this ordinance, of which three (3) copies have been and now are filed in the Office of the Clerk of the Point Montara Fire Protection District, and the same are hereby adopted 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 Point Montara Fire Protection District.

Section II. Establishment of the Bureau of Fire Prevention. The Bureau of Fire Prevention is hereby established and shall operate under the supervision of the Chief of the Point Montara Fire Protection District or the person or persons authorized by the Chief of the Point Montara Fire Protection District.

Section III. Definitions.

1. Wherever the words "authority having jurisdiction or jurisdiction" are used, it shall be held to mean the Point Montara Fire Protection District.
2. Wherever the words "fire department" are used, it shall be held to mean the Point Montara Fire Protection District.
3. Wherever the words "Chief or Chief of the Bureau of Fire Prevention" are used, they shall be held to mean the Chief of the Point Montara Fire Protection District or the person or persons authorized by the Chief of the Point Montara Fire Protection District.
4. Wherever the word "Administrator" is used, it shall be held to mean the Board of Directors of the Point Montara Fire Protection District.

5. Wherever the term "district counsel" is used in the Fire Code, it shall be held to mean the attorney for the Point Montara Fire Protection District.

Section IV. Establishment of Limits within the Point Montara Protection District in Which Storage and Use of Explosives and Blasting Agents Is to Be Prohibited. The storage and use of explosives and blasting agents are prohibited within the boundaries of the Point Montara Fire Protection District.

Exception: The Chief of the Point Montara Fire Protection District or the person or persons authorized by the Chief of the Point Montara Fire Protection District, may issue a permit to store or use explosives and blasting agents after due consideration has been given to the potential hazards to life, and property and compliance to the requirements established by the California State Fire Marshal for the Storage and Use of Explosives. The Chief may require a technical report as described in Section 103.1.1 prior to issuance of said permit.

Section V. Establishment of Limits within the Point Montara Fire Protection District in Which Storage of Flammable/Combustible Liquids in Outside Aboveground Tanks Is to Be Prohibited.

The Chief shall have the authority to permit or deny each site-specific design and/or installation of above ground flammable/combustible liquids tanks within the established boundaries of the Point Montara Fire Protection District. The Chief may require a technical report as described in Section 103.1.1 prior to issuance of said permit.

Section VI. Establishment of Limits within the Point Montara Fire Protection District in which Storage of Liquefied Petroleum Gases Is to Be Prohibited.

The Chief shall have the authority to permit or deny each site-specific design and/or installation for the storage of Liquefied Petroleum Gases within the established boundaries of the Point Montara Fire Protection District. The Chief may require a technical report as described in Section 103.1.1 prior to issuance of said permit.

Section VII. Establishment of Limits within the Point Montara Fire Protection District in which the Storage of Compressed Natural Gas Is to Be Prohibited.

The Chief shall have the authority to permit or deny each site-specific design and/or installation for the storage of Compressed Natural Gas within the established boundaries of the Point Montara Fire Protection District. The Chief may require a technical report as described in Section 103.1.1 prior to issuance of said permit.

Section VIII. Establishment of minimum roofing classification for all new buildings constructed or re-roofed within the Point Montara Fire Protection District.

All roof installations regulated by California Building Code Chapter 15 and Appendix Chapter 15 shall comply with CBC Standard 15-2 and be listed as a minimum of Class B roofing assembly.

The Chief shall have the authority to inspect all such roofing systems during construction and/or require certification from the installer that the roof system does meet these requirements.

Section IX. Amendments and Deletions to the California Fire Code. The California Fire Code is amended and changed as follows:

Section 103.1.4 is amended and changed to read as follows:

103.1.4 Appeals. To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, the Chief shall be requested in writing by the appellant to provide review and consideration to allow an alternate material, change of construction or formal interpretation to a specific provision of this code.

The appellant is required to provide in writing the full details of the request and the reasons and justifications for the request. Upon receipt of such written request and after giving consideration to the request the Chief shall render a decision in writing to the appellant. The decision rendered by the Chief may be appealed to the Board of Directors of the Point Montara Fire Protection District. The appellant shall request in writing to the Chief that a further appeal to the Board of Directors of the Point Montara Fire Protection District is requested. The Chief shall then forward the appellant's request to the Board of Directors of the Point Montara Fire Protection District. Upon review and consideration, the Board of Directors of the Point Montara Fire Protection District shall render their decision in writing to the Chief and send a duplicate copy to the appellant. The decision rendered by the Board of Directors of the Point Montara Fire Protection District is final.

Section 103.2.1.2 is amended and changed to read as follows:

103.2.1.2 Fire department personnel and police. The Chief, Chief Officers, members of the fire prevention bureau, and other designated representatives as designated by the Chief shall have the powers of a police officer in performing their duties under this code and shall have the power to issue notices of violation of this code and any other ordinances of the Point Montara Fire Protection District.

Section 105.4.1 is added to read as follows:

105.4.1 Inspection Prior to Enclosing. No portion of any appliance, device, equipment or system intended to be covered by earth or by construction, shall be enclosed, if required to be inspected by permit, until an inspection has been made and approval for enclosing has been given.

Section 105.4.2 is added to read as follows:

105.4.2 Enclosing Prior to Inspection. Any appliance, device, equipment or system enclosed prior to inspection will require such items to be exposed for inspection. The costs of exposing such items will not result in any expressed or implied expense to the Point Montara Fire Protection District.

Section 105.4.3 is added to read as follows:

105.4.3 Stop Orders. When any work is being done or a condition is being established contrary to the provisions of this code, the Chief may order any persons engaged in doing or causing the work to be done to stop work on that portion which is in violation. Such work shall stop until the Chief authorizes continuation of work.

Section 105.4.4 is added to read as follows:

105.4.4 Final Inspection. When a final inspection is required, no appliance, device, equipment or system shall be operated or placed in use until the installation has been approved and final acceptance has been granted.

Section 105.4.5 is added to read as follows:

105.4.5 Requests for Inspection. Requests for inspection shall be made at least 48 hours prior to the requested time of the inspection.

Section 105.8 is amended and changed to read as follows:

105.8 Permit Required. It shall be unlawful for any person to conduct or maintain any business, special event, occupancy or activity that requires a permit until such permit has been obtained. A permit shall be obtained from the bureau of fire prevention prior to engaging in the following activities, operations, practices or functions:

Subsection s.2 is added to read as follows:

s.2. Special Event. To conduct a special event either inside or outside of a structure. Special events include but are not limited to the following types of activity: crafts faire, festivals, historical celebrations, etc.

Section 105.9 is added to read as follows:

105.9. Sale or Delivery Without Permit. It is unlawful for any person to sell, deliver or cause to be delivered any commodity to any person not in possession of a valid permit when the provisions of this code require a permit.

Section 202 -A - ADMINISTRATOR is amended and changed to read as follows:

ADMINISTRATOR is the Board of Directors of the Point Montara Fire Protection District.

Section 202 -A add the following terms to read as follows:

AIR REACTIVE is any liquid, solid or gas, which, when combined with air, a reaction occurs that forms a hazardous condition. (See also, "pyrophoric")

All Weather Surface shall be a minimum of 6 inches of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. In no circumstances shall the grade exceed 20%.

Authorized Representatives shall be those persons determined by the Chief of the Point Montara Fire Protection District to act as the Chiefs' agent.

Section 206-E amended and change to the following terms to read as follows:

EXECUTIVE BODY is the Board of Directors for the Point Montara Fire Protection District.

Section 213-L add the following terms to read as follows:

LIQUID TIGHT is the ability of a material to retain a liquid being contained and prevent the passage of such liquid.

Section 220-S amend and change the following term to read as follows:

STREET is any thoroughfare or public way not less than 20 feet in width which has been dedicated or deeded to the public for public use and required as a means of fire access.

Section 224-W add the following term to read as follows:

WASTE OIL is a Class III-B waste liquid resulting from the use of a Class III-B combustible liquids such as motor oil, hydraulic oil, lubricating oil, brake fluids and transmission fluids.

Section 901.4.2.3 is added to read as follows:

901.4.2.1.1 Maintenance and Installation of Fire Access Signs. It shall be unlawful for the owner, lessee or person in charge of private property to fail to install and maintain required fire access lane signs and/or markings after having been given notice by the Point Montara Fire Protection District.

Section 901.4.4 is amended to read as follows:

901.4.4 Premises identification. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background and shall be either internally or externally illuminated in all new construction. Numbers shall be as follows:

1. Minimum of one half-inch stroke by four inches high.
2. When the structure is 36-50 feet from the street or fire department access, a minimum of one half-inch stroke by six inches high is required.
3. When the structure is more than 50 feet from the street or fire apparatus access, a minimum of one half-inch strike by 9 inches high is required.
4. Where buildings are located remotely to the public roadway, the Point Montara Fire Protection District may require additional signage at the driveway/roadway entrance leading to the building and/or on each individual building.

Section 901.4.4.1 is added to read as follows:

901.4.4.1 Rear Addressing. When required by the chief, approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property. Number stroke and size shall comply with 901.4.4.

Section 901.4.4.2 is added to read as follows:

901.4.4.2 Multiple Tenant Structures. Multiple tenant buildings, using the same street address numbers, shall have suite or unit identification posted as required by the Point Montara Protection District.

Section 901.4.4.3 is added to read as follows:

901.4.4.3 Commercial/Industrial Size and Stroke of Numbers. Building address numbers for commercial/industrial buildings shall be a minimum of six inches in height and a minimum stroke of 1/2 inch.

Section 901.4.4.4 is added to read as follows:

901.4.4.4 Color of Numbers. Building address numbers shall be of contrasting color to the background.

Section 901.4.4.5 is added to read as follows:

901.4.4.5 Reflectorized/Illuminated Numbers. New buildings, other than residential buildings, shall have reflectorized building address numbers. New residential buildings shall have internally illuminated building address numbers.

Section 901.4.4.6 is added to read as follows:

901.4.4.6 Suite/Unit Identification. Building containing suites and/or unit identification shall have the suite or unit identification clearly posted with assigned letters or numbers having a minimum height of four inches and a minimum stroke of 3/8 inch. Assigned letters or numbers shall be of contrasting color to the background.

Section 903.3 is amended and changed to read as follows:

903.3 Type of Water Supply. Water supplies may consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow. The Chief may use any of the individual provisions of Appendix III-A or any other recognized method for the determination of required fire flow for the specific site.

Section 903.3.1 is added to read as follows:

903.3.1 Suburban and Rural Water Supplies. In areas where public and/or private fire mains are not available for the provision of the required fire flow, the Chief may develop a standard, which requires a water supply for fire fighting be provided. In developing this standard, the Chief may be guided by NFPA Standard 1142, 2001 edition - Standard on Water Supplies for Suburban and Rural Fire Fighting; NFPA Standard 1144, 2002 edition - Protection of Life and Property from Wildfire: Appendix III-A - California Fire Code 2001 edition.

Section 903.3.1.2 is added to read as follows:

903.3.1.2 Storage of Suburban and Rural Water Supplies. In calculating the water supply available to meet the minimum fire flow required in Section 903.1, swimming pools, ponds and underground cisterns, which would require a fire department drafting operation, shall not be considered as a primary water source.

Section 1003.1.2 is amended and changed to read as follows:

1003.1.2 Standards. Fire-extinguishing systems shall comply with the NFPA Standards listed in this ordinance.

Section 1003.1.2.1 is added to read as follows:

1003.1.2.1 Non-required Automatic Fire Extinguishing Systems. Automatic fire extinguishing systems that are proposed to be installed, but are not specifically required by this ordinance, shall be subject to approval by the Point Montara Fire Protection District. The system and its installation shall meet the NFPA Standards listed in this ordinance or other standards approved by the California State Fire Marshals' Office and approved by the Chief on a case-by-case basis.

Section 1003.1.3 is amended and changed to read as follows:

1003.1.3 Modifications. When residential sprinkler systems as set forth in this Ordinance are provided, exceptions to, or reductions in, Building Code requirements based on the installation of an automatic fire extinguishing system are not allowed.

Section 1003.2.2 is added to read as follows:

1003.2.2 All Occupancies and Facilities. The following requirements shall apply to all new buildings or structures which require a building permit issued by the County of San Mateo:

1. Except as otherwise provided by this Section, or as provided under Section 1003.4 of the latest adopted edition of the California Fire Code, automatic fire sprinkler systems shall be installed and maintained in every new building or structure of any type, use, occupancy or size which requires a building permit issued by the County of San Mateo.

2. The term "automatic fire sprinkler system" as used in this Section means an integrated system of underground and overhead piping, including a water supply such as a gravity tank, fire pump, reservoir, pressure tank, or connection by underground piping to a fire main, which system complies in all respects with the requirements for such systems contained in standards issued by the National Fire Protection Association based upon occupancy classification or other standards

approved by the California State Fire Marshals' Office and approved by the Chief on a case-by-case basis. The following structures are exempt from the requirements of this Section:

1. **Agricultural Buildings.** For purposes of this Section, an "agricultural building" is defined as a non-residential structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. "Agricultural building" includes a place of employment where agricultural products are processed, treated or packaged. "Agricultural buildings" shall include greenhouses.
2. Structures not exceeding 1,000 square feet in area.
3. Mausoleums of Type I construction, as defined by the California Building Code, which do not contain offices, chapels or other places where the public assembles on a regular basis.
4. Open air parking garages of Type I construction as defined by the California Building Code, which do not contain offices, stores or other places of public occupancy for purposes other than parking vehicles.
5. Car wash structures where no offices or waiting rooms are attached.

The requirements of this Section are intended to represent minimum standards for new construction. Further, any requirements of the California Building Code, the California Fire Code, or the State Building Standards Code which is more restrictive, specifies higher standards or mandates specific locations within a structure for automatic sprinkler systems shall be applicable.

Notwithstanding Section 1001.3 of the California Fire Code, no existing residential building or structure shall be required to conform to the requirements of this Section, unless the remodel, alterations, or repairs to the existing structure and the total floor area is 3,600 square feet or more, or three or more stories in height above fire department access level, or the remodel, alterations, or repairs to the existing building or structure within any 12-month period exceed 75% of the estimated valuation of such building or structure.

Residential structures with attached garages shall have automatic fire sprinkler heads installed in the garage in addition to those required in the 13D standards. The number and type of sprinkler heads shall be determined in accordance with the National Fire Protection Association Standards or other standards approved by the California State Fire Marshals' Office and approved by the Chief on a case-by-case basis.

Section 1003.2.2.1 is added to read as follows:

1003.2.2.1 Occupancy Classification Change to Existing Buildings. An Automatic fire sprinkler system shall be installed throughout all existing buildings when a change of occupancy classification occurs and when the existing total floor area is 2,500 or more square feet or three or more stories in height above fire department access at grade.

EXCEPTIONS:

1. When in the opinion of the Chief, the change of occupancy classification did not result in a significant increase in the level of life safety or fire safety of the occupancy, the Chief may waive the requirement for automatic fire sprinkler system installation.

Section 1003.2.2.2. Is added to read as follows:

1003.2.2.2 Additions to Existing Buildings. An Automatic fire sprinkler system shall be installed throughout all existing buildings when an addition to the building occurs of 1,000 or more square feet or three or more stories in height above fire department access at grade.

Section 1003.2.2.3. is added to read as follows:

1003.2.2.3 Area Separation Walls. Portions of a building separated by area separation walls shall not be considered as providing separate buildings when determining the requirements for automatic fire sprinkler system installation.

Section 1003.2.3.1 is amended and changed to read as follows:

1003.2.3.1 Group A Occupancies. An automatic sprinkler system shall be installed throughout buildings classified as Group A Occupancy when the total floor area is 1,000 or more square feet or three or more stories in height above the fire department access at grade.

Section 1003.2.4.1 is amended and changed to read as follows:

1003.2.4.1 General. An automatic sprinkler system shall be installed throughout all buildings containing a Group E, Division 1 Occupancy and all other Group E Occupancies when the total floor area is 1,000 or more square feet or three or more stories in height above fire department access level.

Section 1003.2.5.1 is amended and changed to read as follows:

1003.2.5.1 General. An automatic sprinkler system shall be installed throughout all buildings classified as Group F Occupancy when the total floor area is 1,000 or more square feet or three or more stories in height above fire department access level.

Section 1003.2.7.1 is amended and changed to read as follows:

1003.2.6.1 General. An automatic sprinkler system shall be installed throughout all buildings classified as Group H, Division 1, 2, 3 or 7 Occupancy and all other Group H Occupancies when the total floor area is 1,000 or more square feet or three or more stories in height above fire department access level.

Section 1003.2.6.2 is amended and changed to read as follows:

1003.2.6.3 Group H, Division 6 Occupancies. An automatic fire-extinguishing system shall be installed throughout buildings containing Group H, Division 6 Occupancies. The design of the sprinkler system shall not be less than that required under the Building Code for the occupancy hazard classifications as follows:

Section 1003.2.8 is added to read as follows:

1003.2.8 Group M Occupancies

Section 1003.2.8.1 is added to read as follows:

1003.2.8.1 General. An automatic sprinkler system shall be installed throughout all buildings classified as Group M Occupancy when the total floor area is 1,000 or more square feet or three or more stories in height above fire department access level.

Section 1003.2.9.1 is added to read as follows:

1003.2.9 General. An automatic sprinkler system shall be installed throughout all buildings classified as Group R, Division 1 Occupancy when the total floor area is 1,000 or more square feet or three or more stories in height above fire department access level.

Section 1003.2.10.2 is added to read as follows:

1003.2.10.2 Congregate residence. An automatic sprinkler system shall be installed within congregate residences having an occupant load of 20 or more or three or more stories in height above fire department access level.

Section 1003.2.10.3 is added to read as follows:

1003.2.10.3 Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of Group R, Division 1 buildings.

Section 1003.2.11 is added to read as follows:

1003.2.11 Group S Occupancies

Section 1003.2.11.1 is added to read as follows:

1003.2.11.1 General. An automatic sprinkler system shall be installed throughout all buildings classified as Group S Occupancy when the total floor area is 1,000 or more square feet or three or more stories in height above fire department access level.

Section 1003.2.12 is added to read as follows:

1003.2.12 Group U, Division 1 Occupancies

Section 1003.2.12.1 is added to read as follows:

1003.2.12.1 General. The Point Montara Fire Protection District shall determine the requirement for automatic fire sprinklers within Group U, Division 1 occupancies based upon the location of the structure in relationship to fire access roads and exposures, size of structure, methods of construction, and intended usage within the structure.

Section 1003.2.12.2 is added to read as follows:

1003.2.12.2 Group U Division 1 attached to Group R Division 3. Group U Division 1 structures that are attached to a Group R Division 3 residential structure, requiring automatic fire sprinkler system protection, shall be provided with automatic fire sprinkler protection.

Section 1003.2.12.3 is added to read as follows:

1003.2.12.3 Agricultural Buildings. Buildings used for agricultural purposes that exceed the size limitation and other provisions of California Building Code Section 312.2.1 shall, for the purposes of fire sprinkler protection, be considered as a Group U Division 3 Occupancy when they are constructed in conformance with the provisions of California Building Code Appendix Chapter 3 Division II.

Agricultural buildings that are classified as Group U Division 3 Occupancies shall be provided with automatic fire sprinkler coverage as determined by the Point Montara Fire Protection District. The requirement for automatic fire sprinkler protection will be based upon location of the structure in relationship to the fire access roads, exposures, size of structure, methods of construction and intended use within the structure.

Section 1003.3.1 is amended and changed to read as follows:

1003.3.1 General. All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers is 50 or more. Signals from such electrical monitoring shall be transmitted to a UL listed central station service that is approved by the Point Montara Fire Protection District.

EXCEPTION: Single family dwellings.

Section 1003.3.3 is amended and changed to read as follows:

1003.3.3 Central Station. Valve monitoring and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to a central station approved by the Point Montara Fire Protection District.

EXCEPTIONS: Underground key or hub valves in roadway boxes provided by the municipality or public utility need not be monitored.

Section 1003.3.3.1 is added to read as follows:

1003.3.3.1 Audible Device for Group R Division 3 Occupancies. All Group R Division 3 Occupancies that are required to have automatic fire sprinkler systems installed shall have:

1. A distinctively sounding interior audible device indicating water flow. Such device shall be located within and audible throughout the living portion of the structure.
2. An exterior alarm bell indicating water flow. The bell circuit shall be AC line powered with a dedicated circuit breaker.

Section 1003.4 is amended and changed to read as follows:

1003.4 Permissible Sprinkler Omissions. Automatic fire sprinkler omissions will not be permitted within any portion of a structure that is required by this ordinance to be provided with an automatic fire sprinkler system.

EXCEPTION: The Chief of the Point Montara Fire Protection District may consider the omission of fire sprinklers when an applicant has submitted a written request for omission. This request shall provide specific details as to why the area should not be provided with automatic fire sprinklers. The Chief has the authority to require other forms of approved automatic fire extinguishing systems when the Chief has determined that the application of water from an automatic fire sprinkler system would be detrimental to the fire and life safety of the building occupants and/or the building.

Section 1004.1.1.4 is added to read as follows:

1004.1.1.4 Area Separation Walls. Portions of a building separated by area separation walls shall not be considered as providing separate buildings when determining the requirements for standpipe installation.

Section 1004.2.1 is amended and changed to read as follows:

1004.2.1 General. Basement pipe inlets shall be installed in the first floor of all buildings, regardless of occupancy classification, having a basement when required by the Chief.

Section 1006.1.3 is added to read as follows:

1006.1.3 Fire Department Response to False Alarms. Any building owner or owner's agent who fails to properly maintain and service any smoke detector or fire alarm system, water flow detection alarm or fire sprinkler tamper alarm, after being notified that service or maintenance is required, will be subject to the payment of costs related to any false alarm response by the fire department.

Section 1006.1.4 is added to read as follows:

1006.1.4 Contractor responsibility of notification. It shall be the responsibility of the contractor, servicing, repairing, or making modifications to a building system that is monitored by an alarm system, to notify the Point Montara Fire Protection District prior to beginning such servicing, repairing or modifications. Failure by the contractor to provide such notification will subject the contractor to the payment of costs related to any alarm response by the fire department.

Section 1006.2.9.1.7 is added to read as follows:

1006.2.9.1.7 Smoke Detection for Group R Division 3 Occupancies. All new Group R Division 3 Occupancies shall be provided with an approved smoke detection system throughout the structure. Installation of the smoke detection system shall be reviewed and approved by the Point Montara Fire Protection District prior to installation.

Section 1006.2.9.2.1.1 is added to read as follows:

1006.2.9.2.1.1 Smoke Detection for Existing Group R Division 3 Occupancies. All existing Group R Division 3 Occupancies shall be provided with an approved smoke detection system throughout the structure when any of the following occurs:

1. When alteration, repairs, structural changes or additions occur, within a twelve-month period and the value of such work is in excess of \$1,000.00.
2. When property is occupied by other than the property owner and rental or lease income is derived.
3. When existing property is sold.

Installation of the smoke detection system shall be reviewed and approved and inspected by the Point Montara Fire Protection District prior to installation.

Section 1103.4 is added to read as follows:

1103.4 Fire Hazard Abatement

Section 1103.4.1 is added to read as follows:

1103.4.1 Public Nuisance. When in the opinion of the Chief the presence of combustible material on a lot creates a hazard, such material shall constitute a public nuisance. "Combustible material" as used in this Section 1103.4 means and includes seasonal and recurrent weeds, stubble, brush, dry grass, dry leaves or tumbleweeds; or rubbish, litter or flammable material of any kind. "Lot" as used within Section 1103.4, means and includes any parcel of land, whether or not occupied by any building or structure.

Section 1103.4.2 is added to read as follows:

1103.4.2 Unlawful Disposal. Every person who places, deposits or dumps combustible material on a lot, or on land lying within one hundred feet (100') thereof, whether or not such person owns such lot or land, or whether or not such person so places, deposits or dumps on such lot or land with the consent of the owner thereof, is subject to the criminal sanctions set forth in Health and Safety Code Section 13871.

Section 1103.4.3 is added to read as follows:

1103.4.3 Clearance of Brush, Vegetative Growth and Combustible Material from Lots. All lots shall be cleared of brush, vegetative growth and combustible material upon written notification by the Point Montara Fire Protection District.

Section 1103.4.4 is added to read as follows:

1103.4.4 Clearance of Brush, Vegetative Growth from Structure Area.

Any person owning, leasing, controlling, operating or maintaining any building or structure in, upon or adjoining any hazardous fire area or any such area within the jurisdictional boundary of the Point Montara Fire Protection District, shall upon written notification remove and clear such brush, vegetative growth from the area of the building or structure, as prescribed within the written notice.

Section 1103.4.5 is added to read as follows:

1103.4.5 Fire Breaks. The Point Montara Fire Protection District may require the installation of “fire breaks” around or within parcels of property where combustible weeds, crops, brush or other combustible materials are present. The Point Montara Fire Protection District will determine the specific width and length of the “fire breaks”. The following conditions will be included as part of the determining factors regarding the width and length of the “fire breaks”:

1. Height and width of combustible material present
2. Prevailing weather conditions
3. Topography of site
4. Available fire apparatus access
5. Fire protection systems available on-site
6. Relationship of structures within the given parcel of the combustible material or adjacent parcels where structures would become an exposure to the presence of the combustible material

Section 1105.7 is added to read as follows:

1105.7 Fuel Cylinders for Asphalt Roofing Kettles. All fuel cylinders, used in conjunction with asphalt roofing kettles or related equipment, shall be adequately secured to prevent overturning.

Section 1107.3 is added to read as follows:

1107.3 Immersion Heaters. All electrical immersion heaters used in dip tanks, sinks, and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of protection devices shall be provided. All devices shall be listed by a nationally recognized listing agency.

Section 1114 is added to read as follows:

1114- Illegal Dumping. No person shall place, deposit, or dump any ashes or combustible waste material in or upon any lands not approved for such use.

Section 1203.1 is added to read as follows:

1203.1 Seismic Restraint for Storage Shelving. All storage shelving shall be provided with adequate seismic restraint as required by Chapter 16 of the California Building Code. Storage shelving not required to have seismic restraint by the Building Code may be required to be secured to prevent obstruction of the means of egress as determined by the Point Montara Fire Protection District.

Section 1207.8 is added to read as follows:

1207.8 Vehicular Obstructions. Whenever exit doors are located such that they could be obstructed by vehicular parking, such doors shall be provided with adequate barriers to prevent vehicular obstruction of the path of egress.

Section 7701.1.2 is added to read as follows:

7701.1.2 Enforcement. The regulations of the California State Fire Marshal are used for enforcement of the requirements for defining explosives, the storage, handling and use of explosives. The Point Montara Fire Protection District may enforce those provisions of Article 77 that are deemed by the Chief to be more restrictive than the regulations of the California State Fire Marshal.

Delete Sections 7801.1 through 7803.9 and replace as follows:

Section 7801.1 is amended and changed to read as follows:

7801.1 Fireworks prohibition. It shall be unlawful for any person to possess, store, to offer for sale, expose for sale, sell at retail or wholesale, or use or explode any fireworks within the jurisdictional boundaries of the Point Montara Fire Protection District.

EXCEPTION: State Fire Marshal licensed pyrotechnic operators may operate pyrotechnic displays and events after obtaining a permit for such operations from the Point Montara Fire Protection District.

Section 7801.2 is amended and changed to read as follows:

7801.2 Model rocket sales. Model rockets and associated engines may be offered for retail sales after obtaining a permit from the Point Montara Fire Protection District.

Section 7801.3 is amended and changed to read as follows:

7801.3 Discharge of model rockets. Model rockets may be discharged within the jurisdictional boundaries of the Point Montara Fire Protection District after obtaining a permit for such discharge from the Point Montara Fire Protection District.

Section 9001.4 is added to read as follows:

9001.4 APPENDIX CHAPTERS. Appendix chapters, which are not specifically adopted, may be used in whole or in part by the Point Montara Fire Protection District as guides toward enforcement of the provisions of this ordinance.

Section 9003 n.2 is amended and changed to read as follows:

9003 n.2. NATIONAL FIRE PROTECTION ASSOCIATION
Post Office Box 9101, Batterymarch Park, Quincy, MA 02269
NFPA STANDARDS

n.2.1 The Point Montara Fire Protection District may utilize in whole or in part any of the latest editions of the printed NFPA Standards as a guide in the enforcement of the provisions of this ordinance. The following specific Standards, along with the amendments by the California State Fire Marshal found within Chapter 35 of the 2001 California Building Code, are hereby adopted for enforcement:

NFPA Standard # 11, 2000 edition	NFPA Standard # 11-A, 1999 edition
NFPA Standard # 12, 2000 edition	NFPA Standard # 12-A, 1997 edition
NFPA Standard # 13, 1999 edition	NFPA Standard # 13-D, 2002 edition
NFPA Standard # 13R, 2002 edition	NFPA Standard # 14 2000 edition
NFPA Standard # 15, 2001 edition	NFPA Standard # 16, 1996 edition
NFPA Standard # 16-A, 1996 edition	NFPA Standard # 17, 2002 edition
NFPA Standard # 17-A, 2002 edition	NFPA Standard # 20 1999 edition
NFPA Standard # 24, 2002 edition	NFPA Standard # 37, 2002 edition
NFPA Standard # 50, 1996 edition	NFPA Standard # 58, 2001 edition
NFPA Standard # 72, 2002 edition	NFPA Standard # 253, 2000 edition

Section X. PENALTIES:

Any person who violates any of the provisions of this Ordinance as adopted herein or fails to comply therewith, or who violates or fails to comply with any order made there under, or who builds in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate of operation or permit issued there under, and from which no appeal has been taken, or fails to comply with such an order as affirmed or modified by the Point Montara Fire Protection District or by a court of competent jurisdiction, within the required time, shall be considered to be in violation and noncompliance, and therefore upon conviction, guilty of a misdemeanor, punishable by a fine and/or imprisonment as determined by a court of competent jurisdiction. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that the prohibited condition exists shall constitute a separate offense.

Section XI. FINDINGS:

The Point Montara Fire Protection District, by Resolution No. 422, adopted findings based on local climatic, geological and topographical conditions existing within the District that support the modifications to the California Fire Code, 2001 Edition as set forth by this Ordinance. The specific findings supporting each modification to the California Fire Code are shown on the chart attached to this Ordinance as Exhibit A.

Section XII SEVERABILITY:

If any Section, subsection, provision or other portion of this ordinance, or its application to any person or circumstance, is held invalid or unenforceable, all other parts of this ordinance shall remain in full force and effect, and the Board declares that it would have adopted each section, subsection and provision independently, and that each provision is severable.

Section XIII EFFECTIVE DATE:

This ordinance shall be in full force and effect after it is ratified by the County of San Mateo, but in any event no sooner than thirty (30) days after its adoption by the District. Within fifteen (15) days after the ordinance is adopted, a summary of this ordinance and a tally of how each Board member voted shall be published once in a newspaper of general circulation, and posted at the District office.

INTRODUCED at a regular meeting of the Board of Directors of the Point Montara Fire Protection District on _____, 2002.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Point Montara Fire Protection District on _____, 2003 by the following roll call vote:

AYES:

NOES:

ABSENT:

President, Board of Directors
Point Montara Fire Protection District

ATTEST:

Secretary of the District