

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 20, 2014

Jessie Y. Wu
Building Official
City of La Mesa
8130 Allison Avenue
La Mesa, CA 91942

RE: Ordinance #2013-2830

Dear Mr. Wu:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 28, 2014.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



**CITY OF
LA MESA**
JEWEL of the HILLS

RECEIVED
JAN 23 2 10 PM
COMMUNITY DEVELOPMENT DEPARTMENT

January 22, 2014

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Dear Sir or Madam:

Enclosed please find a copy of Ordinance 2013-2830 adopted by the City of La Mesa City Council on November 26, 2013. The ordinance adopts by reference the 2013 edition of the California Building Standards Code, including the California Building Code, California Plumbing code, California Mechanical Code, California Electrical Code, California Residential Code and the California Green Building Standards Code.

If you have any questions or desire additional information, please contact me directly at 619-667-1159.

Sincerely,


Jessie Y. Wu, P.E.
Building Official

Enclosure

ORDINANCE NO. 2013-2830

AN ORDINANCE OF THE CITY OF LA MESA ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, KNOWN AS THE CALIFORNIA CODE OF REGULATIONS, TITLE 24 (CCR, T-24) INCORPORATING; THE INTERNATIONAL BUILDING CODE, 2012 EDITION PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; THE UNIFORM PLUMBING CODE, 2012 EDITION PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; THE UNIFORM MECHANICAL CODE, 2012 EDITION PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; THE NATIONAL ELECTRICAL CODE, 2011 EDITION PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION; THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 EDITION; AND, AMENDING TITLE 14 OF THE LA MESA MUNICIPAL CODE AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH

The City Council of the City of La Mesa, California, DOES ORDAIN as follows:

SECTION 1. Findings of Local Conditions. Pursuant to Health and Safety Code Sections 17958.5 and 17958.7, the City Council hereby makes the following findings:

- A. Tropical weather conditions, hilly terrain, density of development, canyons with dry dense brush, and the environment existing in the City of La Mesa constitute local conditions which require that the California Building Code and the California Residential Code be modified as expressed herein.

- B. The high water table expansive clay-like soils and history of unregulated grading including uncompacted fills existing in the City of La Mesa constitute local conditions which require that the California Building Code be modified as expressed herein.

SECTION 2. Chapter 14.04 of the La Mesa Municipal Code is hereby amended in its entirety to read as follows:

**Chapter 14.04
BUILDING CODE**

14.04.010 Adoption of the California Building Code. There is hereby adopted by reference the California Building Code, 2013 Edition, known as the California Code of Regulations, Title 24, Part 2, incorporating the International Building Code, 2012 Edition, published by the International Code Council. Said document is hereby adopted as the Building Code of the City of La Mesa for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures within the City of La Mesa. There is one (1) copy of said code on file in the office of the City Clerk for use and examination by the public as required by law.

14.04.020 Repealing of Previous Ordinances. Ordinance 2010-2812 of the City of La Mesa adopting by reference the California Building Code, 2010 Edition, known as the California Code of Regulations, Title 24, Part 2, incorporating the International Building Code, 2009 Edition,

published by the International Code Council, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

14.04.030 Foundations. Section 1809.1 of the California Building Code adopted by reference in Section 14.04.010 hereof is hereby amended to read as follows:

Section 1809.1 General. Shallow foundations shall be designed and constructed in accordance with Sections 1809.2 through 1809.13. Footings of concrete and masonry shall be of solid material and shall be reinforced with no less than two #4 bars in the bottom of spread footings or one #4 bar at the top and one #4 bar at the bottom of grade beams or monolithic slab-footings.

14.04.040 Automatic Sprinkler Systems. Section 903.2 of the California Building Code adopted by reference in Section 14.04.010 hereof is hereby amended to read as follows:

Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in accordance with the Fire Code of the City of La Mesa, adopted in Section 11.04.010.

14.04.050 Standpipe Systems. Section 905.3.1 of the California Building Code adopted by reference in Section 14.04.010 hereof is hereby amended to read as follows:

Section 905.3.1 Height. In other than Group R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed in accordance with the Fire Code of the City of La Mesa, adopted in Section 11.04.010

SECTION 3. Chapter 14.05 of the La Mesa Municipal Code is hereby amended in its entirety to read as follows:

Chapter 14.05
GRADING

14.05.010 Adoption of Appendix J of the California Building Code, 2013 Edition, As Amended. There is hereby adopted by the City of La Mesa for the purpose of prescribing regulations governing the excavation and grading on private property and the issuance of permits and providing for the inspection thereof, Appendix J of the California Building Code, 2013 Edition, one (1) copy of which is on file in the office of the City Clerk of the City of La Mesa.

14.05.020 Repealing of Previous Ordinances. Ordinance No. 2010-2812 of the City of La Mesa adopting by reference Appendix J of the California Building Code, 2010 Edition and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

14.05.030 Permits Required. Section J103.2 of Appendix J of the California Building Code, 2013 Edition, adopted by reference in Section 14.05.010 hereof is hereby amended to read as follows:

J103.2 Exemptions. A grading permit shall not be required for the following:

8. An excavation which is less than 2 feet (610 mm) in depth and does not create a slope steeper than two horizontal to one vertical and does not exceed 50 cubic yards (38.3 m³) or any one lot and does not obstruct or alter a drainage course.
9. A fill less than 12 inches (305 mm) in depth and placed with a slope not steeper than two horizontal to one vertical and does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct or alter a drainage course.

14.05.40 Grading Fees. Appendix J of the California Building Code, 2013 Edition, adopted by reference in Section 14.05.010 hereof is hereby amended to add Section J113 to read as follows::

SECTION J113 Grading Fees

J113.1 General. Fees shall be assessed in accordance with the fee resolution adopted by the City Council.

J113.2 Plan Review Fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in the fee resolution adopted by the City Council. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code.

J113.3 Consulting Plan Review Fees. When, for whatever reason, in the opinion of the building official or city engineer the scope of the proposed work exceeds the technical expertise of City employees, the City may contract for plan review services with private sector firms having expertise to evaluate plans, specifications and reports for compliance with this code, and other requirements of the City. When consulting plans review services are required by the building official or city engineer, all costs for said services shall be paid by the permit applicant, including costs incurred by the City in administering consulting plan review contracts. These costs for consulting plan review shall be paid in lieu of the plan review fee as set forth in Section J113.2.

J113.4 Grading Permit Fees. A fee for each grading permit shall be paid to the City as set forth in the fee resolution adopted by the City Council. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

SECTION 4. Chapter 14.08 of the La Mesa Municipal Code is hereby amended in its entirety to read as follows:

Chapter 14.08 PLUMBING CODE

14.08.010 Adoption of the California Plumbing Code. There is hereby adopted by the City of La Mesa for the purpose of prescribing regulations governing the installation, alteration, or repair of plumbing and drainage systems, the California Plumbing Code, 2013 Edition, known as the California Code of Regulations, Title 24, Part 5, incorporating the Uniform Plumbing Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials. There is one (1) copy of said code on file in the office of the City Clerk for use and examination by the public as required by law.

14.08.020 Repealing of Previous Ordinances. Ordinance No. 2010-2812 adopting by reference the California Plumbing Code, 2010 Edition, and all other ordinances in conflict herewith are hereby repealed.

SECTION 5. Chapter 14.09 of the La Mesa Municipal Code is hereby amended in its entirety to read as follows:

Chapter 14.09
MECHANICAL CODE

14.09.010 Adoption of the California Mechanical Code. There is hereby adopted by the City of La Mesa for the purpose of prescribing regulations governing the design, installation, alteration or repair of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heating producing appliances within the City of La Mesa, the California Mechanical Code, 2013 Edition, known as the California Code of Regulations, Title 24, Part 4, incorporating the Uniform Mechanical Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials. There is one (1) copy of said code on file in the office of the City Clerk for use and examination by the public as required by law.

14.09.020 Repealing of Previous Ordinances. Ordinance No. 2010-2812 of the City of La Mesa adopting by reference the California Mechanical Code, 2010 Edition, and all other ordinances in conflict herewith are hereby repealed.

SECTION 6. Chapter 14.10 of the La Mesa Municipal Code is hereby amended in its entirety to read as follows:

Chapter 14.10
ELECTRICAL CODE

14.10.010 Adoption of the California Electrical Code. There is hereby adopted by the City of La Mesa for the purpose of operation and maintenance of all electrical wiring and electrical apparatus of any nature, whether inside or outside of any building, the California Electrical Code, 2013 Edition, known as the California Code of Regulations, Title 24, Part 3, incorporating the National Electrical Code, 2011 Edition, published by the National Fire Protection Association. There is one (1) copy of said code on file in the office of City Clerk for use and examination by the public as required by law.

14.10.020 Repealing of Previous Ordinances. Ordinance No. 2010-2812 of the City of La Mesa adopting by reference the California Electrical Code, 2010 Edition, and all other ordinances in conflict herewith are hereby repealed.

SECTION 7. Chapter 14.12 of the La Mesa Municipal Code is hereby added to read as follows:

Chapter 14.12
RESIDENTIAL CODE

14.12.010 Adoption of the California Residential Code. There is hereby adopted by reference the California Residential Code, 2013 Edition, known as the California Code of Regulations, Title 24, Part 2.5, incorporating the International Residential Code, 2012 Edition, published by the International Code Council. Said document is hereby adopted as the

Residential Code of the City of La Mesa for regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one- and two-family dwelling, efficiency dwelling unit, townhouse not more than three stories above grade plane in height with a separate means of egress and structures accessory thereto within the City of La Mesa. There is one (1) copy of said code on file in the office of the City Clerk for use and examination by the public as required by law.

14.12.020 Repealing of Previous Ordinances. Ordinance 2010-2812 of the City of La Mesa adopting by reference the California Residential Code, 2010 Edition, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

14.12.030 Climatic and Geographic Design Criteria. Table R301.2(1) of the California Residential Code, 2013 Edition, adopted by reference in Section 14.12.010 hereof is hereby amended to read as follows:

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Load	Wind Design		Seismic Design Category	Subject to Damage from			Winter Design Temp ^g	Ice Barrier Underlayment Required ^g	Flood Hazard ^g	Air Freezing Index ^g	Mean Annual Temp ^g
	Wind Speed ^a (mph)	Topographic Effect ^a		Weathering ^a	Frost Line Depth ^a	Termites ^a					
Zero	85	No	D ₁	Negligible	12"	Very Heavy	44°F	No	Footnote 'g'	Zero	60°F

For SI: 1 pound per square foot = 0.0479kPa, 1 mile per hour = 0.447m/s.

Footnotes:

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with:
 - (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), i.e., City of La Mesa Ordinance 2002-2721 06/25/2002,

- (b) the date(s) of the Flood Insurance Study, i.e., Study date 01/31/2001 adopted by Ordinance 2002-2721;
- (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended, i.e., Panel 06073C1643H current effective date 09/28/2006; Panel 06073C1644G current effective date 09/05/2006.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO".
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index – USA Method (Base 32o)" at www.ncdc.noaa.gov/fpsf.html.
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index – USA Method (Base 32oF)" at www.ncdc.noaa.gov/fpsf.html.
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise the jurisdiction shall indicate "NO" in this part of the table.

14.12.040 One- and Two-family Dwellings Automatic Fire Systems. Section R313.2 of the California Residential Code, 2013 Edition, adopted by reference in Section 14.12.010 hereof is hereby amended to read as follows:

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings in accordance with the Fire Code of the City of La Mesa, adopted in Section 11.04.010

SECTION 8. Chapter 14.13 of the La Mesa Municipal Code is hereby added to read as follows:

**Chapter 14.13
GREEN BUILDING CODE**

14.13.010 Adoption of the California Green Building Standards Code. There is hereby adopted by reference the California Green Building Standards Code, 2013 Edition, known as the California Code of Regulations, Title 24, Part 11. Said document is hereby adopted as the Green Building Code of the City of La Mesa for establishing minimum standards to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. There is one (1) copy of said code on file in the office of the City Clerk for use and examination by the public as required by law.

14.13.020 Repealing of Previous Ordinances. Ordinance 2010-2812 of the City of La Mesa adopting by reference the California Green Building Standards Code, 2010 Edition, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. Constitutionality. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of La Mesa hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, respective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of the Ordinance are declared to be severable.

SECTION 10. This Ordinance shall be effective January 1, 2014 and the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published at least once in the *East County Californian/La Mesa Forum* within 15 days after its adoption.

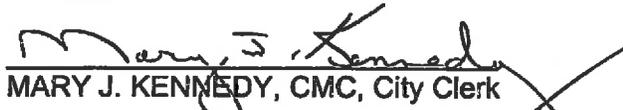
INTRODUCED AND FIRST READ at a Regular meeting of the City Council of the City of La Mesa, California, held the 22nd day of October 2013 and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the 26th day of November 2013, by the following vote, to wit:

AYES: Councilmembers Alessio, Arapostathis, Ewin, Sterling and Mayor Madrid
NOES: None
ABSENT: None

APPROVED:

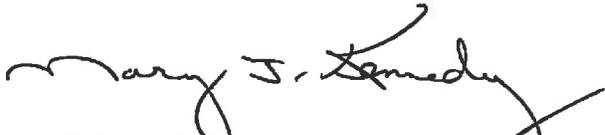

ARTHUR E. MADRID, Mayor

ATTEST:


MARY J. KENNEDY, CMC, City Clerk

CERTIFICATE OF CITY CLERK

I, MARY J. KENNEDY, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and correct copy of Ordinance No. 2013-2830, duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.


MARY J. KENNEDY, CMC, City Clerk

(SEAL OF CITY)

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



May 14, 2014

David Hafey
Fire Marshal
City of La Mesa
8054 Allison Ave
La Mesa, CA 91942

RE: Ordinance #2013-2831

Dear Mr. Hafey:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on April 18, 2014.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

CITY OF LA MESA FIRE DEPARTMENT

2013 California Fire Code and 2012 International Fire Code Adoption

FINDING OF FACTS

Pursuant to SECTIONS 18941.5, 17922, 17959.5 and 17958.7 of the Health and Safety Code of the State of California, and in recognition that modifications of Sections and/or Articles of the 2013 *California Fire Code* and the 2012 *International Fire Code* is proposed that would provide more restrictive standards than the State Building Standards Code, and that such modification is reasonably necessary to better serve the public interest by reducing the risk of loss of life and property and to the citizens of La Mesa; this "Findings of Facts" document is submitted.

FINDING 1

That the City of La Mesa is divided by two major freeways (Interstate 8 and Highway 94) traversing in an east/west direction and a major freeway (Highway 125) traversing in a north/south direction. It is a frequent occurrence for the aforementioned freeways to support the transportation of hazardous materials. The potential for release or threatened release of hazardous material along one of these freeways is probable, given the volume transported daily. The City is also transected by a mass transit trolley line that begins in the City of San Diego, travels through the City of La Mesa and ends in the City of Santee. The trolley system runs through the City every seven minutes and delays emergency vehicles on a daily basis. The City of La Mesa has experienced and will continue to experience increased conditions of traffic congestion. These conditions will negatively affect access and the Fire Department's ability to deliver service. Furthermore, the afore-described conditions support the imposition of fire protection requirements greater than those set forth in the State Building Standards Code. In particular, they support the imposition of greater requirements than set forth in Chapter 9 of the 2013 *California Fire Code* and the 2012 *International Fire Code*.

FINDING 2

The City of La Mesa is situated near three major earthquake faults, each capable of generating quakes with a magnitude of 7.0. These faults are the Ellsinore Fault, approximately 40 km northeast of La Mesa; the Rose Canyon Fault, which extends east from La Jolla Cove, through Rose Canyon and west into San Diego; and the Coronado Banks Fault that extends in a northwest/southeast direction, just off our coast. In as much as these faults are included as major California earthquake faults, which are subject to becoming active at any time, the City of La Mesa is particularly vulnerable to devastation, should an earthquake of such magnitude occur. The potential effects include isolating the City of La Mesa from the north and south due to the potential of collapsing freeway overpasses. Additional potential situations inherent in such an occurrence include: water main breaks, broken natural gas mains causing structure and other fires, possible leakage of hazardous materials, the need for rescues from collapsed structures, and the rendering of first aid and other medical attention to large numbers of people. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than those set forth in the State Building Standard Code and in particular, support the imposition of greater requirements than set forth in Chapter 9 of the 2013 *California Fire Code* and the 2012 *International Fire Code*.



HEARTLAND FIRE & RESCUE

SERVING THE CITIES OF EL CAJON, LA MESA AND LEMON GROVE

2014 APR 16 A 9:47

CALIFORNIA BUILDING
STANDARDS COMMISSION

April 14, 2014

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

To whom it may concern,

Enclosed please find the City of La Mesa's approved local amendments and findings for the 2013 California Fire Code.

Please feel free to contact me if you have any questions.

Respectfully,

David Hafey
Fire Marshal

ORDINANCE NO. 2013-2831

AN ORDINANCE OF THE CITY OF LA MESA ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE, KNOWN AS THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9 (CCR, T-24, P-9), INCORPORATING; THE INTERNATIONAL FIRE CODE, 2012 EDITION PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS, AND AMENDING TITLE 11 OF THE LA MESA MUNICIPAL CODE AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH

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

WHEREAS, the State of California is mandated by Health & Safety Code Section 17922 to impose the same requirements as are contained in the 2013 California Fire Code, hereinafter referred to collectively as the Fire Code;

WHEREAS, the State of California is mandated by Health & Safety Code section 17922 to impose the same requirements as are contained in the 2013 California Fire Code, together with the City of La Mesa amendments shall be the City of La Mesa Fire Code for the purpose of prescribing regulations in the incorporated territory of the County of San Diego and the City of La Mesa;

WHEREAS, code amendments adopted by the State of California shall take precedence over the 2013 California Fire Code language. The 2013 California Fire Code language shall be used for those code sections not adopted by the State;

WHEREAS, local amendments adopted by the City of La Mesa shall take precedence over both the 2013 California Fire Code and the 2012 International Fire Code;

WHEREAS, Health & Safety Code Section 17958.5 permits the City of La Mesa to make such changes or modifications to the Codes as are reasonably necessary because of local conditions;

WHEREAS, Health & Safety Code Section 17958.7 requires that the City of La Mesa before making any changes or modifications pursuant to Section 17958.5 make express findings that such changes or modifications are needed due to climatic, geographic, or topographic conditions;

WHEREAS, the City Council of the City of La Mesa does herewith find that the City of La Mesa has certain climatic, geologic, and topographic features that can have a deleterious effect on emergency services such as fire protection and emergency medical services;

WHEREAS, the City of La Mesa finds that the modifications and changes to the 2013 California Fire Code are reasonably necessary because of the local climatic, geologic, and topographic conditions as identified in "Attachment E";

WHEREAS, certain amendments to the 2013 California Fire Code serve to mitigate to the extent possible said deleterious effects; and

WHEREAS, Section 50022.1 through 50022.10, inclusive, of the Government code and Section 13869 of the Health and Safety Code, provide authority for the adoption by reference of codes, or portion of such codes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA MESA DOES ORDAIN AS FOLLOWS:

Chapter 11.04
FIRE CODE
SECTION 1

11.04.10 Adoption of the California Fire Code. That a certain document, three (3) copies of which are on file in the office of the City of La Mesa Fire Department, being marked and designated as the 2013 California Fire Code, and including Appendix Chapters 4, B, BB, C, CC, D, H, and K as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of La Mesa Fire Department, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use, and maintenance of buildings and structures, and applies to all Fire & Life Safety recommendations regarding all ministerial and discretionary planning applications, including that providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of La Mesa Fire Department are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. Chapter 11.04 of the La Mesa Municipal Code is hereby amended in its entirety to read as follows:

11.04.20 Cost Recovery Section 104.12 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 104.12 Cost Recovery.

Section 104.12.1 Purpose. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or enforcement action by the City of La Mesa Fire Department to protect the public from fire or hazardous substances and situations.

Section 104.12.2 Reimbursement.

- (a) In accordance with the Health and Safety Code Section 13000 et seq., an individual who acts negligently or in violation of the law and thereby requires the jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substance shall be liable for reimbursement to the agency for the costs incurred.

- (b) In accordance with Government Code Sections 53150 through 53158, any individual who is under the influence of an alcoholic beverage or any drug or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil aircraft caused by that influence, proximately causes any incident and thereby requires the agency to provide an emergency response shall reimburse the agency for the cost incurred.

11.04.30 Expiration Section 105.3.1 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed, or revoked, or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within one hundred eighty days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty days after the time the work is commenced. The maximum life of any construction permit is three years. If a final inspection is not obtained within the three-year time period, the permit will become invalid and a new permit will be required. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy, or ownership shall require that a new permit be issued.

11.04.40 Expense Recovery Section 105.3.9 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 105.3.9 Expense Recovery. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or enforcement action by the City of La Mesa Fire Department to protect the public from fire or hazardous substances and situations.

11.04.50 Required Operational Permits Section 105.6 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 105.6.48 Christmas Tree Lots. An operational permit is required to operate a Christmas tree lot with or without flame proofing services.

Section 105.6.49 Greenwaste Recycling, Mulching, Composting Operations and Storage. An operational permit is required to conduct commercial mulching and composting operations.

11.04.60 Violation Penalties Section 109.4 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 109.4. Violation Penalties. Any person who shall violate any of the provisions of this code or standards hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement or specification or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who

shall fail to comply with such an order as affirmed or modified by the attorney for the City of La Mesa Fire Department or by a court of competent jurisdiction within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of an infraction or misdemeanor, punishable by a fine not exceeding \$1000.00 or by imprisonment in County Jail not exceeding six (6) months, or both. The imposition of one penalty of 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 day that prohibited conditions are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

11.04.70 Failure to Comply Section 111.4 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 111.4 Failure to Comply. Any person, who shall continue any work having been served with a stop work order, except such work as that the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$250.00 dollars or more than \$1,000 dollars.

11.04.80 Definitions Section 202 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

“Accessory Structure” a building or structure used to shelter or support any material, equipment, chattel, or occupancy other than a habitable building. (A) (See Structure)

“Combustible Vegetation” is material that in its natural state will readily ignite, burn and transmit fire from the vegetative growth to any structure, this includes ground fuels which are any native or landscape vegetation not considered a tree and generally in contact with the ground.

“Discretionary Project” means a project, which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.

“Fire Authority Having Jurisdiction (FAHJ)” is the designated entity providing enforcement of fire regulations as they relate to planning, construction, and development. This entity may also provide fire suppression and other emergency services.

“Fire Department” is any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San Diego, or Fire Company regularly charged with the responsibility of providing fire protection to the jurisdiction.

“Fire Hazard” is anything that increases or could create an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or

anything or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of occupants in the event of fire.

“Fuel Modification Zone” is a strip of land where combustible vegetation has been thinned, modified or both and partially or totally replaced with approved drought-tolerant, fire-resistant, and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces radiant and convective heat, thereby reducing the amount of heat exposure on the roadway or structure and providing fire suppression forces a safer area in which to take action.

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

“Heavy Timber Construction” as described in the California Building Code.

“Off-site Roadway” a road, street, public highway, or private road used for fire apparatus access from a publicly maintained road to the boundary of the subject property.

“On-site Roadway” a road, street, public highway, private road, or driveway used for fire apparatus access within the boundaries of the subject property or land division.

“Planning Authority Having Jurisdiction (PAHJ)” the identified authority regulating and enforcing planning and/or construction standards.

“Structure” means a residence and attached garage, building or related facility that is designed primarily for human use or habitation or buildings designed specifically to house farm animals. Decking, fences, and similar facilities are not considered structures for the purposes of establishing the limits of the fuel modification zone. Freestanding open sided shade covers; sheds, gazebos, and similar accessory structures less than 250 square feet and 30 feet or more from the main building are not considered structures for the purposes of this appendix. (See Accessory Structure)

“Vegetation Conflagration” is an uncontrolled fire spreading through vegetative fuels, and exposing and consuming structures in the advancing path of fire.

“Travel Time” the estimated time it would take for a responding agency to travel from the fire station to the furthest structure in a proposed development project, determined by measuring the safest, most direct, appropriate and reliable route with consideration given to safe operating speeds for heavy fire apparatus.

“Wildland-Urban Interface Code.” Code regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels as adopted by the local FAHJ.

“Response Time” is the elapsed time from the fire department’s receipt of the first alarm to when the first fire unit arrives at the scene.

11.04.90 General Requirements Section 316.3.1 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 316.3.1 Cumulative Remedy. The procedures established in this section are in addition to criminal, civil or other legal remedies that may be available to the City of La Mesa to enforce violations of the municipal code or applicable state codes.

11.04.100 Fire Service Features Section 502.1 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 502.1 Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term that includes, but is not limited to a fire lane, public street, private street, driveway, and parking lot lane and access roadway.

11.04.110 Fire Service Features Section 503 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added and amended to read as follows:

Section 503.2.1 Dimensions. (a) Fire apparatus access roads shall have an unobstructed improved width of not less than twenty feet (20'), except for single-family residential driveways serving no more than two single-family dwellings, which shall have a minimum of 16 feet of unobstructed improved width. Any of the following, which have separated lanes of one-way traffic: gated entrances with card readers, guard stations or center medians, are allowed, provided that each lane is not less than fourteen feet (14') wide.

(b) All fire apparatus access roads shall have an unobstructed vertical clearance of not less than thirteen feet six inches (13'6"). Vertical clearances or road widths shall be increased when, in the opinion of the fire code official, vertical clearances or road widths are not adequate to provide fire apparatus access.

Exception: Upon approval of the fire code official, vertical clearances or road width may be reduced as long as the reduction does not impair access by fire apparatus. In cases where the vertical clearance has been reduced, approved signs shall be installed and maintained indicating the amount of vertical clearance.

Section 503.3.1 Fire Lane Designation. Where the Fire Code official determines that it is necessary to ensure adequate fire access, the Fire Code official may designate existing roadways as fire access roadways as provided by Vehicle Code section 22500.1 (public) or 22658(a) (private).

Section 503.6 Security Gates. No person shall install a security gate or security device across a fire access roadway without the fire code official's approval. All gates providing access from a road to a driveway shall be at least two feet wider than the width of the traffic lane(s) serving the gate. An automatic gate across a fire access roadway or driveway shall be equipped with an approved emergency key-operated switch overriding all command functions and opening the gate. A gate accessing more than four (4) residences or residential lots or a gate accessing hazardous institutional, educational or assembly occupancy group structure, shall also be equipped with an approved emergency traffic control-activating strobe light sensor or other device approved by the fire code official, which will activate the gate on the approach of emergency apparatus

with a battery back-up or manual mechanical disconnect in case of power failure. An automatic gate shall meet fire department policies deemed necessary by the fire code official for rapid, reliable access. An automatic gate serving more than one (1) dwelling or residential lot in existence at the time of adoption of this chapter is required to install an approved emergency key-operated switch or other mechanism approved by the fire code official, at an approved location, which overrides all command functions and opens the gate. A property owner shall comply with this requirement within ninety (90) days of receiving written notice to comply. Where this section requires an approved key-operated switch, it may be dual-keyed or equipped with dual switches provided to facilitate access by law enforcement personnel. Electric gate openers, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

11.04.120 Fire Service Features Section 505 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added and amended to read as follows:

Section 505.1 Address Numbers. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum three inches (3") high with a one-half inch ($\frac{1}{2}$ ") stroke for individual suites and apartments, minimum four inches (4") high with a one-half inch ($\frac{1}{2}$ ") stroke for residential buildings, minimum eight inches (8") high with a one-half inch ($\frac{1}{2}$ ") stroke for commercial, multi-residential buildings, and industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may require larger address numbers based on visibility and the needs of emergency response personnel

Section 505.3 Map Directories. A lighted directory map, meeting current fire department standards, shall be installed at each driveway entrance to multiple unit residential projects and mobile home parks, where the numbers of units in such projects exceed fifteen (15).

Section 505.4 Response Map Updates: Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format (PDF and/or CAD format as approved by the FAHJ) or compatible with current department mapping services, and shall be charged a reasonable fee for updating all response maps.

11.04.130 Fire Service Features Section 506 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 506.2.1 Emergency Key Access. All central station-monitored fire detection systems and fire sprinkler systems shall have an approved emergency key access box on site in an approved location. The owner or occupant shall provide and maintain current keys for the structure(s) for fire department placement in the box, and shall notify the fire department in writing when the building is re-keyed.

11.04.140 Fire Service Features Section 507 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 507.5.1 Where Required. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the City. When any portion of the facility or building protected is in excess of four hundred feet (400') (152.900 meters) from a water supply on a public or private street, as measured by an approved route around the exterior of the facility or building, fire hydrants and mains capable of supplying the required flow shall be provided when required by the fire code official. The size of fire hydrant outlets shall be a minimum of one four-inch (4") and one two-and-a-half inch (2½") NST outlet or greater as required by the fire code official.

In multi-family zones and in commercial and industrial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs, and every three hundred feet (300') of fire access roadways, regardless of parcel size. The size of fire hydrant outlets shall be a minimum of one four-inch (4") and two two-and-a-half inch (2½") NST outlet or greater as required by the fire code official.

Exceptions:

1. Existing structures which are being remodeled or adding additional square footage need not provide additional hydrants where the entire structure is protected with an approved automatic fire extinguishing system.
2. Where alternate methods of fire protection are provided and approved, adjusted spacing of fire hydrants may be approved at the discretion of the Fire code official.

11.04.150 Building Services and Systems Section 605 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 605.11.3 Access and Pathways:

Exceptions:

1. Residential structures shall be designed so that each photovoltaic array is no greater than 50 feet by 50 feet in either axis.
2. Panel/modules may be permitted to be located in approved access pathways where an alternative ventilation method approved by the fire code official has been provided or when the fire code official has determined vertical ventilation techniques will not be employed.

Section 605.11.3.3.3 Smoke Ventilation:

1. Arrays shall be no greater than fifty (50) feet by fifty (50) feet in distance in either axis in order to create opportunities for fire department smoke ventilation operations.

11.04.160 Fire Protection Systems Section 901 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 901.8.2 Use of water from fire hydrants. Fire hydrants are provided for the sole purpose of extinguishing fires, and are to be opened and used only by the fire department, Padre Dam Water District (in its service area) or Helix Water District (in its service area), or such other persons as are specially authorized by Helix Water District or Padre Dam Water District upon such person making application with the district. Such use shall be permitted only upon the following conditions:

1. To insure safety of fire hydrants for fire protection, any person authorized by Padre Dam Water District and Helix Water District to open fire hydrants shall use only the lower two and one-half inch (2½") valve of such hydrants.
2. No person, except persons employed by Helix Water District, Padre Dam Water District, or the fire department shall carry away any water from any fire hydrant without a written permit furnished by Helix Water District or Padre Dam Water District upon regular application.
3. No person shall open fire hydrants by any means other than an approved hydrant wrench or approved Spanner wrench, and no person shall fail to replace caps on outlets when the same are not in use. Failure to meet these requirements shall be sufficient cause to prohibit future use of such hydrants upon subsequent application.
4. No person shall authorize, permit or allow in the course of or in the scope of employment or agency, any employees or agents to violate any of the provisions of this section. The violation of any of the provisions of this section by an employee or any person in the course of or within the scope of employment, shall be conclusive evidence of the consent of the principal, in the absence of the posting of a bond with the City as provided for in Subsection E.
5. In the event that any principal desires to be exempt from the acts of employees or agents in respect to the provisions of this section, such person may post a bond in the sum of one thousand dollars (\$1,000), in a form approved by the city attorney, to provide protection to the City for damage done to fire hydrants by reason of water being taken by or for the use of such principal.

11.04.170 Fire Protection Systems Section 903 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 903.2 Where Required. Approved automatic fire sprinkler systems are required in all new structures and in locations described in Sections 903.2.1 through 903.2.12. Fire barriers, partitions and walls, regardless of rating, shall not be considered as creating separate buildings for purposes of determining fire sprinkler requirements. Mezzanines shall be included in the total square footage calculation. For additions, an automatic sprinkler system installed in accordance Section 903.2 may be required to be installed throughout structures when the addition is more than fifty percent (50%) of the existing building or when the altered building will exceed a fire flow as calculated per Section 507.3. The fire code official may require an automatic sprinkler system be installed in buildings where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade and canyon rims, hazardous brush and response times greater than five (5) minutes by a fire department. When Fire Sprinklers are required under additions, this shall mean the entire structure or structures shall be equipped with fire sprinklers. The fire code official may require that

other protective measures be taken based on existing conditions and/or potential hazards.

EXCEPTION:

Unless required by other sections of this code, non-residential occupancies not greater than one thousand (1,000) square feet, and not otherwise considered enclosed buildings/structures, which are of ignition-resistant construction or as determined by the fire code official to not present a significant fire hazard.

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

11.04.180 Fire Protection Systems Section 905 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 905.3.1 Building Height.

1. Buildings where the floor level of the highest floor is located more than twenty feet (20') above the lowest level of fire department vehicle access..

3. Buildings where the floor level of the lowest story is located more than twenty feet (20') below the highest level of fire department vehicle access.

11.04.190 Fire Safety During Construction and Demolition Section 3318 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 3318 Fuel Modification or Vegetation Modification

Section 3318.1 Fuel Modification Zone During Construction. Any person doing construction of any kind which requires a permit under this code or the building code shall install a fuel modification zone prior to allowing any combustible material to arrive on the site and shall maintain the zone during the duration of the project.

11.04.200 Hazardous Materials General Provisions Section 5001 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby added to read as follows:

Section 5001.5.1.1 HMMP Approved Location. The hazardous materials management plan shall be placed in an approved location, in a security box or other method of storage as approved by the fire chief or designated representative.

11.04.210 Flammable and Combustible Liquids Section 5704 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 5704.2.9.6 .1 Location Where Above-Ground Tanks Are Prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

Exceptions:

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

2. Crankcase draining may be stored in specially constructed above ground storage tanks, approved by the Fire Code official, with a maximum capacity of 550 gallons. Such tanks may be located within a building when the Fire Code official deems appropriate, and the container meets the following: specially designed, approved, and listed containers, which have features incorporated into their design, which mitigates concerns for exposure to heat, ignition sources, and mechanical damage. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. In no case shall such storage be permitted in residential or institutional property.

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

4. With the Fire Code official's approval, temporary storage of a maximum of 10,000 gallons Class II liquids may be permitted for a period not to exceed ninety days (90) at remote construction sites, earth-moving projects, gravel pits, or borrow pits, consistent with 3404 and 3406.

Section 5706.2.4.4 Locations Where Above-Ground Tanks Are Prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

11.04.220 Flammable Gasses and Flammable Cryogenic Fluids Section 5806 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

Section 5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited except for zones classified as commercial or industrial.

11.04.230 Pyrophoric Materials Section 6104 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

11.04.240 Fire Apparatus Access Roads Section D103 of the California Fire Code adopted by reference in Section 11.04.10 hereof is hereby amended to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of one hundred fifty feet (150') (45.720 meters) shall be provided with width and turnaround provisions in accordance with table D103.4, or with alternate design as approved by the fire code official.

SECTION 4. That Ordinance 2013-2831, an Ordinance of the City of La Mesa, which Adopts the California Fire Code, 2013 Edition, with Certain Amendments, the 2012 International Fire Code, and National Fire Protection Association Standards 13, 2013 Edition, 13-D, 2013 Edition, and 13-R, 2013 Edition and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. This Ordinance shall be effective January 1, 2014 and the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published at least once in The Californian within 15 days of its adoption.

SECTION 8. This Ordinance shall be effective January 1, 2014 and the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published at least once in the *East County Californian/La Mesa Forum* within 15 days after its adoption.

INTRODUCED AND READ at a Regular meeting of the City Council of the City of La Mesa, California, held the 22nd day of October 2013, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the 26th day of November 2013, by the following vote, to wit:

AYES: Councilmembers Alessio, Arapostathis, Ewin, Sterling and Mayor Madrid

NOES: None

ABSENT: None

APPROVED:

/s/ Arthur E. Madrid
ARTHUR E. MADRID, Mayor

ATTEST:

/s/ Mary J. Kennedy
MARY J. KENNEDY, CMC, City Clerk