

**BUILDING STANDARDS COMMISSION**

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



January 7, 2014

Rita R. Turnbull  
Office of the City Clerk  
City of Vista  
200 Civic Center Drive  
Vista, CA 92084

RE: Ordinance #2013-21

Dear Ms. Turnbull:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 4, 2013.

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



2013 DEC -4 P 2:15  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

November 27, 2013

State of California  
Building Standards Commission  
2525 Natomas Park Drive - Suite 130  
Sacramento, CA 95833-2936

**RE: City of Vista Ordinance No. 2013-21, adopting the California Fire Code, 2013 Edition, and Appendices Chapter 4, B, F, and K with certain amendments as published by the California Building Standards Commission**

At its meeting of November 12, 2013, the Vista City Council introduced and adopted Ordinance No. 2013-21, amending the Fire Code. In accordance with Section 9, Page 42, of the ordinance, I have enclosed a fully executed copy of the document for your record.

Should you have any questions, please contact Deputy Chief Jeff Hahn, EFO, of the Vista Fire Department, at (760) 726-1340 ext. 2109.

Sincerely,

Rita R. Turnbull  
Administrative Secretary  
Office of the City Clerk  
[rturnbull@cityofvista.com](mailto:rturnbull@cityofvista.com)

enc

c: Deputy Chief Jeff Hahn, EFO



**ORDINANCE NO. 2013-21**

**AN ORDINANCE OF THE CHARTERED CITY OF VISTA, CALIFORNIA,  
ADOPTING THE CALIFORNIA FIRE CODE, 2013 EDITION, AND  
APPENDICES CHAPTER 4, B, F, and K WITH CERTAIN AMENDMENTS AS  
PUBLISHED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION**

**The City Council of the City of Vista does ordain as follows:**

**1. Findings.** The City Council hereby finds and declares all of the following:

A. This ordinance is enacted pursuant to the Charter of the City of Vista.

B. The jurisdiction has certain topographical, geologic and climatic features, as set forth and incorporated herein, that can have a deleterious effect on emergency services such as fire protection and emergency medical services.

C. Health & Safety Code Section 17958 mandates that the City of Vista 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.

D. 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.

E. Health & Safety Code Section 17958.5 permits the City to make such changes or modifications to the Codes as are reasonably necessary because of local conditions.

F. Health & Safety Code Section 17958.7 requires that the City 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.

G. The City Council of the Chartered City of Vista does herewith find that the City has certain climatic, geologic, and topographical features that can have a deleterious effect on emergency services such as fire protection and emergency medical services.

H. The City Council finds that the modifications and changes to the California Fire Code are reasonably necessary because of local climatic, geological, and topographical conditions as identified below.

I. Certain amendments to the California Fire Code serve to mitigate to the extent possible said deleterious effects.

**2. Code Amendment.**

**SECTION 1. FINDINGS FOR THE FIRE CODE**

**Finding 1**

The City Council of the Chartered City of Vista does herewith make findings on the slopes of and at the base of the San Marcos Mountains, with drainages from the north and east portions

of the jurisdiction, including Agua Hedionda Creek and Buena Creek, create flood conditions that carry the potential for overcoming the ability of the fire department to aid or assist in fire control, evacuations, rescues and the emergency task demands inherent in such situations. The potential for flooding conditions result in limiting fire department emergency vehicular traffic, with resultant overtaxing of fire department personnel, may further cause a substantial or total lack of protection against fire for the buildings and structures located within the jurisdiction.

### **Finding 2**

The City of Vista is situated near several known major faults, each capable of generating earthquakes of significant magnitude. These are the Rose Canyon Fault, west of the jurisdiction, the Elsinore Fault, and the Agua Caliente Fault, located east of the District, the Newport – Inglewood, the Coronado Banks, and the Silver Strand Faults, located generally west of the jurisdiction. These faults are subject to becoming active at any time; the City of Vista is particularly vulnerable to devastation should such an earthquake occur.

The potential effects of earthquake activity include isolating certain areas of the City of Vista from the surrounding area and restricting or eliminating internal circulation due to the potential for collapsing of highway overpasses and underpasses, along with other bridges in the area, or an earth slide, and the potential for vertical movement rendering surface travel unduly burdensome or impossible.

### **Finding 3**

The City of Vista has Interstate 78 highway which bisects the City. This Interstate highway is designated by the California Highway Patrol as an approved transportation route for hazardous materials, such as, blasting and explosive agents, highly toxic and radioactive materials.

The potential for release or threatened release of a hazardous material along this route is highly probable given the volume transported daily. Incidents of this nature will normally require all available emergency response personnel to prevent injury and loss of life and to prevent, as far as practicable, property loss. Emergency personnel responding to such aforementioned incidents may be unduly impeded and delayed in accomplishing an emergency response as a result of this situation. With the potential result of undue and unnecessary risk to the protection of life and public safety and, in particular, endangering residents and occupants in buildings or structures without the protection of automatic fire sprinklers.

### **Finding 4**

Much of the rural area of the City of Vista is mountainous topography and certain areas have less than adequate infrastructure needed for water supply (fire flow); in addition, the area experiences water shortages from time to time. Those conditions have severely adverse effects on water availability for firefighting. Fires starting in sprinklered buildings are typically controlled by one or two sprinkler heads, flowing as little as 26 gallons per minute.

Hose streams used by engine companies on well-established structure fires operate at about 250 gallons per minute each, and the estimated water need for a typical residential fire is 1,250 to 1,500 gallons per minute, according to the Insurance Service Office and the California Fire Code.

Under circumstances such as, lack of water infrastructure, earthquakes, multiple fires and wildland fires within a community, the limited water demand needs of residential fire sprinklers would control and extinguish many fires before they spread from building to wildland. In such a disaster, water demands needed for conflagration firefighting probably would not be available.

#### **Finding 5**

The topography of the City of Vista presents problems in delivery of emergency services, including fire protection. Hilly terrain with narrow, winding roads with poor circulation prevents rapid access and orderly evacuation. Many of these hills are covered with highly combustible natural vegetation. In addition to access and evacuation problems, the terrain makes delivery of water extremely difficult. Some hill areas are served by water pump systems subject to failure in fire, high winds, earthquake and other power failure situations. This would only allow domestic gravity feed water from tanks, and not enough water for firefighting.

#### **Finding 6**

Due to the mountainous topography in much of the rural areas of the City of Vista, it is very important that roadways be named and identified in order to facilitate emergency response.

#### **Finding 7**

Due to the mountainous topography in much of the rural areas of the City of Vista, steep, narrow and winding roads and areas of heavy brush are common. These features make it difficult for emergency response personnel to easily and quickly find the location of the site that requires assistance. It is therefore essential that street numbers and signs be easily readable to ensure the quickest response times for a given location.

#### **Finding 8**

Due to access and mountainous topography in much of the rural areas of the City of Vista, difficult roadway conditions, gates, excessive angle of approach or departure, steeply sloping roadways and grades are common. In addition, combining the climatic condition of potentially severe rainstorms and the geologic condition of ground water retention in many areas of the City of Vista where there is expansive soil produces a condition wherein the moisture content of the soil is sufficient that roadways become damaged due to soil expansion and shrinkage. All weather surfaces capable of supporting the imposed loads of fire apparatus are necessary to ensure access of emergency response personnel. These roadways, gates, approach angles, steep slopes and grades can also make it difficult for fire engines and other emergency vehicles to access a site. It is therefore essential that these roadway accesses be provided with proper all weather surfaces, angle of approach, grades and gate access.

#### **Finding 9**

Rural areas in the City of Vista can have special fire prevention needs not fully covered by the provisions of the Vista Fire Code itself. This is due to the unique topographic features found in mountain areas, forest-covered lands of brush or grass covered lands and/or accumulation of combustible or hazardous materials.

**SECTION 2. ADOPTION OF THE CALIFORNIA FIRE CODE, 2013 EDITION CHAPTER 4, B, F, AND K WITH CERTAIN AMENDMENTS.**

That certain documents, copies of which are on file in the office of the Clerk or the Fire Marshal of the City of Vista being marked and designated as the *California Fire Code*, 2013 edition, including Appendix Chapters 4, B, F, and K as published by the California Building Standards Commission, are hereby adopted as the Fire Code of the City of Vista, 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 herein provided; 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 offices of the City of Vista 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 3 of this ordinance.

**SECTION 3. AMENDMENTS TO THE CALIFORNIA FIRE CODE, 2013 EDITION, AND APPENDICES CHAPTER 4, B, F, and K.**

**Repeal of Prior Ordinance**

Ordinance 2010-18 of the City of Vista is hereby repealed concurrently with the effective date of this ordinance.

That Chapter 16.40 of the Vista Development Code is hereby repealed and replaced in its entirety to read as follows:

**Sections:**

- 16.40.010 Adoption of Fire Codes**
- 16.40.020 Establishment and Duties of Fire Prevention Division**
- 16.40.030 Definitions**
- 16.40.040 Fire Service Features**
- 16.40.050 Fire Protection Systems**
- 16.40.060 Lumber Yards and Woodworking Facilities**
- 16.40.070 High-piled Combustible Storage**
- 16.40.080 Fire Safety During Construction and Demolition**
- 16.40.090 Wildland Fire Areas**
- 16.40.100 Explosives and Fireworks**
- 16.40.110 Flammable and Combustible Liquids**
- 16.40.120 Liquefied Petroleum Gases**
- 16.40.130 Administration**
- 16.40.140 Special Detailed Requirements Based on Use and Occupancy**
- 16.40.150 Fire Flow Requirements Based on Use and Occupancy**
- 16.40.160 Hazard Ranking**
- 16.40.170 Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses**

**Section 16.40.010 Adoption of the California Fire Code, 2013 Edition, and Appendices Chapter 4, B, F, and K with certain amendments.**

The City Council of the chartered City of Vista, San Diego County, State of California, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain code and standards known as the California Fire Code, 2013 Edition, and Appendices Chapter 4 (Special Detailed Requirements Based on Use and Occupancy); Appendix B (Fire-flow Requirements for Buildings); Appendix F (Hazard Ranking); and Appendix K (Temporary Haunted Houses), save and except such portions as are hereinafter deleted, modified or amended by Sections 16.40.010 through 16.40.160 inclusive of this ordinance. Copies of the above mentioned codes and standards has been and is now filed in the Office of the City Clerk or the Fire Marshal, City of Vista, and the same are hereby adopted and incorporated as fully set forth 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 City of Vista.

**Section 16.40.020 Establishment and Duties of Fire Prevention Division**

A. The California Fire Code shall be enforced by the Fire Prevention Division in the Fire Department of the City of Vista which is hereby established and which shall be operated under the direction of the Chief of the Fire Department.

B. A Fire Marshal in charge of the Fire Prevention Division shall be assigned by the Chief of the Fire Department on the basis of examination to determine qualifications.

C. The Chief of the Fire Department may detail to the Fire Prevention Division such members of the Fire Department as may from time to time be necessary. The Chief of the Fire Department shall recommend to the City Manager the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position.

D. Section 103.2 of Part 2, Division II, Chapter 1 is amended to read as follows:

**103.2 Appointment.** The fire code official shall be appointed by the chief appointing authority of the jurisdiction.

**Section 16.40.030 Definitions**

A. Whenever the word "**jurisdiction**" is used in the California Fire Code, it shall be held to mean the jurisdictional boundaries of the City of Vista.

B. Whenever the term "**Corporation Counsel**" is used in the California Fire Code, it shall be held to mean the City Attorney for the City of Vista.

C. Whenever the term "**Chief of the Bureau of Fire Prevention**" is used in the California Fire Code, it shall be held to mean the "Fire Marshal."

D. Whenever the abbreviation "**CFC**" is used it shall mean the California Fire Code.

**Chapter 2 DEFINITIONS, Section 202 GENERAL DEFINITIONS** is hereby revised by adding the following definitions, to read as follows:

**AERATED STATIC PILE.** A composting process that uses an air distribution system to blow or draw air through the pile. Little or no pile agitation or turning is performed.

**BLASTER.** A person who has been approved by the Sheriff to conduct blasting operations and who has been placed on the list of approved blasters. The listing shall be valid for one year unless revoked by the Sheriff.

**BLASTING AGENT.** A material or mixture consisting of a fuel and oxidizer intended for blasting. The finished product as mixed and packaged for use or shipment shall not be detonated by means of a No. 8 test blasting cap when unconfined.

**BLASTING OPERATION.** The uses of an explosive device or explosive material to destroy, modify, obliterate or remove any obstruction of any kind.

**BLASTING PERMIT.** A permit issued by the Issuing Officer pursuant to section 105.6.14. The permit shall apply to a specific site and shall be valid for a period not to exceed one year.

**BLAST SITE.** The geographically defined area, as shown on a project map or plot plan, where a blaster is authorized by a blasting permit issued under this section to conduct a blasting operation.

**CHIPPING AND GRINDING.** An activity that mechanically reduces the size of organic matter.

**COMBUSTIBLE VEGETATION** means material that in its natural state will readily ignite, burn and transmit fire from native or landscape plants to any structure or other vegetation. Combustible vegetation includes dry grass, brush, weeds, litter or other flammable vegetation that creates a fire hazard.

**COMPOSTING OPERATION.** An operation that is conducted for the purpose of producing compost. The operation shall be by one or more of the following processes used to produce a **compost** product: static pile, windrow pile or aerated static pile.

**DEAD-END ROAD.** A road that **has** only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

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

**DISTANCE MEASUREMENT.** All specified or referenced distances are measured along the ground, unless otherwise stated.

**EXPLOSIVES PERMIT.** A permit to possess or use explosives, issued by the Issuing Officer, pursuant to California Health and Safety Code sections 12000 et seq. and Chapter 56 of this code. An explosives permit shall be valid for a period not to exceed one year, as provided in the permit conditions.

**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, parking lot lane and access roadway.

**FIRE AUTHORITY HAVING JURISDICTION (FAHJ).** 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 CODE OFFICIAL.** The fire chief or a duly authorized representative charged with the administration and enforcement of this code.

**FIRE DEPARTMENT.** 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.** Anything that increases or could cause 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.

**FIRE HAZARD SEVERITY ZONES** are geographical areas designated pursuant to California Public Resources Code sections 4201 through 4204 and classified as Very High, High and Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code sections 51175 through 51189. The California Code of Regulations, Title 14, Section 1280 entitles maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

**FIRE PROTECTION PLAN (FPP)** is a document prepared for a specific project or development proposed for the wildland-urban interface fire area that describes ways to minimize and mitigate potential loss from wildfire exposure, with the purpose of reducing impact on the community's fire protection delivery system.

**FUEL BREAK** is an area, strategically located for fighting anticipated fires, where the native vegetation has been permanently modified or replaced so that fires burning into it can be more easily controlled. Fuel breaks divide fire-prone areas into smaller areas for easier fire control and to provide access for firefighting.

**FUEL MODIFICATION ZONE.** A strip of land where combustible vegetation has been thinned or modified or both and partially or totally replaced with approved fire-resistant and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces the radiant and convective heat on a structure and provides valuable defensible space for firefighters to make an effective stand against an approaching fire front.

**GREENWASTE.** Organic material that includes, but is not limited to, yard trimmings, plant waste, manure, untreated wood wastes, paper products and natural fiber products.

**HAZARDOUS FIRE AREA.** Any geographic area mapped by the State or designated by a local jurisdiction as a moderate, high or very high fire hazard area or which the FAHJ has determined is a hazardous fire area, because the type and condition of vegetation, topography,

weather and structure density increase the probability that the area will be susceptible to a wildfire.

**HOGGED MATERIALS.** Mill waste consisting mainly of hogged bark but may include a mixture of bark, chips, dust or other by-product from trees and vegetation.

**INSPECTOR.** For the purposes of section 5601, an inspector is a person on the Sheriff's approved of inspectors authorized to conduct inspections, before and after a blast. To be on the Sheriff's approved list, an inspector shall have a blasting license issued by Cal/OSHA.

**MAJOR BLASTING.** A blasting operation that does not meet the criteria for minor blasting.

**MID-RISE BUILDING.** A building four stories or more high, but not exceeding 75 feet in height and not defined as a high-rise building by section 202 of the California Building Code. Measurements shall be made from the underside of the roof or floor above the topmost space that may be occupied to the lowest fire apparatus access road level.

**MINOR BLASTING.** A blasting operation that meets all of the following criteria: quantity of rock to be blasted does not exceed 100 cubic yards per shot, bore hole diameter does not exceed 2 inches, hole depth does not exceed 12 feet, maximum charge weight does not exceed 8 pounds of explosives per delay and the initiation of each charge will be separated by at least 8 milliseconds. The maximum charge weight shall not exceed the Scaled Distance as shown below:

Distance from Blast Site (In Feet)	Scale-Distance Factor
0 to 300	Mandatory Seismic Monitoring
301 to 5,000	55
Over 5,000	65

**MULCHING.** The process by which mixed green waste is mechanically reduced in size for the purpose of making compost.

**PUBLIC NUISANCE** Shall include the existence of dry and drying weeds, rubbish and waste material on property, lands or premises, which is dangerous or injurious to that or neighboring property, lands or premises and which is detrimental to the welfare of the occupants or residents of the vicinity or any other condition declared by this code or as defined under California Civil Code.

**RECONSTRUCTION** If the value of the reconstruction (or renovations) of a building is equal to or exceeds 75% of the value of the building, the entire building shall comply with the latest adopted code provisions for new construction. The value of the reconstruction (or renovation) for a property shall include the value of all construction stemming from construction related permits issued within the last two years. Values shall be based on current City of Vista building permit fee valuation multipliers.

**RESPONSE TIME** The interval of time between the time the original incident alarm was received by dispatch to when the first fire unit arrives on scene.

**STATIC PILE.** A composting process that is similar to the aerated static pile except that the air source may or may not be controlled.

**STRUCTURE.** That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some manner.

**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 FIRE AREA** is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code sections 4201 through 4204 and Government Code sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires.

**WINDROW COMPOSTING PROCESS.** The process in which compostable material is placed in elongated piles. The piles or windrows are aerated and/or mechanically turned on a periodic basis.

**WOOD CHIPS.** Chips of various species of wood produced or used in chipping and grinding operations.

#### **Section 16.40.040 Fire Service Features**

#### **SECTION 304.1.4 OUTDOOR CARNIVALS AND FAIRS.**

**Section 304.1.4** is added to the California Fire Code to read:

**Section 304.1.4 Outdoor carnivals and fairs.** Outdoor carnivals and fairs shall only be conducted on grounds free of combustible vegetation or trimmed to the satisfaction of the FAHJ.  
**Section 305.5 ROCKETS, MODEL AIRCRAFT AND SIMILAR DEVICES.**

**Section 305.5** is added to the California Fire Code to read:

#### **Section 305.5**

1. **Rockets, model aircraft and similar devices.** Rockets, model airplanes, gliders, balloons, or similar devices powered with an engine, propellant, or other feature liable to start or cause a fire shall not be projected into or across hazardous fire areas without prior approval of the fire code official.
2. Sky lanterns, floating luminary, and similar devices propelled by open flame are prohibited.

#### **Section 307.5 ATTENDANCE OF OPEN BURNING AND RECREATIONAL FIRES.**

**Section 307.5** of the California Fire Code is revised to read:

**Section 307.5 Attendance.** Open burning, bonfires, recreational fires and the use of portable outdoor fireplaces shall be constantly attended by an adult until the fire is extinguished. A minimum of one portable fire extinguisher complying with section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

**Chapter 3 General Requirements** is hereby revised by the addition of Section 315.6 to read as follows:

**Section 315.6 - General Storage of Firewood.** Firewood shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. When required by the code official, storage of firewood material stored in the defensible space shall be located a minimum of 30 feet (9144 mm) from structures and separated from the crown of trees by a minimum of 15 feet (4572 mm), measured horizontally. Firewood and combustible materials not for consumption on the premises shall be stored so as to not pose a hazard.

#### **SECTION 319 MID-RISE BUILDINGS.**

**Section 319** is added to the California Fire Code to read:

#### **SECTION 319 MID-RISE BUILDINGS.**

**Section 319.1 General.** A newly constructed mid-rise building or a mid-rise building which undergoes a complete renovation that requires the building to be completely vacated shall comply with this section.

##### **Exceptions:**

1. Buildings used exclusively as an open parking garage.
2. Buildings where all floors above the fourth floor level are used exclusively as an open parking garage.
3. Buildings such as a power plant, lookout tower, steeple, grain house, and other similar structures with intermittent human occupancy.

**Section 319.1.1 Automatic fire sprinkler systems and standpipes.** Mid-rise buildings shall be protected throughout by an automatic fire sprinkler system designed and installed in conformance with the latest edition of NFPA 13 and in accordance with the following:

1. A shut-off valve and a water flow alarm shall be provided for each floor. Each shut-off valve and water flow alarm shall be electronically supervised.
2. Mid-rise buildings shall be provided with a class I standpipe system that is interconnected with the automatic fire sprinkler system. The system shall consist of 2½-inch hose valves located in each stair enclosure on every floor. Two hose

outlets shall be located on the roof outside of each stair enclosure which penetrates the roof. The standpipe system shall be designed, installed and tested in accordance with the latest edition of NFPA 14.

3. Fire department standpipe connections and valves serving each floor shall be located in the vestibule and located in a manner so as not to obstruct egress when hose lines are connected and charged.

**Section 319.1.2 Smoke detection.** Smoke detectors shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system and shall be installed in accordance with the latest edition of NFPA 72. The actuation of any device required by this section shall operate the emergency voice alarm signal system and shall operate all equipment necessary to prevent the circulation of smoke through air return and exhaust ductwork. Smoke detectors shall be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, unmanned computer equipment, elevator machinery or similar room and in all elevator lobbies. Elevator lobby detectors shall be connected to an alarm verification zone or be listed as a releasing device.
2. In the main return air and exhaust air plenum of each air conditioning system. The smoke detector shall be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air conditioning system. In Group R, Division 1 and 2 occupancies, an approved smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cubic feet per minute and not serving more than 10 air inlet openings.
4. For Group R, Division 1 and 2 occupancies, in all corridors serving as a means of egress for an occupant load of 10 or more persons.

**Section 319.1.3 Fire alarm system.** An approved and listed, automatic and manual, fully addressable and electronically-supervised fire alarm system shall be provided in conformance with this code and the California Building Code.

**Section 319.1.3 Emergency voice alarm signaling system.** The operation of any automatic fire detector or water flow device shall automatically sound an alert tone followed by a pre-recorded voice instruction giving appropriate information and direction on a general or selective basis to the following terminal areas:

1. Elevators
2. Elevator lobbies
3. Corridors
4. Exit stairways
5. Rooms and tenant spaces
6. Dwelling units
7. Hotel guest rooms

8. Areas designated as safe refuge within the building

**Section 319.1.4 Fire command center.** A fire command center for fire department operations shall be provided. The location and accessibility of the fire command center shall be approved by the fire department. The room shall be separated from the remainder of the building by not less than a 1-hour fire barrier. The room shall be a minimum of 200 square feet with a minimum dimension of 10 feet. It shall contain the following facilities at a minimum:

1. Voice alarm and public address panels
2. Fire department communications panel
3. Fire alarm enunciator panel
4. Elevator enunciator panel (when building exceeds 55 feet in height)
5. Status indicators and controls for air-handling systems (stairwell pressurization)
6. Controls for unlocking stairwell doors
7. Fire pump status indicators (if required)
8. Set of complete building plans
9. Elevator control switches for switching of emergency power
10. Work table

**Section 319.1.5 Annunciation identification.** Control panels in the central control station shall be permanently identified as to their function. Water flow, automatic fire detection and manually-activated fire alarms, and supervisory and trouble signals shall be monitored by an approved UL-listed central monitoring station and annunciated in the fire command center by means of an audible and visual indicator. For the purposes of annunciation, zoning shall be in accordance with the following:

1. When the system serves more than one building, each building shall be a separate zone.
2. Each floor in a building shall be a separate zone.
3. When one or more risers serve the same floor, each riser shall be a separate zone.

**Section 319.1.6 Elevators.** Elevators and elevator lobbies shall comply with Chapter 30 of the California Building Code. At least one elevator cab shall be assigned for fire department use, and shall serve all floors of the building. This cab shall be provided large enough to accommodate an ambulance-type stretcher in accordance with section 3002.4 of the California Building Code.

**Section 319.1.7 Fire department communication system.** An approved two-way fire department communication system designed and installed in accordance with the latest edition of NFPA 72 shall be provided for fire department use per section 907.2.13.2.

**Section 319.1.8 Means of egress.** In addition to the requirements of Chapter 10, egress components of mid-rise buildings shall comply with sections 319.1.8.1 through 319.1.8.5.

**Section 319.1.8.1 Extent of enclosure.** Stairway enclosures shall be continuous and shall fully enclose all portions of the stairway. Exit enclosures shall exit directly to the exterior of the building or include an exit passageway on the ground floor leading to the exterior of the building. Each exit enclosure shall extend completely through the roof and be provided with a door that leads onto the roof.

**Section 319.1.8.2 Pressurized enclosures and stairways.** All required stairways and enclosures in a mid-rise building shall be pressurized as specified in section 909. Pressurized stairways shall be designed to exhaust smoke manually when needed.

**Section 319.1.8.3 Vestibules.** Pressurized stairway enclosures serving a mid-rise building shall be provided with a pressurized entrance vestibule on each floor that complies with section 909.

**Section 319.1.8.4 Pressure differences.** The minimum pressure difference between a vestibule and adjacent areas shall comply with section 909.

**Section 319.1.8.5 Locking of stairway doors.** All stairway doors that are locked to prohibit access from the interior of the stairway shall have the capability of being unlocked simultaneously, without unlatching, upon a signal from the fire command center. Upon failure of normal electrical service or activation of any fire alarm, the locking mechanism shall automatically retract to the unlocked position.

A telephone or other two-way communication system connected to an approved emergency service which operates continuously shall be provided at not less than every third floor in each required exit stairway vestibule.

Approved signage stating doors are locked shall be provided in each stairwell vestibule on each floor in which entry may be made and on each floor in which a telephone is located. Hardware for locking stairway vestibule doors shall be State Fire Marshal listed and approved by the chief by permit before installation. Stairway doors located between the vestibules and the stairway shaft shall not be locked.

**Chapter 5 – Fire Service Features, Section 502.1 Definitions** is hereby revised by adding the word "Driveway" to read as follows:

**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 inclusive of all other terms such as driveway, fire lane, public street, private street, parking lot, lane and access roadway.

### **Section 503. FIRE APPARATUS ACCESS ROADS**

**Section 503 of the California Fire Code** is revised to read:

### **SECTION 503 FIRE APPARATUS ACCESS ROADS**

**Section 503.1 General.** Fire apparatus access roads, including private residential driveways, shall be required for every building hereafter constructed when any portion of an exterior wall of the first story is located more than 150 feet from the closest point of fire department vehicle access.

Fire apparatus access roads, except private residential driveways, shall be provided and maintained for purposes of rapid and reliable fire apparatus access and for unobstructed traffic circulation for evacuation or relocation of civilians during a wildfire or other emergency.

Fire apparatus access roads shall be provided and maintained in compliance with this section and the most recent edition and any amendments thereto, of public and private road standards as adopted by the County of San Diego (San Diego County Standards for Private Roads and Public Roads, San Diego County Department of Public Works). The fire code official may modify the requirements of this section if the modification provides equivalent access.

**Section 503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**Exceptions:** The fire code official may increase the 150 foot minimum where:

1. Fire apparatus access roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
2. There are no more than two Group R-3 or Group U occupancies.

**Chapter 5- Section 503.1.2** is hereby revised to read as follows:

**Section 503.1.2 Additional Access.** The Chief may require one or more secondary means of access to a project, development, or area where he deems that such access is necessary for emergency operations and/or evacuation. The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the parcels served:

Parcels zoned for less than 1 acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1,320 feet
Parcels zoned for 5 acres to 19.99 acres	2,640 feet
Parcels zoned for 20 acres or larger	5,280 feet

These requirements may be modified when, in the opinion of the Chief, conditions warrant.

All lengths shall be measured from the edge of the roadway surface at the intersection where the road begins to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply. Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 foot intervals. Each dead-end road shall have a turnaround approved by the fire code official and constructed at its terminus.

Additional access must be remote from the primary access, and must meet all provisions of this Section.

**Chapter 5 - Section 503.2.1** is hereby revised to read as follows:

**Section 503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in compliance with sections 503.2.1 through 503.2.8.

**Section 503.2.1 Dimensions.** The dimensions of fire apparatus access roads shall be in accordance with the following:

(a) Fire apparatus access roads shall have an unobstructed improved width of not less than 24 feet, 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 14 feet wide.

(b) Fire apparatus access roads that are public or private roads which are provided or improved as a result of a Tentative Map, Tentative Parcel Map or a Major/Minor Use Permit shall have the dimensions as set forth by the County of San Diego Standards for Public and Private Roads.

(c) All fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches.

(d) Vertical clearances or road widths shall be increased when the fire code official determines that vertical clearances or road widths are not adequate to provide fire apparatus access.

(e) The standard cross-slope shall be 2 percent; minimum cross-slope shall be 1 percent; maximum cross-slope shall be 5 percent[~~p1~~].

**Section 503.2.2 Authority to increase minimums.** The fire code official shall have the authority to require an increase in the minimum access road widths where the fire code official determines the minimum are inadequate for fire or rescue operations.

**Chapter 5 - Section 503.2.3** is hereby revised to read as follows:

**Section 503.2.3** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (not less than 75,000 lbs. unless authorized by the FAHJ) and shall be provided with an approved paved surface so as to provide all-weather driving capabilities.

**Chapter 5- Section 503.2.4** is hereby revised to read as follows:

**Section 503.2.4 Turning Radius** is hereby revised to read as follows: The turning radius of a fire apparatus access road shall be a minimum of 28 feet as measured to the inside edge of the improvement width or as approved by the Chief.

**Chapter 5 - Section 503.2.5** is hereby revised to read as follows:

**Section 503.2.5 Dead Ends:** Unless otherwise approved by the Chief, a cul-de-sac shall be provided in residential areas where the access roadway serves more than two structures. The

minimum unobstructed paved radius width for a cul-de-sac shall be 36 feet in residential areas and 40 feet in commercial areas. Dead end fire access roads in excess of 150 feet in length shall require an approved area for turning around fire apparatus.

**Chapter 5- Section 503.2.7** is hereby revised to read as follows:

**Section 503.2.7 Grade:** The gradient for a fire apparatus access roadway shall not exceed 20.0% and a cross slope grade at a minimum of 1%, and a maximum of 5%. Grades exceeding 15.0% (incline or decline) shall not be permitted without mitigation. Minimal mitigation shall be the installation of fire sprinkler systems and a surface of Portland cement concrete (PCC), with a deep broom finish perpendicular to the direction of travel, or equivalent, to enhance traction. The Chief may require additional mitigation measures where he deems appropriate. The angle of departure and angle of approach of a fire access roadway shall not exceed seven degrees (12 percent) or as approved by the Chief.

**Section 503.2.8 Angles of Approach and Departure** is hereby revised to read as follows:

**Section 503.2.8 Angles of Approach and Departure:** The angle of departure and angle of approach of a fire access roadway shall not exceed seven degrees (12 percent) or as approved by the Chief.

**Section 503.2.9 Roadway Turnouts** is hereby added to read as follows:

**Section 503.2.9 Roadway Turnouts:** When required by the fire code official, turnouts shall be a minimum of 10 feet wide and 30 feet long with a minimum 25 foot taper on each end.

**Section 503.3.1 Fire Lane Designation** is hereby added to read as follows:

**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.

**Section 503.4 Obstruction of fire apparatus access roads** is hereby added to read as follows:

**Section 503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum road widths and clearances established in section 503.2.1 shall be maintained at all times.

**Chapter 5 - Section 503.6.1** is hereby revised to read as follows:

**Section 503.6.1 Gate Design.** All gates or other structures or devices which could obstruct fire access roadways or otherwise hinder emergency operations are prohibited unless they meet standards approved by the Chief, and receive Specific Plan approval.

All automatic gates across fire access roadways and driveways shall be equipped with approved emergency key-operated switches overriding all command functions and opening the gate(s). Gates accessing more than four residences or residential lots, or gates accessing hazardous institutional, educational or assembly occupancy group structures, shall be automatic

and shall be equipped with approved emergency traffic control-activating strobe light sensor(s), or other devices approved by the Chief, 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.

All automatic gates must meet fire department policies deemed necessary by the Chief for rapid, reliable access.

Automatic gates serving more than one dwelling or residential lot in existence at the time of adoption of this ordinance are required to install an approved

emergency key-operated switch, or other mechanism approved by the Chief, at an approved location, which overrides all command functions and opens the gate(s). Property owners must comply with this requirement within 90 days of written notice to comply.

Where this section requires an approved key-operated switch, it shall be dual keyed or dual switches provided to facilitate access by law enforcement personnel, unless the gate serves only one single family residence.

#### **Chapter 5 – Section 505 Premises Identification**

**Section 505.1** is hereby revised 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, plainly visible and legible from the street or roadway fronting the property when approaching from either direction. The numbers shall contrast with their background and shall meet the following minimum size standards: 4" high with a ½" stroke for residential buildings, 6" high with a ½" stroke for commercial and multi-residential buildings and 12" high with a 1" stroke for 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 establish different minimum sizes for numbers for various categories of projects.

**Chapter 5 - Section 505.3** is hereby added to read as follows:

**Section 505.3 Easement Address Signs.** A road easement which is not named differently from the roadway from which it originates shall have an address sign installed and maintained listing all street numbers occurring on that easement. The sign shall be located where the easement intersects the named roadway. The numbers on the sign shall contrast with the background and have a minimum height of 4" and a minimum stroke of ½".

**Chapter 5 - Section 505.4** is hereby added to read as follows:

**Section 505.4 Map/Directory.** A lighted directory map approved by the Fire Marshal 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 15.

**Chapter 5 - Section 505.5** is hereby added to read as follows:

**Section 505.5 Street Naming and Signs.** All new public roads, private roads within major subdivisions, and all private road easements serving four or more parcels shall be named. The naming process shall be in accordance with Vista Development Code Section 19.04. Proposed road names shall receive the approval of the Chief, to avoid conflict with existing names. Road name signs shall be provided by property owners, and shall comply with County of San Diego Department of Public Works Regional Design Standard #DS-13.

**Chapter 5 - Section 505.6** is hereby added to read as follows:

**Section 505.6 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.

**Chapter 5 Section 506.1.3** is hereby added to read as follows:

**Section 506.1.3 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.

**Chapter 5 Section 507.2.2 Water Tanks** is hereby revised to read as follows:

**507.2.2 Water Tanks.** Water storage tanks, when permitted by the Chief, shall comply with Table No. 507.2.2

TABLE NO. 507.2.2			
Building Square Feet	Gallons Per Minute Water Flow	Capacity Gallons	Duration Minutes
Up to 1,500	250	5,000	20
Over 1,500	250	10,000	40
When exposure distance is one hundred feet (100') or less from adjacent property an increase in water storage may be required by the Chief.			

1. Location of fire department outlet to be determined on the plot plan when submitted to the fire department. Consideration will be given to topography, elevations, and distance from structures, driveway access, prevailing winds, etc.
2. The outlet shall be located along an access roadway and shall not be closer than 50 feet nor further than 150 feet from the structure.

3. All exposed tank supply pipes shall be of an alloy or other material listed for above ground use. Adequate support shall be provided.
4. Water storage tanks shall be constructed from materials approved by the Fire Marshal and installed per manufacturer recommendations.
5. Tank bottom elevation shall be equal to or higher than the fire department connection on the premises. Regardless of domestic use, all tanks shall be equipped with a device that will ensure that the tank contains the designated amount of water for fire flow duration as determined by the fire department. Tank size may be increased to serve multiple structures on a single parcel.
6. Supply outlet shall be at least 4 inches in diameter from the base of the tank to the point of outlet at the fire department connection. The fire department connection shall be at least one 4-inch National Standard Thread (male), reduced to one 2 ½ inch National Standard Thread (Male). Additional outlets may be required.
7. The Chief may require any necessary information to be submitted on a plot plan for approval.
8. Vessels previously used for products other than water shall not be permitted.

**Chapter 5 – Section 507.3 Fire Flow** is hereby amended to read as follows:

**Section 507.3 Fire Flow.** Fire flow shall be based on Appendix B. Consideration should be given to increasing the gallons per minute set forth in Appendix B to protect structures of extremely large square footage and for such reasons as: poor access roads; grade and canyon rims; hazardous brush; and response times greater than five minutes.

In wildland-urban interface fire areas, as defined in Appendix B, the main capacity for new subdivisions shall be not less than 2,500 gallons per minute unless otherwise approved by the Fire Chief.

If fire flow increases are not feasible, the Fire Chief may require alternative design standards such as: alternative types of construction providing a higher level of fire resistance; fuel break requirements which could include required irrigation; modified access road requirements; specified setback distances for building sites addressing canyon rim developments and hazardous brush areas; and other requirements authorized by this Code and as specified by the Fire Chief.

**Chapter 5 – Section 507.5.1 Fire Hydrant Spacing** is hereby revised to read as follows:

**Chapter 5 Section 507.5.1 Fire hydrant Spacing.** Fire hydrants shall be installed as required by the Chief, using the following criteria and taking into consideration departmental operational needs. Hydrants shall be located at intersections, at the beginning radius of cul-de-sacs and at intervals identified in the following table and criteria. Hydrants located across heavily traveled roadways shall be not considered as serving the subject property.

1. In zones other than industrial, commercial and multi-family, fire hydrants shall be installed in accordance with Table No. 507.5.1

TABLE 507.5.1
Parcels 2-½ acres and larger: Every 1,000 feet Parcels ½ to 2½ acres: Every 500 feet Parcels less than ½ acre: Every 350 feet

2. 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 300 feet of fire access roadways, regardless of parcel size.

**EXCEPTION:** When improved methods of fire protection are provided, beyond those required by the Code, and accepted by the Chief, adjusted spacing of fire hydrants from those set forth above may be considered.

3. All fire hydrants shall be of bronze construction, including all internal parts except seats. Alternate materials may be used if approved by the Fire Marshal and the local water district having jurisdiction. The stems shall be designed and installed in a manner that will ensure that they will not be projected outward from the main body by internal water pressure due to disassembly. The number and size of fire hydrant outlets shall be as follows:

- One 4 inch and one 2-½ inch NST outlet. (4", 2-½")
- One 4 inch and two 2-½ inch NST outlets. (4", 2-½", 2-½")

In some instances the Chief may require the fire hydrant(s) to have any other combination of 4 inch and 2-½ inch outlets.

4. **Waterline Extensions.** The Chief may require a waterline extension for the purpose of installing a fire hydrant if the water main is 1,500 feet or less from the property line.

**Chapter 6 Building Services and Systems Section 603.6.6** is hereby added to read as follows:

**Section 603.6.6 Spark Arresters.** All structures having a chimney, flue or stovepipe attached to a fireplace, stove, barbecue or other solid or liquid fuel burning equipment or device shall have the chimney, flue or stovepipe equipped with an approved spark arrester. An approved spark arrester is a device intended to prevent sparks from escaping into the atmosphere, constructed of welded or woven wire mesh, 12 gauge thickness or larger, with openings no greater than ½ inch, or other alternative material the FAHJ determines provides equal or better protection.

**Chapter 6 Section 603.8.1 Residential Incinerators** is hereby revised as follows:

**Section 603.8.1 Residential Incinerators** shall be prohibited.

**Section 605.11.3.3.3 SMOKE VENTILATION.**

**Section 605.11.3.3.3 of the California Fire Code** is revised to read:

**Section 605.11.3.3.3 Smoke ventilation.** The solar photovoltaic installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet in length in either axis in order to create opportunities for smoke ventilation operations.
2. Smoke ventilation options between array sections shall be one of the following:
  - a. A pathway 8 feet or greater in width
  - b. A pathway 4 feet or greater in width and bordering roof skylights or smoke and heat vents
  - c. A pathway 4 feet or greater in width and bordering 4 foot by 8 foot venting cutouts every 20 feet on alternating sides of the pathway.

The fire code official may require additional means of ventilating a building including the installation of a manually-operated ventilation system.

**Section 605.11.4 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS.**

**Section 605.11.4** the California Fire Code is revised to read:

**Section 605.11.4 Ground-mounted photovoltaic arrays.** Ground-mounted photovoltaic array installations shall meet the requirements of sections 605.11.4.1 through 605.11.4.4.

**Section 605.11.4.1 Fire apparatus access roads.** Fire apparatus access roads to ground-mounted photovoltaic arrays, associated equipment structures and operations/maintenance buildings shall comply with section 503.

**Exception:** Private residential and agricultural systems less than 10 acres in size and where the energy generated is primarily for on-site use are exempt from this requirement.

**Section 605.11.4.1.1 Perimeter fire apparatus access roadway.** Ground-mounted photovoltaic arrays 10 acres or larger in size shall provide a fire apparatus access roadway around the perimeter of the project. The perimeter fire apparatus access roadway shall comply with section 503.

**Section 605.11.4.2 Fuel modification.** Combustible vegetation within the array and to a distance of 30 feet from the array and associated equipment shall be reduced to a height of no more than 6 inches. The fuel modification zone may be increased when required by the fire code official or as recommend by a fire protection plan.

**Exception:** For private residential and agricultural systems less than 10 acres in size and where the energy generated is used primarily on-site, the required fuel modification zone may be reduced to 10 feet from the array and associated equipment.

Operation/maintenance buildings shall be provided with fuel modification zones that comply with section 4907.2.

**Section 605.11.4.3 Water supply.** Water supply for fire protection and suppression shall be provided for equipment structures and operations/maintenance buildings as required by section 507.

**Exception:** Equipment shelters used solely for the equipment associated with the array when the exterior walls and roof assemblies are constructed with non-combustible materials.

**Section 605.11.4.4 Identification.** Ground-mounted photovoltaic arrays with multiple equipment structures shall include a means of readily identifying each equipment structure. The fire code official may require a lighted directory map of the project to be installed on-site near the entrance to the facility for projects of 10 or more acres in size.

**Section 16.40.050 Fire Protection Systems**  
**Section 901.4.7. FIRE DEPARTMENT CONNECTIONS.**

**Section 901.4.7** is added to the California Fire Code to read:

**Section 901.4.7 Fire department connections.** Fire hose threads used in connection with fire-extinguishing systems shall be National Standard Thread or as approved by the FAHJ. The location of fire department hose connections and control valves shall be approved by the fire code official.

**Section 901.8.2. FIRE HYDRANTS AND FIRE APPLIANCES.**  
**Section 901.8.2** is added to the California Fire Code to read:

**Section 901.8.2 Fire hydrants and fire appliances.** Commercial fire sprinkler system control valves shall not be shut off after activation of the sprinkler system, no matter what the reason for the activation until the shut off is authorized by fire personnel. Fire detection systems activated by fire, smoke, heat or any other cause shall not be reset until authorized by fire personnel.

**Chapter 9 - Fire Protection Systems, Section 902.1 Definitions** is hereby revised by adding a definition of **LIFE SAFETY SPRINKLER SYSTEM** to read as follows:

**LIFE SAFETY SPRINKLER SYSTEM** shall meet National Fire Protection Association Standards 13-D or 13-R; or Section R313.3 of the California Residential Code as appropriate.

**Chapter 9 - AUTOMATIC SPRINKLER SYSTEMS Section 903.2** is hereby revised to read as follows:

**Section 903.2 Where Required.** Approved automatic sprinkler systems in new buildings and structures shall be provided throughout all buildings hereinafter constructed of 5000 square feet or more in total floor area; or when additions of more than 10% in square footage result in a structure of 5000 or more square feet (mezzanines shall be included and fire walls shall not be considered as creating separate buildings); or when buildings are built on or near a property line other than a public way where the distance from the property line is less than the sum of one-fifth the height, plus any overhang, plus five (5) feet; or when any building requires a 2,500 or larger gallon per minute fire flow; or as described in Sections 903.2.1 through 903.2.12.

**Section 903.2.8 Group R Residential and Accessory Structures.** All Residential occupancies and attached garages, carports, workshops and storage rooms hereinafter constructed shall have approved fire sprinkler systems installed and maintained.

**Exception:** An automatic residential fire sprinkler system shall not be required for additions or alterations to existing building that are not already provided with an automatic residential sprinkler system. Detached R occupancy buildings accessory to a single or two-family building intended for intermittent use and less than 500 square feet will not require fire sprinkler protection.

**Section 16.40.060 Lumber yards and Woodworking Facilities**  
**Chapter 28 – LUMBER YARDS AND WOODWORKING FACILITIES, Section 2808 -**  
**STORAGE AND PROCESSING OF WOOD CHIPS, HOGGED MATERIALS FINES,**  
**COMPOST AND RAW PRODUCT IN ASSOCIATION WITH YARD**

**WASTE AND RECYCLING FACILITIES** is hereby revised by adding certain amendments, to read as follows:

**Section 2808.1 General.** The storage and processing (mulching, composting) of wood chips, hogged materials, fines, compost and raw product produced from yard waste, debris and recycling facilities shall be in accordance with section 2808.

**Section 2808.1.1 Definitions.** For the purpose of section 2808, certain words and phrases are defined and certain provisions shall be construed as set forth herein, unless it is apparent from the context that a different meaning is intended.

**Operational and Emergency Plans.** The following operational and emergency action plans shall be submitted to and be approved by the Chief prior to initiating operation:

1. **Operational Plan** at a minimum the Operational Plan must include: Site layout, pile dimensions, fire access, water supply, site security. Site operations: temperature monitoring, rotation, diversion plan.
2. **Emergency Plan** at minimum the Emergency Plan must include: Operator fire response actions, fire dispersal area, emergency equipment operator callback, initiation of incoming diversion plan.

All plans shall define the equipment necessary to process and handle the materials.

**Section 2808.6 Notification of Fire.** All fires shall be reported to the fire department immediately upon discovery.

**Section 2808.7 Equipment Operator Emergency Callback.** The operator shall implement and maintain a plan for rapid equipment operator response to the site. The maximum response time to the site shall be within one hour of a fire department notification. The following equipment shall be on site and staffed with skilled operators: bulldozer, loaders and heavy duty equipment necessary to mitigate a fire. Notification procedure shall be maintained operational 24 hours a day, seven days a week. Notification may be by pager activation or telephone answering service or other approved means.

**Section 2808.8 Incoming Waste Diversion Plan.** The operator shall develop a diversion plan for incoming greenwaste for implementation in the event of equipment failure or other inability to process and distribute greenwaste. The plan shall prevent stockpiling of waste on the site and unauthorized depositing of waste on or near the site. The operator shall initiate the diversion based on criteria in the Operational and Emergency Plan without further direction from the fire department.

**Section 2808.9 Unprocessable or Non-Greenwaste Material.** All greenwaste that cannot be processed on-site, such as stumps and fibrous plants, shall be immediately removed from the feedstock, stored in roll-off containers or bins and be removed from the facility on a weekly basis. All plastic bags shall be removed prior to shredding material.

**Section 2808.10 Fire Access Roadway.** A fire access roadway shall be provided to the site and on-site as approved by the Chief. It shall have a minimum width based upon site material handling equipment and an approved driving surface as approved by the Chief. In no case shall the fire access roadway be less than 20 feet wide.

**Section 2808.11 Storage Site Storage.** Sites shall be reasonably level and be solid ground or other approved all-weather surface.

**Section 2808.12 Combustible Vegetation Control.** The operator shall clear any combustible material, weeds, brush, trees or other vegetation (including mulch) that is, or could become, dry and could be capable of transmitting fire, from within fifty (50) feet of raw greenwaste and mulch piles. Clearance shall be to bare earth or approved pavement. Individual growing trees within that distance may remain with approval of the Chief.

**Section 2808.13 Pile Separation.** Piles shall be separated from adjacent piles and property lines by fire department access roadways.

**Section 2808.14 Size of Piles.** Pile height, width, and length shall be limited to criteria approved by the Chief, based in part on the site material handling equipment. In no case shall the piles exceed 12 feet in height, 100 feet in width and 200 feet in length.

**Section 2808.15 Static Pile Protection.** Interior pile temperatures shall be monitored and recorded on a regular basis per the Operational Plan. Internal pile temperatures must be taken at 2/3 the pile height, 12 to 24 inches from the surface with a probe-type thermometer. Readings shall be made at not greater than 50-foot intervals along the length of the pile.

Temperatures above 158 degrees F are known to adversely affect microbial decomposition and are considered excessive. Infrared thermometers may be used to monitor for hot spots at the surface, but are not a substitute for internal probe measurement and documentation.

Once windrows exceed 170 degrees F, the windrows must be reduced in size, be rotated and be monitored daily until temperatures drop below 158 degrees F. All greenwaste stockpiles shall be re-mixed as necessary to alleviate any fire due to spontaneous combustion or temperatures above 170 degrees.

Windrows shall be visually inspected on a regular basis. Once fires have been detected in any windrows at a site, this visual inspection shall be a minimum daily requirement. Daily inspections shall continue until the threat of fire no longer exists, and the Chief approves suspension.

All temperature and pile-handling records shall be kept on file at the site and be made available for inspection by fire department personnel. Data shall include date, time, temperature, specific location and person conducting measurement.

### **Section 2808.16 Firefighting Water Supplies and Storage**

**Section 2808.16.1 Public Water Supply.** The operator shall provide and maintain approved fire hydrants and waterline mains as required by the Chief. Water lines may be approved aboveground lines supplied from a reliable water supply with adequate protection against impact and fire flow reaction. Hydrant spacing shall be at 400-foot intervals along primary fire access roadways. Fire flow at the hydrant(s) shall be least 1000 gallons per minute at 20 psi. Duration of the required fire flow shall be as determined by the Chief.

**Section 2808.16.2 Private Water Supply.** Above-groundwater storage tanks may be installed when authorized by the Chief where public water supply is not adequate to meet fire flow requirements. Volume and duration of the required fireflow shall be as determined by the Chief.

**Section 2808.17 Material Handling Equipment.** Equipment used on all piles should be of a type that minimizes compaction. All vehicles operating on or around the piles shall have a Class A fire extinguisher of a minimum 2-A rating, in addition to the Class B rating appropriate for the vehicles. Approved material-handling equipment shall be available during fire fighting operations for moving wood chips, hogged material, compost and raw product produced from yard waste and wood fines.

**Section 2808.18 Site Equipment Maintenance – General Safety Rules.** Welding or cutting torch operations shall be conducted a minimum of 30 feet from combustible materials. A fire watch shall be provided to detect fire, and to operate fire-extinguishing equipment throughout the welding or cutting operation and thirty (30) minutes thereafter. Refueling and on-site maintenance shall meet California Fire Code Chapter 23 & 57 - Flammable and Combustible Liquids, and all other applicable fire code requirements.

**Section 2808.19 Site Security.** Pile storage areas shall be surrounded with approved fencing. Fences shall be a minimum of 6 feet in height.

**Section 2808.20 Smoking and Open Burning Prohibited.** The operator shall prohibit smoking and open flame on the operational site, including smoking within vehicles. Approved signs shall be clearly and prominently posted, and shall be enforced by the site operators. No open burning will be allowed on site.

**Section 2808.21 Security Bond/Financial Commitment for Cost Recovery.** A security bond or other approved form of financial commitment may be required by the Chief to be posted, in an amount determined by the Chief, not less than \$25,000.00, nor more than \$100,000.00, depending on the size of operation. The security bond or financial commitment shall reimburse the fire department for expenses incurred in any emergency response and/or enforcement

action by the fire department to protect the public from fire or hazardous substances related to the operation. The security bond/financial commitment shall be returned to the operator in a timely fashion upon satisfactory closure of the operation as determined by the Chief.

**Section 2808.22 Permit Required.** A permit shall be obtained from the fire department prior to engaging in the operation and storing processed wood chips, hogged material, fines, compost and raw product in association with yard waste and similar material recycling facilities. (See Chapter 1 section 105.6) The permit shall be renewed on an annual basis, or shall be limited to such period of time as indicated.

**Section 16.40.070 High Piled Combustible Storage**

**Section 3206.2. GENERAL FIRE PROTECTION AND LIFE SAFETY FEATURES.**

**Section 3206.2 Exception J of Table 3206.2 of the California Fire Code is deleted.**

**Section 16.40.080 Fire Safety During Construction and Demolition**

**Chapter 33 - WATER SUPPLY FOR FIRE PROTECTION is hereby revised by adding**

**SECTION 3318 FUEL OR VEGETATION MODIFICATION to read as follows:**

**Section 3318.1 Fuel modification zone during construction.** Any person doing construction of any kind which requires a permit under this code or the County 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.

**Section 16.40.090 Wildland Fire Areas**

Chapter 49 – Wildland Fire Areas

**Section 4902.1 General.** For the purposes of this chapter, certain terms are defined as follows:

**CDF DIRECTOR** means the Director of the California Department of Forestry and Fire Protection.

**COMBUSTIBLE VEGETATION** means material that in its natural state will readily ignite, burn and transmit fire from native or landscape plants to any structure or other vegetation. Combustible vegetation includes dry grass, brush, weeds, litter or other flammable vegetation that creates a fire hazard.

**DEFENSIBLE SPACE** is an area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur. Distance measurements for defensible space shall be measured on a horizontal plane.

**FIRE PROTECTION PLAN (FPP)** is a document prepared for a specific project or development proposed in the wildland-urban interface fire area that describes ways to minimize and mitigate

potential loss from wildfire exposure, with the purpose of reducing impact on the community's fire protection delivery system.

**FIRE HAZARD SEVERITY ZONES** are geographical areas designated pursuant to California Public Resources Code sections 4201 through 4204 and classified as Very High, High and Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code sections 51175 through 51189.

The California Code of Regulations, Title 14, Section 1280 entitles maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

**FUEL BREAK** is an area, strategically located for fighting anticipated fires, where the native vegetation has been permanently modified or replaced so that fires burning into it can be more easily controlled. Fuel breaks divide fire-prone areas into smaller areas for easier fire control and to provide access for fire fighting.

**LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE** means an area designated by a local agency upon the recommendation of the CDF Director pursuant to Government Code sections 51177(c), 51178 and 51189 that is not a State Responsibility Area and where a local agency, city, county, city and county, or district is responsible for fire protection.

**OPEN SPACE EASEMENT** means any right or interest in perpetuity or for a term for years in open-space land, as that term is defined in Government Code section 51051, acquired by the County, a city or a nonprofit organization where the instrument granting the right or interest imposes restriction on use of the land, to preserve the land for public use or enjoyment of the natural or scenic character of the land.

**OPEN SPACE PRESERVE** means open-space land, as that term is defined in Government Code section 65560(b), for the preservation of natural resources, managed production of resources, outdoor recreation, public health and safety, buffer for a military installation or the protection of cultural resources.

**SLOPE** is the variation of terrain from the horizontal; the number of feet, rise or fall per 100 feet, measured horizontally, expressed as a percentage.

**STATE RESPONSIBILITY AREA** means lands that are classified by the Board of Forestry pursuant to Public Resources Code section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State.

**TREE CROWN** means the primary and secondary branches growing out from the main stem, together with twigs and foliage.

**WILDFIRE** is any uncontrolled fire spreading through vegetative fuels that threaten to destroy life, property, or resources as defined in Public Resources Code sections 4103 and 4104.

**WILDFIRE EXPOSURE** is one or a combination of radiant heat, convective heat, direct flame contact and burning embers being projected by vegetation fire to a structure and its immediate environment.

**WILDLAND-URBAN INTERFACE FIRE AREA** is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code sections 4201 through 4204 and Government Code sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires.

**Chapter 49 Requirements for Wildland-Urban Interface fire areas** is revised to read as follows:

**Section 4907.1 Structure setbacks from property lines.** The building official shall establish the minimum setbacks for locating a structure on a lot in a wildland-urban interface fire area. The setbacks may be greater than the minimum setbacks provided in the City Zoning Ordinance, when necessary to protect a structure from an unreasonable hazard from a wildfire.

**Section 4903. FIRE PROTECTION PLAN.**

**Section 4903** of the California Fire Code is revised to read:

**SECTION 4903  
FIRE PROTECTION PLAN**

**Section 4903.1 When required.** Planning and Development Services or the FAHJ may require an applicant for a parcel map, subdivision map, specific plan or major use permit for any property located in a wildland-urban interface fire area to submit a Fire Protection Plan (FPP) as part of the approval process.

**Section 4903.2 Content.** The FPP shall consider location, topography, geology, aspect, combustible vegetation (fuel types), climatic conditions and fire history. The plan shall address the following in terms of compliance with applicable codes and regulations including but not limited to: water supply, vehicular and emergency apparatus access, travel time to nearest serving fire station, structural ignitability, structure set back, ignition-resistive building features, fire protection systems and equipment, impacts to existing emergency services, defensible space and vegetation management.

The FPP shall be prepared as prescribed in the County of San Diego Land Use and Environment Group "Guidelines for Determining Significance and Report Format and Content Requirements for Wildland Fire and Fire Protection" document.

**Section 4905. WILDFIRE PROTECTION BUILDING CONSTRUCTION.**

**Section 4905** of the California Fire Code is revised to read:

**SECTION 4905  
WILDFIRE PROTECTION BUILDING CONSTRUCTION**

**Section 4905.1 Construction methods for exterior wildfire exposure.** The construction methods for exterior wildfire exposure in a wildland-urban interface fire area shall be as provided in Chapter 7A of the County Building Code.

**Section 4907. DEFENSIBLE SPACE.**

**Section 4907** of the California Fire Code is revised to read:

**SECTION 4907  
DEFENSIBLE SPACE**

**Section 4907.1 Structure setbacks from property lines.** The building official shall establish the minimum setbacks for locating a structure on a lot in a wildland-urban interface fire area. The setbacks may be greater than the minimum setbacks provided in the City Zoning Ordinance, when necessary to protect a structure from an unreasonable hazard from a wildfire.

**Section 4907.1.1 General fire setbacks.** Buildings and structures shall be setback a minimum of 30 feet from property lines and open space easements unless the City Zoning Ordinance requires a greater minimum. When the property line abuts a roadway the setback shall be measured from the centerline of the roadway.

**Exception:** When both the building official and the FAHJ determine that the hazard from a wildland fire is not significant or when the terrain, parcel size or other constraints on the parcel make the required setback infeasible, the building official may allow the setback to be less than 30 feet from the property line when allowed by the Zoning Ordinance.

**Section 4907.1.2 Fire setbacks adjacent protected areas.** Buildings and structures shall be setback a minimum of 100 feet from any property line adjacent a national forest, state park or open space preserve. This setback may be reduced when additional mitigation measures are employed that are satisfactory to both the FAHJ and the building official.

**Section 4907.2 Fuel modification.** A fuel modification zone shall be required around every building that is designed primarily for human habitation or use or a building designed specifically to house farm animals. Decks, sheds, gazebos, freestanding open-sided shade covers and similar accessory structures less than 250 square feet and 30 feet or more from a dwelling, and fences more than 5 feet from a dwelling, are not considered structures for the establishment of a fuel modification zone. A fuel modification zone shall comply with the following:

(a) When a building or structure in a hazardous fire area is located 100 feet or more from the property line, the person owning or occupying the building or structure shall maintain a fuel modification zone within 100 feet of the building or structure. The area within 50 feet of a building or structure shall be cleared of vegetation that is not fire resistant and re-planted with fire-resistant plants. In the area between 50 to 100 feet from a building, all dead and dying vegetation shall be removed. Native vegetation may remain in this area provided that the vegetation is modified so that combustible vegetation does not occupy more than 50% of the square footage of this area. Weeds and annual grasses shall be maintained at a height not to exceed 6 inches. The chips from chipping of vegetation that is done on-site may remain if the chips are dispersed so they do not exceed 6 inches in depth. Trees may remain in both areas provided that the horizontal distance between crowns of adjacent trees and crowns of trees and structures is not less than 10 feet. See Figure 4907.2.

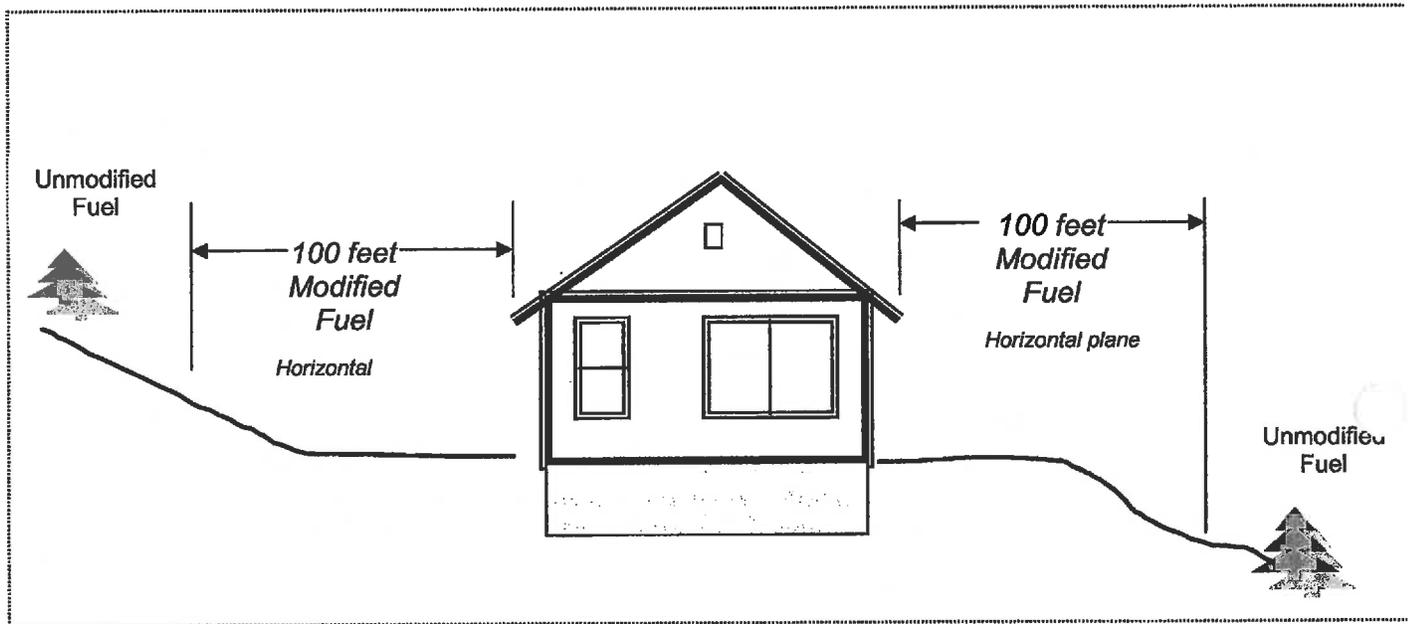
(b) When a building or structure in a hazardous fire area is setback less than 100 feet from the property line, the person owning or occupying the building or structure shall meet the requirements in subsection (a) above, to the extent possible, in the area between the building or structure and the property line.

(c) The building official and the FAHJ may provide lists of prohibited and recommended plants.

(d) The fuel modification zone shall be located entirely on the subject property unless approved by the FAHJ. This required fuel modification zone may be reduced as allowed in subsection (b) above or increased as required by a fire protection plan.

(e) When the subject property contains an area designated to protect biological or other sensitive habitat or resource, no building or other structure requiring a fuel modification zone shall be located so as to extend the fuel modification zone into a protected area.

**FIGURE 4907.2 MEASUREMENTS OF FUEL MODIFICATION DISTANCE**



**Section 4907.2.1 Fuel modification of combustible vegetation from sides of roadways.**

The FAHJ may require a property owner to modify combustible vegetation in the area within 20 feet from each side of the driveway or a public or private road adjacent to the property to establish a fuel modification zone. The FAHJ has the right to enter private property to insure the fuel modification zone requirements are met.

**Exception:** The FAHJ may reduce the width of the fuel modification zone if it will not impair access.

**Section 4907.2.2 Community fuel modification.** The FAHJ may require a developer, as a condition of issuing a certificate of occupancy, to establish one or more fuel modification zones to protect a new community by reducing the fuel loads adjacent to a community and structures within it. The developer shall assign the land on which any fuel modification zone is established under this section to the association or other common owner group that succeeds the developer as the person responsible for common areas within the community.

**Section 4907.2.2.1 Land ownership.** Once a fuel modification zone has been established under section 4907.2.2 the land on which the zone is located shall be under the control of an

association or other common ownership established in perpetuity, for the benefit of the community to be protected.

**Section 4907.3 Maintenance of defensible space.** Any person owning, leasing, controlling, operating or maintaining a building or structure required to establish a fuel modification zone pursuant to section 4907.2 shall maintain the defensible space. The FAHJ may enter the property to determine if the person responsible is complying with this section. The FAHJ may issue an order to the person responsible for maintaining the defensible space directing the person to modify or remove non-fire resistant vegetation from defensible space areas, remove leaves, needles and other dead vegetative material from the roof of a building or structure, maintain trees as required by section 4907.3.1 or to take other action the FAHJ determines is necessary to comply with the intent of sections 4903 et seq.

**Section 4907.3.1 Trees.** Crowns of mature trees located within defensible space shall maintain a minimum horizontal clearance of 10 feet for fire resistant trees and 30 feet for non-fire resistive trees. Mature trees shall be pruned to remove limbs to maintain a vertical separation of three times the height of the lower vegetation or 6 feet, whichever is less, above the ground surface adjacent to the trees. Dead wood and litter shall be regularly removed from trees. Ornamental trees shall be limited to groupings of 2-3 trees with canopies for each grouping separated horizontally as described in Table 4907.3.1.

**TABLE 4907.3.1  
 DISTANCE BETWEEN TREE CANOPIES**

<b>Distance between Tree Canopies by Percent Slope</b>	
<b>Percent of Slope</b>	<b>Required Distances Between Edge of Mature Tree Canopies (1)</b>
<b>0 to 20</b>	<b>10 feet</b>
<b>21 to 40</b>	<b>20 feet</b>
<b>41 plus</b>	<b>30 feet</b>

**1. Determined from canopy dimensions as described in Sunset Western Garden Book (Current Edition)**

**Chapter 49 Construction methods for exterior wildfire exposure - Section 4910** is hereby revised to read as follows:

**Section 4910.1 Construction methods for exterior wildfire exposure.** The construction methods for exterior wildfire exposure in a wildland-urban interface fire area shall be as provided in Chapter 7A of the County Building Code or section R327 of the County Residential Code.

**Section 16.40.100 Explosives and Fireworks  
 SEC. 5601.2. EXPLOSIVES AND FIREWORKS-APPLICABILITY.**

**Section 5601.2** is added to the California Fire Code to read:

**Section 5601.2 Applicability.** This section shall apply to the manufacture, possession, storage, sale, transportation and use of explosives and blasting agents and to any blasting

operation in the City of Vista. The Sheriff shall be the Issuing Officer for any permit under this section, but may delegate the responsibility to the Fire Chief in the City of Vista to issue a permit in the geographical area of the chief's jurisdiction. The issuing officer shall determine whether a blast is a major blast or a minor blast under this section. A minor blast is subject to all conditions of this section except the inspection requirements.

**Section 5601.2.1 Definitions.** The following terms are defined in section 202:

**BLASTER.**  
**BLASTING AGENT.**  
**BLASTING OPERATION.**  
**BLASTING PERMIT.**  
**BLAST SITE.**  
**EXPLOSIVES PERMIT.**  
**INSPECTOR.**  
**MAJOR BLASTING.**  
**MINOR BLASTING.**

**Section 5601.2.2. Application.** Application for a permit required by this section shall be in the form required by the Issuing Officer.

**Section 5601.2.3 Permit requirements.** No person shall conduct blasting in the City of Vista without an explosives permit issued under this chapter. A person applying for an explosives permit shall, in addition to demonstrating compliance with fire safety requirements, shall also comply with all City requirements for any building permits, grading permits, use permits, encroachment permits and all other entitlements to use property, including zoning requirements and any determination under the Zoning Ordinance of nonconforming status. The applicant shall be responsible for providing proof of all necessary approvals when requested by the Issuing Officer.

**AMENDMENT TO SECTION 5601.2.3.1.**

**Section 5601.2.3.1 Blasting permit required.** In addition to obtaining an explosives permit, no person shall conduct blasting without first obtaining a blasting permit. The applicant shall be responsible for providing proof of all necessary approvals when requested by the Issuing Officer.

**Section 5601.2.4 Permit conditions.** The Issuing Officer may impose conditions and procedures as are deemed reasonably necessary to protect the public health and safety based upon the facts and circumstances of a particular blasting operation. The permit conditions shall be in writing. Failure to comply with any permit condition is grounds for revocation of the permit. A blaster may request the Issuing Officer release the blaster from any permit condition if circumstances have changed that make the condition no longer applicable. In addition to complying with the County blasting regulations, a blaster shall also comply with blasting regulations of neighboring jurisdictions, for any blasting operations outside of the City of Vista conducted in conjunction with a project within the City of Vista.

**Section 5601.2.5 Insurance and indemnification required.** As an additional condition for obtain an explosives permit the applicant shall submit: (1) a certificate of insurance evidencing that the blaster has obtained a general liability insurance policy which includes coverage for explosion, collapse and underground property damage from an insurer satisfactory to the Issuing Officer, that is in effect for the period covered by the permit, written on an "occurrence" basis, in an amount of not less than \$500,000 per each occurrence, naming the City as an additional insured and providing that the policy will not be canceled or terminated without 30 days prior written notice to the City and (2) an agreement signed by the blaster agreeing to defend, indemnify and hold the County and its agents, officers and employees harmless from any claims or actions arising from the issuance of the permit or any blasting activity conducted under the permit.

**Section 5601.2.6 Blasting hours.** Blasting shall only be allowed Monday through Saturday, between the hours of 7:00 a.m. and 6:00 p.m. or ½ hour before sunset, whichever occurs first, unless special circumstances warrant another time or day and the Issuing Officer grants approval of the change in time or day.

**Section 5601.2.7 Additional operational requirements.** The owner of any property in the unincorporated area of the County on which any blasting is intended to occur, shall give, or cause to be given, a one-time notice in writing, for any proposed blasting to the local fire agency and dispatch center and to all residences, including mobilehomes, and businesses within 600 feet of any potential major blast location or 300 feet from any potential minor blast location. The notice shall be given not less than 24 hours, but not more than one week, before a blasting operation and shall be in a form approved by the Issuing Officer. The minimum 24-hour notice requirement may be reduced to a lesser period but not less than one hour if the Issuing Officer determines that special circumstances warrant the reduction in time. Adequate precautions shall be taken to reasonably safeguard persons and property before, during and after blasting operations. These precautions shall include:

1. The blaster shall retain an inspector to inspect all structures, including mobilehomes, within 300 feet of the blast site before blasting operations, unless inspection is waived by the owner and/or occupant. The inspector shall obtain permission of the owner and/or occupant before conducting the inspection. The inspection shall be only for the purpose of determining the existence of any visible or reasonably recognizable preexisting defects or damages in any structure. Waiver of inspection shall be in writing signed by the owner and/or occupant. Refusal to allow inspection shall also constitute a waiver. The inspector shall notify the owner and/or occupant of the consequences of refusing an inspection shall include a refusal in the summary report filed with the Issuing Officer. The blaster shall request an inspector conduct post-blast inspections upon receipt of a written complaint of property damage if the complaint is made within 60 days of completion of blasting operations. If the blaster has knowledge of alleged property damage independent of the written complaint, the blaster shall also retain an inspector to conduct a post-blast inspection.

2. An inspector shall complete and sign pre-blast inspection reports identifying all findings and inspection waivers. The blaster shall retain the inspection reports for three years from the date of the blasting and upon a complaint of alleged damage the blaster shall immediately file a copy of the report with the Issuing Officer and provide a copy to the complainant. If there is a change in the blasting contractor after blasting has commenced on a project, a re-inspection

shall be conducted in accordance with the preceding paragraph before the new blasting contractor undertakes any additional blasting.

3. The blaster shall retain an inspector to conduct a post-blast inspection of any structure for which a written complaint alleging blast damage has been received. A written report of the inspection shall be immediately filed with the Issuing Officer and provided to any person who made a complaint for damages.
4. The blaster shall allow any representative of the Issuing Officer to inspect the blast site and blast materials or explosives at any reasonable time.
5. If the blaster wants a representative of the Issuing Officer to witness a blasting operation the blaster shall make a request with the Issuing Officer at least 12 hours before the blast. The blaster shall confirm the request for a witness with the Issuing Officer at least one hour before the blast. The blaster shall be responsible for any cost incurred by the Issuing Officer in having a representative witness the blast.
6. The blaster shall notify the Issuing Officer on the day of a scheduled blasting operation not less than one hour before blasting.
7. All major blasting operations shall be monitored by an approved seismograph located at the nearest structure within 600 feet of the blasting operation. All daily seismograph reports shall be maintained by the blaster for three years from the blasting.

**Section 5601.2.8 Seizure of illegal items.** The Sheriff may seize at the owner's expense, all explosives, ammunition or blasting agents, which are illegally manufactured, sold, offered or exposed for sale, delivered, stored, possessed or transported in violation of this chapter.

**Section 5601.2.9 Violations for false or misleading information.** It shall be unlawful and a violation of this chapter for any person to provide false or misleading information or documentation to the City or any of its officers or employees or to the fire department, over any aspect of the explosives or blasting permit process or blasting operations.

**Section 5601.2.10 Fees.** A person applying to the Sheriff to be approved as a blaster or inspector, as defined in this section, shall pay an application fee to the Sheriff. A person applying for an explosives permit under this section shall pay the fee established by the Sheriff with the application. The amount of any fee required by this chapter shall be determined by the Sheriff on the basis of the full costs involved in processing an application.

#### **Section 16.40.110 Flammable and Combustible Liquids**

**CHAPTER 57 – Flammable and Combustible Liquids** is hereby added to or revised to read as follows:

**Section 5704.2.9.6.1** The City of Vista shall be the limits established by law in which the storage of **Class I and Class II** liquids in above-ground tanks outside of buildings is prohibited: The limits referred to in Section 5704.2.9.6.1 and 5706.2.4.4 of the 2013 California Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited are hereby established as the jurisdictional limits of the City of Vista.

**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 Chief, with a maximum capacity of 550 gallons. Such tanks may be located within a building when the Chief 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'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 Chief may disapprove the installation of such containers when in his opinion their use presents a risk to life or property.
4. With the Chief'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 5704 and 5706.

**Section 5705.2.4. TRANSFERRING CLASS I, II OR III LIQUIDS.**

**Section 5705.2.4** of the California Fire Code is revised to read:

**Section 5705.2.4 Transferring Class I, II or III liquids.** Class I or II liquids or Class III liquids that are heated up to or above their flash points shall be transferred by one of the following methods:

1. From safety cans complying with UL 30.
2. Through an approved closed piping system.
3. From containers or tanks by an approved pump taking suction through an opening in the top of the container or tank.

Method 4 is revised to read as follows:

Gravity dispensing of Class I and II liquids is prohibited. Dispensing devices for flammable and combustible liquids shall be of an approved type. Approved pumps taking suction from the top of the tank shall be used. Flammable or combustible liquids shall not be dispensed by a device that operates through pressure within a storage tank. Air or oxygen shall not be used to pressurize an above ground tank.

**Exception:** Liquids in containers not exceeding a 5.3-gallon (20 L) capacity.

**Section 5706.2.4.4** The geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited is hereby established as the jurisdictional limits of the City of Vista.

**Exceptions:**

1. In areas zoned for mixed, general or high impact industrial uses.
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. These tanks may be located within a building when the fire code official deems appropriate and the container meets U.L. Standard 2085. Containers shall be installed and used in accordance with their listing and provisions shall be made for leak and spill containment. In no case shall storage be allowed on residential or institutional property.

**SECTION 5706.2.5.2.. TANKS FOR GRAVITY DISCHARGE.**

**Section 5706.2.5.2.1** of the California Fire Code is added to read:

**Section 5706.2.5.2.1 Limitations on tanks for gravity discharge.** Gravity dispensing of Class I or II liquids or Class III liquids that are heated up to or above their flash points is prohibited. Dispensing devices for flammable and combustible liquids shall be of an approved type. Approved pumps taking suction from the top of the tank shall be used. Flammable or combustible liquids shall not be dispensed by a device that operates through pressure within a storage tank. Air or oxygen shall not be used to pressurize an aboveground tank.

**Section 5706.5.4.6 Tank vehicle as a substitute for permanent tank prohibited.** The use of a tank vehicle in a stationary manner as a substitute for an approved above-ground or below-ground fuel tank is prohibited.

**Section 16.40.120 Liquefied Petroleum Gases**

**Section 6104.2** The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as the jurisdictional limits of the City of Vista.

**Section 6107.5 Securing Tanks to ground (LPG)** – Tanks shall be secured to prevent the tank from rolling or moving when required by the FAHJ.

**CHAPTER 80. REFERENCED STANDARDS.**

The following referenced standard of the California Fire Code is revised to read:

***NFPA 13D, Amended Sections as follows:***

**Revise 5.1.1.1 to read as follows:**

**5.1.1.1 Spare sprinkler heads.** Spare fire sprinkler heads (one of each type or as approved by the FAHJ) wrench, operation and maintenance instructions shall be provided in the vicinity of the riser.

**Add a new 7.1.5 to read as follows:**

**7.1.5 Pressure-regulating valve.** When available system water pressure exceeds 150 psi, a listed/approved pressure-regulating valve shall be installed at the system riser. Such valves shall be adjusted to restrict the outlet pressure to a maximum of 150 psig at any flow or no flow.

**Revise 7.2.5 to read as follows:**

**7.2.5 Inspector Test.** Each sprinkler system shall have a ½" or larger test connection with a threaded keyless valve. The valve shall be remote to the riser, located on the building exterior about five 5 feet above final grade and shall be remote from the riser. It shall be labeled with a permanent plate with minimum ¼" lettering, contrasting with background, and stating: "INSPECTOR TEST". (Pre-assembled riser assemblies with a built-in Drain/Test valve shall not be accepted for inspector test valve unless approved by the FAHJ.)

**Exception:** Automatic fire sprinkler systems for manufactured homes installed at the factory may have the inspectors test valve located at the location as designed at the factory.

**Add a new 7.3.3 to read as follows:**

**7.3.3 Pressure gauge.** A listed 300 psi pressure gauge shall be permanently installed at the riser.

**Revise 7.6 to read as follows:**

**7.6 Alarms.** A water flow switch shall be provided and located on the sprinkler riser above the check valve and main drain and shall actuate an audible fire alarm signal bell. The water flow switch shall be a retarding type with a delay between 30-45 seconds before activation of the signal bell. Alarm bell shall have a minimum diameter of 8 inches and be mounted on the exterior in the vicinity of the master bedroom. The alarm bell shall be clearly audible in all bedrooms with intervening doors closed.

**Add a new 8.2.5.4.5 to read as follows:**

**8.2.5.4.5 Heads Cored In Beams.** Heads cored in beams are allowed in beams not greater than 8" in depth. Beams greater than 8" in depth shall result in heads being placed in the pockets or bays formed by the beams.

**Revise 8.3.2 to read as follows:**

**1.3.2.** Sprinklers are not required in bathrooms where the area does not exceed 55 sq. ft. unless there is door exiting directly to the outside, and the walls and ceilings

including behind fixtures, are of noncombustible or limited combustible materials providing a fifteen-minute thermal barrier.

**Revise 8.3.4 to read as follows:**

**8.3.4.** Sprinklers may be omitted from carports and open attached porches. However, attached garages shall be protected with intermediate temperature rated sprinklers with not more than 150 sq. ft. head spacing. Sprinkler heads in garages shall be protected against mechanical damage by approved guards, unless recessed heads are provided. Garage doors may be disregarded in the layout of the fire sprinkler system.

**Revise 8.3.5.1.1 to read as follows:**

**8.5.1.1.** Where the fuel-fired equipment is above all of the occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment.

**Add a new 10.2.4.1 to read as follows:**

**10.2.4.1 3-Head Calculation.** When the slope of the ceiling is greater than the listing of an available sprinkler head, the system shall be designed to provide the hydraulic demand of 3 sprinkler heads.

**Add a new 10.2.5 to read as follows:**

**10.2.5 Pressure Cushion.** The system shall be designed 10% below available water source pressure during peak usage.

**Revise 11.2.1.1 to read as follows:**

**11.2.1.1 Hydrostatic Tests.** Where a fire department connection is not provided, the system shall be hydrostatically tested at 200 psi. Manufactured or mobile homes shall be tested at 100 psi or as specified on the manufacturer's nameplate.

**Add a new 12.3.3 to read as follows:**

**12.3.3 Systems out of service.** When sprinkler systems are shut-off or otherwise inoperative for periods greater than 48 hours for repair of service, the FAHJ must be notified immediately.  
**APPENDIX B, Section B103.3 AREAS WITHOUT WATER SUPPLY SYSTEMS.**

**Appendix B, section B103.3** of the California Fire Code is revised to read:

**B103.3 Areas without water supply systems.** For information regarding water supplies for fire-fighting purposes in rural areas and suburban areas in which adequate and reliable water supplies do not exist, the fire code official is authorized to utilize NFPA 1142 or the standard published by the Insurance Services Office document entitled "Guide for Determination of Required Fire Flow."

**Section 16.40.130 Administration**

**SECTION 101 – GENERAL, Section 101.1 Title** is hereby amended by inserting Chartered City of Vista in place of [NAME OF JURISDICTION].

**SECTION 102 - APPLICABILITY** is hereby revised by adding **Section 102.10 Repeal of Conflicting Ordinances, Resolutions or Motions** to read as follows:

**Section 102.10 Repeal of Conflicting Ordinances, Resolutions or Motions.** All former ordinances, resolutions or motions, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance or of the Code or standards hereby adopted are hereby repealed.

**Section 103 DEPARTMENT OF FIRE PREVENTION** is hereby revised by adding **Section 103.2.1 and Section 103.5** to read as follows:

**Section 103.2.1 Fire Prevention Engineer or Fire Marshal.** The Fire Marshal shall be any person designated by the Chief to exercise the powers and perform the duties of the fire prevention engineer or Fire Marshal as set forth in this Code.

**Section 103.5 Expense Recovery.** When deemed necessary, the Chief may impose a fee for recovery of expenses incurred as a result of activities undertaken pursuant to enforcing the fire prevention provisions of this Code.

**Section 104, General Authority and Responsibilities** is hereby revised by adding

**Section 104.12, Cost Recovery** to read as follows:

**Section 104.12 Cost 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 Vista Fire Department to protect the public from criminal or negligent activities, and from fire or hazardous substances.

**Section 104, General Authority and Responsibilities** is hereby revised by adding

**Section 104.12.1 Reimbursement required** to read as follows:

**Section 104.12.1 Reimbursement required.** 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. 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.

**SECTION 105 – PERMITS, Section 105.3.2 Extensions** is hereby amended to read:

**Section 105.3.2 Extensions.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued: except that the building official is authorized to grant one extension of time for an additional period of 180 days. The extension shall be required in writing and justifiable cause demonstrated.

**SECTION 105 - PERMITS** is hereby revised by adding **Section 105.3.8 Expense Recovery**, to read as follows:

**Section 105.3.8 Expense Recovery.** When deemed necessary, the chief may impose a fee for recovery of expenses incurred as a result of activities undertaken pursuant to enforcing the fire prevention provisions of this Code.

**SECTION 105 – PERMITS, Section 105.5 Revocation** is hereby amended to read:

**Section 105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant in writing one time extension of 180 days. The extension shall be required in writing and justifiable cause demonstrated.

**SECTION 105 - PERMITS - Section 105.6 Required Operational Permits** is hereby revised by adding the following subsections to read as follows:

**Section 105.6.48 Christmas Tree Lots.** To operate a Christmas tree lot, with or without flame proofing services.

**Section 105.6.49 Greenwaste Recycling, Mulching, Composting Operations and Storage.** Permit is required per section 2801.2 of Chapter 28

**SECTION 108 - APPEALS**, is hereby amended to read as follows:

#### **Section 108. APPEALS PROCEDURE**

When a request for an alternate means of fire protection has been denied by the Chief, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief to the City Manager, then to the City Council, provided that written notice of appeal is filed with the City Clerk within 30 days after the date of decision.

**SECTION 109 – VIOLATIONS, Section 109.3 Violation penalties** is hereby amended to read:  
**Section 109.3 Violation Penalties.**

- A. 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 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 hereunder, or any certificate or permit issued hereunder, and from which no appeal has been taken, shall for each and every violation and noncompliance respectively, be guilty

of a 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 condition is maintained, shall constitute a separate offense.

- B. The provisions of this code may also be enforced by administrative citations as provided in Chapter 1 13 of the Vista Municipal Code.
- C. The City Attorney is authorized to file suit in Superior Court to enforce the provisions of this code.
- D. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**SECTION 111 – STOP WORK ORDER, Section 111.4 Failure to Comply** is hereby amended to read:

**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 or more than \$1,000.

**Section 16.40.140 Special Detailed Requirements Based on Use and Occupancy**

**APPENDIX CHAPTER 4 – SPECIAL DETAILED REQUIREMENTS  
BASED ON USE AND OCCUPANCY** is hereby adopted in its entirety.

**Section 16.40.150 Fire-Flow Requirements for Buildings**

**APPENDIX B – FIRE-FLOW REQUIREMENTS FOR BUILDINGS** is hereby adopted in its entirety.

**APPENDIX B – A definition of HAZARDOUS FIRE AREA** is hereby added to Appendix B102.1 to read as follows:

**HAZARDOUS FIRE AREA.** Any geographic area mapped by the State or local jurisdiction as a high, very high, or extreme 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.

**Appendix B - The reference to NFPA 1142 is hereby deleted.**

**Section 16.40.160 Hazard Ranking**

**APPENDIX F – Hazard Ranking** is hereby adopted in its entirety.

**Section 16.40.170 TEMPORARY HAUNTED HOUSES, GHOST WALKS AND SIMILAR  
AMUSEMENT USES**

**APPENDIX K – TEMPORARY HAUNTED HOUSES, GHOST WALKS AND SIMILAR AMUSEMENT USES** is hereby adopted with the following changes:

**APPENDIX K – K101.2 Permits** delete reference #9 under “floor plan”.

**APPENDIX K – K103.7 Fire Protection** to read as follows: Haunted houses and ghost walks shall be provided with fire protection systems according to the FAHJ.

**APPENDIX K – K103.11 Display of Motor Vehicles** to read as follows: Display of motor vehicles shall be in accordance with Section 4811.2e of this code.

**HAZARDOUS FIRE AREA.** Any geographic area mapped by the State or local jurisdiction as a high, very high, or extreme 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.

**Appendix B - The reference to NFPA 1142 is hereby deleted.**

**SECTION 4.** That City of Vista Ordinance No. 2010-12 which adopted by reference the California Fire Code, 2010 Edition, the International Fire Code, 2010 Edition and Appendices Chapter 1, Chapter 4, B, D, and F with certain amendments 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.** That Section 3 of this Ordinance shall be codified.

**SECTION 8.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2014.

**SECTION 9.** Upon passage, the City Clerk shall transmit a copy of this Ordinance to the California Building Standards Commission pursuant to Health and Safety Code section 17958.7 and to the Department of Housing and Community Development (Health and Safety Code Section 13869.7).

[Continued on page 43.]

3. **Adoption.** INTRODUCED AND ADOPTED at a meeting of the City Council held on November 12, 2013, by the following vote:

AYES: MAYOR RITTER, AGUILERA, CAMPBELL, RIGBY

NOES: NONE

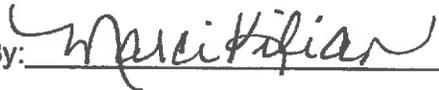
ABSTAIN: NONE

  
\_\_\_\_\_  
JUDY RITTER, MAYOR

APPROVED AS TO FORM:  
DAROLD PIEPER, CITY ATTORNEY

ATTEST:  
MARCI KILIAN, CITY CLERK

By:   
\_\_\_\_\_

By:   
\_\_\_\_\_

APPROVED  
Darold Pieper  
0824 110513

**CERTIFICATION**

I, Marci Kilian, City Clerk of the City of Vista, California, certify that I caused the foregoing Ordinance No. 2013-21 to be posted on November 14, 2013, at the following locations within the City of Vista: 1) the Reference Desk of the Vista Branch of the San Diego County Public Library, 700 Eucalyptus Avenue; 2) the Lobby Counter at the Gloria E. McClellan Senior Center, 1400 Vale Terrace Drive; and 3) the City Clerk's Office, 200 Civic Center Drive.



Marci Kilian, City Clerk

**BUILDING STANDARDS COMMISSION**

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



February 7, 2014

Albert Raymond  
Building Official  
City of Vista  
200 Civic Center Drive  
Vista, CA 92084

RE: Ordinance #2013-20

Dear Mr. Raymond:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 10, 2013.

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 black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**O'Brien, Laurie@DGS**

---

**From:** Albert Raymond <araymond@ci.vista.ca.us>  
**Sent:** Wednesday, December 04, 2013 2:24 PM  
**To:** OrdinanceFilings@DGS  
**Subject:** Local Filing: City of Vista's Ordinance Adopting the 2013 California Building Codes w/ Amendments  
**Attachments:** cc%202013%20ORD%2020%20amend%20title%2016%20of%20municipal%20code%201112.pdf  
**Importance:** High

**California Building Standards Commission,**

Attached is a copy of the City of Vista's Ordinance 2013-20, adopting the 2013 California Model Codes by reference with local amendments submitted as required by California law and the ordinance includes the required findings for each code revision. Should you have questions or require additional information, please contact me at your convenience. Thank you

Albert J. Raymond III, AIA, CBO  
**City of Vista | Building Official**  
200 Civic Center Drive  
Vista, California 92084  
P: (760) 726-1340 ext: 1280  
F: (760) 639-6101  
C: (210) 519-1742

ORDINANCE NO. 2013-20

AN ORDINANCE OF THE CHARTERED CITY OF VISTA,  
CALIFORNIA, AMENDING TITLE 16 OF THE VISTA MUNICIPAL  
CODE, ADOPTING BY REFERENCE PARTS 1 THROUGH 6, 8, AND  
10 THROUGH 12 OF TITLE 24 OF THE CALIFORNIA CODE OF  
REGULATIONS

Pursuant to Article 11, Section 7 of the California Constitution, the City Council of the chartered City of Vista does ordain as follows:

1. **Findings.** The City Council hereby finds and declares all of the following:
  - A. The City Council of the Chartered City of Vista hereby finds that the public health, safety, and welfare will be best protected and served by the adoption of various building and construction industry codes that are established and maintained by the State Building Standards Commission.
  - B. Section 17958 of the Health and Safety Code mandates that the City of Vista adopt ordinances and regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to the Health and Safety Code Section 17922.
  - C. Section 17958.5 of the Health and Safety Code permits the City to make changes or modifications as are reasonably necessary because of local conditions.
  - D. Section 17958.5 requires that the City make finding that such changes and modifications are needed due to climatic, geographic, or topographic conditions.
  - E. Section 18938 et seq. of the California Health and Safety Code specifies that the California Building Standards Code applies to all occupancies throughout the State.

2. **Code Amendment.**

- A. Chapter 16.08 of the Development Code is hereby amended to read as follows:

**Chapter 16.08**

**California Building Code**

- 16.08.010 Adoption  
16.08.020 Chapter 1, Division II, Section 101.4.1 Amended

- 16.08.030 Chapter 1, Division II, Section 101.4.2 Amended**
- 16.08.040 Chapter 1, Division II, Section 101.4.3 Amended**
- 16.08.050 Chapter 1, Division II, Section 101.4.4 Deleted**
- 16.08.060 Chapter 1, Division II, Section 101.4.5 Amended**
- 16.08.090 Chapter 1, Division II, Section 109.4 Amended**
- 16.08.100 Chapter 1, Division II, Section 109.6 Amended**
- 16.08.110 Chapter 1, Division II, Section 110.3.5 Exception Deleted**
- 16.08.120 Chapter 1, Division II, Section 110.4 Amended**
- 16.08.130 Chapter 2, Section 202 Amended**
- 16.08.140 Required Installation of Automatic Fire Extinguishing Systems**
- 16.08.150 Section 1505.1 Amended**
- 16.08.160 Chapter 31, Section 3109.4.1 Amended**

#### **Section 16.08.010 Adoption**

The 2013 California Building Standards Code, Part 2, Volumes 1 and 2, including Appendix H and Appendix I, known as the California Building Code, as published and adopted by the California Building Standards Commission, including amendments, is hereby adopted by reference and incorporated herein as if fully set forth.

#### **Section 16.08.020 Chapter 1, Division II, Section 101.4.1 Amended**

Section 101.4.1 is amended as noted:

Section 101.4.1 Gas. The provisions of the California Plumbing Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

#### **Section 16.08.030 Chapter 1, Division II, Section 101.4.2 Amended**

Section 101.4.2 is amended as noted:

Section 101.4.2 Mechanical. The provisions of the California Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

**Section 16.08.040 Chapter 1, Division II, Section 101.4.3 Amended**

Section 101.4.3 is amended as noted:

Section 101.4.3 Plumbing. The provisions of the California Plumbing Code shall apply to the installation, *alteration*, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of medical gas system.

**Section 16.080.050 Chapter 1, Division II, Section 101.4.4 Deleted**

Section 101.4.4 is deleted.

**Section 16.08.060 Chapter 1, Division II, Section 101.4.5 Amended**

Section 101.4.5 is amended as noted:

Section 101.4.5 Fire Prevention. The provisions of the California Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fires and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, *alteration* or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**Section 16.08.090 Chapter 1, Division II, Section 109.4 Amended**

Section 109.4 is amended to read:

Section 109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty equal to the permit fee to be paid in addition to the permit fee when obtaining the building permit.

**Section 16.08.100 Chapter 1, Division II, Section 109.6 Amended**

Section 109.6 is amended to read:

Section 109.6 Refunds. Refunds for a permit or plan review, when no work has commenced, shall be limited to the fee paid minus the cost equal to all services provided including refund processing.

**Section 16.08.110 Chapter 1, Division II, Section 110.3.5 Exception**

Section 110.3.5 exception is deleted.

**Section 16.08.120 Appendix Chapter 1, Division II, Section 110.4 Amended**

Section 110.4 is amended to read:

Section 110.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability. The inspection agencies shall have written approval from the building official prior to any inspections. If written approval is not obtained prior to the actual inspections, the building official may reject all inspection reports and the applicant shall cause to have all work re-inspected by an approved inspector.

**Section 16.08.130 Chapter 2, Section 202**

Section 202 is amended to add this definition:

Reconstruction. If the value of reconstruction (or renovation) of a building is equal to or exceeds 75 percent of the value of the building immediately prior to such reconstruction, the entire building shall comply with the code provisions for new construction. The value of the reconstruction (or renovation) for a property shall include the value of all construction stemming from construction related permits issued within the last two years. The value shall be determined by using the City adopted building valuation table.

**Section 16.08.140 Required Installation of Automatic Fire Extinguishing Systems**

Section 16.08.140 is amended to read:

Automatic fire extinguishing systems shall be installed in accordance with Section 903.2 of the California Fire Code as amended by Section 16.40.050 of the Vista Code.

**Section 16.08.150 Chapter 15, Section 1505.1 Amended**

Section 1501.1 is amended to read:

1505.1 General. Roof assemblies shall be divided into the classes defined below. Class A, B and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on building shall comply with Table 1505. 1 based on the type of construction of the building.

Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610

Wood roof coverings are prohibited with the following exception:  
"Re-roofing of less than 10 percent of the total roof area of existing wood roof coverings in four years may be done with fire-retardant shakes or shingles."

**Section 16.08.160 Chapter 31, Section 3109.4.1**

Section 3109.4.1 is amended to read:

Section 3109.4.1 Barrier height and clearances. The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum barrier clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

B. Chapter 16.10 of the Vista Development Code is hereby amended to read as follows:

**California Historical Building Code**

**16.10.010 Adoption**

The 2013 California Building Standards Code, Part 8, California Historical Building Code, as published and adopted by the California Building Standards Commission, is adopted by reference and incorporated herein as if fully set forth in this chapter.

C. Chapter 16.14 of the Vista Development Code is hereby amended to read as follows:

**California Existing Building Code**

**Section 16.14.010 Adoption**

The 2013 California Building Standards Code, Part 10, California Existing Building Code as adopted by the California Building Standards Commission, is adopted by reference and incorporated herein as if fully set forth in this chapter.

D. Chapter 16.22 of the Vista Development Code is hereby amended to read as follows:

**Chapter 16.22 California Residential Code**

- 16.22.010 Adoption**
- 16.22.020 Chapter 1, Division II, Section R102.1 Amended**
- 16.22.040 Chapter 1, Division II, Section R108.5 Amended**
- 16.22.050 Chapter 1, Division II, Section R108.6 Amended**
- 16.22.060 Chapter 2, Section R202 Amended**
- 16.22.070 Chapter 3, Section R313.2 Amended**
- 16.22.080 Chapter 9, Section 902.1 Amended**
- 16.22.090 Appendix G Section AG101.1 Amended**
- 16.22.100 California Building Code Title 24 Part 2, Chapter 31, Section 3109.4.1 Amended**
- 16.22.110 Appendix K, Section AK101.1 Amended**

**Section 16.22.010 Adoption**

The 2013 California Residential standards code part 2.5 including Appendix G, appendix H, and appendix K known as the California Residential Code, as published and adopted by the California Building Standards Commission, including amendments, is hereby adopted by reference and incorporated herein as if fully set forth.

**Section 16.22.020 Chapter 1, Division II, Section R102.1 Amended**

Section R102.1 is amended to read:

Section R102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where in any specific case, different sections of the code specify different materials, methods of construction or other requirements the most

restrictive shall govern. Where in any specific case, the California Residential Code does not have a provision that is included in the California Building Code that would be applicable due the type or method or construction the California Building Code provisions will apply.

**Section 16.22.040 Chapter 1, Division II, Section R108.5 Amended**

Section R108.5 is amended to read:

Section R108.5 Refunds. Refunds for permit when no work has commenced shall be limited to the permit cost minus a fee equal to all services provided including refund processing.

**Section 16.22.050 Chapter 1, Division II, Section R108.6**

Section R108.6 is amended to read:

Section R108.6 Work commencing before permit issuance. Any person who commences work that requires a permit on a building, electrical, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a to a penalty equal to the permit fee to be paid in addition to the permit fee when obtaining the building permit.

**Section 16.22.060 Chapter 2, Section R202**

Section R202 is amended to add this definition:

Section R202 Reconstruction. If the value of reconstruction (or renovation) of a building is equal to or exceeds 75 percent of the value of the building immediately prior to such reconstruction, the entire building shall comply with the code provisions for new construction. The value of reconstruction (or renovation) for a property shall include the value of all construction stemming from construction related permits issued within the last two years. The value shall be determined by using the city adopted building valuation table.

**Section 16.22.070 Chapter 3, Section R313.2**

Section R313.2 is amended to read:

Section R313.2 One and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in all new R occupancies.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing building that are not already equipped with an automatic residential sprinkler system. Detached R occupancy buildings accessory to a single or two-family building intended for intermittent use and less than 500 square feet will not require fire sprinkler protection.

**Section 16.22.080 Chapter 9, Section 902.1**

Section R902.1 is amended to read:

Section R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A, B, or C roofing shall be installed in areas designated by this section. Class A, B C roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry, and exposed concrete roof deck.
2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

Wood roof coverings are prohibited with the following exception:

Re-roofing of less than 10% or the total roof area of existing wood roof covering in four years may be done with fire-retardant shakes or shingles.

**Section 16 18.080 Chapter 9 Section R907 .3**

Chapter 9 Section R907 .3 Recovering versus replacement is amended to read:

Section R907 .3 Recovering versus replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings where any of the following conditions exist:

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay cement or asbestos-cement tile.
3. Where the existing roof has two or more applications of any type of roof covering.

4. For asphalt shingles, when the building is in an area subject to moderate or severe hail exposure according to Figure R903.5.

Exceptions:

1. Complete and separate roofing systems, such as standing-seam metal roof systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.
2. The application of new protective coating over existing spray polyurethane foam roofing systems shall be permitted without tear-off existing roof coverings.

**Section 16.22.090 Appendix G, Section AG101.1**

Section AG101.1 is amended to read:

Section AG 101.1 General. The provisions of Chapter 31 Section 3109 of the California Building Code Title 24 Part 2 apply to residential pool construction.

**Section 16.22.100 California Building Code Title 24 Part 2, Chapter 31,  
Section 3109.4.1**

Section 3109.4.1 is amended to read:

Section 3109.4.1 Barrier height and clearances. The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum barrier clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level if mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

**Section 16.22.110 Appendix K, Section AK101.1**

Section AK101.1 is amended to read:

Section AK101.1 General Wall and floor-ceiling assemblies separating dwelling units including those separating town-house units shall comply with the California Building Code Title 24 Part 1 Section 1207.

E. Chapter 16.24 of the Vista Development Code is hereby amended to read as follows:

**California Mechanical Code**

**16.24.010 Adoption**

The 2013 California Building Standards Code, Part 4, California Mechanical Code, as published and adopted by the California Building Standards Commission, is adopted by reference and incorporated herein as if fully set forth in this chapter.

F. Chapter 16.26 of the Vista Development Code is hereby amended to read as follows:

**California Energy Code**

**16.26.010 Adoption**

The 2013 California Building Standards Code, Part 6, California Energy Code, as published and adopted by the California Building Standards Commission, is adopted by reference and incorporated herein as if fully set forth in this chapter.

G. Chapter 16.28 of the Vista Development Code is hereby amended to read as follows:

**California Electric Code**

**16.28.010 Adoption**

The 2013 California Building Standards Code, Part 3, California Electrical Code, as published and adopted by the California Building Standards Commission, is adopted by reference and incorporated herein as if fully set forth in this chapter.

H. Chapter 16.30 of the Vista Development Code is hereby amended to read as follows:

**California Green Building Standards Code**

**16.30.010 Adoption**

The 2013 California Building Standards Code, Part 11, California Green Building Standards Code, as published and adopted by the California Building Standards Commission, is adopted by reference and incorporated as if fully set forth in this chapter.

I. Chapter 16.32 of the Vista Development Code is hereby amended to read as follows:

**California Plumbing Code**

**16.32.010 Adoption**

The 2013 California Building Standards Code, Part 5, California Plumbing Code, as published and adopted by the California Building Standards Commission, is adopted by reference and incorporated as if fully set forth in this chapter.

J. Chapter 16.34 of the Vista Development Code is hereby amended to read as follows:

**California Referenced Standards Code**

**16.34.010 Adoption**

The 2013 California Building Standards Code, Part 12, California Referenced Standards Code, as published and adopted by the California Building Standards Commission, is adopted by reference and incorporated as if fully set forth in this chapter.

K. The City Council finds that the amendments of sections 16.08.140 and 16.08.0150 to the California Building Code and sections 16.22.070 and 16.22.080 to the California Residential Code are necessary to address local climatic and topographical issues as described in the following findings:

1. The seasonal conditions of the local climate during the late summer and fall create serious difficulties controlling fires and protecting property from wildfires. The hot, dry weather typical of this climate in the summer and fall, coupled with the Santa Ana winds, frequently results in wildfires which threaten the City of Vista. The most highly flammable vegetation in the world occurs naturally in this region. Fire resistive wood roofs have a direct bearing on building survival in a wild land fire.

2. The topography of Vista presents problems in the delivery of emergency services, including fire protection. Hilly terrain with narrow winding roads, combined with poor circulation, prevent rapid access and make the delivery of water on a fire extremely difficult.

**3. Severability.** If any word, sentence, paragraph, or other portion of this ordinance is deemed to be invalid or unenforceable for any reason by any court of competent jurisdiction, the City Council declares its intent that all remaining words, sentences,

ORDINANCE NO. 2013- 20  
CITY COUNCIL OF THE CHARTERED CITY OF VISTA  
PAGE 12

paragraphs, or portions of the ordinance not held to be invalid or unenforceable shall remain in full force and effect, and shall, be so construed, as if the original ordinance did not contain the invalid or unenforceable language.

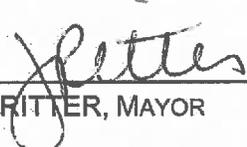
**4. Effective Date.** This Ordinance shall be effective on January 1, 2014.

**5. Adoption.** INTRODUCED AND ADOPTED at a meeting of the City Council held on November 12, 2013, by the following vote:

AYES: MAYOR RITTER, AGUILERA, CAMPBELL, RIGBY

NOES: NONE

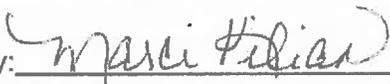
ABSTAIN: NONE

  
\_\_\_\_\_  
JUDY RITTER, MAYOR

APPROVED AS TO FORM:  
DAROLD PIEPER, CITY ATTORNEY

ATTEST:  
MARCI KILIAN, CITY CLERK

By:   
\_\_\_\_\_

By:   
\_\_\_\_\_

APPROVED  
Darold Pieper  
0558 110513

**CERTIFICATION**

I, Marci Kilian, City Clerk of the City of Vista, California, certify that I caused the foregoing Ordinance No. 2013-20 to be posted on November 14, 2013, at the following locations within the City of Vista: 1) the Reference Desk of the Vista Branch of the San Diego County Public Library, 700 Eucalyptus Avenue; 2) the Lobby Counter at the Gloria E. McClellan Senior Center, 1400 Vale Terrace Drive; and 3) the City Clerk's Office, 200 Civic Center Drive.



Marci Kilian, City Clerk