

BUILDING STANDARDS COMMISSION

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



April 14, 2011

Mercedes Martin, City Clerk
City of Del Mar
1050 Camino Del Mar
Del Mar, CA 92014-2698

Dear Ms. Martin:

This letter is to acknowledge receipt on April 11, 2011 of the City of Del Mar submittal pertaining to Ordinance No. 854 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications 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. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

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



City of Del Mar



RECEIVED
2011 APR 11 P 2:56
CALIFORNIA BUILDING
STANDARDS COMMISSION

January 10, 2011

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

Subject: Code Amendments for the City of Del Mar

To Whom It May Concern:

Enclosed are copies of Ordinance No. 854 and Del Mar Municipal Code (DMMC) Chapter 10.04-Fire Code. This ordinance and DMMC include all sections of the City's fire code.

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

Mercedes Martin
City Clerk

Enclosures:

Ordinance No. 854
DMMC Chapter 10.04-Fire Code



ORDINANCE NO. 854

AN ORDINANCE OF THE CITY OF DEL MAR, CALIFORNIA, REPEALING CHAPTER 10.04 OF THE CITY OF DEL MAR MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 10.04 WHICH ADOPTS THE CALIFORNIA FIRE CODE, 2010 EDITION AND 2009 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS.

WHEREAS, Chapter 10.04 of the Del Mar Municipal Code is the Del Mar Fire Code, which adopts by reference the California Uniform Fire Code; and

WHEREAS, Chapter 10.04 currently adopts by reference the 2007 version of the California Uniform Fire Code; and

WHEREAS, there is a need to replace Chapter 10.04 because the State of California ("State") has recently adopted a 2010 version of the California Fire Code; and

WHEREAS, California Health and Safety Code section 17958 mandates that the City of Del Mar shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code section 17922; and

WHEREAS, the State, pursuant to California Health and Safety Code section 17922, has adopted the 2010 California Fire Code, hereinafter referred to collectively as "Fire Code;" and

WHEREAS, Health and Safety Code section 17958.5 permits the City of Del Mar to make such changes or modifications to the Codes as are reasonably necessary because of local conditions; and

WHEREAS, Health & Safety Code section 17958.7 requires that the City of Del Mar, 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; and

WHEREAS, the 2010 California Fire Code, together with the City of Del Mar amendments, shall be the City of Del Mar Fire Code for the purposes of prescribing the fire regulations for the City of Del Mar; and

WHEREAS, sections 50022.1 through 50022.10, inclusive of the California Government Code and section 13869 of the Health and Safety Code, provide authority for the adoption by reference of codes, or portions of such codes.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Del Mar, California, does ordain as follows:

SECTION ONE:

That the City Council hereby makes the following findings pursuant to California Health and Safety Code section 17958.5:

Finding A

The City of Del Mar is proximate to a major transportation corridor (Interstate 5) which traverses in a north/south direction. Interstate 5 is used to transport hazardous materials and is designated by the State of California as an approved route for transporting highly toxic and radioactive materials.

The City of Del Mar is bisected by a railroad line running north/south. Hazardous materials are transported on the railroad.

Underground pipes run parallel relative to the railroad line and carry natural gas under high pressure. Underground pipes run in a north/south direction in the eastern portion of the City and carry liquid petroleum under high pressure.

The transport through the City, of hazardous, toxic and radioactive materials, as well as natural gas and liquid petroleum, on a regular basis, increases the threat of fire ignition and spread. This threat adds to the fire danger posed by the City's climatic, topographic, and geological conditions.

Finding B

The City of Del Mar's topography is characterized by many large hillsides. The City's climate promotes the heavy growth of natural vegetation that covers the hillsides and is highly flammable, especially in the dry season. There are numerous areas of wildland-urban interface where structures, especially residences, are in close proximity to that natural vegetation.

The City's climate is characterized by Santa Ana conditions involving dry, gusty winds. In the summer and fall, the typical weather is hot and dry. In combination, these climatic conditions create an extreme fire danger to the community.

Seasonal winds also have the potential for impeding emergency vehicle access by toppling trees (especially eucalyptus and pine which are species that are prevalent in the City and susceptible to being felled by winds).

As a result of the above conditions, the risk of fire ignition is greater. Also, once a fire is ignited, it is more likely that embers will be blown into the air, increasing the spread of the fire into the community. Therefore, land use projects need to be

developed to provide a greater ability to avoid fire ignition, suppress fires, and facilitate access of emergency vehicles.

Finding C

The City of Del Mar is situated on the west slope of the coastal foothills that contain drainages which contribute to flooding within the community.

Because flooding conditions can impede fire service vehicles reaching the site of a fire, land use projects need to be developed to provide a greater ability to avoid fire ignition, suppress fires, and facilitate access of emergency vehicles.

Finding D

The City of Del Mar is situated near the Rose Canyon Fault, the Elsinore Fault, and the Agua Caliente Fault. A cluster of faults known as the "South Coast Offshore Zone of Deformation" is located off the City's coast. These geologic conditions are capable of generating earthquakes of significant magnitude at any time.

An earthquake may: (1) cause fires; (2) impede emergency vehicles responding to fires; and (3) interrupt the City's water supply which is needed to fight fires.

Because the community is subject to damage from earthquakes, land use projects need to be developed to provide a greater ability to avoid fire ignition, suppress fires, and facilitate access of emergency vehicles.

Finding E

The City of Del Mar and Southern California are semi-arid regions and experience water shortages from time to time. Those shortages can have a severely adverse effect on water availability for fire fighting. Fires starting in sprinkled buildings are typically controlled by one to three sprinkler heads, flowing as little as 13 gallons per minute.

Hose streams used by engine companies on well-established structure fires operate at approximately 250 gallons per minute each, and the estimated water needed for a typical residential fire is 1,250 to 1,500 gallons per minute, according to the Insurance Service Office and the Uniform Fire Code. The water estimate for a commercial building is typically greater than that of a residential structure.

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

Finding F

Due to the sloping topography and coastal foothills in the City of Del Mar, the potential exists that new and future development will result in taller buildings on smaller parcels. Defining mid-rise buildings from 75 feet in height to 55 feet modifies the application of special provisions for these buildings to all occupancies. Because of the need to mitigate the potential danger of fires in mid-rise buildings, this change is necessary.

In addition, the limitations of available firefighting equipment, limited availability of human resources in local fire departments, and the necessity to climb vertically up flights of stairs, greatly impacting the response time to reach an incident scene, it is necessary to define the height of mid-rise buildings. The reduced height and built-in protection will mitigate extended fire department response time and keep incidents manageable.

Finding G

Based upon the circumstances previously described, the protection of persons and property requires the City to adopt standards that are more stringent than those set forth in: (1) the State Building Standards Code sections 503, 508, 902, 903, 3045, 3308, 3406, B, H and Section 3 of the International Fire Code.

SECTION TWO: In accordance with California Health and Safety Code section 17958, the matrix attached hereto as Exhibit "A" lists the City of Del Mar amendments with the corresponding expressed findings.

SECTION THREE: Chapter 10.04 of the Del Mar Municipal Code is hereby repealed and replaced by a new Chapter 10.04 to read as follows:

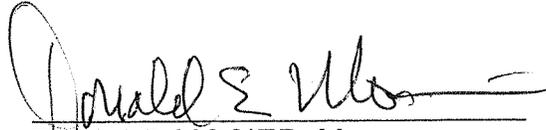
See Exhibit "B"

SECTION FOUR: This Ordinance was introduced on December 13, 2010.

SECTION FIVE: That this ordinance shall be effective thirty (30) days after its adoption. The City Clerk is directed to prepare and have published a summary of this ordinance no less than five (5) days prior to the consideration of its adoption and again within fifteen (15) days following adoption indicating votes cast.

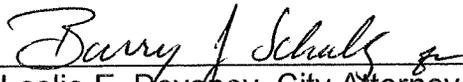
ORDINANCE NO. 854

PASSED, APPROVED AND ADOPTED at a regular meeting of said City Council held the 3rd day of January, 2011.



DONALD MOSIER, Mayor
City of Del Mar

APPROVED AS TO FORM:



Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

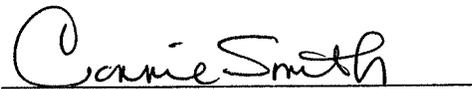
I, CONNIE SMITH, Deputy City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 854, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 3rd day of January, 2011 by the following vote:

AYES: Mayor Mosier, Councilmembers Filanc, Haydu and Sinnott

NOTES: None

ABSENT: Deputy Mayor Hilliard

ABSTAIN: None


Connie Smith, Deputy City Clerk

MATRIX OF FINDINGS

FOR REVISION OF THE CITY OF DEL MAR
AMENDMENTS TO THE 2010 CALIFORNIA FIRE CODE OF THE CALIFORNIA CODE
OF REGULATIONS TITLE 24, PART 9

As required by Health and Safety Code section 17958 the City of Del Mar does herewith make express findings that amendments to the California Fire Code are necessary for the protection of the public health, safety and welfare due certain climatic, topographic or geological features existing in the City of Del Mar.

The following matrix lists the City of Del Mar amendments and the corresponding express findings. Minor editorial changes or typographical corrections to the Fire Code are not shown in these findings. The full texts of the proposed City of Del Mar amendments are shown in City of Del Mar Fire Code.

<i>Chapters or Sections</i>	<i>FINDING NUMBER(S)</i>
Chapter 2 Definitions	All
Chapter 3 General Precautions Against fire	
Section 319.1, 319.2, 319.3 Mid-Rise Buildings	A,D,E,F
Chapter 5 Fire Service Features	A,B,C & D
Section 503.2.1 Dimensions	B,C & D
Section 503.2.3 Surface	B,C,& D
Section 503.2.7 Grade	B, C
Section 503.4.1 Roadway Design Features	A, B,C & D
Section 503.6. Security Gates	B, C
Section 507.5.1.1 Required Installation	All
Section 507.2.2 Water tanks	
Chapter 9 Fire Protection Systems	B,C,D & E
Section 902.1 Life Safety Sprinkler System	B,C, & E
Section 903.2 Where Required	All
Section 903.2.1 Exceptions	All
Section 903.2.1.1 Additions	All
Section 903.2.1.2 Remodels or reconstruction	All
Section 903.3.3 Commercial and Group U	All
Section 903.2.3 Exception for agricultural building	All
Section 903.3 Standpipes	All
Chapter 33 Fireworks, Section 3308.1 Fireworks –use, display, disposal, seizure	B, C

<i>Chapters or Sections</i>	<i>FINDING NUMBERS</i>
Chapter 34 Flammable Combustible Liquids	
Section 3405.2.4 Class I, II and III Liquids	All
Appendix Chapter 1 Administration	All
Section 101.5 Validity	All
Section 102.10.13 Repeal Conflicting Ordinance	All
<i>Chapters & Sections</i>	<i>Finding Numbers</i>
Section 3	
Section 3404.2.9.6.1 Class I & Class II Flammable Liquids	All
Section 3406.2.4.4 Class I & Class II Storage in residential	All
Appendix “B” Fire –Flow Requirements for Buildings	All
Appendix “H” Hazardous Materials Management Plans (No Amendments to appendix)	All

Exhibit "B" to Ordinance 854

Chapter 10.04
FIRE CODE

10.04.010 Adoption of California Fire Code. The 2010 California Fire Code, including Appendix Chapters; Appendix Chapter 4, Appendix B and H, as published by the International Code Council, not less than one copy of which are on file in the office of the Fire Chief and not less than one copy of which is on file in the office of the City Clerk of the City of Del Mar, are adopted by reference as the Del Mar Fire Code, subject to the changes, modifications, additions or amendments set forth in this Chapter. This Chapter may be referred to as the Fire Code.

Whenever the terms "This Code" and "2010 International Fire Code" are used, they shall mean the 2010 California Fire Code as modified by the City of Del Mar with the deletions, revisions and additions set forth in the amendments.

10.04.020 Establishment and duties of the Fire Prevention Bureau.

A. The California Fire Code as adopted and amended herein shall be enforced by the Fire Prevention Bureau in the Fire Department in the City of Del Mar which is hereby established and shall be operated under the supervision of the Chief of the Fire Department.

B. The Fire Marshal in charge of the Fire Prevention Bureau shall be appointed by the Chief of the Fire Department on the basis of examination to determine his or her qualifications.

C. The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary.

10.04.030 Definitions

Chapter 2 Definitions - Section 202 is hereby amended in the Building/Fire Code portion of the California Building Standards Commission to read as follows:

Fire Hazard - is anything that increases or could create a 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 any

other act which could obstruct, delay, hinder or interfere with the operations of the Fire Department or egress of occupants in the event of fire.

Fireworks - is any combustible or explosive composition, or any substance or combination of substances, or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, firecrackers, torpedoes, sky-rockets, roman candles, Daygo bombs, sparklers, snap caps, poppers or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing any explosive substance, except that the term "fireworks" shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall not be permitted at all times. "Fireworks" shall include snap caps and poppers, regardless of the amount of explosive content included in each device.

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

Mid-Rise Commercial Building - is a mid-rise commercial building with three (3) levels or more in height, including basement levels.

Response Time - is the elapsed time from the Fire Department's receipt of the first alarm to when the first fire unit arrives at the scene.

Travel Time - is the estimated travel 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.

10.04.040 Chapter 34 Flammable and Combustible Liquids -
Geographic Limits

The limits referred to in Chapter 34 of the 2010 California Fire Code in which storage of flammable and combustible liquids is restricted are revised as follows:

A. That the geographic limits for storage of flammable and combustible liquids referred to in certain sections of the 2010 California Fire Code is hereby established as follows:

Chapter 34 Flammable and Combustible Liquids in the Building/Fire Code portion of the California Building Standards Code shall read as follows:

Section 3404.2.9.6.1 Location in the City of Del Mar in which the storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited: The limits referred to in Section 3404.2.9.6.1 and 3406.2.4.4 of the 2010 California Fire Code and the 2009 International 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 Del Mar.

EXCEPTIONS:

1. 2000 gallons maximum temporary (six months maximum) aboveground 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. A Fire Department permit will be required.

2. Crankcase drainings may be stored in specially constructed aboveground 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.

3. 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. All installations require a Fire Department permit.

4. With the Fire Chief's approval, Class I and II liquids may be stored in aboveground tanks inside or 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. Class I liquids will be limited to 550 gallons and Class II liquids will be limited to 1,100 gallons. 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.

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

B. Section 3406.2.4.4 The geographic limits in which the storage of Class I and Class II liquids in aboveground tanks is prohibited in residential areas within the City of Del Mar.

C. Section 3406.4 The geographic limits in which bulk plants and terminals of flammable and combustible liquids are received are prohibited for the protection of heavily populated and congested areas and is hereby established as jurisdiction limits of the City of Del Mar.

D. Section 3804.2 The geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdiction limits of the City of Del Mar.

E. Chapter 34 Flammable and Combustible Liquids - Section 3405.2.4 of the Building/Fire Code portion of the California Building Standards Code shall read as follows: Section 3405.2.4 Class I, II and III liquids Exception: 4 is deleted.

10.04.050 Explosives and Fireworks

Chapter 33 Explosives and Fireworks Section 3308.1 is hereby revised in the Building/Fire Code portion of the California Building Standards Code to read as follows:

Section 3308.2 Fireworks shall not be sold, manufactured, disposed or discharged within the jurisdictional boundaries of the City of Del Mar, except when a permit is issued for public display, theatrical purposes and/or group entertainment by the Fire Department to a California State Fire Marshal licensed pyro-technician and the minimum requirements of Title-19, California Code of Regulations, Chapter-6, fireworks are met. The San Diego County Regulatory Ordinance, Title-3, Division-2, Chapter 1, section 32.101 through 32.108 may be used as a guide when enforcing these requirements.

Section 3308.4 Fireworks Penalty - Any person violating any provision or failing to comply with this Chapter or the requirements of Title-19 California Code of Regulations, Chapter 6, and/or San Diego County Regulatory Ordinance, Title-3, Division-2, Chapter 1, section 32.101 through 32.108, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed One Thousand dollars (\$1000) or by imprisonment in the County jail for a period of not more than one year or by both such fine and imprisonment.

10.04.060 Mid-Rise Buildings

Section 319 is added to the 2010 California Fire Code to read:

Section 319
Mid-Rise Buildings

Section 319.1 Definition - a mid-rise commercial building with 3 levels or more in height, including basement levels.

Nothing in this section shall imply or allow a building height in excess of current City of Del Mar Planning and Zoning requirements.

Section 319.2 General. All newly constructed mid-rise buildings or any midrise building which undergo a complete renovation that requires the vacancy of the entire building to complete the renovation, shall require the installation of fire sprinklers throughout the building and a Class I standpipe system, with 2-1/2 inch hose outlets in each stair enclosure and on each floor level. The Fire Department connection serving the fire sprinkler system and standpipe system shall be interconnected.

Section 319.1.3 Elevators in mid-rise buildings. If an elevator is installed, the elevator cab shall meet requirements for Fire Department use and shall serve all floors of the building.

10.04.070 Section 503 amended - Fire Apparatus Access Roads.

Section 503.2.3 is amended in the 2010 California Fire Code to read as follows:

Section 503.2.3 Surface: New or improved fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus not less than 75,000 lbs. and shall be provided with an approved driving surface to provide all-weather driving capabilities.

Section 503.2.7 is amended in the 2010 California Fire Code to read as follows:

Section 503.2.7 Grade: New or improved grades exceeding 15.0% (incline or decline) on fire apparatus access roads shall not be permitted without mitigation. Minimal mitigation shall be a surface of Portland cement concrete (PCC), with a deep broom finish perpendicular to the entire direction of travel, or equivalent, to enhance traction the entire length of the grade. The Fire Chief may require additional mitigation measures where he/she 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 Fire Chief.

Section 503.3 is amended in the 2010 California Fire Code to read as follows:

Section 503.3 Marking: When required by the Fire Code Official, approved signs or other approved notices shall be provided for all public and private fire apparatus access

roads to identify such roads or prohibit obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility. All new public roads, all private roads within major subdivisions and all private roads serving four or more parcels shall be named. Road name signs shall comply with City of Del Mar standards.

Section 503.4.1 is amended in the 2010 California Fire Code to read as follows:

Section 503.4.1 Roadway Design Features: Roadway design features (speed bumps, speed humps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed on any fire access roadway, unless they meet design criteria approved by the Fire Chief.

Section 503.6 is amended in the 2010 California Fire Code to read as follows:

Section 503.6 Security Gates: No person shall install a security gate or security device across a fire access roadway without the Fire Code Official's approval. All gates providing access from a road to a driveway shall be located a minimum of 30 feet from the nearest edge of the roadway and shall be at least two feet wider than the width of the traffic lane(s) serving the gate. An automatic gate across a fire access roadway or driveway shall be equipped with an approved emergency key-operated switch overriding all command functions and opening the gate. A gate accessing more than four residences or residential lots, or a gate accessing any hazardous institutional, educational or assembly occupancy group structure, shall also be equipped with an approved emergency traffic control-activating strobe light sensor or other device approved by the Fire Code Official, which will activate the gate on the approach of the emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure. An automatic gate shall meet Fire Department policies deemed necessary by the Fire Code Official for rapid, reliable access. An automatic gate serving more than one dwelling or residential lot in existence at the time of adoption of this Chapter is required to install an approved emergency key-operated switch or other mechanism approved by the Fire Code Official, at an approved location, which overrides all command functions and opens the gate. A

property owner shall comply with this requirement within 90 days of receiving written notice to comply. Where this section requires an approved key-operated switch, it may be dual-keyed or equipped with dual switches provided to facilitate access by law enforcement personnel.

10.04.080 Revised - Fire Protection Water Supplies and Fire Service Features

Section 507.5.1 is revised in the 2010 California Fire Code to read as follows:

Section 507.5.1.1 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. In zones other than industrial, commercial and multi-family, fire hydrants shall be installed within 300 feet of a structure on parcels one acre or larger in size and within 500 feet of a structure on parcels less than one-half acre in size.

Section 507.2.2 is amended in the 2010 California Fire Code to read as follows

Section 507.2.2A - Water Tanks - Table 507.2.2 A - Water storage tanks may be required when adequate water supply is not available from nearby water mains. When tanks are installed, they shall be approved by the Fire Chief and comply with Table No. 507.2.2A and recommended NFPA standards.

WATER STORAGE TANKS

Table No. 507.2.2A

<u>TABLE NO 507.2.2A</u>			
<u>Building Square Feet</u>	<u>Gallons Per Minute Water Flow</u>	<u>Capacity Gallons</u>	<u>Duration Minutes</u>
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, or where additional hazards or higher fire flow exists, the required water storage may be modified by the Fire Code Official.

1. Tank 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.
2. 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 provide an approved means of controlling water flow.
3. The outlet shall be located along an access roadway and shall not be closer than 50 feet or further than 150 feet from the structure.
4. All exposed tank supply pipes shall be of an alloy or other material listed for aboveground use. Adequate support shall be provided.

10.04.090 Section 903 amended - Automatic Sprinkler System Requirements

Section 903 of the 2010 California Fire Code is amended to read as follows:

Chapter 9 Fire Sprinklers systems in the Building/Fire Code portion of the California Building Standards Code shall read as follows:

Section 903.1 Life Safety Sprinkler System shall meet National Fire Protection Association Standards 13-D and 13-R latest addition, and City of Del Mar installation policies, as appropriate.

Section 903.2 Where required, approved automatic sprinkler system in new building and structures shall be provided in the locations described in sections 903.2.1 through 903.2.2, and may be required in additions and remodels of existing structures as described in section 903.2.1.1 and 903.2.1.2.

Section 903.2.1. Group R. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a group R fire area, including multi-family dwellings and all new residential care facilities regardless of occupant load.

Section 903.2.1.1 Additions. An automatic sprinkler system installed in accordance with 903.3 may be required to be installed throughout structures when the addition is more than 50% of the existing building or when the altered building will exceed a fire flow of 1,500 gallons per minute as calculated per section 507.3. The Fire Code Official may require an automatic sprinkler system be installed in buildings where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade, bluffs and canyon rims, hazardous brush and response times greater than 5 minutes by a Fire Department.

Section 903.2.1.2 Remodels or reconstruction. An automatic sprinkler system installed in accordance with section 903.3 may be required if the scope of work includes significant modification to the interior of the roof of the building, and the cost of the installation does not exceed 15 percent of the total construction costs of the remodel.

Section 903.2.2 Commercial and Group U. An automatic sprinkler system installed in accordance with section 903.3 shall be required in buildings and structures where the required fire flow exceeds 1500 gallons per minute as calculated by section 507.3, or when the square footage of a new commercial building exceeds 5,000 square feet. The Fire Code Official may also

person, corporation, association or entity that violates any other provisions of this chapter is guilty of a misdemeanor or infraction as determined under Chapter 1.08 Del Mar Municipal Code. The penalty for violations shall be determined under Chapter 1.08 of the Del Mar Municipal Code. Each day or portion thereof that a violation of this chapter exists shall constitute a separate violation. Each violation of this chapter, in addition to the offenses under this section, shall constitute a public nuisance.

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

10.04.120 Administration.

Chapter 1, Division II- Administration is hereby revised in the Building/Fire Code portion of the California Building Standards Code to read as follows:

Section 101.5 City of Del Mar Validity: The City Council of the City of Del Mar hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council of the City of Del Mar that it would have passed all other portions of this ordinance independently of the elimination here from of any such portion as may be declared invalid.

Section 102.13 Repeal of Conflicting Ordinances, Resolutions or motions is hereby revised in the Building/Fire Code portion of the California Building Standards Code to read as follows:

Section 102.13 REPEAL OF CONFLICTING ORDINANCES, RESOLUTIONS OR MOTIONS. All former ordinances, resolutions or motions, or parts thereof, which conflict or are inconsistent with the provisions of this Ordinance or of the Code or standards hereby adopted, are hereby repealed.

Chapter 10.04

FIRE CODE

10.04.010 Adoption of California Fire Code. The 2010 California Fire Code, including Appendix Chapters; Appendix Chapter 4, Appendix B and H, as published by the International Code Council, not less than one copy of which are on file in the office of the Fire Chief and not less than one copy of which is on file in the office of the City Clerk of the City of Del Mar, are adopted by reference as the Del Mar Fire Code, subject to the changes, modifications, additions or amendments set forth in this Chapter. This Chapter may be referred to as the Fire Code. [Ord. 360, 506, 538, 593, 674, 775, 808, 812, 854]

Whenever the terms "This Code" and "2010 International Fire Code" are used, they shall mean the 2010 California Fire Code as modified by the City of Del Mar with the deletions, revisions and additions set forth in the amendments.

10.04.020 Establishment and duties of the Fire Prevention Bureau.

A. The California Fire Code as adopted and amended herein shall be enforced by the Fire Prevention Bureau in the Fire Department in the City of Del Mar which is hereby established and shall be operated under the supervision of the Chief of the Fire Department.

B. The Fire Marshal in charge of the Fire Prevention Bureau shall be appointed by the Chief of the Fire Department on the basis of examination to determine his or her qualifications.

C. The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary.

10.04.030 Definitions

Chapter 2 Definitions - Section 202 is hereby amended in the Building/Fire Code portion of the California Building Standards Commission to read as follows:

Fire Hazard - is anything that increases or could create a 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 any other act which could obstruct, delay, hinder or interfere with the operations of the Fire Department or egress of occupants in the event of fire.

Fireworks - is any combustible or explosive composition, or any substance or combination of substances, or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, firecrackers, torpedoes, sky-rockets, roman candles, Daygo bombs, sparklers, snap caps, poppers or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing any explosive substance, except that the term "fireworks" shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall not be permitted at all times. "Fireworks" shall include snap caps and poppers, regardless of the amount of explosive content included in each device.

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

Mid-Rise Commercial Building - is a mid-rise commercial building with three (3) levels or more in height, including basement levels.

Response Time - is the elapsed time from the Fire Department's receipt of the first alarm to when the first fire unit arrives at the scene.

Travel Time - is the estimated travel 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.

10.04.040 Chapter 34 Flammable and Combustible Liquids -
Geographic Limits

The limits referred to in Chapter 34 of the 2010 California Fire Code in which storage of flammable and combustible liquids is restricted are revised as follows:

A. That the geographic limits for storage of flammable and combustible liquids referred to in certain sections of the 2010 California Fire Code is hereby established as follows:

Chapter 34 Flammable and Combustible Liquids in the Building/Fire Code portion of the California Building Standards Code shall read as follows:

Section 3404.2.9.6.1 Location in the City of Del Mar in which the storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited: The limits referred to in Section 3404.2.9.6.1 and 3406.2.4.4 of the 2010 California Fire Code and the 2009 International 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 Del Mar.

EXCEPTIONS:

1. 2000 gallons maximum temporary (six months maximum) aboveground 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. A Fire Department permit will be required.

2. Crankcase drainings may be stored in specially constructed aboveground 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.

3. 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. All installations require a Fire Department permit.

4. With the Fire Chief's approval, Class I and II liquids may be stored in aboveground tanks inside or 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. Class I liquids will be limited to 550 gallons and Class II liquids will be limited to 1,100 gallons. 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.

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

B. Section 3406.2.4.4 The geographic limits in which the storage of Class I and Class II liquids in aboveground tanks is prohibited in residential areas within the City of Del Mar.

C. Section 3406.4 The geographic limits in which bulk plants and terminals of flammable and combustible liquids are received are prohibited for the protection of heavily populated and congested areas and is hereby established as jurisdiction limits of the City of Del Mar.

D. Section 3804.2 The geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdiction limits of the City of Del Mar.

E. Chapter 34 Flammable and Combustible Liquids - Section 3405.2.4 of the Building/Fire Code portion of the California Building Standards Code shall read as follows: Section 3405.2.4 Class I, II and III liquids Exception: 4 is deleted.

10.04.050 Explosives and Fireworks

Chapter 33 Explosives and Fireworks Section 3308.1 is hereby revised in the Building/Fire Code portion of the California Building Standards Code to read as follows:

Section 3308.2 Fireworks shall not be sold, manufactured, disposed or discharged within the jurisdictional boundaries of the City of Del Mar, except when a permit is issued for public display, theatrical purposes and/or group entertainment by the Fire Department to a California State Fire Marshal licensed pyro-technician and the minimum requirements of Title-19, California Code of Regulations, Chapter-6, fireworks are met. The San Diego County Regulatory Ordinance, Title-3, Division-2, Chapter 1, section 32.101 through 32.108 may be used as a guide when enforcing these requirements.

Section 3308.4 Fireworks Penalty - Any person violating any provision or failing to comply with this Chapter or the requirements of Title-19 California Code of Regulations, Chapter 6, and/or San Diego County Regulatory Ordinance, Title-3, Division-2, Chapter 1, section 32.101 through 32.108, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed One Thousand dollars (\$1000) or by imprisonment in the County jail for a period of not more than one year or by both such fine and imprisonment.

10.04.060 Mid-Rise Buildings

Section 319 is added to the 2010 California Fire Code to read:

Section 319
Mid-Rise Buildings

Section 319.1 Definition - a mid-rise commercial building with 3 levels or more in height, including basement levels.

Nothing in this section shall imply or allow a building height in excess of current City of Del Mar Planning and Zoning requirements.

Section 319.2 General. All newly constructed mid-rise buildings or any midrise building which undergo a complete renovation that requires the vacancy of the entire building to complete the renovation, shall require the installation of fire sprinklers throughout the building and a Class I standpipe system, with 2-1/2 inch hose outlets in each stair enclosure and on each floor level. The Fire Department connection serving the fire sprinkler system and standpipe system shall be interconnected.

Section 319.1.3 Elevators in mid-rise buildings. If an elevator is installed, the elevator cab shall meet requirements for Fire Department use and shall serve all floors of the building.

10.04.070 Section 503 amended - Fire Apparatus Access Roads.

Section 503.2.3 is amended in the 2010 California Fire Code to read as follows:

Section 503.2.3 Surface: New or improved fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus not less than 75,000 lbs. and shall be provided with an approved driving surface to provide all-weather driving capabilities.

Section 503.2.7 is amended in the 2010 California Fire Code to read as follows:

Section 503.2.7 Grade: New or improved grades exceeding 15.0% (incline or decline) on fire apparatus access roads shall not be permitted without mitigation. Minimal mitigation shall be a surface of Portland cement concrete (PCC), with a deep broom finish perpendicular to the entire direction of travel, or equivalent, to enhance traction the entire length of the grade. The Fire Chief may require additional mitigation measures where he/she 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 Fire Chief.

Section 503.3 is amended in the 2010 California Fire Code to read as follows:

Section 503.3 Marking: When required by the Fire Code Official, approved signs or other approved notices shall be provided for all public and private fire apparatus access

roads to identify such roads or prohibit obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility. All new public roads, all private roads within major subdivisions and all private roads serving four or more parcels shall be named. Road name signs shall comply with City of Del Mar standards.

Section 503.4.1 is amended in the 2010 California Fire Code to read as follows:

Section 503.4.1 Roadway Design Features: Roadway design features (speed bumps, speed humps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed on any fire access roadway, unless they meet design criteria approved by the Fire Chief.

Section 503.6 is amended in the 2010 California Fire Code to read as follows:

Section 503.6 Security Gates: No person shall install a security gate or security device across a fire access roadway without the Fire Code Official's approval. All gates providing access from a road to a driveway shall be located a minimum of 30 feet from the nearest edge of the roadway and shall be at least two feet wider than the width of the traffic lane(s) serving the gate. An automatic gate across a fire access roadway or driveway shall be equipped with an approved emergency key-operated switch overriding all command functions and opening the gate. A gate accessing more than four residences or residential lots, or a gate accessing any hazardous institutional, educational or assembly occupancy group structure, shall also be equipped with an approved emergency traffic control-activating strobe light sensor or other device approved by the Fire Code Official, which will activate the gate on the approach of the emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure. An automatic gate shall meet Fire Department policies deemed necessary by the Fire Code Official for rapid, reliable access. An automatic gate serving more than one dwelling or residential lot in existence at the time of adoption of this Chapter is required to install an approved emergency key-operated switch or other mechanism approved by the Fire Code Official, at an approved location, which overrides all command functions and opens the gate. A

property owner shall comply with this requirement within 90 days of receiving written notice to comply. Where this section requires an approved key-operated switch, it may be dual-keyed or equipped with dual switches provided to facilitate access by law enforcement personnel.

10.04.080 Revised - Fire Protection Water Supplies and Fire Service Features

Section 507.5.1 is revised in the 2010 California Fire Code to read as follows:

Section 507.5.1.1 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. In zones other than industrial, commercial and multi-family, fire hydrants shall be installed within 300 feet of a structure on parcels one acre or larger in size and within 500 feet of a structure on parcels less than one-half acre in size.

Section 507.2.2 is amended in the 2010 California Fire Code to read as follows

Section 507.2.2A - Water Tanks - Table 507.2.2 A - Water storage tanks may be required when adequate water supply is not available from nearby water mains. When tanks are installed, they shall be approved by the Fire Chief and comply with Table No. 507.2.2A and recommended NFPA standards.

WATER STORAGE TANKS

Table No. 507.2.2A

<u>TABLE NO 507.2.2A</u>			
<u>Building Square Feet</u>	<u>Gallons Per Minute Water Flow</u>	<u>Capacity Gallons</u>	<u>Duration Minutes</u>
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, or where additional hazards or higher fire flow exists, the required water storage may be modified by the Fire Code Official.			

1. Tank 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.
2. 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 provide an approved means of controlling water flow.
3. The outlet shall be located along an access roadway and shall not be closer than 50 feet or further than 150 feet from the structure.
4. All exposed tank supply pipes shall be of an alloy or other material listed for aboveground use. Adequate support shall be provided.

10.04.090 Section 903 amended - Automatic Sprinkler System Requirements

Section 903 of the 2010 California Fire Code is amended to read as follows:

Chapter 9 Fire Sprinklers systems in the Building/Fire Code portion of the California Building Standards Code shall read as follows:

Section 903.1 Life Safety Sprinkler System shall meet National Fire Protection Association Standards 13-D and 13-R latest addition, and City of Del Mar installation policies, as appropriate.

Section 903.2 Where required, approved automatic sprinkler system in new building and structures shall be provided in the locations described in sections 903.2.1 through 903.2.2, and may be required in additions and remodels of existing structures as described in section 903.2.1.1 and 903.2.1.2.

Section 903.2.1. Group R. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a group R fire area, including multi-family dwellings and all new residential care facilities regardless of occupant load.

Section 903.2.1.1 Additions. An automatic sprinkler system installed in accordance with 903.3 may be required to be installed throughout structures when the addition is more than 50% of the existing building or when the altered building will exceed a fire flow of 1,500 gallons per minute as calculated per section 507.3. The Fire Code Official may require an automatic sprinkler system be installed in buildings where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade, bluffs and canyon rims, hazardous brush and response times greater than 5 minutes by a Fire Department.

Section 903.2.1.2 Remodels or reconstruction. An automatic sprinkler system installed in accordance with section 903.3 may be required if the scope of work includes significant modification to the interior of the roof of the building, and the cost of the installation does not exceed 15 percent of the total construction costs of the remodel.

Section 903.2.2 Commercial and Group U. An automatic sprinkler system installed in accordance with section 903.3 shall be required in buildings and structures where the required fire flow exceeds 1500 gallons per minute as calculated by section 507.3, or when the square footage of a new commercial building exceeds 5,000 square feet. The Fire Code Official may also require an automatic sprinkler system to be installed in any building where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade, bluffs and canyon rims, or hazardous brush. Newly constructed commercial or any existing building with three levels or more in height which undergoes a complete renovation that requires the complete vacancy of the building to complete the renovation shall require the installation of fire sprinklers throughout the building and a Class I standpipe system, with 2-1/2

inch hose outlets in each stair enclosure and on each floor level.

The Fire Department connection serving the fire sprinkler system and standpipe system shall be interconnected.

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

Section 903.3 Standpipes. A Class I standpipe with 2.5 inch hose valves shall be provided for all commercial buildings three levels or more in height, regardless of occupancy use. Hose valves shall be located in each stair enclosure and on each floor level, including the roof. For single story buildings or parking structures with large floor areas, Class I standpipes may be required.

10.04.100 Appeals. Whenever the Fire Marshal disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of this Code do not apply, or that the true intent and meaning of the Code has been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Marshal to the Del Mar City Council in writing within 10 days from the date of the decision appealed, in accordance with Chapter 1.12 of the Del Mar Municipal Code.

10.04.110 Penalties.

A. Any person, corporation, association or entity that violates the provisions of Sections 106, 107, 109, 110, or 111 of the 2010 California Fire Code is guilty of a misdemeanor. Any person, corporation, association or entity that violates any other provisions of this chapter is guilty of a misdemeanor or infraction as determined under Chapter 1.08 Del Mar Municipal Code. The penalty for violations shall be determined under Chapter 1.08 of the Del Mar Municipal Code. Each day or portion thereof that a violation of this chapter exists shall constitute a separate violation. Each violation of this chapter, in addition to the offenses under this section, shall constitute a public nuisance.

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

10.04.120 Administration.

Chapter 1, Division II- Administration is hereby revised in the Building/Fire Code portion of the California Building Standards Code to read as follows:

Section 101.5 City of Del Mar Validity: The City Council of the City of Del Mar hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council of the City of Del Mar that it would have passed all other portions of this ordinance independently of the elimination here from of any such portion as may be declared invalid.

Section 102.13 Repeal of Conflicting Ordinances, Resolutions or motions is hereby revised in the Building/Fire Code portion of the California Building Standards Code to read as follows:

Section 102.13 REPEAL OF CONFLICTING ORDINANCES, RESOLUTIONS OR MOTIONS. All former ordinances, resolutions or motions, or parts thereof, which conflict or are inconsistent with the provisions of this Ordinance or of the Code or standards hereby adopted, are hereby repealed.