

BUILDING STANDARDS COMMISSION

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



January 10, 2010

Jamie Fanconi, Deputy City Clerk
Local Building Ordinances- Fire
City of Merced
678 West 18th Street
Merced, California 95340

Dear Ms. Jamie Fanconi:

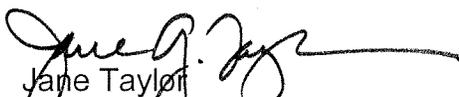
This letter is to acknowledge receipt on December 22, 2010 of the City of Merced submittal pertaining to Ordinance No. 2367 with findings and is acceptable for filing. Per Health and Safety Code Section 17958.8 no modification or change to the California Building Standards Code shall become effective 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.

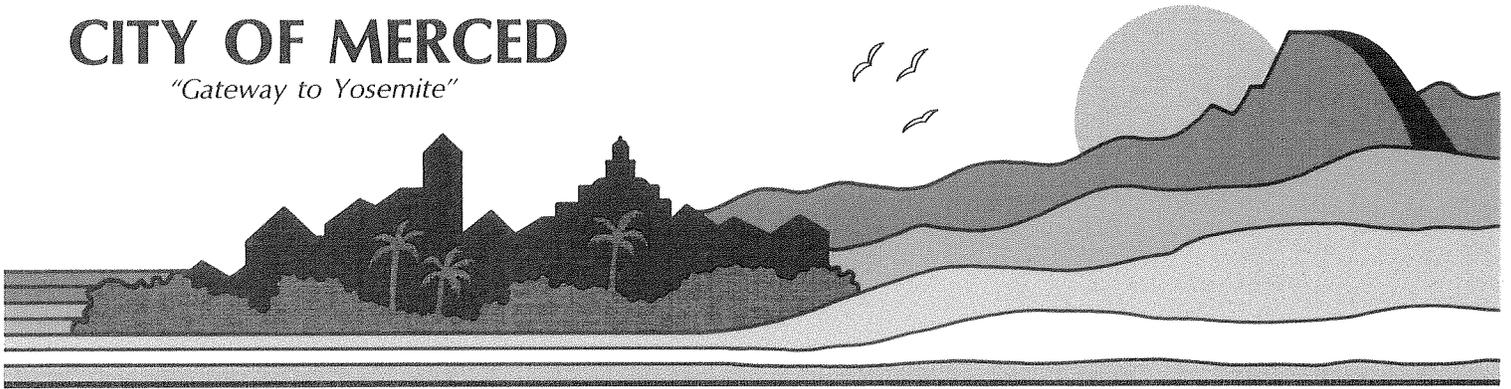
Sincerely,


Jane Taylor
Senior Architect

cc: Chron

CITY OF MERCED

"Gateway to Yosemite"



December 21, 2010

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

Dear Sir/Madame,

Enclosed are the findings of local conditions and building code standards established as the Fire Code for the City of Merced. It was adopted by the Merced City Council on December 6, 2010. As required by the California Health and Safety Code, this submittal is to be filed with the State Buildings Standards Commission.

I have enclosed an acknowledgement letter. Would you be so kind as to sign this letter and return it? I would like the letter so that I can be assured of the delivery of the required documentation.

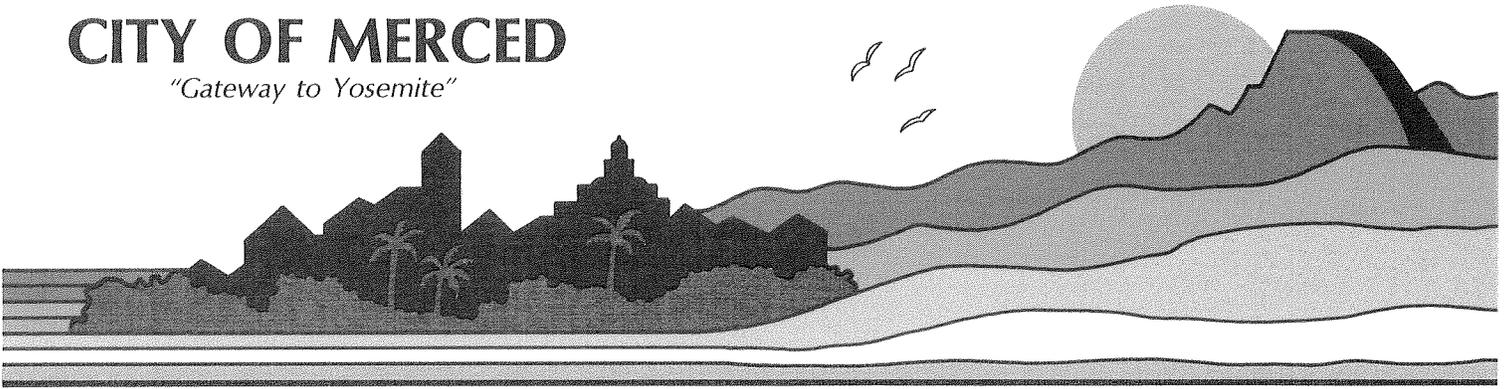
If you have any questions, please feel free to contact me.

Sincerely,

Stephen A. Raney
Interim Fire Chief
Merced City Fire Department
99 E. 16th Street
Merced, CA 95340
209 385-8873
raney@cityofmerced.org

CITY OF MERCED

"Gateway to Yosemite"



Stephen A. Raney
Interim Fire Chief
Merced City Fire Department
99 E. 16th Street
Merced, CA 95340

Dear Chief Raney,

This letter is being sent to you as acknowledgement of our receiving the local conditions and building code standards established as the Fire Code for the City of Merced. The documentation was received on the 22nd day of DECEMBER, 2010.

As required by the California Health and Safety Code, this submittal will be filed with the State Buildings Standards Commission.

Sincerely,

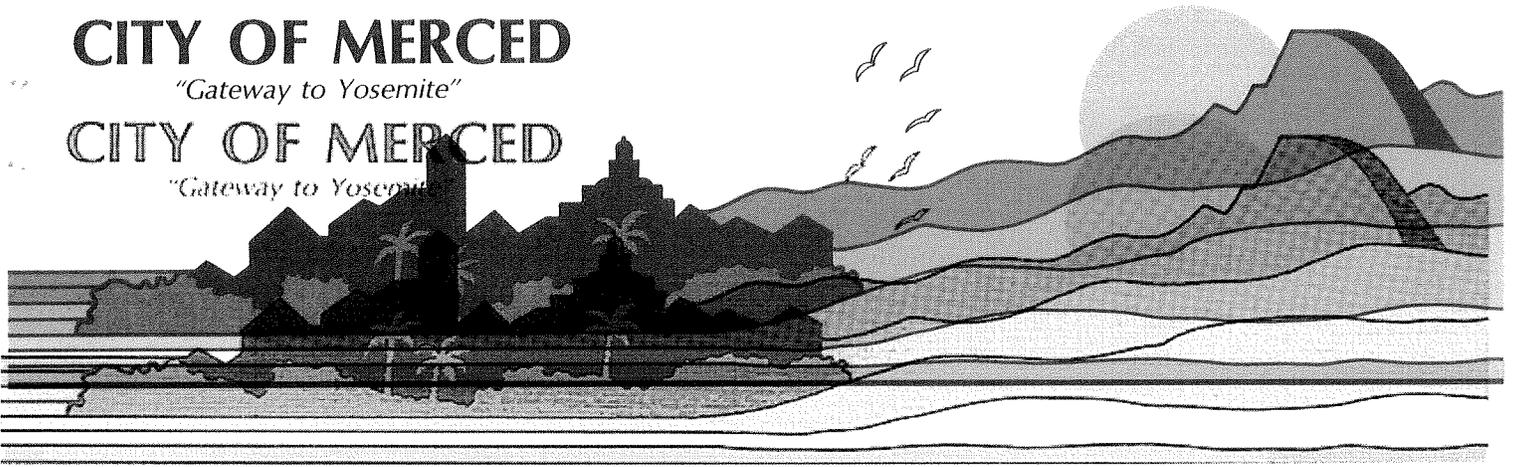
California State Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

CITY OF MERCED

"Gateway to Yosemite"

CITY OF MERCED

"Gateway to Yosemite"



CITY CLERK'S CERTIFICATE

I, JOHN M. BRAMBLE, City Clerk of the City of Merced, California, do hereby certify that the attached document, entitled:

ORDINANCE 2367

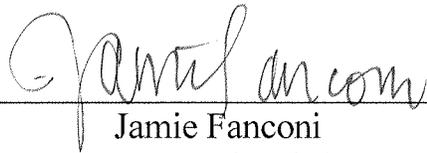
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, AMENDING CHAPTER 17.32, "FIRE PREVENTION CODE," OF THE MERCED MUNICIPAL CODE.

is a true and correct copy of the original on file in the Office of the Merced City Clerk, Merced, California.

JOHN M. BRAMBLE, CITY CLERK

DATED: December 21, 2010

BY:



Jamie Fanconi
Deputy City Clerk



2010 FEB 22 P 1:37
CITY OF MERCED
BUILDING
COMMISION

ORDINANCE NO. 2367

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING CHAPTER 17.32, "FIRE
PREVENTION CODE," OF THE MERCED
MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED MAKES
THE FOLLOWING FINDINGS:**

WHEREAS, California Health & Safety Code Section 18938 provides that the building standards contained in the California Fire Code, 2010 Edition of the International Code Council shall apply to all occupancies throughout the state and shall become effective 180 days after publication in the California Buildings Standards Code by the California Building Standards Commission; and,

WHEREAS, California Health & Safety Code Section 18941.5 provides that if a city makes an express finding that building standards that are more restrictive than those standards provided in the international codes are reasonably necessary because of local climatic, geological, or topographical conditions, a city may establish more restrictive building standards. Findings of local conditions must be filed with the California Building Standards Commission to become effective; and,

WHEREAS, The City Council of the City of Merced has previously adopted the "California Fire Code, 2007 Edition," including the appendix, which was published by the International Code Council, with certain amendments as the Fire Code of the City; and,

WHEREAS, After due consideration, the City Council of the City of Merced hereby finds that it desires to adopt the most recent version of the California Fire Code as the City's Fire Code, with certain amendments to provide further safety protections to the citizens of the City of Merced; and,

WHEREAS, The City Council of the City of Merced hereby finds the amendments to the "California Fire Code, 2010 Edition," are reasonably necessary

to provide sufficient and effective protection of life, health, and property in consideration of the local climatic, geologic and topographic conditions as stated below; and,

WHEREAS, The City Council of the City of Merced finds that certain local climatic factors require certain amendments to the “California Fire Code, 2010 Edition.” During winter months, the San Joaquin Valley experiences thick fog that is a danger to emergency personnel responding to fires and other emergencies and delays response time of emergency vehicles by two to three minutes the normal response time. Fire engines and trucks must greatly reduce their speed in the fog to compensate for appropriate breaking distances because of the weight of the vehicles; and,

WHEREAS, The City Council of the City of Merced finds that certain local geological factors require certain amendments to the “California Fire Code, 2010 Edition.” Merced County is located within an area with potential seismic activity. After a large seismic event, the potential for multiple fires occurring simultaneously will tax available firefighting resources. Built-in fire protection will assist in extinguishing or controlling fires in larger structures, which will increase the availability of firefighting resources after seismic activity; and,

WHEREAS, The City Council of the City of Merced finds that certain local topographical factors require certain amendments to the “California Fire Code, 2010 Edition.” The City of Merced to a great extent lies on a level plain; as a result, heavy rains have historically caused flooding throughout the City, which has caused and can cause delays for emergency response, or in some situations, make it impossible for responders to get to certain areas of the City. Flooding is both a climatic and topographic problem. In addition, two major railroad lines crossing through the City have in the past been responsible and will continue to be responsible for creating delays for emergency vehicles by blocking emergency routes.

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. AMENDMENT TO CODE. Chapter 17.32, “Fire Prevention Code,” of the Merced Municipal Code is hereby amended to read as follows:

“Chapter 17.32 FIRE PREVENTION CODE*"

***Note to Chapter 17.32**

**ARTICLE I.
CALIFORNIA FIRE CODE**

Section:

- 17.32.010 Adoption.**
- 17.32.020 Violation—Penalty.**
- 17.32.025 Issuance of Citations by Designated Officers and Employees.**
- 17.32.026 Appendix Chapter 1 of California Fire Code, 2010 Edition.**
- 17.32.055 Definitions.**
- 17.32.060 Chapter 5, Fire Service Features.**
- 17.32.080 Section 903.2--Required Installations of Automatic Fire Sprinkler Systems.**
- 17.32.081 Section 903.7 Added--Fire Control Rooms.**
- 17.32.082 Section 903.3.5.3 Added--Fire Sprinkler System Flow Calculations.**
- 17.32.085 Section 904.11 Amended--Fire Extinguishing Equipment Interconnection for Protection of Kitchen Grease Hoods and Ducts.**
- 17.32.086 Section 907.5.2.5 Amended--Protective Covers.**
- 17.32.090 Section 907.7.5 Amended--Sprinkler System Supervision Alarms.**
- 17.32.091 Section 903.4.1 Amended--Signals.**
- 17.32.095 Chapter 3 California Fire Code, 2010 Edition**
- 17.32.100 Section 901.6 Amended--Fire Alarm Systems, Inspection, Testing and Maintenance.**
- 17.32.105 Chapter 16, Fruit and crop ripening.**
- 17.32.110 Section 3308.2 Amended—Fireworks, Retail Display and Sale.**

**ARTICLE II.
ADDITIONAL REGULATIONS**

Section:

- 17.32.200** Establishing Limits for Storage of Flammable Liquids, Liquefied Petroleum Gases and Explosives.
- 17.32.205** Section 2203.2 Amended--Motor Vehicle Fuel-Dispensing Stations Dispensing.
- 17.32.215** Appendix B Amended--Fire Flow Requirements for Buildings.
- 17.32.220** Section 806 Amended--Christmas Trees.

***Note to Chapter 17.32**

* Prior history: Prior code §§ 12.1--12.6 as amended by Ords. 1155, 1230, 1333, 1535, 1695, 1741, 1825, 1926, 1961, 1987, 2021 and 2077.

**ARTICLE I.
CALIFORNIA FIRE CODE**

17.32.010 Adoption.

That certain document, as herein amended, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as the California Fire Code, 2010 Edition, including Appendix Chapter 4, and Appendices B, BB, C and CC, as published by the International Code Council, is adopted by reference as the Fire Code of the City.

17.32.020 Violation--Penalty.

Persons who shall violate a provision of the Fire Code or any code adopted by reference, or shall fail to comply with any requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved

construction documents, shall be guilty of a misdemeanor, subject to punishment in accordance with Chapter 1.12 of the Merced Municipal Code.

17.32.025 Issuance of Citations by Designated Officers and Employees.

Officers or employees of the City of Merced Fire Department, as designated by the Fire Chief, who have the discretionary duty to enforce a statute or ordinance may, pursuant to Section 836.5 of the Penal Code of the state of California and subject to the provisions hereof, arrest a person without a warrant whenever any such officer or employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the officer's or employee's presence which he or she has the discretionary duty to enforce, and to issue a notice to appear and release such person on his or her written promises to appear in court pursuant to Chapter 5C of the Penal Code of the state of California (commencing with Section 853.6).

17.32.026 Chapter 1 of California Fire Code, 2010 Edition.

Chapter 1 as contained in the California Fire Code, 2010 Edition, is adopted in its entirety with the following amendments:

A. Section 102.7, Chapter 1 of the California Fire Code, 2010 Edition is amended to read as follows:

Section 102.7. The codes and standards referenced in the Code shall be those that are listed in Chapter 45 of the California Fire Code 2010 Edition, and such codes and standards shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between the provisions of this Code and the referenced standards, the provisions of this Code shall apply. Where no applicable standards or

requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this Code. Nothing herein shall derogate from the power of the Fire Chief to determine compliance with codes or standards for those activities or installations within the Fire Chief's jurisdiction or responsibility. In instances where a new product or process for use or where alternative materials or methods are being proposed, the Fire Chief may require that the product or process be evaluated by the International Code Council Evaluation Service (ICC-ES). All tests required as evidence for compliance shall be made at no cost to the City.

EXCEPTION: Recognized standards shall not include any standard which attempts to regulate local authority as to minimum daily staffing levels and incident response levels. These standards include, but are not limited to NFPA 1710 & 1720.

B. Sections 104.10 and 104.10.1, Chapter 1 of the California Fire Code, 2010 Edition, are amended to read as follows:

Section 104.10. The Fire Chief, Fire Chief Officers and members of the fire investigation team who have been designated by the Fire Chief shall have the powers of a police officer in performing their duties under this Code.

Section 104.10.1. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

C. Section 105.6 Amended--Permit Inspection Fee.

Section 105.6. Chapter 1 of the California Fire Code, 2010 Edition, is amended to read as follows:

The Fire Chief is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.48. Before a permit is issued, the Fire Chief or his authorized representative(s) shall inspect and approve the receptacles, vehicles, building devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Department, joint approval shall be obtained from all departments concerned. Permits shall be valid for a one year period and may be amended at any time in which there is a known addition of a permitted operation. An inspection fee for permits required by Section 105.6 shall be paid prior to issuance of the permit and prior to all subsequent renewals. Fees for the permits listed below shall be adopted by Resolution of the City Council. Permits that require an inspection fee are as follows:

Number	Type
105.6.1	Aerosol Products
105.6.2	Amusement Buildings
105.6.3	Aviation facilities
105.6.4	Carnivals and fairs
105.6.5	Cellulose Nitrate Film
105.6.6	Combustible Dust Producing operations
105.6.7	Combustible Fibers
105.6.8	Compressed Gases (see table 105.6.8)
105.6.9	Covered Mall Buildings
	1. The placement of retail fixtures and displays, concession equipment,

displays of highly combustible goods and similar items in the mall.

2. The display of liquid or gas fired equipment in the mall.
3. The use of open-flame or flame-producing equipment in the mall.

105.6.10	Cryogenic fluids (see table 105.6.10)
105.6.11	Cutting and welding
105.6.12	Dry Cleaning Plants
105.6.13	Exhibits and trade shows
105.6.14	Explosives
105.6.15	Fire Hydrants and Water Control Valves
105.6.16	Flammable and Combustible Liquids

1. To use or operate, repair or modify a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOT) nor does it apply to piping systems.

2. To store, handle or use Class I liquids in excess of 5 gallons in a building or in excess of 10 gallons outside of a building, except that a permit is not required for the following:
 - 2.1 The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant, mobile heating plant, unless such storage, in the opinion of the Fire Chief, would cause an unsafe condition.
 - 2.2 The storage or use of paints, oils, varnishes or similar flammable measures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than thirty (30) days.
3. To store, handle or use Class II or Class III-A liquids in excess of 25 gallons in a building, or in excess of 60 gallons outside a building, except for fuel oil used in

connection with oil-burning equipment.

4. To store, handle or use Class III-B liquids in tanks for fueling motor vehicles at motor-vehicle fuel dispensing facilities or where connected to fuel burning equipment.
Exception: Fuel oil and used motor oil used for space heating or water heating.
5. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved stationary on-site pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported,

stored, dispensed or used.

7. To place temporarily out of service (for more than 90 days) an underground, protected aboveground or above ground flammable or combustible liquid tank.
8. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or combustible liquids.
10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles, aircraft, marine craft or special equipment at commercial, industrial, governmental or manufacturing establishments.

11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, aircraft, marine craft or special equipment at commercial, industrial, governmental or manufacturing establishments.
12. To conduct soil remediation or extraction operations of flammable or combustible liquid.

- | | |
|----------|--|
| 105.6.17 | Floor finishing |
| 105.6.18 | Fruit and crop ripening |
| 105.6.19 | Fumigation or thermal insecticidal fogging |
| 105.6.20 | Hazardous Materials (see table 105.6.20) |
| 105.6.21 | HPM Facilities |
| 105.6.22 | High-piled storage |
| 105.6.23 | Hot work operations. An operational permit is required for hot works including but not limited to: <ol style="list-style-type: none"> 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a |

structure. (Exception:
Work that is conducted
under a construction
permit issued by the
building official).

3. Fixed site hot work equipment such as welding booths.
4. Hot work conducted within a wildfire risk area.
5. Application of roof coverings with the use of an open flame device
6. When approved, the Fire Chief shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits, requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees or hot work operations under their supervision.

- 105.6.24 Industrial Ovens
- 105.6.25 Lumber Yards and wood working plants
- 105.6.26 Liquid or Gas-Fueled Vehicles or Equipment in Assembly Buildings
- 105.6.27 Liquefied Petroleum Gases (LP Gas)

- 1. Storage and use of LP gas.

Exception: A permit is not required for individual containers with a 500-gallon water capacity or less serving occupancies in Group R-3.

- 2. Operation of cargo tankers that transport LP-gas

- 105.6.28 Magnesium
- 105.6.29 Miscellaneous combustible storage
- 105.6.30 Open Burning
- 105.6.31 Open flames and torches
- 105.6.32 Open flames and candles
- 105.6.33 Organic Coatings
- 105.6.34 Places of Assembly
- 105.6.35 Private fire hydrants
- 105.6.36 Pyrotechnical Special Effects Materials and Fireworks

1. Public Display of all classes of fireworks or pyrotechnics
2. Fireworks Storage
3. Fireworks Sales

- 105.6.37 Pyroxylin plastics
- 105.6.38 Refrigeration Equipment
- 105.6.39 Repair garages and motor vehicle fuel dispensing facilities
- 105.6.40 Rooftop heliports
- 105.6.41 Spraying or Dipping
- 105.6.42 Storage of scrap tires and tire byproducts
- 105.6.43 Temporary membrane structures and tents

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all of the following:
 - 2.1 Individual tents having a maximum size of 700 square feet.
 - 2.2 The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet shall not exceed 700 square feet total.

2.3 A minimum clearance of 12 feet to structures and other tents shall be provided.

105.6.44 Tire-rebuilding plants
105.6.45 Waste Handling
105.6.46 Wood Products
105.6.47 Additional Permits. In addition to the permits required by Chapter 1, Section 105.6, the following permits shall be obtained from the Fire Prevention Bureau prior to engaging in the following activities, operations, practices or functions:

1. **Production facilities.** To change use or occupancy or allow the attendance of a live audience, or for wrap parties.
2. **Pyrotechnics and special effects.** To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gases, welding, and the parking of motor vehicles in any building or location used for the purpose of motion picture, television and commercial production.

3. **Live audiences.** To install seating arrangements for live audiences in approved production facilities, production studios and sound stages

105.6.48 Placement of fire extinguishers inside apartment complexes

105.6.49 Wrecking Yard. A permit is required to operate a wrecking yard.

California Fire Code, 2010 Edition, Section 105.1.3 Combination permits - where more than one permit is required for the same location, such permits may be consolidated into one permit. The inspection fee for combination permits shall be the sum of the highest fee plus twenty-five dollars for each of the other permit inspections performed at the location.

D. Section 105.7 Amended—Required Construction Permits.

Section 105.7 Chapter 1 of the California Fire Code, 2010 Edition, is amended to require fees for the following construction permits. These fees shall be established by the City of Merced Inspection Services Division. Fees shall be charged for plan review, approval and acceptance tests for the following:

(1) 105.7.1. Automatic Fire Extinguishing Systems

A construction permit is required for installation of or modification to an automatic fire-extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

(2) 105.7.2 Battery Systems.

A permit is required to install stationary Battery Systems having a liquid capacity of more than 50 gallons.

(3) 105.7.3 Compressed Gas Systems.

When the compressed gases in use or storage exceed the amounts listed in Table 105.6.8, a construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system.

Exceptions:

1. Routine Maintenance
2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

(4) 105.7.4 Cryogenic Fluids.

A construction permit is required for installation of or alteration to outdoor stationary cryogenic fluid storage systems where the system capacity exceeds the amount listed in Table 105.6.10. Maintenance performed in accordance with this Code is not considered an alteration and does not require a construction permit.

(5) 105.7.5 Fire Alarm and Detection Systems and Related Equipment

A construction permit is required for the installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

(6) 105.7.6 Fire Pumps and Related Equipment

A construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. Maintenance performed in accordance with this code is not considered a modification and does not require a permit

(7) 105.7.7 Flammable and Combustible Liquids

A construction permit is required:

1. To repair or modify a pipeline for the transportation of flammable or combustible liquids.
2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.
3. To install, alter, remove, abandon, or otherwise dispose of a flammable or combustible liquid tank.

(8) 105.7.8 Hazardous Materials

A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility or other area regulated by Chapter 27 when the hazardous materials in use or storage exceed the amounts listed in Table 105.6.20

Exceptions:

1. Routine maintenance

2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

(9) 105.7.9 Industrial Ovens

A construction permit is required for installation of industrial ovens covered by Chapter 21.

Exceptions:

1. Routine maintenance
2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

(10) 105.7.10 LP Gas

A construction permit is required for installation or modification to an LP-gas system

(11) 105.7.11 Private Fire Hydrants and Mains

A construction permit is required for the installation or modification of private fire hydrants.

(12) 105.7.12 Spraying or dipping

A construction permit is required to install or modify a spray room, dip tank or booth.

(13) 105.7.13 Standpipe Systems

A construction permit is required for the installation, modification, or removal from service of a standpipe system. Maintenance performed in accordance with this

code is not considered a modification and does not require a permit.

(14) 105.7.14 Temporary Membrane Structures and Tents

A construction permit is required to erect an air supported temporary membrane structure or tent having an area in excess of 400 square feet.

Exceptions:

1. Tents used exclusively for recreational camping.
2. Funeral tents and curtains or extensions attached thereto, when used for funeral services.
3. Tents and awnings open on all sides which comply with all of the following.
 - 3.1 Individual tents shall have a maximum size of 700 square feet.
 - 3.2 The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet shall not exceed 700 square feet.
 - 3.3 A minimum clearance of 12 feet to structures and other tents shall be maintained.

E. Section 106.2 Amended--Inspections

Section 106.2 Chapter 1 of the California Fire Code, 2010 Edition, is amended to read as follows:

Section 106.2 . Inspections. The Fire Chief or designated representative(s) is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspections by approved agencies or

individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. A responsible officer(s) designated by the Fire Chief of such approved agency or by the responsible individual shall certify inspection reports. The Fire Chief is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body.

The Fire Chief and assigned representatives are authorized to inspect, as often as may be necessary, buildings and premises, including such other hazards or appliances as the Fire Chief may designate for the purpose of ascertaining and causing to be corrected any condition which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety.

Inspection Fee. All buildings and premises inspected by the Fire Department shall receive an initial inspection and one re-inspection at no charge. An inspection fee of fifty dollars shall be charged for the second re-inspection (third trip), seventy-five dollars for the third inspection (fourth trip) and all other subsequent inspections required until all violations noted on the fire inspection have been cleared. There shall be no fee charged for the final inspection beyond the third inspection if all violations are cleared. This fee shall be in addition to any fire permit charges and any other fees required by this code.

F. Section 108.1 Amended—Board of Appeals.

Section 108.1, Chapter 1 of the California Fire Code, 2010 Edition, is amended to read as follows:

Section 108.1 Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Chief relative to the application and

interpretation of this Code a Board of Appeals shall be created. The City of Merced Building and Housing Board of Appeals whose members are qualified by experience and training is appointed to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretation of the provisions of this Code. The Fire Chief shall be an ex officio member of the board. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the Fire Chief, with a duplicate copy to the appellant.

G. Section 109.3.1 Amended--Unlawful Continuance of a Fire Hazard.

Section 109.3.1 Chapter 1 of the California Fire Code, 2010 Edition, is amended to read as follows:

Section 109.3.1.

(a) Abatement of violation. In addition to the imposition of the penalties herein described, the Fire Chief is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

(b) Fire hazard. Any person(s) operating or maintaining any occupancy, premises or vehicle subject to this code who shall cause any fire hazard to exist on premises under his/her control or who shall fail to take immediate action to abate a fire hazard when ordered or notified to do so by the Fire Chief or his duly authorized representative shall be guilty of a misdemeanor.

(c) Charge for fire suppression. Any person who, after written notification by the Fire Chief, or his

authorized representative, causes, permits or allows the existence of a fire hazard or hazards as defined by this code or any person who negligently, or in violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape onto any public or private property is liable for the expense of fighting the fire. These charges shall include all costs for suppression, rescue or emergency medical services, investigation and a minimum fifteen percent (15%) administrative charge. In specific cases the administrative charge may exceed fifteen percent (15%), based on actual administrative costs. The Fire Chief or his authorized representative shall determine whether said fire hazard caused, or contributed to the spread of the fire. Such applicable expenses shall constitute a debt of such person, and are collectible by the city in the same manner as in the case of an obligation under a contract.

H. Section 109.3.2 Added--Service Charge.

Section 109.3.2 is hereby added to Chapter 1 of the California Fire Code, 2010 Edition, to read as follows:

(a) Where a fire watch or standby is required by the provisions of this Code or any other purpose as required by the Fire Chief, the department shall charge a service fee.

(b) The service charge shall equal the actual cost of providing the service and shall include a minimum fifteen percent (15%) administrative charge. In specific cases the administrative charge may exceed fifteen percent (15%), based on actual administrative costs.

17.32.055 Definitions.

The following definitions contained in Chapter 2 of the California Fire Code, 2010 Edition, are amended to read as follows:

‘False alarm’ - is the deliberate reporting of an alarm for which no such fire or emergency actually exists and shall also mean the deliberate or accidental transmission of alarm signal, either silent or audible, prompting a response to be made by the Fire Department when an emergency situation for which the alarm system was intended does not exist.

‘Floor area gross’ – The floor area within the inside perimeter of the exterior walls of the building under construction exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the useable area under the horizontal projection of the roof or floor above. The gross floor area shall include shafts with no openings or interior courts. The area of mezzanines shall be included in determining floor area. The total floor area shall be the sum of the area of all stories, exclusive of area separation walls as defined by the Building Code. Also see Section 1002.1.

17.32.060 Chapter 5--Fire Service Features.

Chapter 5 of the California Fire Code, 2010 Edition, is adopted in its entirety with the following amendments:

A. Section 503.2 of the California Fire Code, 2010 Edition, is amended to read as follows:

1. 503.2 Specifications. Fire apparatus roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.6.
 - a. Roads. Required access roads from any building to a public street shall be all weather hard-surfaced (suitable for use by fire apparatus) with a right-of-way not less than 22

feet in width as measured from the face of the curb.

2. 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 22 feet as measured from the face of the curb, except for security gates approved by the Fire Chief, and shall comply with the requirements of Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

B. Section 506.1 Amended--Key Boxes.

Section 506.1 California Fire Code, 2010 Edition, is amended to read as follows:

1. A key box shall be required for all buildings, new or existing, when access to or within a structure is difficult because of secured openings, where immediate access is necessary for lifesaving firefighting purposes or any building which is protected by an automatic suppression system.

The key box shall be located as required by the Fire Chief or his representative. The key box shall be a type approved by the Fire Chief and shall contain all keys necessary to gain access.

2. Where new or remodeled building(s) or premises are provided with automatic security gates, the following methods of entry shall be required:
 - (a) Key override switch. The switch shall be keyed the same as the City of Merced approved key box (Knox); and,
 - (b) Radio Operated controller (Click2Enter or other approved equipment).
3. When Fire Department access is blocked due to a non-automatic gate, any locking devices used on

such gate shall be openable with an approved key box access key.

C. Section 507.2 Amended--Type of Water Supply.

Section 507.2 California Fire Code, 2010 Edition, is amended to read as follows:

Water supply may consist of approved pressure tanks, elevated tanks, water mains or other fixed systems capable of supplying the minimum required fire flow.

D. Section 507.5.2 Amended--Inspection, Testing and Maintenance.

Section 507.5.2 California Fire Code, 2010 Edition, is amended to read as follows:

Fire hydrant systems shall be subject to periodic tests as required by the Fire Chief. Wet and dry barrel hydrants shall be flow tested semi-annually. Fire hydrant systems shall be maintained operational at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards and local regulations.

E. Section 507.5.4 Amended--Identification of Hydrants and Fire Protection Equipment.

Section 507.5.4 California Fire Code, 2010 Edition, is amended to read as follows:

Obstruction/Identification. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections (FDC's), fire protection control valves or other fire protection system components in a manner that would prevent such equipment or fire hydrants from being immediately discernable or accessible. The Fire Department shall not be deterred or hindered from

gaining immediate access to fire protection equipment or fire hydrants.

When required by the Fire Chief, hydrant locations shall be identified by the installation of blue reflective markers and the location of the Fire Department connections shall be identified by green reflective markers.

17.32.080 Section 903.2 Amended--Required Installations of Automatic Fire Sprinkler Systems.

Section 903.2 of the California Fire Code, 2010 Edition, is amended to read as follows:

903.2 Approved automatic fire sprinkler systems shall be installed in all new buildings or structures and in existing buildings or structures where a change of use in occupancy or group is considered more hazardous by the Fire Chief based on life and fire risk having a floor area of five thousand square feet or greater or where other sections of the California Fire Code, 2010 Edition, require approved automatic fire sprinkler or other suppression systems for areas of less than 5,000 square feet. Area or occupancy separation walls will not be allowed to reduce the overall square footage in an area of a building in order to circumvent the requirements for an automatic fire sprinkler system.

17.32.081 Section 903.7 Added--Fire Control Rooms.

Section 903.7 is hereby added to the California Fire Code, 2010 Edition, to read as follows:

903.7 An approved fire control room shall be provided for all buildings protected by an automatic fire sprinkler or other approved system. The fire control room shall contain all system control valves, fire alarm control panels, other fire equipment, and pre-incident, hazardous material or other plans required by the Fire Chief. Fire

control rooms shall be located within the building at a location approved by the Fire Chief and be provided with a means of access to the room directly from the exterior. The room shall be constructed of not less than 1-hour fire resistive construction and be properly equipped and labeled.

Exception: The Fire Chief may waive this requirement for buildings 10,000 square feet or less classified as Group B, Group M, or Group R occupancies.

17.32.082 Section 903.3.5.3 Added--Fire Sprinkler System Flow Calculations.

Section 903.3.5.3 is added to the California Fire Code, 2010 Edition, to read as follows:

903.3.5.3 A reduction of 20% shall be made to the static, residual and gallon per minute flow calculations used for the design criteria of automatic fire sprinkler systems.

17.32.085 Section 904.11.2 Amended--Fire Extinguishing Equipment Interconnection for Protection of Kitchen Grease Hoods and Ducts.

Section 904.11.2 California Fire Code, 2010 Edition, is amended to read as follows:

The actuation of the fire extinguishing system shall automatically shut down the fuel and electrical power to the cooking appliances and all other equipment located under the hood when the system is activated. The fuel and electrical supply reset shall be manual.

17.32.086 Section 907.5.2.5 Amended--Protective Covers.

Section 907.5.2.5 California Fire Code, 2010 Edition, is amended to read as follows:

The Fire Chief is authorized to require the installation of listed manual fire alarm box protective covers for all new or remodeled buildings or in existing buildings with manually activated nuisance alarms as identified in Merced Municipal Code Section 17.32.100, to prevent malicious and accidental false alarms or to provide the manual fire alarm box with protection from physical damage. The protective cover shall be transparent or red in color with a transparent face to permit visibility of the manual fire alarm. Each cover shall include proper operating instructions. A protective cover that emits a local alarm shall not be installed unless approved. Protective covers shall not project more than permitted by Section 1003.3.3.

17.32.090 Section 907.7.5 Amended--Sprinkler System Supervision Alarms.

Section 907.7.5 California Fire Code, 2010 Edition, is amended to read as follows:

All required fire alarm and fire extinguishing systems shall be monitored by an approved supervising station in accordance with NFPA 72, including the following: All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems in new or existing buildings shall be electrically supervised when there are twenty or more sprinklers in any occupancy.

Valve supervision and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an Underwriter Laboratory or locally approved central station, remote station or proprietary supervising station as defined by national standards, or, when approved by the Fire Chief, sound an audible signal at a constantly attended location.

EXCEPTION: Monitoring by a supervising station is not required for:

1. Single and multiple-station smoke alarms required by Section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with Section 107.2.6.3.4.
3. Automatic sprinkler systems in one and two-family dwellings.

17.32.091 Section 903.4.1 Amended--Signals.

Section 903.4.1 California Fire Code, 2010 Edition, is amended to read as follows:

Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an Underwriter Laboratory or locally approved central station, remote station or proprietary supervising station as defined by national standards, or when approved by the Fire Chief, sound an audible signal at a constantly attended location.

EXCEPTIONS:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility need not be supervised.
2. Backflow prevention device test valves located in a limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer shall be locked in the open position and be electronically supervised by a tamper switch installed in accordance with NFPA 72 and be separately annunciated.

17.32.095 Chapter 3 California Fire Code, 2010 Edition

Chapter 3 of the California Fire Code, 2010 Edition, is adopted in its entirety with the following amendments:

A. Section 304.1.1 amended--Waste material.

Section 304.1.1 California Fire Code, 2010 Edition, is amended to add inoperable or abandoned vehicles, boats, trailers or parts thereof as waste materials which shall not be permitted to remain upon any roof or in any court, yard, vacant lot, alley, parking lot, open space or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle or similar structure.

B. Section 304.1.2 amended--Combustible vegetation.

Section 304.1.2 California Fire Code, 2010 Edition, is amended to add the following:

Any debris, such as: lumber, concrete or any other material which would impede the safe discing or mowing of any lot needing weed removal, shall be identified for removal by the Fire Chief or his representative and removed by the nuisance (weed) abatement contractor prior to such abatement operations.

17.32.100 Section 901.6 Amended--Fire Alarm Systems, Inspection, Testing and Maintenance.

Section 901.6 California Fire Code, 2010 Edition, is amended to add the following:

901.6 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested, and maintained or removed.

False alarms - the owner and occupants of any premises, which generates more than two false alarms in any calendar year will be required to pay response costs for any and all false alarms for the third and any subsequent alarm in that time frame. The response costs shall include a minimum fifteen percent (15%) administrative fee. In specific cases the administrative fee may exceed fifteen percent (15%), based on actual administrative costs. Such costs shall constitute a debt to the city and are collectible by the city in the same manner as in the case of an obligation under a contract.

17.32.105 Chapter 16, Fruit and Crop Ripening.

Chapter 16 as contained in the California Fire Code, 2010 Edition is adopted in its entirety.

17.32.110 Section 3308.2 Amended—Fireworks, Retail Display and Sale.

Section 3308.2 California Fire Code, 2010 Edition, is amended to read as follows:

A. Definitions. For the purposes of this section, unless otherwise apparent from the context, certain words and phrases used in this section are defined as follows:

1. 'Dangerous fireworks' means any fireworks specified as such in the State Fireworks Law, Section 12505 of the Health and Safety Code of the state of California, and such other fireworks as may be determined to be dangerous by the state fire marshal.
2. 'Safe and sane fireworks' as defined in Section 12529 of the Health and Safety Code of the state of California, means any fireworks which do not come within the definition of 'dangerous fireworks' or 'exempt fireworks.'

3. 'Eligible organization' means an organization which has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for the permit required by this section (and which continues to do so thereafter):

- (a) The organization is exempt from federal income tax pursuant to the provisions of Internal Revenue Code Sections 501 (c) (3), (4), (6), (7), (8), (10), (19), (23), or (26), or Section 501 (d), or Section 501 (e);
- (b) The organization must be headquartered within and clearly affiliated or identified with Merced;
- (c) The organization must be one which provides direct and regular community services and benefits to the citizens of the city; and
- (d) The organization must hold its regularly scheduled meetings within the city.

'Eligible organization' also means an organization which has met criteria set out in subdivisions (a), (b) and (c) of this subsection, for a continuous period of not less than five full years preceding submittal of an application for the permit required by this section (and which continues to do so thereafter) and which demonstrates at the time of each application that criteria set out in subdivision (d) of this subsection is not met only because adequate and appropriate facilities for the organization's regular meetings are not available for such purposes within city limits.

'Eligible organization' also means any for-profit organization that obtained a permit to sell safe and sane fireworks and actually operated a fireworks stand in the city during the 2002 season with future eligibility being contingent upon obtaining successive, annual permits and operating each successive season. A for-profit

organization shall become permanently ineligible if the organization fails to obtain a permit and/or to operate a fireworks stand in any given year.

4. 'Stand' means any building, counter, or other structure of a temporary nature used in the sale or offering for sale of fireworks pursuant to a permit duly issued.

B. Permits for Public Displays of Fireworks. The Fire Chief shall have authority to adopt reasonable rules and regulations for the granting of permits for those activities contained in Section 12640 of the Health and Safety Code of the state of California, including supervised public displays of fireworks by a jurisdiction, fair association, amusement park, other organizations, or for the use of fireworks by artisans in pursuit of their trade. Each such use or display shall be handled by a licensed pyrotechnic operator as defined by Section 12527 of the Health and Safety Code of the state of California, and shall be of such character and so located, discharged or fired as in the opinion of the Fire Chief, after proper investigation, will not be hazardous to property or endanger any person.

C. Permits for the Sale of Safe and Sane Fireworks. It shall be unlawful for any person to possess, store, to offer for sale, or sell at retail any fireworks in the city other than safe and sane fireworks, with the exception of those activities provided for in subsection B of this section. It shall be unlawful to possess, store, offer for sale, or sell at retail safe and sane fireworks in the city without first obtaining a permit therefore. The Fire Chief shall have the authority to adopt reasonable rules and regulations for the granting of permits for the sale of safe and sane fireworks by eligible organizations. The Fire Chief shall also have the authority to adopt reasonable rules and regulations for the safe operation of firework stands. Such rules and regulations shall be made available upon request from the Fire Department.

1. Applications for Permits. Permits to sell safe and sane fireworks shall be issued by the Fire Department.
 - (a) All applications for permits shall be in writing and delivered to the Fire Chief on forms supplied by the Fire Department, and shall include all documentation and proof required by the rules and regulations established by the state fire marshal and the Fire Chief. All application materials must be complete to be received.
 - (b) Applications may be filed beginning the first regular business day of January of each year up to and including five p.m. on the 20th day of May of the same year. No applications shall be received after five p.m. on the 20th day of May, unless that day falls on a holiday or weekend – then the deadline shall be five p.m. on the next business day.
 - (c) Such applications shall be signed by a bona fide officer of the eligible organization wherein the officer, on behalf of the organization and its agents, shall agree to abide by all state laws, all administrative regulations, all city ordinances, all rules and regulations promulgated by the Fire Chief and the terms and conditions of the permit if permission to operate a fireworks stand shall be granted to the organization.
 - (d) Applications shall identify the name of the organization, the organization form, the address of the principal meeting place, number of members, the purpose of the organization or corporation and the date it came into existence within the city.
 - (e) Application Fees. The applicant shall pay a nonrefundable fee not to exceed the cost of processing any such application and inspecting such business as determined by the Fire Chief.

2. Granting of Permits.
 - (a) Only eligible organizations as defined in subsection (A)(3) will be permitted to sell safe and sane fireworks. Each of the eligible organizations that were issued permits and operated a stand in the year 2002 (including for-profit organizations), and that submit a complete application acceptable to the Fire Chief by the filing deadline in 2003 pursuant to subsection (C)(1)(b), shall be granted a permit to operate a stand in the year 2003. An organization granted a permit in any given year shall be granted a permit in each subsequent year, so long as this section remains in effect and the organization continues to (1) be an eligible organization, (2) timely submit complete applications annually, and (3) operate annually without the occurrence of any act or omission that could subject the permittee to revocation of a permit pursuant to paragraph (7) of this subsection.
 - (b) In order for the Fire Chief to issue permits to additional organizations when additional permits become available, the Fire Chief shall establish and maintain a priority list of eligible organizations. The Fire Chief shall issue available permits based upon the ranking of organizations on the priority list. The organization ranked first on the priority list shall be issued the next available permit. The priority list in any given year shall include the names of the organizations that did not operate a stand in the previous year and have submitted a complete application for a permit prior to the application deadline for that given year. The order of placement on the priority list shall be determined by lottery conducted pursuant to reasonable rules and regulations promulgated by the Fire Chief. The rules shall provide for the type of lottery to be used, the date and time the lottery shall be conducted, notice to the participating

organizations, and any other terms that the Fire Chief deems to be appropriate.

- (c) Once the priority list is established, an organization on the list shall maintain its priority position from year to year with respect to organizations in a lesser position of priority on the list and with respect to organizations being added to the list through subsequent lotteries so long as this section remains in effect and the organization continues to (1) be an eligible organization, and (2) timely submit complete applications annually.

3. Fireworks Stands. When all the application requirements have been completed, fees have been paid and the fireworks stand location has been approved, the Fire Department shall authorize the erection of a fireworks stand. A fireworks stand must be inspected and approved by the Fire Chief, or his or her designee, prior to the sale of any fireworks from such stand. No retail sales of safe and sane fireworks shall be permitted except from approved temporary fireworks stands. The sale from any other building or structure is prohibited.

4. Permits. Permits will be effective only when delivered by the Fire Department after the final inspection of the stand shows compliance with all the requirements established by the Fire Chief for the operation of a fireworks stand and the applicant has paid the required permit fee. Each approved organization shall submit to the finance office a permit fee or additional fees recommended by the Fire Chief and approved by the city council by resolution to cover all of the costs and expenses of the city related to the permitting of the sales of fireworks, including, but not limited to, 'standby' and cleanup costs incurred by the city. Any permit issued pursuant to this section shall be nontransferable, and shall be valid only as to the applicant and location provided on the application for such permit.

5. Operating Hours. Fireworks stands may be operated only from the hours of six a.m. until ten thirty p.m. on and between Sundays and Thursdays with the exception of the third and fourth day of July, and may be operated from six a.m. until twelve a.m. on Fridays, Saturdays, and on the third day of July.

6. It shall be unlawful to:

- (a) Obtain or use more than one permit or to operate more than one stand in the city per year;
- (b) Sell fireworks in the city earlier than noon on the 28th day of June or later than noon on the 6th day of July;
- (c) Use or explode any fireworks in the city earlier than noon on the 28th day of June or later than noon on the 6th day of July without a permit issued by the Fire Chief for public displays of fireworks;
- (d) Sell fireworks to persons under the age of sixteen years old; or
- (e) Sell, assign, or in any way transfer a permit to operate a fireworks stand, or a place or position on the permit waiting list, to another organization, individual, or entity;
- (f) Use or explode any fireworks inside a building other than an outdoor stadium; or,
- (g) Fail to dismantle and remove any stand or structure of any nature where fireworks are sold or offered for sale immediately after the close of sales.

7. Revocation of Permits. Any violation of this section or other city ordinances or policies, or the terms and conditions of the permit, or state laws or administrative regulations, or safety rules of the Fire

Department, shall be grounds for the immediate revocation of the permit. All officers, agents, and employees of the eligible organization shall be responsible for compliance with all of the provisions of this section.

8. Seizure of Fireworks. The Fire Chief, or the designee thereof, shall seize, take, remove, or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored, or held in violation of this section.

9. Penalties for Violations. Any person violating any provisions of this section shall be guilty of a misdemeanor and shall be subject to criminal prosecution, civil remedies, administrative fines and penalties, and any other remedies available to the city for enforcement of this code.

D. Number of Fireworks Stands Allowed. There shall be allowed no more than one fireworks stand for every two thousand five hundred residents in the city. The number of residents shall be determined based on the most recent annual population figures provided by the state to the city as of the 20th day of May of each year. The number of stands allowed shall increase according to increases in population.

ARTICLE II. ADDITIONAL REGULATIONS

Section:

- 17.32.200 Establishing Limits for Storage of Flammable Liquids, Liquefied Petroleum Gases and Explosives.**
- 17.32.205 Section 2203.2 Amended--Motor Vehicle Fuel-Dispensing Stations Dispensing.**
- 17.32.215 Appendix B Amended--Fire Flow Requirements for Buildings.**
- 17.32.220 Section 806 Amended--Christmas Trees.**

17.32.200 Establishing Limits for Storage of Flammable Liquids, Liquefied Petroleum Gases and Explosives.

A. The limits referred to in Sections 3404.2.9.6.1, 3406.2.4.4, 3506.2 and 3804.2 of the California Fire Code, 2010 Edition, in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited and in which bulk storage of liquefied petroleum gas is restricted and established as follows:

All areas of the city of Merced which are zoned for residential (R-1, R-2, R-3, R-4, LR, RP-D and RMH) and commercial use (C-O, C-N, C-C, C-T and C-G), except that existing bulk plants located in the following designated portions of C-T and C-G zones may be allowed to continue their existing use:

Commencing at the point at the centerline of Highway 99 at East 16th Street;

Thence on the centerline of the highway in a westerly direction to the centerline of West 16th Street;

Thence on the centerline of West 16th Street in an easterly direction to the centerline of Highway 99 (the point of commencement).

In addition, the storage of flammable and combustible liquids in outside aboveground tanks in amounts greater than five thousand gallons, and liquid petroleum gas in tanks having greater than two thousand gallons of water capacity shall not be located on, or immediately adjacent to, properties on which are located a hospital, convalescent home, sanitarium, nursing home, school, day-care center, jail or similar building or use as determined by the Fire Chief. Storage of the allowable amounts shall be subject to requirements set forth by the Fire Chief which are consistent with nationally recognized standards and practices.

B. The limits referred to in Section 3304.1 of the California Fire Code, 2010 Edition, in which storage of explosives and blasting agents is prohibited, are established as follows:

All areas of the city of Merced zoned for residential (R-1, R-2, R-3, R-4, LR, RP-D and RMH) and commercial (C-O, C-N, C-C, C-T and C-G) uses.

In addition, the storage of explosives shall not be located on, or immediately adjacent to, properties on which are located a hospital, convalescent home, sanitarium, nursing home, school, day-care center, jail or similar building or use as determined by the Fire Chief.

17.32.205 Section 2203.2 Amended--Motor Vehicle Fuel-Dispensing Stations Dispensing.

Section 2203.2 California Fire Code, 2010 Edition, is amended to read as follows:

1. An approved, clearly labeled, and readily accessible emergency disconnect switch shall be provided in an approved location on an exterior wall of the station, to stop the transfer of fuel to the fuel dispensers in the event of a fuel spill or other emergency. An emergency disconnect switch for exterior dispensers shall be located within 100 feet of, but not nearer than 20 feet to any exterior dispenser location. For interior fuel-dispensing operations, the emergency disconnect switch shall be installed at an approved location. Such devices shall be distinctively labeled as: EMERGENCY FUEL SHUTOFF. Signs shall be provided in approved locations.

17.32.215 Appendix B Amended--Fire Flow Requirements for Buildings.

A. Appendix B, Section B 104 California Fire Code, 2010 Edition, is amended to read as follows:

1. B104.1 General. The fire-flow calculation area shall be the total area of all floor levels within the exterior walls and under horizontal projections of the roof of a building, except as modified in Section B104.3.
2. B104.2 Area separation - For this part, portions of a building separated by one or more area separation walls are not allowed to be considered as separate fire flow calculation areas.
3. B104.3 Type IA and Type 1B Construction. The fire area of buildings constructed of Type I and Type II-F.R. construction shall be the area of the three largest successive floors.

EXCEPTION: Fire-flow calculation area for open parking garages shall be determined by the area of the largest floor.

B. Appendix B, Section B105 California Fire Code, 2010 Edition, is amended to read as follows:

1. B105.1 One- and two-family dwellings and manufactured homes. The minimum fire flow and flow duration requirements for one- and two-family dwellings and manufactured homes having a fire area which does not exceed 3,600 square feet shall be 1,000 gallons per minute. Fire flow and flow duration for dwellings having a fire area in excess of three thousand six hundred square feet shall not be less than that specified in Table B105.1.

EXCEPTION: A reduction in required fire flow of 50 percent, when approved by the chief, is allowed when the building is provided with an approved automatic sprinkler system.

2. B105.2 Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be specified in Table B105.1.

EXCEPTION: A reduction in required fire flow of up to 50 percent, as approved by the Fire Chief, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. An additional twenty-five percent reduction may be allowed, provided additional fire suppression and/or notification systems, as approved by the Fire Chief, are provided. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1.

17.32.220 Section 806 Amended--Christmas Trees.

Section 806 of the California Fire Code, 2010 Edition, is adopted in its entirety and amended by adding the following thereto:

Section 806.7. Christmas tree sales locations.

All locations which sell Christmas trees shall post approved signs in locations designated by the Fire Chief or his authorized representative which clearly state: ‘All trees placed in any public building must be properly treated with a State Fire Marshal approved flame retardant chemical.’”

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause,

