

BUILDING STANDARDS COMMISSION

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



July 5, 2011

Terri A. Griffin, Deputy City Clerk
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

Dear Ms. Griffin:

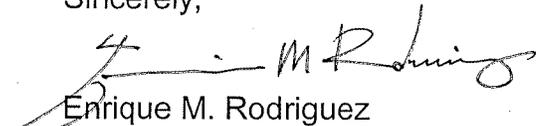
This letter is to acknowledge receipt on June 20, 2011 of the City of Rohnert Park submittal pertaining to Ordinance No. 838 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the 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,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



June 16, 2011

City Council

Gina Belforte
Mayor

Jake Mackenzie
Vice Mayor

Amy O. Ahanotu
Joseph T. Callinan
Pam Stafford
Council Members

David Walls, Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA. 95833-2936

Re: City of Rohnert Park Ordinance No. 838 Amending Chapter 15.26
(Green Building Standards Code) of the Rohnert Park Municipal Code
to Adopt, by reference, Appendix A4 and A5 Tier 1 Level of the 2010
California Green Building Standards Code

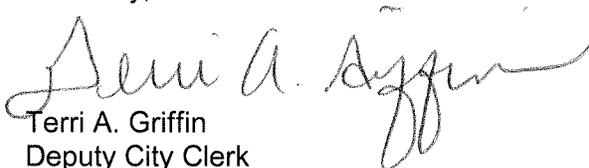
Dear Mr. Walls:

Enclosed please find for filing with the California Building Standards
Commission a copy of Ordinance No. 838 adopted by the Rohnert Park City
Council at its meeting of June 14, 2011.

I have also included an additional copy of the ordinance to be conformed and
returned to our office in the self-addressed stamped envelope provided.

If you have any questions or need further information, please contact me at
(707) 588-2225.

Sincerely,


Terri A. Griffin
Deputy City Clerk

Enclosures

cc: Darrin Jenkins, Director of Development Services
Marilyn Ponton, Planning and Building Manager

2011 JUN 20 P 1:59
CALIFORNIA BUILDING
STANDARDS COMMISSION

Gabriel A. Gonzalez
City Manager

Judy Hauff
City Clerk

Michelle Marchetta Kenyon
City Attorney

Benjamin D. Winig
Assistant City Attorney

Brian Masterson
Director of Public Safety

Darrin W. Jenkins
Director of Development Services
/ City Engineer

Sandra M. Lipitz
Director of Administrative Services

John McArthur
Director of Public Works and
Community Services

ORDINANCE NO. 838

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA AMENDING CHAPTER 15.26 (GREEN BUILDING STANDARDS CODE) OF THE ROHNERT PARK MUNICIPAL CODE TO ADOPT, BY REFERENCE, APPENDIX A4 AND A5 TIER 1 LEVEL OF THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE

WHEREAS, the Development Services Department is responsible for local enforcement of the California Building Standards Code, also known as California Code of Regulations, Title 24;

WHEREAS, the California Building Standards Code is updated by the California Building Standards Commission approximately every three years based upon published model codes specified in the California Health and Safety Code;

WHEREAS, local jurisdictions responsible for enforcement of the California Building Standards Code must enact local administrative regulations in order to implement the California Building Standards Code;

WHEREAS, it is sometimes necessary to amend the California Building Standards Code as allowed per the California Health and Safety Code due to climatic, geological, or topographical local conditions;

WHEREAS, the appendices of any part of the California Building Standards Code only apply to a local jurisdiction if specifically adopted by that agency or when specified by state law; and

WHEREAS, nothing in this ordinance is intended to duplicate, contradict, or enter a field which has been fully occupied by state law, including the California Building Standards Code.

NOW, THEREFORE the City Council of the City of Rohnert Park does ordain as follows:

SECTION 1. Findings.

The City Council finds that:

- A. A duly noticed public hearing regarding the proposed amendment to the Municipal Code was held by the City Council on June 14, 2011.
- B. The proposed amendment to Chapter 15.26, Green Building Standards Code, adopts, by reference, Appendix A4 and A5, tier 1 level, which preserves and enhances the environment, in that it would set forth green building requirements within the City of Rohnert Park that are in line with the previous standards and consistent with surrounding jurisdictions, for all new residential and non-residential construction.
- C. In accordance with CEQA Section 15061(b)(3), "[C]EQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be

seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” The proposed ordinance is exempt from CEQA review because the adoption of the amendment does not have the potential for causing a significant effect on the environment.

- D. This ordinance is enacted pursuant to and in compliance with Health & Safety Code sections 17958.5, 17958.7, and as expressly permitted in Government Code section 50022.2 to make local amendments to the California Building Standards Code.
- E. As required by Health and Safety Code section 17958.7(a), the amendments to the California Building Standards Code adopted by this ordinance and as described in Chapter 15.26 are necessary for the protection of the public health, safety and welfare due to the local climatic, geologic or topographical conditions as described in findings below:
 - 1. The design, construction, and maintenance of buildings and structures within the city can have a significant impact on the city’s environmental sustainability, resource usage, energy efficiency, waste management, and the health and productivity of residents, workers, and visitors over the life of the building.
 - 2. The construction of new structures has a direct impact on greenhouse gas emissions for climate control. Provisions requiring low volatile organic compounds (VOC) in building materials assist in lowering these emissions.
 - 3. Water conservation is important in the region due to local geography and climate. Provisions encouraging low water use plumbing fixtures and irrigation system control devices help to conserve our water resources.
 - 4. State mandated energy efficiency standards are addressed by the required use of Energy Star appliances and installation of photovoltaic systems.
 - 5. Requiring commercial and residential projects to incorporate green building measures is necessary to achieve the public health and welfare benefits of green building.

SECTION 2: Chapter 15.26, “GREEN BUILDING CODE” is hereby amended to read as follows:

“Chapter 15.26 – GREEN BUILDING CODE

Section:

**15.26.010 – Adopted – California Green Building Standards Code, Title 24, Part 11
(California Green Building Standards Code, or CalGreen).**

**15.26.010 - Adopted—California Green Building Standards Code, Title 24, Part 11
(California Green Building Standards Code, or CalGreen).**

The 2010 Edition of the California Green Building Standards Code, Part 11 of Title 24, including Appendix Chapter A4, Residential Voluntary Measures at Tier I level and Appendix Chapter A5, Nonresidential Voluntary Measures at Tier I level, one copy of which has been filed for use and examination by the public in the office of the building official, are adopted by reference.”

SECTION 3. Severability.

The City Council hereby declares that every section, paragraph, sentence, cause and phrase of this ordinance is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 4. Effective Date.

This ordinance shall be in full force and effective 30 days after its adoption, and shall be published and posted as required by law.

This ordinance was introduced by the Council of the City of Rohnert Park on May 24, 2011, and was adopted on June 14, 2011 by the following roll call vote:

AYES: Three (3) Council Members Ahanotu, Stafford, and Mayor Belforte

NOES: One (1) Council Member Callinan

ABSENT: One (1) Council Member Mackenzie

ABSTAIN: None (0)

ATTEST:

CITY OF ROHNERT PARK


City Clerk




Mayor

APPROVED AS TO FORM:


City Attorney

CALIFORNIA BUILDING STANDARDS COMMISSION

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



December 21, 2010

Terri A. Griffin, Deputy City Clerk
City Council
City of Rohnert Park
130 Avram Avenue
Rohnert Park, California 94928

Terri A. Griffin,

This is to acknowledge receipt of the City of Rohnert Park submittal pertaining to Ordinance Nos. 827 & 829 with findings on November 31, 2010. As the law states, no local modification or change to the California Building Standards Code (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).

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.)

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

Sincerely,


Jane G. Taylor
Senior Architect

cc: Chron
Local Filings



November 24, 2010

David Walls, Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA. 95833-2936

City Council

Pam Stafford
Mayor

Gina Belforte
Vice-Mayor

Amie Breeze
Joseph T. Callinan
Jake Mackenzie
Council Members

Gabriel A. Gonzalez
City Manager

John Dunn
Interim Assistant City Manager

Judy Hauff
City Clerk

Michelle Marchetta Kenyon
City Attorney

Benjamin D. Winig
Assistant City Attorney

Brian Masterson
Director of Public Safety

Darrin W. Jenkins
Director of Development Services
/ City Engineer

Sandra M. Lipitz
Director of Administrative Services

John McArthur
Director of Public Works and
Community Services

Re: City of Rohnert Park Ordinance No. 827 Adopting by Reference the 2010 Edition of the California Fire Code, as Amended, by Repealing and Replacing Chapter 15.28 of the Rohnert Park Municipal Code

City of Rohnert Park Ordinance No. 829 Adopting the 2010 California Building Standards Code by Reference, Amending Chapter 15.04 (General Provisions And Penalties), Chapter 15.08 (Building Code), Chapter 15.16 (Electrical Code), Chapter 15.20 (Plumbing Code), and Chapter 15.24 (Mechanical Code) of Title 15, and Adding Chapter 15.10 (Residential Code), Chapter 15.22 (Energy Code), and Chapter 15.26 (Green Building Standards Code) to Title 15, "Buildings and Construction," of the Rohnert Park Municipal Code

Dear Mr. Walls:

Enclosed please find for filing with the California Building Standards Commission a copy of Ordinance Nos. 827 and 829 adopted by the Rohnert Park City Council at its meeting of November 23, 2010.

I have also included an additional copy of each ordinance to be conformed and returned to our office in the self-addressed stamped envelope provided.

If you have any questions or need further information, please contact me at (707) 588-2225.

Sincerely,


Terri A. Griffin
Deputy City Clerk

Enclosures

cc: California Department of Housing and Community Development
Attn: State Housing Law Program Manager
1800 Third Street, Room 260
Sacramento, CA 95814

Darrin Jenkins, Director of Development Services
Dan Adam, Fire Marshal

ORDINANCE NO. 827

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA FIRE CODE,
AS AMENDED, BY REPEALING AND REPLACING CHAPTER 15.28 OF
THE ROHNERT PARK MUNICIPAL CODE

WHEREAS, the City of Rohnert Park wishes to adopt the 2010 Edition of the California Fire Code;

WHEREAS, special climatic, geologic, and topographical conditions exist in the City of Rohnert Park; and

WHEREAS, the City of Rohnert Park wishes to amend the 2010 Edition of the California Fire Code to address those unique conditions.

NOW, THEREFORE, the City Council of the City of Rohnert Park does ordain as follows:

SECTION 1. FINDINGS

The City Council finds that in order to best protect the health, safety, and welfare of the citizens of Rohnert Park, the City Council should adopt the California Fire Code Standards. The City Council further finds that based upon the materials presented and the recommendations of the Director of Public Safety, it is necessary to make these revisions in order to clarify procedural issues and to provide fire personnel with a better ability to protect the public.

Under the provisions of Section 17958.5 of the Health and Safety Code, local amendments must be based on climatic, geologic and topographical conditions. The following findings address each of these situations and present the local conditions which, either singularly or in combination, justify the amendments to be adopted:

- A. CLIMATE: The City, on average, experiences an approximate annual rainfall of 40 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The City has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are often accompanied by light to gusty winds, which when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into the brush covered foothill area, wind driven fires could have severe consequences, as has been demonstrated on several occasions throughout the state.
- B. GEOLOGIC: The City is susceptible to seismic hazards resulting from movement along any one of several known faults in the area. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground

movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat producing appliances and the unavailability of water for fire control due to broken water mains. In the event of a major earthquake many areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.

- C. TOPOGRAPHICAL: The City is divided by Highway 101 and railroad right-of-way. The railroad and freeway create barriers, which obstruct traffic patterns and delay response time for fire equipment. The water supply within the City is directly affected by the topographical layout. The City water system is currently pressured from the Sonoma County Water Agency aqueduct inter-tie. In the event of a major catastrophe, the City does not have an elevated water storage system to supply pressured water to the City fire hydrants.
- D. SUMMARY: The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Rohnert Park Department of Public Safety. A fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. The majority of the City's industrial areas are located in the highest seismic risk zones, which also contain the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number of persons, should a significant seismic event occur. The Department of Public Safety's resources would have to be prioritized to mitigate the greatest threat, and may be unavailable for vegetation or structure fires.

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;
 2. The extent of isolation due to bridge and/or freeway overpass collapse;
 3. The extent of roadway damage and/or amount of debris blocking roadways;
 4. Climatic conditions (hot, dry weather with high winds);
 5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,
 6. The availability of timely mutual aid or military assistance.
- E. CONCLUSION: Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity, and the size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Fire Code be amended to mitigate the effects of these conditions.

SECTION 2. The 2010 Edition of the California Fire Code is hereby adopted by reference, as amended, by repealing and replacing Chapter 15.28 of the Rohnert Park Municipal Code to read as follows:

“Chapter 15.28

FIRE CODE

- 15.28.010** Adoption of the 2010 California Fire Code.
- 15.28.020** 2010 California Fire Code Amended.
- 15.28.030** Penalty.
- 15.28.101.5** Section 101.5 of 20210 California Fire Code Amended – Applicable Standards.
- 15.28.103.1.1** Section 103.1.1 of Chapter 1 Division II California Fire Code Added – Fire Code Official.
- 15.28.104.3** Section 104.3 of Chapter 1 of 2010 California Fire Code Amended – Right of Entry.
- 15.28.104.11.4** Section 104.11.4 of Chapter 1, Division II of the 2010 California Fire Code Added – Emergency Response Penalty.
- 15.28.105.1.1** Section 105.1.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Additional Required Fire Permits.
- 15.28.105.2** Section 105.2 of Chapter 1, Division II of the 2010 California Fire Code Amended – Application for Permit; Fees.
- 15.28.108.1** Section 108.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Appeals Process.
- 15.28.304.2.1** Section 304.1.2.1 of the 2010 California Fire Code Added – Defensible space. Neighboring Property.
- 15.28.503.2.1** Section 503.2.1 of the 2010 California Fire Code Amended – Definitions.
- 15.28.503.2.6** Section 503.2.6 of the 2010 California Fire Code Amended – Bridges and Elevated Surfaces.
- 15.28.505.1** Section 505.1 of the 2010 California Fire Code Amended – Address Numbers.
- 15.28.505.1.1** Section 505.1.1 of the 2010 California Fire Code Added – One and two family dwellings.
- 15.28.507.5.1** Section 507.5.1 of the 2010 California Fire Code Amended – Where Fire Hydrants and Fire Mains Required.
- 15.28.605.11** Section 605.11 of the 2010 California Fire Code Added – Solar Photovoltaic power systems
- 15.28.605.11.1** Section 605.11.1 of the 2010 California Fire Code Added – Marking.
- 15.25.605.11.1.1** Section 605.11.1 of the 2010 California Fire Code Added – Materials.
- 15.28.605.11.1.2** Section 605.11.1.2 of the 2010 California Fire Code Added – Marking content.
- 15.28.605.11.1.3** Section 605.11.1.3 of the 2010 California Fire Code Added – Main service disconnect.
- 15.28.605.11.1.4** Section 605.11.1.4 of the 2010 California Fire Code Added – Location of Marking.

- 15.28.605.11.2 Section 605.11.2 of the 2010 California Fire Code Added – Locations of DC conductors.
- 15.28.605.11.3 Section 605.11.3 of the 2010 California Fire Code Added – Access and pathways.
- 15.28.605.11.3.1 Section 605.11.3.1 of the 2010 California Fire Code Added – Roof access points.
- 15.28.605.11.3.2 Section 605.11.3.2 of the 2010 California Fire Code Added – Residential systems for one- and two-family residential dwellings.
- 15.28.605.11.3.2.1 Section 605.11.3.2.1 of the 2010 California Fire Code Added – Residential buildings with hip roof layouts.
- 15.28.605.11.3.2.2 Section 605.11.3.2.2 of the 2010 California Fire Code Added – Residential buildings with a single ridge.
- 15.28.605.11.3.2.3 Section 605.11.3.2.3 of the 2010 California Fire Code Added – Hips and Valleys.
- 15.28.605.11.3.2.4 Section 605.11.3.2.4 of the 2010 California Fire Code Added – Smoke Ventilation.
- 15.28.605.11.3.3 Section 605.11.3.3 of the 2010 California Fire Code Added – All other occupancies.
- 15.28.605.11.3.3.1 Section 605.11.3.3.1 of the 2010 California Fire Code Added – Access.
- 15.28.605.11.3.3.2 Section 605.11.3.3.2 of the 2010 California Fire Code Added – Pathways.
- 15.28.605.11.3.3.3 Section 605.11.3.3.3 of the 2010 California Fire Code Added – Smoke Ventilation.
- 15.28.605.11.4 Section 605.11.4 of the 2010 California Fire Code Added – Ground mounted photovoltaic arrays.
- 15.28.901.6.1.1 Section 901.6.1.1 Added to 2010 California Fire Code – False Fire Alarm.
- 15.28.901.6.1.2 Section 901.6.1.2 Added to 2010 California Fire Code – New Alarm Installations.
- 15.28.901.6.1.3 Section 901.6.1.3 Added to 2010 California Fire Code – Commercial Alarms, Determining Responsibility.
- 15.28.901.6.1.4 Section 901.6.1.4 Added to 2010 California Fire Code – Residential Alarms, Determining Responsibility.
- 15.28.902.1 Section 902.1 Added to 2010 California Fire Code – Definitions.
- 15.28.903.2 Section 903.2 of 2010 California Fire Code Amended – Automatic Sprinkler System.
- 15.28.903.2.110.1 Section 903.2.110.1 Added to 2010 California Fire Code – Residential Additions.
- 15.28.903.2.110.2 Section 903.2.110.2 Added to 2010 California Fire Code – Commercial and Multi-Family Additions.
- 15.28.903.2.120 Section 903.2.120 Added to 2010 California Fire Code – Alteration or Repairs.
- 15.28.903.2.130 Section 903.2.130 added to 2010 California Fire Code – Changes of occupancy.
- 15.28.903.3.1 Section 903.3.1 is amended to 2010 California Fire Code – Design Criteria.

- 15.28.903.3.1.1 Section 903.3.1.1 Added to 2010 California Fire Code – Installation Requirements.
- 15.28.903.3.1.1.1 Section 903.3.1.1.1 of 2010 California Fire Code Deleted.
- 15.28.903.3.1.2 Section 903.3.1.2 of California Fire Code Deleted.
- 15.28.903.4 Section 903.4 of 2010 California Fire Code Amended – Sprinkler System Monitoring and Alarms.
- 15.28.903.4.1 Section 903.4.1 of 2010 California Fire Code Amended – Signals.
- 15.28.903.4.2 Section 903.4.2 of 2010 California Fire Code Amended – Alarms.
- 15.28.907.2 Section 907.2 of 2010 California Fire Code Amended – Required Fire Alarm Installations.
- 15.28.907.2.8.1 Section 907.2.8.1 of 2010 California Fire Code Amended – Exception 2.2.
- 15.28.907.2.9 Section 907.2.9 of 2010 California Fire Code Amended – Exception 2.2.
- 15.28.B105.1 Section B105.1 of Appendix B of 2010 California Fire Code Amended – One and Two Family Dwellings.
- 15.28.B105.2 Section B105.2 of Appendix B of 2010 California Fire Code Amended – Buildings Other than One and Two Family Dwellings.
- 15.28.B105.3 Table B105.1 of Appendix B, Footnote A, of 2010 California Fire Code Deleted.
- 15.28.C105.1 Table C105.1 of Appendix C of 2010 California Fire Code, Footnotes f and g Added.
- 15.28.D103.2 Section D103.2 of Appendix D of 2010 California Fire Code Amended – Grade.
- 15.28.D103.3 Section D103.3 of Appendix D of 2010 California Fire Code Amended – Turning Radius.
- 15.28.D103.4 D103.4 of Appendix D of 2010 California Fire Code Amended – Dead Ends.
- 15.28.D103.4.1 Table D103.4 of 2010 California Fire Code Deleted.
- 15.28.D103.6 D103.6 of Appendix D of 2010 California Fire Code Amended – Signs.
- 15.28.D103.6.1 Sections D103.6.1 and D103.6.2 of 2010 California Fire Code Deleted.
- 15.28.D106.1 Section D106.1 of Appendix D of 2010 California Fire Code Amended– Projects Having More than 50 Dwelling Units.
- 15.28.3302.010 Section 3302.010 Added to 2010 California Fire Code – Definitions.
- 15.28.3308.020 Section 3308.020 Added to 2010 California Fire Code – Manufacturing.
- 15.28.3308.030 Section 3308.030 Added to 2010 California Fire Code – Sales.
- 15.28.3308.040 Section 3308.040 Added to 2010 California Fire Code – General Prohibition Against Possession, Sale or Use of Fireworks.
- 15.28.3308.050 Section 3308.050 Added to 2010 California Fire Code – Authorized Sale of State-Approved Fireworks.
- 15.28.3308.060 Section 3308.060 Added to 2010 California Fire Code – Authorized Use of State-Approved Fireworks.
- 15.28.3308.070 Section 3308.070 Added to 2010 California Fire Code – Prerequisite for Issuance of Permit.
- 15.28.3308.080 Section 3308.080 Added to 2010 California Fire Code – Application for Permit.

- 15.28.3308.090 Section 3308.090 Added to 2010 California Fire Code – Denial of Application.
- 15.28.3308.100 Section 3308.100 Added to 2010 California Fire Code – Operation of Fireworks Stand.
- 15.28.3308.110 Section 3308.110 Added to 2010 California Fire Code – Temporary Fireworks Stand.
- 15.28.3308.120 Section 3308.110 Added to 2010 California Fire Code – General Fireworks Stand Requirements for Permittees.
- 15.28.3308.130 Section 3308.130 Added to 2010 California Fire Code – Supervision of Minors.
- 15.28.3308.140 Section 3308.140 Added to 2010 California Fire Code – Transportation of State-Approved Fireworks.
- 15.28.3308.150 Section 3308.150 Added to 2010 California Fire Code – Revocation of Permit--Appeal.

15.28.010 Adoption of the 2010 California Fire Code.

The California Fire Code, 2010 Edition, including all indices and appendices A through J, and Chapters 1 - 47 are hereby adopted by reference with all California and local amendments, additions or deletions as including within this chapter. This chapter shall be known as the 2010 California Fire Code and may be cited and referred to as such. For purposes of citation, the 2010 California Fire Code, including the appendices, additions and deletions thereto, are renumbered to add 15.28 before each section of the Code (e.g., Sections 101.1 and B105.1 of the 2010 California Fire Code shall be respectively cited as Sections 15.28.101.1 and 15.28.B105.1).

15.28.020 2010 California Fire Code Amended.

The 2010 California Fire Code adopted by reference in this Chapter 15.28 is amended by the additions, deletions, and amendments contained in this Chapter.

15.28.030 Penalty.

Any violation of this Chapter is a misdemeanor. Each day a violation of this Chapter exists constitutes a separate offense.

15.28.101.5 Section 101.5 of 20210 California Fire Code Amended – Applicable Standards.

Where no applicable standards or requirements are set out in this Chapter, or contained within other laws, codes, regulations, ordinances or rules adopted by the City or its officials, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards or other recognized good engineering practices, as approved by the Fire Code Official shall constitute compliance with this Chapter. Nothing herein shall derogate from the power of the Fire Code Official to determine compliance with codes or standards for those activities or installations within the Fire Code Official’s jurisdiction or responsibility.

15.28.103.1.1 Section 103.1.1 of Chapter 1 Division II California Fire Code Added – Fire Code Official.

Whenever the term "Fire Code Official" is used in this Chapter, it shall mean the Fire Marshal or his/her designee.

15.28.104.3 Section 104.3 of Chapter 1 of 2010 California Fire Code Amended – Right of Entry.

A. The Fire Code Official in the performance of duties prescribed in this Chapter, may enter upon and into any and all premises under his/her jurisdiction, at all reasonable hours for the purpose of inspecting the same to determine whether or not the provisions of this Chapter and all applicable laws or ordinances pertaining to the protection of persons and property from fire, explosion or exposure to hazardous materials are observed. However, an inspection warrant must be secured where entry is refused, except in an emergency situation. No owner, occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made and consent given, or an inspection warrant is obtained, to promptly permit the Fire Code Official's entry for the purpose of inspection and examination.

B. The Fire Code Official may enter any building or premises to extinguish or control any fire, perform rescue operations, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or take any other action necessary in the reasonable performance of his/her duties.

15.28.104.11.4 Section 104.11.4 of Chapter 1, Division II of the 2010 California Fire Code Added – Emergency Response Penalty.

In the event that the Fire Code Official responds to any emergency caused by failure to comply with this Chapter and within the responsibility for enforcement of the Fire Code Official as given in Section 104.11 of the 2010 California Fire Code, the person who caused the emergency will pay a penalty. The penalty shall constitute a debt of such person to the City and shall be collectable by the Fire Code Official. Penalties shall be based on the current Fire Division Fee schedule as established or amended by City Council resolution.

15.28.105.1.1 Section 105.1.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Additional Required Fire Permits.

The Director of Public Safety, Fire Division Lieutenant, or the Fire Marshal may require additional prescribed operational and construction permits as identified in the Fire Division Fee Schedule. Permit fees shall be based on the current Fire Division Fee schedule as established or amended by City Council resolution.

15.28.105.2 Section 105.2 of Chapter 1, Division II of the 2010 California Fire Code Amended - Application for Permit; Fees.

All applications for a permit required by this Chapter shall be made to the Fire Division of the Department of Public Safety in the form and detail, including any required plans, required by the City of Rohnert Park Fire Division. The City Council may establish fees, by resolution, for permit applications.

15.28.108.1 Section 108.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Appeals Process.

Whenever the Fire Prevention Division denies an application or permit, the applicant may appeal in writing the decision of the Fire Marshal to the Director of Public Safety within 15 days. The Director shall review the written appeal and render a decision within 30 days of its receipt. The decision of the Director shall be final.

15.28.304.2.1 Section 304.1.2.1 of the 2010 California Fire Code Added – Defensible space. Neighboring Property.

Persons owning, leasing, or controlling property within areas requiring defensible space are responsible for maintaining a defensible space on the property owned, leased or controlled by said person, within a distance of not less than 30 feet from any neighboring building or structure. Distances may be modified by the fire code official because of a site-specific analysis based on local conditions.

15.28.503.2.1 Section 503.2.1 of the 2010 California Fire Code Amended – Definitions.

FIRE APPARATUS ACCESS ROAD means a road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway. Public streets are defined by the standards of the local agency having jurisdiction over the project.

FLOOR AREA used for calculating the required fire flow means the total floor area of all floor levels within the exterior walls that are under the horizontal projection of the roof, except as modified in Section B104 of the 2010 California Fire Code.

15.28.503.2.6 Section 503.2.6 of the 2010 California Fire Code Amended – Bridges and Elevated Surfaces.

Where a bridge or elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO Standard Specifications. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed weight of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, signs or both shall be installed and maintained when required by the Fire Code Official.

15.28.505.1 Section 505.1 of the 2010 California Fire Code Amended – Address Numbers.

New and existing buildings shall have approved illuminated address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. The numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.

15.28.505.1.1 Section 505.1.1 of the 2010 California Fire Code Added – One and two family dwellings.

Address numbers for one and two family dwellings shall be a minimum of 4 inches in height with a minimum stroke width of 0.5 inches.

15.28.507.5.1 Section 507.5.1 of the 2010 California Fire Code Amended – Where Fire Hydrants and Fire Mains Required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and fire mains shall be provided where required by the Fire Code Official.

15.28.605.11 Section 605.11 of the 2010 California Fire Code Added – Solar Photovoltaic power systems

Solar photovoltaic power systems shall be installed in accordance with this code, the *California Building Code* and *California Electric Code*.

Exception: Detached Group U non-habitable structures such as parking shade structures, carports, solar trellises, and similar type structures are not subject to the requirements of this section.

15.28.605.11.1 Section 605.11.1 of the 2010 California Fire Code Added – Marking.

Marking is required on all interior and exterior dc conduit, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.

15.25.605.11.1.1 Section 605.11.1 of the 2010 California Fire Code Added – Materials.

The materials used for marking shall be reflective, weather resistant and suitable for the environment. Marking as required in sections 605.11.1.1 through 605.11.1.4 shall have all letters capitalized with a minimum height of 3/8 inch (9.5 mm) white on red background.

15.28.605.11.1.2 Section 605.11.1.2 of the 2010 California Fire Code Added – Marking content.

The marking shall contain the words "WARNING: PHOTOVOLTAIC POWER SOURCE."

15.28.605.11.1.3 Section 605.11.1.3 of the 2010 California Fire Code Added – Main service disconnect.

The marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the disconnect is operated.

15.28.605.11.1.4 Section 605.11.1.4 of the 2010 California Fire Code Added – Location of Marking.

Marking shall be placed on all interior and exterior dc conduit, raceways, enclosures and cable assemblies every 10 feet (3048 mm) within 1 foot (305 mm) of all turns or bends and within 1 foot (305 mm) above and below all penetrations of roof/ceiling assemblies and all walls and /or barriers.

15.28.605.11.2 Section 605.11.2 of the 2010 California Fire Code Added – Locations of DC conductors.

Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge or hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit runs between

sub arrays and to DC combiner boxes shall be installed in a manner that minimizes total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are minimized in the pathways between arrays. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building. Conduit shall run along the bottom of load bearing members.

15.28.605.11.3 Section 605.11.3 of the 2010 California Fire Code Added – Access and pathways.

Roof access, pathways, and spacing requirements shall be provided in order to ensure access to the roof; provide pathways to specific areas of the roof; provide for smoke ventilation operations; and to provide emergency egress from the roof.

Exceptions:

1. Requirements relating to ridge, hip, and valleys do not apply to roof slopes of two units vertical in twelve units horizontal (2:12) or less.
2. Residential structures shall be designed so that each array is no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in either axis.
3. The fire code official may allow panels/modules to be located up to the ridge when an alternative ventilation method acceptable to the fire code official has been provided or where the fire code official has determined vertical ventilation techniques will not be employed.

15.28.605.11.3.1 Section 605.11.3.1 of the 2010 California Fire Code Added – Roof access points.

Roof access points shall be defined as an area that does not place ground ladders over openings such as windows or doors, and are located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

15.28.605.11.3.2 Section 605.11.3.2 of the 2010 California Fire Code Added – Residential systems for one- and two-family residential dwellings.

Access shall be provided in accordance with Sections 605.11.3.2.1 through 605.11.3.2.4

15.28.605.11.3.2.1 Section 605.11.3.2.1 of the 2010 California Fire Code Added – Residential buildings with hip roof layouts.

Panels /modules shall be located in a manner that provides a 3 foot (914 mm) wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

15.28.605.11.3.2.2 Section 605.11.3.2.2 of the 2010 California Fire Code Added – Residential buildings with a single ridge.

Panels/modules shall be located in a manner that provides two 3-foot (914 mm) wide access pathways from the eave to the ridge on each roof slope where panels/modules are located.

15.28.605.11.3.2.3 Section 605.11.3.2.3 of the 2010 California Fire Code Added – Hips and Valleys.

Panels/modules shall be located no closer than 18 inches (457 mm) to a hip or a valley if panels/modules are to be placed on both sides of a hip or valley. If the panels are to be located on only one side of a hip or valley that is of equal length then the panels shall be permitted to be placed directly adjacent to the hip or valley.

15.28.605.11.3.2.4 Section 605.11.3.2.4 of the 2010 California Fire Code Added – Smoke Ventilation.

Panels/modules shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

15.28.605.11.3.3 Section 605.11.3.3 of the 2010 California Fire Code Added – All other occupancies.

Access shall be provided in accordance with Sections 605.11.3.3.1 through 605.11.3.3.3.

Exception: Where it is determined by the fire code official that the roof configuration is similar to a one- or two-family dwelling, the fire code official may approve the residential access and ventilation requirements provided in 605.11.3.2.1 through 605.11.3.2.4.

15.28.605.11.3.3.1 Section 605.11.3.3.1 of the 2010 California Fire Code Added – Access. There shall be a minimum 6 foot (1829 mm) wide clear perimeter around the edges of the roof.

Exception: If either axis of the building is 250 feet (76 200 mm) or less, there shall be a minimum 4 foot (1290 mm) wide clear perimeter around the edges of the roof.

15.28.605.11.3.3.2 Section 605.11.3.3.2 of the 2010 California Fire Code Added – Pathways. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof
2. The center line axis pathways shall be provided in both axis of the roof. Center line axis pathways shall run where the roof structure is capable of supporting the live load of firefighters accessing the roof.
3. Shall be straight line not less than 4 feet (1290 mm) clear to skylights and/or ventilation hatches
4. Shall be straight line not less than 4 feet (1290 mm) clear to roof standpipes
5. Shall provide not less than 4 feet (1290 mm) clear around roof access hatch with at least one not less than 4 feet (1290 mm) clear pathway to parapet or roof edge

15.28.605.11.3.3.3 Section 605.11.3.3.3 of the 2010 California Fire Code Added – Smoke Ventilation.

The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in distance in either axis in order to create opportunities for smoke ventilation operations.
2. Smoke ventilation options between array sections shall be one of the following:
 - 2.1. A pathway 8 feet (2438 mm) or greater in width;
 - 2.2 A 4 feet (1290 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents;
 - 2.3 A 4 feet (1290 mm) or greater in width pathway and bordering 4 foot (1290 mm) x 8 foot (2438 mm) "venting cutouts" every 20 feet (6096 mm) on alternating sides of the pathway

15.28.605.11.4 Section 605.11.4 of the 2010 California Fire Code Added – Ground mounted photovoltaic arrays.

Ground mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.2 and this section. Setback requirements do not apply to ground-mounted, free standing photovoltaic arrays. A clear brush area of 10 feet (3048 mm) is required for ground mounted photovoltaic arrays.

15.28.901.6.1.1 Section 901.6.1.1 Added to 2010 California Fire Code – False Fire Alarm.

The expenses incurred as a result of responding to a False Alarm, as defined herein, shall be reimbursed if the number of responses exceeds an annual amount as prescribed in the Fee Schedule established or amended by resolution of the City Council.

15.28.901.6.1.2 Section 901.6.1.2 Added to 2010 California Fire Code – New Alarm Installations.

In the case of new alarm installations, there will be a thirty day grace period in which responses will not be monitored for purposes of enforcement under this Chapter.

15.28.901.6.1.3 Section 901.6.1.3 Added to 2010 California Fire Code – Commercial Alarms, Determining Responsibility.

In determining responsibility for commercial alarms, the persons who contracts with the alarm company for service, or the lessee or occupant of the structure which has installed and maintains said alarm shall be ultimately responsible for that alarm system.

15.28.901.6.1.4 Section 901.6.1.4 Added to 2010 California Fire Code – Residential Alarms, Determining Responsibility.

Responsibility for the alarm system in multi-family residential dwellings and condominiums shall rest with the persons who contract with the alarm company for service to that system.

15.28.902.1 Section 902.1 Added to 2010 California Fire Code – Definitions.

Alarm. A signal from a residence or business location in the City of Rohnert Park which ends at the City Department of Public Safety offices, or at a central alarm company's

office which in turn relays it to the Department of Public Safety offices and which causes City personnel to respond, or through any other means that result in Department of Public Safety personnel responding to the signal.

Emergency. An incident which requires a response by Department of Public Safety personnel. A response due to a failure, malfunction or other error, whether human or mechanical, which results in the transmission of an alarm to the Department of Public Safety is not an emergency. In the event that a question arises as to whether a response by City personnel was a response to an emergency as defined herein, the Fire Code Official shall determine whether an incident constituted an emergency and his or her decision is final.

False alarm. An alarm to which City personnel or equipment have responded because of a report that an emergency existed and which did not require a response because the incident for which the alarm was given did not occur.

15.28.903.2 Section 903.2 of 2010 California Fire Code Amended – Automatic Sprinkler System.

An automatic sprinkler system shall be installed and maintained in all newly constructed buildings.

Exceptions:

1. Detached Group U occupancies 1000 sq. ft. or less, as approved by the Fire Code Official.
2. Detached pool houses up to 1000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. Detached non-combustible motor vehicle fuel dispensing canopies classified as a Group M occupancy.
4. Detached Car Ports of non-combustible construction.
5. Detached Group B or M occupancies 500 sq. ft or less.

15.28.903.2.110.1 Section 903.2.110.1 Added to 2010 California Fire Code – Residential Additions .

Additions to existing residential buildings that increase the square footage by 50% or greater shall meet the requirements for a newly constructed building. All additions to residential buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition.

15.28.903.2.110.2 Section 903.2.110.2 Added to 2010 California Fire Code – Commercial and Multi-Family Additions.

Additions to existing commercial buildings that increase square footage by 25% or greater shall meet the requirements for a newly constructed building. All additions to commercial buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition

15.28.903.2.120 Section 903.2.120 Added to 2010 California Fire Code – Alteration or Repairs.

All existing buildings and facilities when remodels, alterations or structural repairs are made involving demolition, remodel, or repair of more than 50% of the structure or when the total cost of remodels, alterations or structural repairs, exceeds the valuation threshold of \$50,000, based on January 1981, "ENR US20 Cities" Average construction Cost Index of 3372.02 (Engineering News Record, McGraw Hill Publishing Company) shall meet the requirements for a newly constructed building. The enforcing agency shall annually update the valuation threshold to a current amount based on the increase in the index since the last figure used. (For example, the January 2010 amount is \$128,410.86.)

15.28.903.2.130 Section 903.2.130 added to 2010 California Fire Code – Changes of occupancy.

Any change of occupancy when the proposed new occupancy classification is more hazardous based on life and fire risk, as determined by the Fire Code Official, including the conversion of residential buildings to condominiums, the building shall meet the requirements for a newly constructed building.

15.28.903.3.1 Section 903.3.1 is amended to 2010 California Fire Code – Design Criteria.

Fire sprinkler systems installed in buildings of undetermined use shall be designed and installed to have a design density of 0.33 gallons per minute per square foot over a minimum design area of 3,000 square feet. Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owners' responsibility to upgrade the system to the required density and meet any additional requirements of this Chapter at the time of such change.

15.28.903.3.1.1 Section 903.3.1.1 Added to 2010 California Fire Code – Installation Requirements.

Sprinkler systems shall be installed in accordance with NFPA 13; and NFPA 13R, NFPA 13D when approved by the Fire Code Official, and as adopted by City standards.

15.28.903.3.1.1.1 Section 903.3.1.1.1 of 2010 California Fire Code Deleted.

Section 903.3.1.1.1 is deleted in its entirety.

15.28.903.3.1.2 Section 903.3.1.2 of California Fire Code Deleted.

Section 903.3.1.2 is deleted in its entirety.

15.28.903.4 Section 903.4 of 2010 California Fire Code Amended – Sprinkler System Monitoring and Alarms.

Except for Group R, Division 3 Occupancies, all valves controlling the water supply for automatic sprinkler systems, and associated pumps, tanks, water levels and water flow switches shall be electronically supervised. Valves when used for standpipes are excluded from this provision unless required by the Fire Code Official.

15.28.903.4.1 Section 903.4.1 of 2010 California Fire Code Amended – Signals.

Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising

station as defined in NFPA 72; or when approved by the Fire Code Official, shall sound an audible alarm at a constantly attended location.

15.28.903.4.2 Section 903.4.2 of 2010 California Fire Code Amended – Alarms.

Every new fire alarm system installed for the purpose of notification, including those systems activated solely by fire sprinkler systems, shall be designed so that all occupants of the building shall be notified audibly and visually for each separate occupancy or each separate residential dwelling unit.

15.28.907.2 Section 907.2 of 2010 California Fire Code Amended – Required Fire Alarm Installations.

A. All newly constructed commercial buildings shall be provided with a complete manual and automatic fire alarm system approved by the Fire Code Official which when activated will sound an alarm which is audible throughout the building and will notify all occupants.

B. In any commercial occupancy where a use creates a change of occupancy classification as listed in the California Building Code, the entire structure shall be provided with a fire alarm system approved by the Fire Code Official.

15.28.907.2.8.1 Section 907.2.8.1 of 2010 California Fire Code Amended – Exception 2.2.

2.2. Notification devices installed in the common areas serving the residential units shall operate upon sprinkler water flow or manual pull station activation.

15.28.907.2.9 Section 907.2.9 of 2010 California Fire Code Amended – Exception 2.2.

2.2. Notification devices installed in the common areas serving the residential units shall operate upon sprinkler water flow or manual pull station activation.

15.28.B105.1 Section B105.1 of Appendix B of 2010 California Fire Code Amended – One and Two Family Dwellings.

The minimum fire flow requirements for one and two family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet shall be 1,500 gallons per minute. Fire flow and flow duration for dwellings having a fire flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1 of the 2010 California Fire Code.

15.28.B105.2 Section B105.2 of Appendix B of 2010 California Fire Code Amended – 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 as specified in Table B105.1 of the 2010 California Fire Code.

Exception: A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with other sections of this Chapter. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1 of the 2010 California Fire Code.

15.28.B105.3 Table B105.1 of Appendix B, Footnote A, of 2010 California Fire Code Deleted.

Table B105.1 of Appendix B, Footnote A is deleted in its entirety.

15.28.C105.1 Table C105.1 of Appendix C of 2010 California Fire Code, Footnotes f and g Added.

Footnotes f and g are added to Table C105.1 of Appendix C of the 2010 California Fire Code to read:

Table C105.1, Footnote f:

For commercial, industrial and multifamily residential buildings, average spacing shall be no greater than 300 feet.

Table C105.1, Footnote g:

A Fire hydrant shall be located within 50 feet of the Fire Department Connection, or as approved by the Fire Code Official.

15.28.D103.2 Section D103.2 of Appendix D of 2010 California Fire Code Amended – Grade.

The grade of fire apparatus access roads shall be in accordance with City standards or as approved by the Fire Code Official.

15.28.D103.3 Section D103.3 of Appendix D of 2010 California Fire Code Amended – Turning Radius.

The minimum turning radius shall be in accordance with City standards or as approved by the Fire Code Official.

15.28.D103.4 D103.4 of Appendix D of 2010 California Fire Code Amended – Dead Ends.

Dead-end fire apparatus access roads in excess of 150 feet (45,720 mm) shall be provided with width and turnaround provisions in accordance with City standards.

15.28.D103.4.1 Table D103.4 of 2010 California Fire Code Deleted.

Table D103.4 is deleted in its entirety.

15.28.D103.6 D103.6 of Appendix D of 2010 California Fire Code Amended – Signs.

Where required by the Fire Code Official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with the California Vehicle Code.

15.28.D103.6.1 Sections D103.6.1 and D103.6.2 of 2010 California Fire Code Deleted.

Sections D103.6.1 and D103.6.2 of the 2010 California Fire Code are deleted in their entirety.

15.28.D106.1 Section D106.1 of Appendix D of 2010 California Fire Code Amended – Projects Having More than 50 Dwelling Units.

Multiple-family residential projects having more than 50 dwelling units shall be provided with two separate and approved fire access roads.

15.28.3302.010 Section 3302.010 Added to 2010 California Fire Code – Definitions.

The following words and phrases, as used in this Chapter with regard to the sale of fireworks, are defined as follows:

"Affiliated organizations" are:

1. Organizations incorporated under the same charter or organization and their auxiliaries if the auxiliary is incorporated under the same charter;
2. Organizations sharing the same officers and/or place of meetings and/or national parent organization;
3. Subdivisions and/or fractional divisions, however named or delineated, of organizations;
4. Sub-organizations, one of whose primary purposes is to provide financial and/or staffing support to a parent non-profit organization.

"Dangerous fireworks" shall mean dangerous fireworks as defined in Health and Safety Code sections 12505 and 12561 and the relevant sections of Title 19, Code of Regulations, Subchapter 6 which are hereby incorporated by reference.

"Non-profit organization" shall mean any non-profit association, charity or corporation or a group which is an integral part of a recognized national organization having such tax-exempt status or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the City of Rohnert Park or public and/or private community college, college and/or university which is located within the boundaries of the City of Rohnert Park.

"Person" includes any individual, firm, partnership, joint venture, association, concern, corporation, state, trust, business trust, receiver, syndicate or any other group or combination acting as a unit.

"Principal and permanent meeting place" shall include, but not be limited to, a permanent structure, playing field, or geographic area that services a population which resides in or is located within the City of Rohnert Park.

"Public display of fireworks" shall mean an entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks.

"Pyrotechnical displays" are public firework displays or displays used in conjunction with special effects, for motion pictures, theatrical and group entertainment productions operated by a professional California State licensed pyrotechnician. All such displays must secure a fire department permit and meet all applicable requirements of California Health and Safety Code.

"State-approved fireworks" shall mean state-approved fireworks defined in Health and Safety Code sections 12529 and 12562 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference. State-approved fireworks are

commonly referred to as safe and sane fireworks. Throughout the remainder of this document the term state-approved fireworks will be used to denote safe and sane fireworks.

15.28.3308.020 Section 3308.020 Added to 2010 California Fire Code – Manufacturing.

The manufacturing of fireworks is prohibited except under special permits as required by local, county, or state regulations.

15.28.3308.030 Section 3308.030 Added to 2010 California Fire Code – Sales.

It shall be unlawful for any person to sell state-approved fireworks within the City of Rohnert Park without having obtained a City of Rohnert Park Fire permit.

15.28.3308.040 Section 3308.040 Added to 2010 California Fire Code – General Prohibition Against Possession, Sale or Use of Fireworks.

Except as otherwise provided in this chapter, no person shall possess, sell, use, display or explode any rocket, including but not limited to, Piccolo Pete's, firecrackers, roman candles, squibs, torpedoes, torpedo canes, wire core sparklers, wooden core sparklers, black cartridges or other combustible devices or explosive substances or any kind of fireworks, by whatsoever name known, within the City of Rohnert Park.

15.28.3308.050 Section 3308.050 Added to 2010 California Fire Code – Authorized Sale of State-Approved Fireworks.

It is unlawful to sell state-approved fireworks within the City of Rohnert Park at any time other than the following: Between eight a.m. on the thirtieth of June and ending at nine p.m. on July 4th of the same year.

15.28.3308.060 Section 3308.060 Added to 2010 California Fire Code – Authorized Use of State-Approved Fireworks.

The use of state-approved fireworks may occur beginning on the thirtieth of June and ending on the fourth of July between the hours of eight a.m. and ten-thirty p.m.

15.28.3308.070 Section 3308.070 Added to 2010 California Fire Code – Prerequisite for Issuance of Permit.

A. No permit to sell state-approved fireworks shall be issued to any person. This prohibition excludes non-profit organizations as defined in section 15.28.3308.010.

B. Each such non-profit organization shall have its principal and permanent meeting place within the City of Rohnert Park limits.

C. No non-profit organization shall submit more than one application for a permit to sell state-approved fireworks within the City of Rohnert Park. If more than one application is submitted on behalf of any non-profit organization, including an affiliated organization, all such requests shall be void. The Fire Code Official will determine whether organizations or groups are affiliated. Any attempt to transfer an application shall void any and all applications filed by or on behalf of both the transferor/non-profit organization and the transferee/non-profit organization.

D. Clean-up deposit. Each non-profit organization shall post a two hundred dollar (\$200.00) clean-up deposit with the application to sell state-approved fireworks within the City of Rohnert Park. The deposit will be forfeited to the City in the event the permittee fails to remove rubbish from the designated clean-up area by five p.m. on July fifth. The clean-up area will be assigned by the Fire Department upon receipt and approval of the application by the non-profit organization. The clean-up areas are the designated parks and City-owned parking lots within the City of Rohnert Park. The Director of Public Works or his/her designee will check the clean-up site and then report their findings to the Fire Department. The Fire Department will make the final determination if the deposit will be refunded.

15.28.3308.080 Section 3308.080 Added to 2010 California Fire Code – Application for Permit.

A. All applications for permits to sell state-approved fireworks shall be in writing to the Fire Code Official. Applications may be filed beginning the first day of April of each year up to and through the end of the work day of the last day of May of the same year, at which time the filing period for that year will be closed. Applications shall set forth the proposed location of the fireworks stand being applied for, and other information as may be required by the Fire Code Official.

B. Applications shall include:

1. A written assurance that, if the permit is issued to the applicant, the applicant shall, at the time of receipt of such a permit, deliver to the Fire Code Official liability insurance in the amount required by the City.

2. A copy of the requisite State retail sales permit from the Office of the California State Fire Marshal.

3. A statement of the zoning of the real property on which the fireworks stand is to be located.

4. A non-refundable application fee in the amount established by resolution of the City Council. This application fee shall be in addition to any fee or tax imposed by this Chapter or by City Council resolution.

5. The proposed location of the fireworks stand, the name, address and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period that state-approved fireworks are sold, displayed or stored at such location, and written permission from the owner of record of the property upon which the stand will be located.

6. The proposed location of night storage of the fireworks.

7. Documented evidence, either in the form of a certificate or other similar documentation, that a representative from the non-profit organization attended a state-approved fireworks stand

operator safety seminar conducted by the Fire Department and/or the licensed fireworks wholesaler that is supplying the state-approved fireworks to the non-profit organization.

C. Applicants for such permits shall be notified by June 22 of each calendar year by the Fire Code Official of the approval or disapproval of such applications for such permit. All organizations whose applications have been approved shall receive their permit at the time their fireworks booth passes a required fire inspection.

15.28.3308.090 Section 3308.090 Added to 2010 California Fire Code – Denial of Application.

A. The Fire Code Official shall issue the permit to sell state-approved fireworks unless he or she finds that:

1. The applicant has failed to provide sufficient plans, information or other data necessary to render a determination respecting compliance with the requirements of this Chapter; or
2. The applicant is not in compliance with any of the requirements of this Chapter; or
3. The applicant has failed to pay any and all fees and costs required to operate a fireworks stand in the City of Rohnert Park.

B. Any denial of a permit pursuant to this section may be appealed pursuant to the procedures set forth in section 15.28.3308.150 of this Chapter.

15.28.3308.100 Section 3308.100 Added to 2010 California Fire Code – Operation of Fireworks Stand.

A. No person shall knowingly sell fireworks to any person under the age of eighteen. Proof that the fireworks stand operator/organization demanded, was shown, and acted in reliance upon bona fide evidence of age and identity in any sale of fireworks forbidden by this chapter shall be a defense in any proceedings for suspension or revocation of its state-approved fireworks permit or any criminal proceedings for violations of this chapter. For purposes of this section, bona fide evidence of age and identity of purchaser is a document issued by a federal, state, county or municipal government which contains a photograph of the purchaser including, but not limited to, a valid California Driver's License or Identification Card issued to a member of the armed forces.

B. The sale of state-approved fireworks shall begin no earlier than eight a.m. on June thirtieth and shall not continue after nine p.m. on July fourth of the same year. No person under the age of eighteen shall sell or participate in the sale of state-approved fireworks at such stand. No person under the age of eighteen shall be permitted inside the stand during hours of operation.

C. No person other than the permitted nonprofit organization(s) shall operate the stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.

15.28.3308.110 Section 3308.110 Added to 2010 California Fire Code – Temporary Fireworks Stand.

All retail sales of state-approved fireworks shall be permitted from within a temporary fireworks stand, and retail sales from any other building or structure is hereby prohibited. Temporary stands shall be subject to the following provisions:

No fireworks stand shall be located within twenty-five feet of any other building or within one hundred feet of any gasoline pump, distribution point of flammable liquid, or flammable/combustible liquid storage. Location of stands is contingent upon approval of the location in writing by the Fire Code Official or his/her designee. Fireworks stands need not comply with the provisions of the Building Code of the City of Rohnert Park. However, all stands shall be erected under the supervision of the Fire Code Official who shall require that the firework stands be constructed in a manner which will reasonably ensure the safety of attendants and patrons. No stand shall have a floor area in excess of three hundred fifty square feet.

Each stand shall have at least two exits. Each stand in excess of forty feet in length shall have at least three exits spaced approximately equidistant apart. However, in no case shall the distance between the exits exceed twenty-four feet. Exit doors shall be not less than twenty-four inches wide and six feet in height and shall swing in the direction of exit travel.

Each stand shall be provided with one 2A10BC fire extinguisher, in good working order and easily accessible for use in case of fire.

All retail sales of state-approved fireworks shall be permitted only from within a temporary stand. Sales from any other building or structure are hereby prohibited.

15.28.3308.120 Section 3308.110 Added to 2010 California Fire Code – General Fireworks Stand Requirements for Permittees.

All weeds and combustible materials shall be cleared from the location of the fireworks stand to a distance of at least twenty-five feet surrounding the fireworks stand. All trash resulting from the operation of the fireworks stand must be removed on a daily basis in accordance with section 15.28.3308.070(D). "NO SMOKING" signs shall be prominently displayed on and in the state-approved fireworks stand. Additional signs shall be posted in a conspicuous location, on the stand, that identifies the required minimum age of persons purchasing fireworks; locations where fireworks are illegal; and restricting the discharge of fireworks near stands.

Each state-approved fireworks stand must have an adult in attendance and in charge thereof while fireworks are stored therein. Sleeping or remaining in the stand after close of business each day is forbidden.

All unsold stock shall be removed from the stand and located in an approved storage area immediately after close of business on each day of operation. In addition, all unsold stock of fireworks in the hands of the permittee after nine p.m. on the 4th day of July shall be returned to the wholesaler/distributor within twenty-four hours and removed from the City of Rohnert Park within ten days. On closing of the state-approved fireworks stand, all litter shall be removed from the premises.

Each state-approved fireworks stand must have available in an accessible place inside the stand its permit to sell state-approved fireworks, its State Fire Marshal Retail Sales Permit and proof of its required insurance.

No person shall smoke within twenty-five feet of the state-approved fireworks stand.

No person shall light, cause to be lighted or permit to be lighted any state-approved fireworks or combustible material within fifty feet of any state-approved fireworks stand.

15.28.3308.130 Section 3308.130 Added to 2010 California Fire Code – Supervision of Minors.

It shall be unlawful for any person having the care, custody or control of a minor (under eighteen years old) to permit such minor to discharge, explode, fire or set off any dangerous, illegal fireworks, at any time, or to permit such minor to discharge or set off any state-approved fireworks unless such minor does so under the direct supervision of a person over eighteen years of age and during the time period permitted by this Chapter.

15.28.3308.140 Section 3308.140 Added to 2010 California Fire Code – Transportation of State-Approved Fireworks.

Wholesalers of fireworks must obtain a permit to deliver fireworks into the City in accordance with provisions of the California Health and Safety Code. No deliveries may be made on or after July 4 of each year.

15.28.3308.150 Section 3308.150 Added to 2010 California Fire Code – Revocation of Permit--Appeal.

The Fire Code Official may revoke the permit of any permittee who violates any of the provisions of this Chapter. Such revocation shall not occur prior to (1) the permittee being notified of the alleged violation and provided an opportunity to request a hearing; and (2) a hearing taking place before the City Manager, if requested by the permittee. If the revocation occurs between June 22nd and July fourth, the Fire Code Official shall inform the permittee that the permittee may seek review of the Fire Code Official's decision by the City Manager on the next business day.

At the earliest opportunity on the next business day after the revocation, the Fire Code Official shall provide the City Manager with written notice of the permittee's alleged violation, including the name of the permittee and a brief statement of the grounds for potential revocation. The City Manager shall meet with the permittee and the Fire Code Official on that day, upon the permittee's request, to review the Fire Code Official's decision. The decision of the City Manager shall be final."

SECTION 3. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the

activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 5. EFFECTIVE DATE AND PUBLICATION

This ordinance of the City of Rohnert Park shall be effective on January 1, 2011. Before the expiration of fifteen (15) days after its passage, this ordinance, or a summary thereof as provided in California Government code Section 36933, shall be published at least once in a newspaper of general circulation, published and circulated in the City of Rohnert Park, along with the names of the members of the City Council voting for and against its passage.

This ordinance was introduced by the City Council of the City of Rohnert Park on October 26, 2010 and adopted on November 2 2010 by the following roll call vote:

AYES: Five (5) Council Members Belforte, Breeze, Callinan, Mackenzie, and Mayor Stafford

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

CITY OF ROHNERT PARK

Pam Stafford
Mayor

ATTEST:

Jean Siggins Deputy 11/23/10
City Clerk



APPROVED AS TO FORM:

Ben Hyatt ABST
City Attorney

ORDINANCE NO. 827

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA FIRE CODE,
AS AMENDED, BY REPEALING AND REPLACING CHAPTER 15.28 OF
THE ROHNERT PARK MUNICIPAL CODE

WHEREAS, the City of Rohnert Park wishes to adopt the 2010 Edition of the California Fire Code;

WHEREAS, special climatic, geologic, and topographical conditions exist in the City of Rohnert Park; and

WHEREAS, the City of Rohnert Park wishes to amend the 2010 Edition of the California Fire Code to address those unique conditions.

NOW, THEREFORE, the City Council of the City of Rohnert Park does ordain as follows:

SECTION 1. FINDINGS

The City Council finds that in order to best protect the health, safety, and welfare of the citizens of Rohnert Park, the City Council should adopt the California Fire Code Standards. The City Council further finds that based upon the materials presented and the recommendations of the Director of Public Safety, it is necessary to make these revisions in order to clarify procedural issues and to provide fire personnel with a better ability to protect the public.

Under the provisions of Section 17958.5 of the Health and Safety Code, local amendments must be based on climatic, geologic and topographical conditions. The following findings address each of these situations and present the local conditions which, either singularly or in combination, justify the amendments to be adopted:

- A. CLIMATE: The City, on average, experiences an approximate annual rainfall of 40 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The City has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are often accompanied by light to gusty winds, which when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into the brush covered foothill area, wind driven fires could have severe consequences, as has been demonstrated on several occasions throughout the state.
- B. GEOLOGIC: The City is susceptible to seismic hazards resulting from movement along any one of several known faults in the area. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground

movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat producing appliances and the unavailability of water for fire control due to broken water mains. In the event of a major earthquake many areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.

- C. TOPOGRAPHICAL: The City is divided by Highway 101 and railroad right-of-way. The railroad and freeway create barriers, which obstruct traffic patterns and delay response time for fire equipment. The water supply within the City is directly affected by the topographical layout. The City water system is currently pressured from the Sonoma County Water Agency aqueduct inter-tie. In the event of a major catastrophe, the City does not have an elevated water storage system to supply pressured water to the City fire hydrants.
- D. SUMMARY: The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Rohnert Park Department of Public Safety. A fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. The majority of the City's industrial areas are located in the highest seismic risk zones, which also contain the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number of persons, should a significant seismic event occur. The Department of Public Safety's resources would have to be prioritized to mitigate the greatest threat, and may be unavailable for vegetation or structure fires.

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;
 2. The extent of isolation due to bridge and/or freeway overpass collapse;
 3. The extent of roadway damage and/or amount of debris blocking roadways;
 4. Climatic conditions (hot, dry weather with high winds);
 5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,
 6. The availability of timely mutual aid or military assistance.
- E. CONCLUSION: Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity, and the size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Fire Code be amended to mitigate the effects of these conditions.

SECTION 2. The 2010 Edition of the California Fire Code is hereby adopted by reference, as amended, by repealing and replacing Chapter 15.28 of the Rohnert Park Municipal Code to read as follows:

“Chapter 15.28

FIRE CODE

- 15.28.010 Adoption of the 2010 California Fire Code.
- 15.28.020 2010 California Fire Code Amended.
- 15.28.030 Penalty.
- 15.28.101.5 Section 101.5 of 20210 California Fire Code Amended – Applicable Standards.
- 15.28.103.1.1 Section 103.1.1 of Chapter 1 Division II California Fire Code Added – Fire Code Official.
- 15.28.104.3 Section 104.3 of Chapter 1 of 2010 California Fire Code Amended – Right of Entry.
- 15.28.104.11.4 Section 104.11.4 of Chapter 1, Division II of the 2010 California Fire Code Added – Emergency Response Penalty.
- 15.28.105.1.1 Section 105.1.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Additional Required Fire Permits.
- 15.28.105.2 Section 105.2 of Chapter 1, Division II of the 2010 California Fire Code Amended – Application for Permit; Fees.
- 15.28.108.1 Section 108.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Appeals Process.
- 15.28.304.2.1 Section 304.1.2.1 of the 2010 California Fire Code Added – Defensible space. Neighboring Property.
- 15.28.503.2.1 Section 503.2.1 of the 2010 California Fire Code Amended – Definitions.
- 15.28.503.2.6 Section 503.2.6 of the 2010 California Fire Code Amended – Bridges and Elevated Surfaces.
- 15.28.505.1 Section 505.1 of the 2010 California Fire Code Amended – Address Numbers.
- 15.28.505.1.1 Section 505.1.1 of the 2010 California Fire Code Added – One and two family dwellings.
- 15.28.507.5.1 Section 507.5.1 of the 2010 California Fire Code Amended – Where Fire Hydrants and Fire Mains Required.
- 15.28.605.11 Section 605.11 of the 2010 California Fire Code Added – Solar Photovoltaic power systems
- 15.28.605.11.1 Section 605.11.1 of the 2010 California Fire Code Added – Marking.
- 15.25.605.11.1.1 Section 605.11.1 of the 2010 California Fire Code Added – Materials.
- 15.28.605.11.1.2 Section 605.11.1.2 of the 2010 California Fire Code Added – Marking content.
- 15.28.605.11.1.3 Section 605.11.1.3 of the 2010 California Fire Code Added – Main service disconnect.
- 15.28.605.11.1.4 Section 605.11.1.4 of the 2010 California Fire Code Added – Location of Marking.

- 15.28.605.11.2 Section 605.11.2 of the 2010 California Fire Code Added – Locations of DC conductors.
- 15.28.605.11.3 Section 605.11.3 of the 2010 California Fire Code Added – Access and pathways.
- 15.28.605.11.3.1 Section 605.11.3.1 of the 2010 California Fire Code Added – Roof access points.
- 15.28.605.11.3.2 Section 605.11.3.2 of the 2010 California Fire Code Added – Residential systems for one- and two-family residential dwellings.
- 15.28.605.11.3.2.1 Section 605.11.3.2.1 of the 2010 California Fire Code Added – Residential buildings with hip roof layouts.
- 15.28.605.11.3.2.2 Section 605.11.3.2.2 of the 2010 California Fire Code Added – Residential buildings with a single ridge.
- 15.28.605.11.3.2.3 Section 605.11.3.2.3 of the 2010 California Fire Code Added – Hips and Valleys.
- 15.28.605.11.3.2.4 Section 605.11.3.2.4 of the 2010 California Fire Code Added – Smoke Ventilation.
- 15.28.605.11.3.3 Section 605.11.3.3 of the 2010 California Fire Code Added – All other occupancies.
- 15.28.605.11.3.3.1 Section 605.11.3.3.1 of the 2010 California Fire Code Added – Access.
- 15.28.605.11.3.3.2 Section 605.11.3.3.2 of the 2010 California Fire Code Added – Pathways.
- 15.28.605.11.3.3.3 Section 605.11.3.3.3 of the 2010 California Fire Code Added – Smoke Ventilation.
- 15.28.605.11.4 Section 605.11.4 of the 2010 California Fire Code Added – Ground mounted photovoltaic arrays.
- 15.28.901.6.1.1 Section 901.6.1.1 Added to 2010 California Fire Code – False Fire Alarm.
- 15.28.901.6.1.2 Section 901.6.1.2 Added to 2010 California Fire Code – New Alarm Installations.
- 15.28.901.6.1.3 Section 901.6.1.3 Added to 2010 California Fire Code – Commercial Alarms, Determining Responsibility.
- 15.28.901.6.1.4 Section 901.6.1.4 Added to 2010 California Fire Code – Residential Alarms, Determining Responsibility.
- 15.28.902.1 Section 902.1 Added to 2010 California Fire Code – Definitions.
- 15.28.903.2 Section 903.2 of 2010 California Fire Code Amended – Automatic Sprinkler System.
- 15.28.903.2.110.1 Section 903.2.110.1 Added to 2010 California Fire Code – Residential Additions.
- 15.28.903.2.110.2 Section 903.2.110.2 Added to 2010 California Fire Code – Commercial and Multi-Family Additions.
- 15.28.903.2.120 Section 903.2.120 Added to 2010 California Fire Code – Alteration or Repairs.
- 15.28.903.2.130 Section 903.2.130 added to 2010 California Fire Code – Changes of occupancy.
- 15.28.903.3.1 Section 903.3.1 is amended to 2010 California Fire Code – Design Criteria.

15.28.903.3.1.1	Section 903.3.1.1 Added to 2010 California Fire Code – Installation Requirements.
15.28.903.3.1.1.1	Section 903.3.1.1.1 of 2010 California Fire Code Deleted.
15.28.903.3.1.2	Section 903.3.1.2 of California Fire Code Deleted.
15.28.903.4	Section 903.4 of 2010 California Fire Code Amended – Sprinkler System Monitoring and Alarms.
15.28.903.4.1	Section 903.4.1 of 2010 California Fire Code Amended – Signals.
15.28.903.4.2	Section 903.4.2 of 2010 California Fire Code Amended – Alarms.
15.28.907.2	Section 907.2 of 2010 California Fire Code Amended – Required Fire Alarm Installations.
15.28.907.2.8.1	Section 907.2.8.1 of 2010 California Fire Code Amended – Exception 2.2.
15.28.907.2.9	Section 907.2.9 of 2010 California Fire Code Amended – Exception 2.2.
15.28.B105.1	Section B105.1 of Appendix B of 2010 California Fire Code Amended – One and Two Family Dwellings.
15.28.B105.2	Section B105.2 of Appendix B of 2010 California Fire Code Amended – Buildings Other than One and Two Family Dwellings.
15.28.B105.3	Table B105.1 of Appendix B, Footnote A, of 2010 California Fire Code Deleted.
15.28.C105.1	Table C105.1 of Appendix C of 2010 California Fire Code, Footnotes f and g Added.
15.28.D103.2	Section D103.2 of Appendix D of 2010 California Fire Code Amended – Grade.
15.28.D103.3	Section D103.3 of Appendix D of 2010 California Fire Code Amended – Turning Radius.
15.28.D103.4	D103.4 of Appendix D of 2010 California Fire Code Amended – Dead Ends.
15.28.D103.4.1	Table D103.4 of 2010 California Fire Code Deleted.
15.28.D103.6	D103.6 of Appendix D of 2010 California Fire Code Amended – Signs.
15.28.D103.6.1	Sections D103.6.1 and D103.6.2 of 2010 California Fire Code Deleted.
15.28.D106.1	Section D106.1 of Appendix D of 2010 California Fire Code Amended– Projects Having More than 50 Dwelling Units.
15.28.3302.010	Section 3302.010 Added to 2010 California Fire Code – Definitions.
15.28.3308.020	Section 3308.020 Added to 2010 California Fire Code – Manufacturing.
15.28.3308.030	Section 3308.030 Added to 2010 California Fire Code – Sales.
15.28.3308.040	Section 3308.040 Added to 2010 California Fire Code – General Prohibition Against Possession, Sale or Use of Fireworks.
15.28.3308.050	Section 3308.050 Added to 2010 California Fire Code – Authorized Sale of State-Approved Fireworks.
15.28.3308.060	Section 3308.060 Added to 2010 California Fire Code – Authorized Use of State-Approved Fireworks.
15.28.3308.070	Section 3308.070 Added to 2010 California Fire Code – Prerequisite for Issuance of Permit.
15.28.3308.080	Section 3308.080 Added to 2010 California Fire Code – Application for Permit.

- 15.28.3308.090 **Section 3308.090 Added to 2010 California Fire Code – Denial of Application.**
- 15.28.3308.100 **Section 3308.100 Added to 2010 California Fire Code – Operation of Fireworks Stand.**
- 15.28.3308.110 **Section 3308.110 Added to 2010 California Fire Code – Temporary Fireworks Stand.**
- 15.28.3308.120 **Section 3308.110 Added to 2010 California Fire Code – General Fireworks Stand Requirements for Permittees.**
- 15.28.3308.130 **Section 3308.130 Added to 2010 California Fire Code – Supervision of Minors.**
- 15.28.3308.140 **Section 3308.140 Added to 2010 California Fire Code – Transportation of State-Approved Fireworks.**
- 15.28.3308.150 **Section 3308.150 Added to 2010 California Fire Code – Revocation of Permit--Appeal.**

15.28.010 Adoption of the 2010 California Fire Code.

The California Fire Code, 2010 Edition, including all indices and appendices A through J, and Chapters 1 - 47 are hereby adopted by reference with all California and local amendments, additions or deletions as including within this chapter. This chapter shall be known as the 2010 California Fire Code and may be cited and referred to as such. For purposes of citation, the 2010 California Fire Code, including the appendices, additions and deletions thereto, are renumbered to add 15.28 before each section of the Code (e.g., Sections 101.1 and B105.1 of the 2010 California Fire Code shall be respectively cited as Sections 15.28.101.1 and 15.28.B105.1).

15.28.020 2010 California Fire Code Amended.

The 2010 California Fire Code adopted by reference in this Chapter 15.28 is amended by the additions, deletions, and amendments contained in this Chapter.

15.28.030 Penalty.

Any violation of this Chapter is a misdemeanor. Each day a violation of this Chapter exists constitutes a separate offense.

15.28.101.5 Section 101.5 of 20210 California Fire Code Amended – Applicable Standards.

Where no applicable standards or requirements are set out in this Chapter, or contained within other laws, codes, regulations, ordinances or rules adopted by the City or its officials, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards or other recognized good engineering practices, as approved by the Fire Code Official shall constitute compliance with this Chapter. Nothing herein shall derogate from the power of the Fire Code Official to determine compliance with codes or standards for those activities or installations within the Fire Code Official's jurisdiction or responsibility.

15.28.103.1.1 Section 103.1.1 of Chapter 1 Division II California Fire Code Added – Fire Code Official.

Whenever the term "Fire Code Official" is used in this Chapter, it shall mean the Fire Marshal or his/her designee.

15.28.104.3 Section 104.3 of Chapter 1 of 2010 California Fire Code Amended – Right of Entry.

A. The Fire Code Official in the performance of duties prescribed in this Chapter, may enter upon and into any and all premises under his/her jurisdiction, at all reasonable hours for the purpose of inspecting the same to determine whether or not the provisions of this Chapter and all applicable laws or ordinances pertaining to the protection of persons and property from fire, explosion or exposure to hazardous materials are observed. However, an inspection warrant must be secured where entry is refused, except in an emergency situation. No owner, occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made and consent given, or an inspection warrant is obtained, to promptly permit the Fire Code Official's entry for the purpose of inspection and examination.

B. The Fire Code Official may enter any building or premises to extinguish or control any fire, perform rescue operations, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or take any other action necessary in the reasonable performance of his/her duties.

15.28.104.11.4 Section 104.11.4 of Chapter 1, Division II of the 2010 California Fire Code Added – Emergency Response Penalty.

In the event that the Fire Code Official responds to any emergency caused by failure to comply with this Chapter and within the responsibility for enforcement of the Fire Code Official as given in Section 104.11 of the 2010 California Fire Code, the person who caused the emergency will pay a penalty. The penalty shall constitute a debt of such person to the City and shall be collectable by the Fire Code Official. Penalties shall be based on the current Fire Division Fee schedule as established or amended by City Council resolution.

15.28.105.1.1 Section 105.1.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Additional Required Fire Permits.

The Director of Public Safety, Fire Division Lieutenant, or the Fire Marshal may require additional prescribed operational and construction permits as identified in the Fire Division Fee Schedule. Permit fees shall be based on the current Fire Division Fee schedule as established or amended by City Council resolution.

15.28.105.2 Section 105.2 of Chapter 1, Division II of the 2010 California Fire Code Amended - Application for Permit; Fees.

All applications for a permit required by this Chapter shall be made to the Fire Division of the Department of Public Safety in the form and detail, including any required plans, required by the City of Rohnert Park Fire Division. The City Council may establish fees, by resolution, for permit applications.

15.28.108.1 Section 108.1 of Chapter 1, Division II of the 2010 California Fire Code Added – Appeals Process.

Whenever the Fire Prevention Division denies an application or permit, the applicant may appeal in writing the decision of the Fire Marshal to the Director of Public Safety within 15 days. The Director shall review the written appeal and render a decision within 30 days of its receipt. The decision of the Director shall be final.

15.28.304.2.1 Section 304.1.2.1 of the 2010 California Fire Code Added – Defensible space. Neighboring Property.

Persons owning, leasing, or controlling property within areas requiring defensible space are responsible for maintaining a defensible space on the property owned, leased or controlled by said person, within a distance of not less than 30 feet from any neighboring building or structure. Distances may be modified by the fire code official because of a site-specific analysis based on local conditions.

15.28.503.2.1 Section 503.2.1 of the 2010 California Fire Code Amended – Definitions.

FIRE APPARATUS ACCESS ROAD means a road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway. Public streets are defined by the standards of the local agency having jurisdiction over the project.

FLOOR AREA used for calculating the required fire flow means the total floor area of all floor levels within the exterior walls that are under the horizontal projection of the roof, except as modified in Section B104 of the 2010 California Fire Code.

15.28.503.2.6 Section 503.2.6 of the 2010 California Fire Code Amended – Bridges and Elevated Surfaces.

Where a bridge or elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO Standard Specifications. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed weight of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, signs or both shall be installed and maintained when required by the Fire Code Official.

15.28.505.1 Section 505.1 of the 2010 California Fire Code Amended – Address Numbers.

New and existing buildings shall have approved illuminated address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. The numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.

15.28.505.1.1 Section 505.1.1 of the 2010 California Fire Code Added – One and two family dwellings.

Address numbers for one and two family dwellings shall be a minimum of 4 inches in height with a minimum stroke width of 0.5 inches.

15.28.507.5.1 Section 507.5.1 of the 2010 California Fire Code Amended – Where Fire Hydrants and Fire Mains Required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and fire mains shall be provided where required by the Fire Code Official.

15.28.605.11 Section 605.11 of the 2010 California Fire Code Added – Solar Photovoltaic power systems

Solar photovoltaic power systems shall be installed in accordance with this code, the *California Building Code* and *California Electric Code*.

Exception: Detached Group U non-habitable structures such as parking shade structures, carports, solar trellises, and similar type structures are not subject to the requirements of this section.

15.28.605.11.1 Section 605.11.1 of the 2010 California Fire Code Added – Marking.

Marking is required on all interior and exterior dc conduit, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.

15.25.605.11.1.1 Section 605.11.1 of the 2010 California Fire Code Added – Materials.

The materials used for marking shall be reflective, weather resistant and suitable for the environment. Marking as required in sections 605.11.1.1 through 605.11.1.4 shall have all letters capitalized with a minimum height of 3/8 inch (9.5 mm) white on red background.

15.28.605.11.1.2 Section 605.11.1.2 of the 2010 California Fire Code Added – Marking content.

The marking shall contain the words "WARNING: PHOTOVOLTAIC POWER SOURCE."

15.28.605.11.1.3 Section 605.11.1.3 of the 2010 California Fire Code Added – Main service disconnect.

The marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the disconnect is operated.

15.28.605.11.1.4 Section 605.11.1.4 of the 2010 California Fire Code Added – Location of Marking.

Marking shall be placed on all interior and exterior dc conduit, raceways, enclosures and cable assemblies every 10 feet (3048 mm) within 1 foot (305 mm) of all turns or bends and within 1 foot (305 mm) above and below all penetrations of roof/ceiling assemblies and all walls and /or barriers.

15.28.605.11.2 Section 605.11.2 of the 2010 California Fire Code Added – Locations of DC conductors.

Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge or hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit runs between

sub arrays and to DC combiner boxes shall be installed in a manner that minimizes total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are minimized in the pathways between arrays. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building. Conduit shall run along the bottom of load bearing members.

15.28.605.11.3 Section 605.11.3 of the 2010 California Fire Code Added – Access and pathways.

Roof access, pathways, and spacing requirements shall be provided in order to ensure access to the roof; provide pathways to specific areas of the roof; provide for smoke ventilation operations; and to provide emergency egress from the roof.

Exceptions:

1. Requirements relating to ridge, hip, and valleys do not apply to roof slopes of two units vertical in twelve units horizontal (2:12) or less.
2. Residential structures shall be designed so that each array is no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in either axis.
3. The fire code official may allow panels/modules to be located up to the ridge when an alternative ventilation method acceptable to the fire code official has been provided or where the fire code official has determined vertical ventilation techniques will not be employed.

15.28.605.11.3.1 Section 605.11.3.1 of the 2010 California Fire Code Added – Roof access points.

Roof access points shall be defined as an area that does not place ground ladders over openings such as windows or doors, and are located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

15.28.605.11.3.2 Section 605.11.3.2 of the 2010 California Fire Code Added – Residential systems for one- and two-family residential dwellings.

Access shall be provided in accordance with Sections 605.11.3.2.1 through 605.11.3.2.4

15.28.605.11.3.2.1 Section 605.11.3.2.1 of the 2010 California Fire Code Added – Residential buildings with hip roof layouts.

Panels /modules shall be located in a manner that provides a 3 foot (914 mm) wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

15.28.605.11.3.2.2 Section 605.11.3.2.2 of the 2010 California Fire Code Added – Residential buildings with a single ridge.

Panels/modules shall be located in a manner that provides two 3-foot (914 mm) wide access pathways from the eave to the ridge on each roof slope where panels/modules are located.

15.28.605.11.3.2.3 Section 605.11.3.2.3 of the 2010 California Fire Code Added – Hips and Valleys.

Panels/modules shall be located no closer than 18 inches (457 mm) to a hip or a valley if panels/modules are to be placed on both sides of a hip or valley. If the panels are to be located on only one side of a hip or valley that is of equal length then the panels shall be permitted to be placed directly adjacent to the hip or valley.

15.28.605.11.3.2.4 Section 605.11.3.2.4 of the 2010 California Fire Code Added – Smoke Ventilation.

Panels/modules shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

15.28.605.11.3.3 Section 605.11.3.3 of the 2010 California Fire Code Added – All other occupancies.

Access shall be provided in accordance with Sections 605.11.3.3.1 through 605.11.3.3.3.

Exception: Where it is determined by the fire code official that the roof configuration is similar to a one- or two-family dwelling, the fire code official may approve the residential access and ventilation requirements provided in 605.11.3.2.1 through 605.11.3.2.4.

15.28.605.11.3.3.1 Section 605.11.3.3.1 of the 2010 California Fire Code Added – Access.

There shall be a minimum 6 foot (1829 mm) wide clear perimeter around the edges of the roof.

Exception: If either axis of the building is 250 feet (76 200 mm) or less, there shall be a minimum 4 foot (1290 mm) wide clear perimeter around the edges of the roof.

15.28.605.11.3.3.2 Section 605.11.3.3.2 of the 2010 California Fire Code Added – Pathways.

The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof
2. The center line axis pathways shall be provided in both axis of the roof. Center line axis pathways shall run where the roof structure is capable of supporting the live load of firefighters accessing the roof.
3. Shall be straight line not less than 4 feet (1290 mm) clear to skylights and/or ventilation hatches
4. Shall be straight line not less than 4 feet (1290 mm) clear to roof standpipes
5. Shall provide not less than 4 feet (1290 mm) clear around roof access hatch with at least one not less than 4 feet (1290 mm) clear pathway to parapet or roof edge

15.28.605.11.3.3.3 Section 605.11.3.3.3 of the 2010 California Fire Code Added – Smoke Ventilation.

The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in distance in either axis in order to create opportunities for smoke ventilation operations.
2. Smoke ventilation options between array sections shall be one of the following:
 - 2.1. A pathway 8 feet (2438 mm) or greater in width;
 - 2.2 A 4 feet (1290 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents;
 - 2.3 A 4 feet (1290 mm) or greater in width pathway and bordering 4 foot (1290 mm) x 8 foot (2438 mm) "venting cutouts" every 20 feet (6096 mm) on alternating sides of the pathway

15.28.605.11.4 Section 605.11.4 of the 2010 California Fire Code Added – Ground mounted photovoltaic arrays.

Ground mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.2 and this section. Setback requirements do not apply to ground-mounted, free standing photovoltaic arrays. A clear brush area of 10 feet (3048 mm) is required for ground mounted photovoltaic arrays.

15.28.901.6.1.1 Section 901.6.1.1 Added to 2010 California Fire Code – False Fire Alarm.

The expenses incurred as a result of responding to a False Alarm, as defined herein, shall be reimbursed if the number of responses exceeds an annual amount as prescribed in the Fee Schedule established or amended by resolution of the City Council.

15.28.901.6.1.2 Section 901.6.1.2 Added to 2010 California Fire Code – New Alarm Installations.

In the case of new alarm installations, there will be a thirty day grace period in which responses will not be monitored for purposes of enforcement under this Chapter.

15.28.901.6.1.3 Section 901.6.1.3 Added to 2010 California Fire Code – Commercial Alarms, Determining Responsibility.

In determining responsibility for commercial alarms, the persons who contracts with the alarm company for service, or the lessee or occupant of the structure which has installed and maintains said alarm shall be ultimately responsible for that alarm system.

15.28.901.6.1.4 Section 901.6.1.4 Added to 2010 California Fire Code – Residential Alarms, Determining Responsibility.

Responsibility for the alarm system in multi-family residential dwellings and condominiums shall rest with the persons who contract with the alarm company for service to that system.

15.28.902.1 Section 902.1 Added to 2010 California Fire Code – Definitions.

Alarm. A signal from a residence or business location in the City of Rohnert Park which ends at the City Department of Public Safety offices, or at a central alarm company's

office which in turn relays it to the Department of Public Safety offices and which causes City personnel to respond, or through any other means that result in Department of Public Safety personnel responding to the signal.

Emergency. An incident which requires a response by Department of Public Safety personnel. A response due to a failure, malfunction or other error, whether human or mechanical, which results in the transmission of an alarm to the Department of Public Safety is not an emergency. In the event that a question arises as to whether a response by City personnel was a response to an emergency as defined herein, the Fire Code Official shall determine whether an incident constituted an emergency and his or her decision is final.

False alarm. An alarm to which City personnel or equipment have responded because of a report that an emergency existed and which did not require a response because the incident for which the alarm was given did not occur.

15.28.903.2 Section 903.2 of 2010 California Fire Code Amended – Automatic Sprinkler System.

An automatic sprinkler system shall be installed and maintained in all newly constructed buildings.

Exceptions:

1. Detached Group U occupancies 1000 sq. ft. or less, as approved by the Fire Code Official.
2. Detached pool houses up to 1000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. Detached non-combustible motor vehicle fuel dispensing canopies classified as a Group M occupancy.
4. Detached Car Ports of non-combustible construction.
5. Detached Group B or M occupancies 500 sq. ft or less.

15.28.903.2.110.1 Section 903.2.110.1 Added to 2010 California Fire Code – Residential Additions .

Additions to existing residential buildings that increase the square footage by 50% or greater shall meet the requirements for a newly constructed building. All additions to residential buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition.

15.28.903.2.110.2 Section 903.2.110.2 Added to 2010 California Fire Code – Commercial and Multi-Family Additions.

Additions to existing commercial buildings that increase square footage by 25% or greater shall meet the requirements for a newly constructed building. All additions to commercial buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition

15.28.903.2.120 Section 903.2.120 Added to 2010 California Fire Code – Alteration or Repairs.

All existing buildings and facilities when remodels, alterations or structural repairs are made involving demolition, remodel, or repair of more than 50% of the structure or when the total cost of remodels, alterations or structural repairs, exceeds the valuation threshold of \$50,000, based on January 1981, "ENR US20 Cities" Average construction Cost Index of 3372.02 (Engineering News Record, McGraw Hill Publishing Company) shall meet the requirements for a newly constructed building. The enforcing agency shall annually update the valuation threshold to a current amount based on the increase in the index since the last figure used. (For example, the January 2010 amount is \$128,410.86.)

15.28.903.2.130 Section 903.2.130 added to 2010 California Fire Code – Changes of occupancy.

Any change of occupancy when the proposed new occupancy classification is more hazardous based on life and fire risk, as determined by the Fire Code Official, including the conversion of residential buildings to condominiums, the building shall meet the requirements for a newly constructed building.

15.28.903.3.1 Section 903.3.1 is amended to 2010 California Fire Code – Design Criteria.

Fire sprinkler systems installed in buildings of undetermined use shall be designed and installed to have a design density of 0.33 gallons per minute per square foot over a minimum design area of 3,000 square feet. Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owners' responsibility to upgrade the system to the required density and meet any additional requirements of this Chapter at the time of such change.

15.28.903.3.1.1 Section 903.3.1.1 Added to 2010 California Fire Code – Installation Requirements.

Sprinkler systems shall be installed in accordance with NFPA 13; and NFPA 13R, NFPA 13D when approved by the Fire Code Official, and as adopted by City standards.

15.28.903.3.1.1.1 Section 903.3.1.1.1 of 2010 California Fire Code Deleted.

Section 903.3.1.1.1 is deleted in its entirety.

15.28.903.3.1.2 Section 903.3.1.2 of California Fire Code Deleted.

Section 903.3.1.2 is deleted in its entirety.

15.28.903.4 Section 903.4 of 2010 California Fire Code Amended – Sprinkler System Monitoring and Alarms.

Except for Group R, Division 3 Occupancies, all valves controlling the water supply for automatic sprinkler systems, and associated pumps, tanks, water levels and water flow switches shall be electronically supervised. Valves when used for standpipes are excluded from this provision unless required by the Fire Code Official.

15.28.903.4.1 Section 903.4.1 of 2010 California Fire Code Amended – Signals.

Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising

station as defined in NFPA 72, or when approved by the Fire Code Official, shall sound an audible alarm at a constantly attended location.

15.28.903.4.2 Section 903.4.2 of 2010 California Fire Code Amended – Alarms.

Every new fire alarm system installed for the purpose of notification, including those systems activated solely by fire sprinkler systems, shall be designed so that all occupants of the building shall be notified audibly and visually for each separate occupancy or each separate residential dwelling unit.

15.28.907.2 Section 907.2 of 2010 California Fire Code Amended – Required Fire Alarm Installations.

A. All newly constructed commercial buildings shall be provided with a complete manual and automatic fire alarm system approved by the Fire Code Official which when activated will sound an alarm which is audible throughout the building and will notify all occupants.

B. In any commercial occupancy where a use creates a change of occupancy classification as listed in the California Building Code, the entire structure shall be provided with a fire alarm system approved by the Fire Code Official.

15.28.907.2.8.1 Section 907.2.8.1 of 2010 California Fire Code Amended – Exception 2.2.

2.2. Notification devices installed in the common areas serving the residential units shall operate upon sprinkler water flow or manual pull station activation.

15.28.907.2.9 Section 907.2.9 of 2010 California Fire Code Amended – Exception 2.2.

2.2. Notification devices installed in the common areas serving the residential units shall operate upon sprinkler water flow or manual pull station activation.

15.28.B105.1 Section B105.1 of Appendix B of 2010 California Fire Code Amended – One and Two Family Dwellings.

The minimum fire flow requirements for one and two family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet shall be 1,500 gallons per minute. Fire flow and flow duration for dwellings having a fire flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1 of the 2010 California Fire Code.

15.28.B105.2 Section B105.2 of Appendix B of 2010 California Fire Code Amended – 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 as specified in Table B105.1 of the 2010 California Fire Code.

Exception: A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with other sections of this Chapter. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1 of the 2010 California Fire Code.

15.28.B105.3 Table B105.1 of Appendix B, Footnote A, of 2010 California Fire Code Deleted.

Table B105.1 of Appendix B, Footnote A is deleted in its entirety.

15.28.C105.1 Table C105.1 of Appendix C of 2010 California Fire Code, Footnotes f and g Added.

Footnotes f and g are added to Table C105.1 of Appendix C of the 2010 California Fire Code to read:

Table C105.1, Footnote f:

For commercial, industrial and multifamily residential buildings, average spacing shall be no greater than 300 feet.

Table C105.1, Footnote g:

A Fire hydrant shall be located within 50 feet of the Fire Department Connection, or as approved by the Fire Code Official.

15.28.D103.2 Section D103.2 of Appendix D of 2010 California Fire Code Amended – Grade.

The grade of fire apparatus access roads shall be in accordance with City standards or as approved by the Fire Code Official.

15.28.D103.3 Section D103.3 of Appendix D of 2010 California Fire Code Amended – Turning Radius.

The minimum turning radius shall be in accordance with City standards or as approved by the Fire Code Official.

15.28.D103.4 D103.4 of Appendix D of 2010 California Fire Code Amended – Dead Ends.

Dead-end fire apparatus access roads in excess of 150 feet (45,720 mm) shall be provided with width and turnaround provisions in accordance with City standards.

15.28.D103.4.1 Table D103.4 of 2010 California Fire Code Deleted.

Table D103.4 is deleted in its entirety.

15.28.D103.6 D103.6 of Appendix D of 2010 California Fire Code Amended – Signs.

Where required by the Fire Code Official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with the California Vehicle Code.

15.28.D103.6.1 Sections D103.6.1 and D103.6.2 of 2010 California Fire Code Deleted.

Sections D103.6.1 and D103.6.2 of the 2010 California Fire Code are deleted in their entirety.

15.28.D106.1 Section D106.1 of Appendix D of 2010 California Fire Code Amended – Projects Having More than 50 Dwelling Units.

Multiple-family residential projects having more than 50 dwelling units shall be provided with two separate and approved fire access roads.

15.28.3302.010 Section 3302.010 Added to 2010 California Fire Code – Definitions.

The following words and phrases, as used in this Chapter with regard to the sale of fireworks, are defined as follows:

"Affiliated organizations" are:

1. Organizations incorporated under the same charter or organization and their auxiliaries if the auxiliary is incorporated under the same charter;
2. Organizations sharing the same officers and/or place of meetings and/or national parent organization;
3. Subdivisions and/or fractional divisions, however named or delineated, of organizations;
4. Sub-organizations, one of whose primary purposes is to provide financial and/or staffing support to a parent non-profit organization.

"Dangerous fireworks" shall mean dangerous fireworks as defined in Health and Safety Code sections 12505 and 12561 and the relevant sections of Title 19, Code of Regulations, Subchapter 6 which are hereby incorporated by reference.

"Non-profit organization" shall mean any non-profit association, charity or corporation or a group which is an integral part of a recognized national organization having such tax-exempt status or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the City of Rohnert Park or public and/or private community college, college and/or university which is located within the boundaries of the City of Rohnert Park.

"Person" includes any individual, firm, partnership, joint venture, association, concern, corporation, state, trust, business trust, receiver, syndicate or any other group or combination acting as a unit.

"Principal and permanent meeting place" shall include, but not be limited to, a permanent structure, playing field, or geographic area that services a population which resides in or is located within the City of Rohnert Park.

"Public display of fireworks" shall mean an entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks.

"Pyrotechnical displays" are public firework displays or displays used in conjunction with special effects, for motion pictures, theatrical and group entertainment productions operated by a professional California State licensed pyrotechnician. All such displays must secure a fire department permit and meet all applicable requirements of California Health and Safety Code.

"State-approved fireworks" shall mean state-approved fireworks defined in Health and Safety Code sections 12529 and 12562 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference. State-approved fireworks are

commonly referred to as safe and sane fireworks. Throughout the remainder of this document the term state-approved fireworks will be used to denote safe and sane fireworks.

15.28.3308.020 Section 3308.020 Added to 2010 California Fire Code – Manufacturing.

The manufacturing of fireworks is prohibited except under special permits as required by local, county, or state regulations.

15.28.3308.030 Section 3308.030 Added to 2010 California Fire Code – Sales.

It shall be unlawful for any person to sell state-approved fireworks within the City of Rohnert Park without having obtained a City of Rohnert Park Fire permit.

15.28.3308.040 Section 3308.040 Added to 2010 California Fire Code – General Prohibition Against Possession, Sale or Use of Fireworks.

Except as otherwise provided in this chapter, no person shall possess, sell, use, display or explode any rocket, including but not limited to, Piccolo Pete's, firecrackers, roman candles, squibs, torpedoes, torpedo canes, wire core sparklers, wooden core sparklers, black cartridges or other combustible devices or explosive substances or any kind of fireworks, by whatsoever name known, within the City of Rohnert Park.

15.28.3308.050 Section 3308.050 Added to 2010 California Fire Code – Authorized Sale of State-Approved Fireworks.

It is unlawful to sell state-approved fireworks within the City of Rohnert Park at any time other than the following: Between eight a.m. on the thirtieth of June and ending at nine p.m. on July 4th of the same year.

15.28.3308.060 Section 3308.060 Added to 2010 California Fire Code – Authorized Use of State-Approved Fireworks.

The use of state-approved fireworks may occur beginning on the thirtieth of June and ending on the fourth of July between the hours of eight a.m. and ten-thirty p.m.

15.28.3308.070 Section 3308.070 Added to 2010 California Fire Code – Prerequisite for Issuance of Permit.

A. No permit to sell state-approved fireworks shall be issued to any person. This prohibition excludes non-profit organizations as defined in section 15.28.3308.010.

B. Each such non-profit organization shall have its principal and permanent meeting place within the City of Rohnert Park limits.

C. No non-profit organization shall submit more than one application for a permit to sell state-approved fireworks within the City of Rohnert Park. If more than one application is submitted on behalf of any non-profit organization, including an affiliated organization, all such requests shall be void. The Fire Code Official will determine whether organizations or groups are affiliated. Any attempt to transfer an application shall void any and all applications filed by or on behalf of both the transferor/non-profit organization and the transferee/non-profit organization.

D. Clean-up deposit. Each non-profit organization shall post a two hundred dollar (\$200.00) clean-up deposit with the application to sell state-approved fireworks within the City of Rohnert Park. The deposit will be forfeited to the City in the event the permittee fails to remove rubbish from the designated clean-up area by five p.m. on July fifth. The clean-up area will be assigned by the Fire Department upon receipt and approval of the application by the non-profit organization. The clean-up areas are the designated parks and City-owned parking lots within the City of Rohnert Park. The Director of Public Works or his/her designee will check the clean-up site and then report their findings to the Fire Department. The Fire Department will make the final determination if the deposit will be refunded.

15.28.3308.080 Section 3308.080 Added to 2010 California Fire Code – Application for Permit.

A. All applications for permits to sell state-approved fireworks shall be in writing to the Fire Code Official. Applications may be filed beginning the first day of April of each year up to and through the end of the work day of the last day of May of the same year, at which time the filing period for that year will be closed. Applications shall set forth the proposed location of the fireworks stand being applied for, and other information as may be required by the Fire Code Official.

B. Applications shall include:

1. A written assurance that, if the permit is issued to the applicant, the applicant shall, at the time of receipt of such a permit, deliver to the Fire Code Official liability insurance in the amount required by the City.
2. A copy of the requisite State retail sales permit from the Office of the California State Fire Marshal.
3. A statement of the zoning of the real property on which the fireworks stand is to be located.
4. A non-refundable application fee in the amount established by resolution of the City Council. This application fee shall be in addition to any fee or tax imposed by this Chapter or by City Council resolution.
5. The proposed location of the fireworks stand, the name, address and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period that state-approved fireworks are sold, displayed or stored at such location, and written permission from the owner of record of the property upon which the stand will be located.
6. The proposed location of night storage of the fireworks.
7. Documented evidence, either in the form of a certificate or other similar documentation, that a representative from the non-profit organization attended a state-approved fireworks stand

operator safety seminar conducted by the Fire Department and/or the licensed fireworks wholesaler that is supplying the state-approved fireworks to the non-profit organization.

C. Applicants for such permits shall be notified by June 22 of each calendar year by the Fire Code Official of the approval or disapproval of such applications for such permit. All organizations whose applications have been approved shall receive their permit at the time their fireworks booth passes a required fire inspection.

15.28.3308.090 Section 3308.090 Added to 2010 California Fire Code – Denial of Application.

A. The Fire Code Official shall issue the permit to sell state-approved fireworks unless he or she finds that:

1. The applicant has failed to provide sufficient plans, information or other data necessary to render a determination respecting compliance with the requirements of this Chapter; or
2. The applicant is not in compliance with any of the requirements of this Chapter; or
3. The applicant has failed to pay any and all fees and costs required to operate a fireworks stand in the City of Rohnert Park.

B. Any denial of a permit pursuant to this section may be appealed pursuant to the procedures set forth in section 15.28.3308.150 of this Chapter.

15.28.3308.100 Section 3308.100 Added to 2010 California Fire Code – Operation of Fireworks Stand.

A. No person shall knowingly sell fireworks to any person under the age of eighteen. Proof that the fireworks stand operator/organization demanded, was shown, and acted in reliance upon bona fide evidence of age and identity in any sale of fireworks forbidden by this chapter shall be a defense in any proceedings for suspension or revocation of its state-approved fireworks permit or any criminal proceedings for violations of this chapter. For purposes of this section, bona fide evidence of age and identity of purchaser is a document issued by a federal, state, county or municipal government which contains a photograph of the purchaser including, but not limited to, a valid California Driver's License or Identification Card issued to a member of the armed forces.

B. The sale of state-approved fireworks shall begin no earlier than eight a.m. on June thirtieth and shall not continue after nine p.m. on July fourth of the same year. No person under the age of eighteen shall sell or participate in the sale of state-approved fireworks at such stand. No person under the age of eighteen shall be permitted inside the stand during hours of operation.

C. No person other than the permitted nonprofit organization(s) shall operate the stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.

15.28.3308.110 Section 3308.110 Added to 2010 California Fire Code – Temporary Fireworks Stand.

All retail sales of state-approved fireworks shall be permitted from within a temporary fireworks stand, and retail sales from any other building or structure is hereby prohibited. Temporary stands shall be subject to the following provisions:

No fireworks stand shall be located within twenty-five feet of any other building or within one hundred feet of any gasoline pump, distribution point of flammable liquid, or flammable/combustible liquid storage. Location of stands is contingent upon approval of the location in writing by the Fire Code Official or his/her designee. Fireworks stands need not comply with the provisions of the Building Code of the City of Rohnert Park. However, all stands shall be erected under the supervision of the Fire Code Official who shall require that the firework stands be constructed in a manner which will reasonably ensure the safety of attendants and patrons. No stand shall have a floor area in excess of three hundred fifty square feet.

Each stand shall have at least two exits. Each stand in excess of forty feet in length shall have at least three exits spaced approximately equidistant apart. However, in no case shall the distance between the exits exceed twenty-four feet. Exit doors shall be not less than twenty-four inches wide and six feet in height and shall swing in the direction of exit travel.

Each stand shall be provided with one 2A10BC fire extinguisher, in good working order and easily accessible for use in case of fire.

All retail sales of state-approved fireworks shall be permitted only from within a temporary stand. Sales from any other building or structure are hereby prohibited.

15.28.3308.120 Section 3308.110 Added to 2010 California Fire Code – General Fireworks Stand Requirements for Permittees.

All weeds and combustible materials shall be cleared from the location of the fireworks stand to a distance of at least twenty-five feet surrounding the fireworks stand. All trash resulting from the operation of the fireworks stand must be removed on a daily basis in accordance with section 15.28.3308.070(D). "NO SMOKING" signs shall be prominently displayed on and in the state-approved fireworks stand. Additional signs shall be posted in a conspicuous location, on the stand, that identifies the required minimum age of persons purchasing fireworks; locations where fireworks are illegal; and restricting the discharge of fireworks near stands.

Each state-approved fireworks stand must have an adult in attendance and in charge thereof while fireworks are stored therein. Sleeping or remaining in the stand after close of business each day is forbidden.

All unsold stock shall be removed from the stand and located in an approved storage area immediately after close of business on each day of operation. In addition, all unsold stock of fireworks in the hands of the permittee after nine p.m. on the 4th day of July shall be returned to the wholesaler/distributor within twenty-four hours and removed from the City of Rohnert Park within ten days. On closing of the state-approved fireworks stand, all litter shall be removed from the premises.

Each state-approved fireworks stand must have available in an accessible place inside the stand its permit to sell state-approved fireworks, its State Fire Marshal Retail Sales Permit and proof of its required insurance.

No person shall smoke within twenty-five feet of the state-approved fireworks stand.

No person shall light, cause to be lighted or permit to be lighted any state-approved fireworks or combustible material within fifty feet of any state-approved fireworks stand.

15.28.3308.130 Section 3308.130 Added to 2010 California Fire Code – Supervision of Minors.

It shall be unlawful for any person having the care, custody or control of a minor (under eighteen years old) to permit such minor to discharge, explode, fire or set off any dangerous, illegal fireworks, at any time, or to permit such minor to discharge or set off any state-approved fireworks unless such minor does so under the direct supervision of a person over eighteen years of age and during the time period permitted by this Chapter.

15.28.3308.140 Section 3308.140 Added to 2010 California Fire Code – Transportation of State-Approved Fireworks.

Wholesalers of fireworks must obtain a permit to deliver fireworks into the City in accordance with provisions of the California Health and Safety Code. No deliveries may be made on or after July 4 of each year.

15.28.3308.150 Section 3308.150 Added to 2010 California Fire Code – Revocation of Permit--Appeal.

The Fire Code Official may revoke the permit of any permittee who violates any of the provisions of this Chapter. Such revocation shall not occur prior to (1) the permittee being notified of the alleged violation and provided an opportunity to request a hearing; and (2) a hearing taking place before the City Manager, if requested by the permittee. If the revocation occurs between June 22nd and July fourth, the Fire Code Official shall inform the permittee that the permittee may seek review of the Fire Code Official's decision by the City Manager on the next business day.

At the earliest opportunity on the next business day after the revocation, the Fire Code Official shall provide the City Manager with written notice of the permittee's alleged violation, including the name of the permittee and a brief statement of the grounds for potential revocation. The City Manager shall meet with the permittee and the Fire Code Official on that day, upon the permittee's request, to review the Fire Code Official's decision. The decision of the City Manager shall be final."

SECTION 3. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the

activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 5. EFFECTIVE DATE AND PUBLICATION

This ordinance of the City of Rohnert Park shall be effective on January 1, 2011. Before the expiration of fifteen (15) days after its passage, this ordinance, or a summary thereof as provided in California Government code Section 36933, shall be published at least once in a newspaper of general circulation, published and circulated in the City of Rohnert Park, along with the names of the members of the City Council voting for and against its passage.

This ordinance was introduced by the City Council of the City of Rohnert Park on October 26, 2010 and adopted on November 23 2010 by the following roll call vote:

AYES: Five (5) Council Members Belforte, Breeze, Callinan, Mackenzie, and Mayor Stafford

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

CITY OF ROHNERT PARK

Pam Stafford
Mayor

ATTEST:

Jessie Siggins, Deputy 11/23/10
City Clerk



APPROVED AS TO FORM:

Ben Hyatt, ASST
City Attorney

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA ADOPTING THE 2010 CALIFORNIA BUILDING STANDARDS CODE BY REFERENCE, AMENDING CHAPTER 15.04 (GENERAL PROVISIONS AND PENALTIES), CHAPTER 15.08 (BUILDING CODE), CHAPTER 15.16 (ELECTRICAL CODE), CHAPTER 15.20 (PLUMBING CODE), AND CHAPTER 15.24 (MECHANICAL CODE) OF TITLE 15, AND ADDING CHAPTER 15.10 (RESIDENTIAL CODE), CHAPTER 15.22 (ENERGY CODE), AND CHAPTER 15.26 (GREEN BUILDING STANDARDS CODE) TO TITLE 15, "BUILDINGS AND CONSTRUCTION," OF THE ROHNERT PARK MUNICIPAL CODE

WHEREAS, the Development Services Department is responsible for local enforcement of the California Building Standards Code, also known as California Code of Regulations, Title 24;

WHEREAS, the California Building Standards Code is updated by the California Building Standards Commission approximately every three years based upon published model codes specified in the California Health and Safety Code;

WHEREAS, local jurisdictions responsible for enforcement of the California Building Standards Code must enact local administrative regulations in order to implement the California Building Standards Code;

WHEREAS, on or before July 1, 2010, the California Building Standards Commission published the 2010 California Building Standards Code;

WHEREAS, on January 1, 2011, the building standards and regulations contained in the 2010 California Building Standards Code become effective and applicable throughout the State of California;

WHEREAS, it is sometimes necessary to amend the California Building Standards Code as allowed per the California Health and Safety Code due to climatic, geological, or topographical local conditions;

WHEREAS, the appendices of any parts of the California Building Standards Code only apply to a local jurisdiction if specifically adopted by that agency or when specified by state law;

WHEREAS, it is necessary to authorize the Building Official to require that licensed building contractors perform specified work when public health and safety is at risk; and

WHEREAS, nothing in this ordinance is intended to duplicate, contradict, or enter a field which has been fully occupied by state law, including the California Building Standards Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA, does hereby ordain as follows:

SECTION 1. Findings.

The City Council finds that:

- A. A duly noticed public hearing regarding the proposed amendment to the Municipal Code was held by the City Council on November 23, 2010.
- B. In accordance with CEQA Section 15061(b) (3), this is not a project subject to CEQA in that there is no possibility that the activity in question may have a significant effect on the environment.
- C. This ordinance is enacted pursuant to and in compliance with Health & Safety Code Sections 17958.5, 17958.7, and as expressly permitted in Government Code Section 50022.2 to make local amendments to the California Building Standards Code.
- D. As required Health and Safety Code 17958.7 (a), the amendments to the California Building Standards Code adopted by this ordinance and as described in Chapters 15.08 and 15.20 are necessary for the protection of the public health, safety and welfare due to the local climatic, geologic or topographical conditions as described in findings 1 through 5 below.

1. Due to the many street cul-de-sacs within the City and the distance between emergency response facilities, clearly visible street numbers on buildings, at all hours, are of necessity. This finding pertains to Section 15.08.020 of the Rohnert Park Municipal Code.

2. The soil conditions within the City are highly expansive, thereby creating the potential for damage to building foundations as well as concrete slabs. Means are required to keep rainwater away from foundations and slabs. This finding pertains to Sections 15.08.030, 15.08.040, and 15.08.080 of the Rohnert Park Municipal Code.

3. The City experiences an unusually high water table, subjecting concrete slabs to excessive hydraulic pressure also resulting in the potential flooding within foundation crawl spaces. This finding pertains to Sections 15.08.030 and 15.08.040 of the Rohnert Park Municipal Code.

4. The soils within the City are considered acidic, creating a deleterious effect on metal piping placed underground. This finding pertains to Section 15.20.030 of the Rohnert Park Municipal Code.

5. Water conservation is important in the region due to local geography and climate. Having alternatives for pipe sizing, use of gray water, and use of reclaimed water will help to conserve our water resources. This finding pertains to Sections 15.20.040 and 15.20.050.

SECTION 2. Section 15.04.020, “Adopted – Administrative Provisions,” is repealed and replaced with the following:

“15.04.020 Adopted – Administrative Provisions.
2010 California Building Code, Chapter 1, Division II – “Scope and Administration,”
adopted in its entirety:

The provisions of the 2010 California Building Code, Chapter 1, Division II – Scope and Administration are adopted, as amended and set forth below, and shall apply to all locally enforced parts of California Code of Regulations, Title 24.

P. Section 116 is added, as follows:

LICENSED CONTRACTORS

116.1 Licensed contractor required. When a permit is taken out by an owner-builder or someone without a valid California contractor’s license, the building official is authorized to require the work, or portion of work, authorized by a valid permit to be performed by a licensed California contractor if the building official determines the public safety and welfare is at risk.”

SECTION 3. Section 15.08.010, “Adopted – 2010 California Building Standards Code, Title 24, Part 2,” of Chapter 15.08, “Building Code,” of the Rohnert Park Municipal Code is amended to read as follows:

“15.08.010 Adopted – 2010 California Building Standards Code, Title 24, Part 2.
The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2, incorporating the International Building Code, 2009 Edition, published by the International Code Council, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference, subject to the following additions and amendments to certain sections thereof which shall read and provide as set forth in this chapter.”

SECTION 4. Section 15.08.020, “Section 501.2 Amended – Address Numbers,” of Chapter 15.08, “Building Code,” of the Rohnert Park Municipal Code is amended to read as follows:

“15.08.020 Section 501.2 amended – Address Numbers.
Address numbers shall meet the requirements specified in section 15.28.505.1 of this Title.”

SECTION 5. Section 15.08.030, “Section 1503.4 amended – Roof drainage” of Chapter 15.08, “Building Code,” of the Rohnert Park Municipal Code is amended to read as follows:

“15.08.030 Section 1506.3 amended – Roof drainage.
All buildings of Group R Occupancy shall include a concrete landing at the exterior of garage side doors. The landing area shall be a minimum of nine sq. ft. (3’x3’). Group R and U structures shall include rain gutters, downspouts, rain leaders and splash blocks.”

SECTION 6. Section 15.08.040, “Section 1805.8.2.1 added – Slab on grade foundations” is amended to read as follows:

“15.08.040 Section 1808.6.2.1 added – Slab-on-grade foundations.

A. Unless conforming to Section 1808 in its entirety and other than pre- or post-tensioned slabs and engineered pier and grade beam foundations systems, buildings utilizing slab on grade construction shall be constructed on a building pad consisting of a minimum of thirty inches of engineered non-expansive fill material meeting the requirements of Table 1 below. The building pad area to receive the engineered non-expansive fill shall include an area at least five feet beyond the outside edge of the building foundation. The building pad area shall be over excavated to the proper depth and the grade scarified to a minimum depth of eight inches and shall be moisture conditioned and re-compacted to a minimum of ninety percent over optimum. The engineered non-expansive fill shall be placed in lifts not exceeding eight inches, brought to near optimum moisture content and compacted to a minimum of ninety percent of maximum dry density at or within two percent of the optimum moisture content. The depth of the engineered non-expansive fill shall be increased as necessary to maintain a minimum of twelve inches of the engineered non-expansive fill material under all footings, unless determined otherwise by the soils report/geotechnical engineer and approved by the building official. Lime treatment is an acceptable alternative to engineered non-expansive fill, providing that it is described within the project geotechnical report as an allowable alternative.

Table 1
Non-expansive Fill Requirements

Plasticity Index	less than 13
Liquid Limit	less than 50
Percent Soil Passing #200 Sieve	between 5% & 45%
Maximum Aggregate Size	3 inches
Maximum Dry Density	as determined by ASTM-D1557 test procedures

B. Except for residential additions of 500 sq. ft. or less and Group U buildings of 500 sq. ft. or less, all foundation designs shall reference a current site specific soils investigation report. The allowable area requirements of this subsection may be increased to 1,000 sq. ft. for R-3 construction when a request is submitted in writing to the building official and the building official approves such request.”

SECTION 7. Section 15.08.090, “Fire protection systems,” is added to read as follows:

“15.08.090 Fire protection systems.
Fire protection systems must comply with the requirements specified in Chapter 15.28 of this title. To the extent there is any conflict between the provisions of Chapter 15.28 of this title and the provisions of Chapter 9 of the 2010 California Building Standards Code, the provisions of Chapter 15.28 of this title shall govern.”

SECTION 8. Section 15.08.100, “Section 1511 added – Solar Photovoltaic Panels/Modules.” of Chapter 15.08, “Building Code,” of the Rohnert Park Municipal Code is added to read as follows:

“15.08.100 Section 1511 added – Solar Photovoltaic Panels/Modules.
Roof Mounted photovoltaic panels/modules shall comply with the requirements of Section 15.16.010 of this title (Electrical Code) and Sections 15.28.605.11 through 15.28.605.11.4 of this title (Fire Code).”

SECTION 9. Chapter 15.10 – “RESIDENTIAL CODE” is hereby added to read as follows:

“Chapter 15.10 – RESIDENTIAL CODE

Sections:

- 15.10.010 Adopted—California Building Standards Code, Title 24, Part 2.5, California Residential Code.**
- 15.10.R313.1 Section R313.1 amended - Automatic fire sprinkler systems – townhouses.**
- 15.10.R313.2 Section R313.2 amended - Automatic fire sprinkler systems – one and two-family dwellings.**
- 15.10.R908 Section R908 added – Roof mounted photovoltaic panels/modules.**

15.10.010 Adopted—California Building Standards Code, Title 24, Part 2.5, California Residential Code.

The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2.5, incorporating the International Residential Code, 2009 edition, published by the International Code Council, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference, subject to the following additions and amendments to certain sections thereof which shall read and provide as set forth in this chapter. For purposes of this citation, the 2010 California Residential Code, including the additions and deletions thereto, are renumbered to add 15.10 before each section of the code (e.g., Section R101.1 of the 2010 California Residential Code shall be cited as Section 15.10R101.1 of this title).

15.10.R313.1 Section R313.1 amended – Automatic fire sprinkler systems – townhouses.

The exception is deleted and replaced by section 15.28.903.2 and its subsections of this title (Section 903.2 of 2010 California Fire Code as Amended).

15.10.R313.2 Section R313.2 amended – Automatic fire sprinkler systems – one and two-family dwellings.

The exception is deleted and replaced by section 15.28.903.2 and its subsections of this title (Section 903.2 of 2010 California Fire Code as amended).

15.10.R908 Section R908 added – Roof mounted photovoltaic panels/modules. Roof Mounted photovoltaic panels/modules shall comply with the requirements of the California Electrical Code and the California Fire Code as amended.”

SECTION 10. Section 15.16.010, “Adopted – California Building Standards Code, Title 24, Part 3,” of Chapter 15.16, “Electrical Code,” is amended to read as follows:

“15.16.010 Adopted--California Building Standards Code, Title 24, Part 3. The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 3, incorporating the “National Electrical Code,” 2008 Edition, published by the National Fire Protection Association, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.”

SECTION 11. Section 15.16.020, “Adopted – Annex G (also known as Article 80) administration and enforcement,” of Chapter 15.16, “Electrical Code,” is amended to read as follows:

“15.16.020 Adopted – Annex H – Administration and Enforcement. Annex H “Administration and Enforcement,” excepting articles 80.15 and 80.27, of the Appendix to the 2010 California Electrical Code is adopted. When there is a conflict with the provisions of this section and section 15.04.020, the provisions of section 15.04.020 shall govern.”

SECTION 12. Chapter 15.20, “PLUMBING CODE,” is hereby repealed and replaced with the following:

“Chapter 15.20 – PLUMBING CODE

Sections

15.20.010 Adopted – California Building Standards Code, Title 24, Part 5.

15.20.020 Sections 301.1.1 and 604.1 amended – Materials.

15.20.030 Appendix chapters added.

15.20.010 Adopted – California Building Standards Code, Title 24, Part 5. The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 5, incorporating the “Uniform Plumbing Code,” 2009 Edition, published by the International Association of Plumbing and Mechanical

Officials, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.

15.20.020 Sections 301.1.1 and 604.1 amended – Materials.

A sentence is added to Sections 301.1.1 and 604.1 and shall read as follows:

“All underground service supply lines shall be of non-metallic material consisting of either polyethylene, minimum class 160, Poly Vinyl Chloride (PVC), minimum schedule 40, PEX or PEX-AL-PEX. Metallic materials may be used when suitable protection, approved by the building official, is provided.

15.20.030 Appendix chapters added.

Appendix Chapter A, Sizing Water Supply, Appendix Chapter B, Explanatory Notes on Combination Waste & Vent Systems, Appendix Chapter D, Sizing Storm-Water Systems and Appendix Chapter I, Installation Standards, of the Appendix to the 2010 California Plumbing Code shall be considered as part of the incorporation of the code as referenced in Section 15.20.010.”

SECTION 13. Chapter 15.22, “ENERGY CODE,” is hereby added to read as follows

“Chapter 15.22 – ENERGY CODE

Section:

15.22.010 Adopted - California Building Standards Code, Title 24, Part 6 (California Energy Code)

15.22.010 Adopted - California Building Standards Code, Title 24, Part 6 (California Energy Code.

The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 6, published by the California Building Standards Commission, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.”

SECTION 14. Section 15.24.010, “Adopted – California Building Standards Code, Title 24, Part 4,” of Chapter 15.24, “Mechanical Code,” is amended to read:

“15.24.010 Adopted – California Building Standards Code, Title 24, Part 4.

The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 4, incorporating the “Uniform Plumbing Code,” 2009 Edition, published by the International Association of Plumbing and Mechanical Officials, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.”

SECTION 15. Section 15.24.020, “Adopted – Appendix chapter 1, Administration,” is repealed in its entirety.

SECTION 16. Chapter 15.26, "GREEN BUILDING CODE," is hereby added to read as follows:

"Chapter 15.26 – GREEN BUILDING CODE

Section:

15.26.010 Adopted – California Green Building Standards Code, Title 24, Part 11.

15.26.010 – Adopted – California Green Building Standards Code, Title 24, Part 11 (California Green Building Standards Code, or CalGreen).

The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 11, published by the California Building Standards Commission, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference."

SECTION 17. SEVERABILITY

Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

SECTION 18. EFFECTIVE DATE

This ordinance shall be in full force and effective on January 1, 2011, no less than 30 days after its adoption, and shall be published or posted as required by law.

This ordinance was introduced by the City Council of the City of Rohnert Park on November 9, 2010 and adopted on November 23, 2010 by the following roll call vote:

AYES: Five (5) Council Members Belforte, Breeze, Callinan, Mackenzie, and Mayor Stafford

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

ATTEST:

CITY OF ROHNERT PARK

Semi Signin Deputy
City Clerk



Pam Stafford
Mayor

APPROVED AS TO FORM:

[Signature]
City Attorney

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA ADOPTING THE 2010 CALIFORNIA BUILDING STANDARDS CODE BY REFERENCE, AMENDING CHAPTER 15.04 (GENERAL PROVISIONS AND PENALTIES), CHAPTER 15.08 (BUILDING CODE), CHAPTER 15.16 (ELECTRICAL CODE), CHAPTER 15.20 (PLUMBING CODE), AND CHAPTER 15.24 (MECHANICAL CODE) OF TITLE 15, AND ADDING CHAPTER 15.10 (RESIDENTIAL CODE), CHAPTER 15.22 (ENERGY CODE), AND CHAPTER 15.26 (GREEN BUILDING STANDARDS CODE) TO TITLE 15, "BUILDINGS AND CONSTRUCTION," OF THE ROHNERT PARK MUNICIPAL CODE

WHEREAS, the Development Services Department is responsible for local enforcement of the California Building Standards Code, also known as California Code of Regulations, Title 24;

WHEREAS, the California Building Standards Code is updated by the California Building Standards Commission approximately every three years based upon published model codes specified in the California Health and Safety Code;

WHEREAS, local jurisdictions responsible for enforcement of the California Building Standards Code must enact local administrative regulations in order to implement the California Building Standards Code;

WHEREAS, on or before July 1, 2010, the California Building Standards Commission published the 2010 California Building Standards Code;

WHEREAS, on January 1, 2011, the building standards and regulations contained in the 2010 California Building Standards Code become effective and applicable throughout the State of California;

WHEREAS, it is sometimes necessary to amend the California Building Standards Code as allowed per the California Health and Safety Code due to climatic, geological, or topographical local conditions;

WHEREAS, the appendices of any parts of the California Building Standards Code only apply to a local jurisdiction if specifically adopted by that agency or when specified by state law;

WHEREAS, it is necessary to authorize the Building Official to require that licensed building contractors perform specified work when public health and safety is at risk; and

WHEREAS, nothing in this ordinance is intended to duplicate, contradict, or enter a field which has been fully occupied by state law, including the California Building Standards Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA, does hereby ordain as follows:

SECTION 1. Findings.

The City Council finds that:

- A. A duly noticed public hearing regarding the proposed amendment to the Municipal Code was held by the City Council on November 23, 2010.
- B. In accordance with CEQA Section 15061(b) (3), this is not a project subject to CEQA in that there is no possibility that the activity in question may have a significant effect on the environment.
- C. This ordinance is enacted pursuant to and in compliance with Health & Safety Code Sections 17958.5, 17958.7, and as expressly permitted in Government Code Section 50022.2 to make local amendments to the California Building Standards Code.
- D. As required Health and Safety Code 17958.7 (a), the amendments to the California Building Standards Code adopted by this ordinance and as described in Chapters 15.08 and 15.20 are necessary for the protection of the public health, safety and welfare due to the local climatic, geologic or topographical conditions as described in findings 1 through 5 below.

1. Due to the many street cul-de-sacs within the City and the distance between emergency response facilities, clearly visible street numbers on buildings, at all hours, are of necessity. This finding pertains to Section 15.08.020 of the Rohnert Park Municipal Code.

2. The soil conditions within the City are highly expansive, thereby creating the potential for damage to building foundations as well as concrete slabs. Means are required to keep rainwater away from foundations and slabs. This finding pertains to Sections 15.08.030, 15.08.040, and 15.08.080 of the Rohnert Park Municipal Code.

3. The City experiences an unusually high water table, subjecting concrete slabs to excessive hydraulic pressure also resulting in the potential flooding within foundation crawl spaces. This finding pertains to Sections 15.08.030 and 15.08.040 of the Rohnert Park Municipal Code.

4. The soils within the City are considered acidic, creating a deleterious effect on metal piping placed underground. This finding pertains to Section 15.20.030 of the Rohnert Park Municipal Code.

5. Water conservation is important in the region due to local geography and climate. Having alternatives for pipe sizing, use of gray water, and use of reclaimed water will help to conserve our water resources. This finding pertains to Sections 15.20.040 and 15.20.050.

SECTION 2. Section 15.04.020, “Adopted – Administrative Provisions,” is repealed and replaced with the following:

“15.04.020 Adopted – Administrative Provisions.
2010 California Building Code, Chapter 1, Division II – “Scope and Administration,”
adopted in its entirety:

The provisions of the 2010 California Building Code, Chapter 1, Division II – Scope and Administration are adopted, as amended and set forth below, and shall apply to all locally enforced parts of California Code of Regulations, Title 24.

P. Section 116 is added, as follows:

LICENSED CONTRACTORS

116.1 Licensed contractor required. When a permit is taken out by an owner-builder or someone without a valid California contractor’s license, the building official is authorized to require the work, or portion of work, authorized by a valid permit to be performed by a licensed California contractor if the building official determines the public safety and welfare is at risk.”

SECTION 3. Section 15.08.010, “Adopted – 2010 California Building Standards Code, Title 24, Part 2,” of Chapter 15.08, “Building Code,” of the Rohnert Park Municipal Code is amended to read as follows:

“15.08.010 Adopted – 2010 California Building Standards Code, Title 24, Part 2.
The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2, incorporating the International Building Code, 2009 Edition, published by the International Code Council, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference, subject to the following additions and amendments to certain sections thereof which shall read and provide as set forth in this chapter.”

SECTION 4. Section 15.08.020, “Section 501.2 Amended – Address Numbers,” of Chapter 15.08, “Building Code,” of the Rohnert Park Municipal Code is amended to read as follows:

“15.08.020 Section 501.2 amended – Address Numbers.
Address numbers shall meet the requirements specified in section 15.28.505.1 of this Title.”

SECTION 5. Section 15.08.030, “Section 1503.4 amended – Roof drainage” of Chapter 15.08, “Building Code,” of the Rohnert Park Municipal Code is amended to read as follows:

“15.08.030 Section 1506.3 amended – Roof drainage.
All buildings of Group R Occupancy shall include a concrete landing at the exterior of garage side doors. The landing area shall be a minimum of nine sq. ft. (3’x3’). Group R and U structures shall include rain gutters, downspouts, rain leaders and splash blocks.”

SECTION 6. Section 15.08.040, “Section 1805.8.2.1 added – Slab on grade foundations” is amended to read as follows:

“15.08.040 Section 1808.6.2.1 added – Slab-on-grade foundations.

A. Unless conforming to Section 1808 in its entirety and other than pre- or post-tensioned slabs and engineered pier and grade beam foundations systems, buildings utilizing slab on grade construction shall be constructed on a building pad consisting of a minimum of thirty inches of engineered non-expansive fill material meeting the requirements of Table 1 below. The building pad area to receive the engineered non-expansive fill shall include an area at least five feet beyond the outside edge of the building foundation. The building pad area shall be over excavated to the proper depth and the grade scarified to a minimum depth of eight inches and shall be moisture conditioned and re-compacted to a minimum of ninety percent over optimum. The engineered non-expansive fill shall be placed in lifts not exceeding eight inches, brought to near optimum moisture content and compacted to a minimum of ninety percent of maximum dry density at or within two percent of the optimum moisture content. The depth of the engineered non-expansive fill shall be increased as necessary to maintain a minimum of twelve inches of the engineered non-expansive fill material under all footings, unless determined otherwise by the soils report/geotechnical engineer and approved by the building official. Lime treatment is an acceptable alternative to engineered non-expansive fill, providing that it is described within the project geotechnical report as an allowable alternative.

Table 1
Non-expansive Fill Requirements

Plasticity Index	less than 13
Liquid Limit	less than 50
Percent Soil Passing #200 Sieve	between 5% & 45%
Maximum Aggregate Size	3 inches
Maximum Dry Density	as determined by ASTM-D1557 test procedures

B. Except for residential additions of 500 sq. ft. or less and Group U buildings of 500 sq. ft. or less, all foundation designs shall reference a current site specific soils investigation report. The allowable area requirements of this subsection may be increased to 1,000 sq. ft. for R-3 construction when a request is submitted in writing to the building official and the building official approves such request.”

SECTION 7. Section 15.08.090, "Fire protection systems," is added to read as follows:

"15.08.090 Fire protection systems.
Fire protection systems must comply with the requirements specified in Chapter 15.28 of this title. To the extent there is any conflict between the provisions of Chapter 15.28 of this title and the provisions of Chapter 9 of the 2010 California Building Standards Code, the provisions of Chapter 15.28 of this title shall govern."

SECTION 8. Section 15.08.100, "Section 1511 added – Solar Photovoltaic Panels/Modules." of Chapter 15.08, "Building Code," of the Rohnert Park Municipal Code is added to read as follows:

"15.08.100 Section 1511 added – Solar Photovoltaic Panels/Modules.
Roof Mounted photovoltaic panels/modules shall comply with the requirements of Section 15.16.010 of this title (Electrical Code) and Sections 15.28.605.11 through 15.28.605.11.4 of this title (Fire Code)."

SECTION 9. Chapter 15.10 – "RESIDENTIAL CODE" is hereby added to read as follows:

"Chapter 15.10 – RESIDENTIAL CODE

Sections:

- 15.10.010 Adopted—California Building Standards Code, Title 24, Part 2.5, California Residential Code.**
- 15.10.R313.1 Section R313.1 amended - Automatic fire sprinkler systems – townhouses.**
- 15.10.R313.2 Section R313.2 amended - Automatic fire sprinkler systems – one and two-family dwellings.**
- 15.10.R908 Section R908 added – Roof mounted photovoltaic panels/modules.**

15.10.010 Adopted—California Building Standards Code, Title 24, Part 2.5, California Residential Code.

The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2.5, incorporating the International Residential Code, 2009 edition, published by the International Code Council, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference, subject to the following additions and amendments to certain sections thereof which shall read and provide as set forth in this chapter. For purposes of this citation, the 2010 California Residential Code, including the additions and deletions thereto, are renumbered to add 15.10 before each section of the code (e.g., Section R101.1 of the 2010 California Residential Code shall be cited as Section 15.10R101.1 of this title).

15.10.R313.1 Section R313.1 amended – Automatic fire sprinkler systems – townhouses.

The exception is deleted and replaced by section 15.28.903.2 and its subsections of this title (Section 903.2 of 2010 California Fire Code as Amended).

15.10.R313.2 Section R313.2 amended – Automatic fire sprinkler systems – one and two-family dwellings.

The exception is deleted and replaced by section 15.28.903.2 and its subsections of this title (Section 903.2 of 2010 California Fire Code as amended).

15.10.R908 Section R908 added – Roof mounted photovoltaic panels/modules. Roof Mounted photovoltaic panels/modules shall comply with the requirements of the California Electrical Code and the California Fire Code as amended.”

SECTION 10. Section 15.16.010, “Adopted – California Building Standards Code, Title 24, Part 3,” of Chapter 15.16, “Electrical Code,” is amended to read as follows:

“15.16.010 Adopted--California Building Standards Code, Title 24, Part 3. The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 3, incorporating the “National Electrical Code,” 2008 Edition, published by the National Fire Protection Association, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.”

SECTION 11. Section 15.16.020, “Adopted – Annex G (also known as Article 80) administration and enforcement,” of Chapter 15.16, “Electrical Code,” is amended to read as follows:

“15.16.020 Adopted – Annex H – Administration and Enforcement. Annex H “Administration and Enforcement,” excepting articles 80.15 and 80.27, of the Appendix to the 2010 California Electrical Code is adopted. When there is a conflict with the provisions of this section and section 15.04.020, the provisions of section 15.04.020 shall govern.”

SECTION 12. Chapter 15.20, “PLUMBING CODE,” is hereby repealed and replaced with the following:

“Chapter 15.20 – PLUMBING CODE

Sections

15.20.010 Adopted – California Building Standards Code, Title 24, Part 5.

15.20.020 Sections 301.1.1 and 604.1 amended – Materials.

15.20.030 Appendix chapters added.

15.20.010 Adopted – California Building Standards Code, Title 24, Part 5. The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 5, incorporating the “Uniform Plumbing Code,” 2009 Edition, published by the International Association of Plumbing and Mechanical

Officials, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.

15.20.020 Sections 301.1.1 and 604.1 amended – Materials.
A sentence is added to Sections 301.1.1 and 604.1 and shall read as follows:
“All underground service supply lines shall be of non-metallic material consisting of either polyethylene, minimum class 160, Poly Vinyl Chloride (PVC), minimum schedule 40, PEX or PEX-AL-PEX. Metallic materials may be used when suitable protection, approved by the building official, is provided.

15.20.030 Appendix chapters added.
Appendix Chapter A, Sizing Water Supply, Appendix Chapter B, Explanatory Notes on Combination Waste & Vent Systems, Appendix Chapter D, Sizing Storm-Water Systems and Appendix Chapter I, Installation Standards, of the Appendix to the 2010 California Plumbing Code shall be considered as part of the incorporation of the code as referenced in Section 15.20.010.”

SECTION 13. Chapter 15.22, “ENERGY CODE,” is hereby added to read as follows

“Chapter 15.22 – ENERGY CODE

Section:

15.22.010 Adopted - California Building Standards Code, Title 24, Part 6 (California Energy Code)

15.22.010 Adopted - California Building Standards Code, Title 24, Part 6 (California Energy Code.

The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 6, published by the California Building Standards Commission, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.”

SECTION 14. Section 15.24.010, “Adopted – California Building Standards Code, Title 24, Part 4,” of Chapter 15.24, “Mechanical Code,” is amended to read:

“15.24.010 Adopted – California Building Standards Code, Title 24, Part 4.
The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 4, incorporating the “Uniform Plumbing Code,” 2009 Edition, published by the International Association of Plumbing and Mechanical Officials, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference.”

SECTION 15. Section 15.24.020, “Adopted – Appendix chapter 1, Administration,” is repealed in its entirety.

SECTION 16. Chapter 15.26, "GREEN BUILDING CODE," is hereby added to read as follows:

"Chapter 15.26 – GREEN BUILDING CODE

Section:

15.26.010 Adopted – California Green Building Standards Code, Title 24, Part 11.

15.26.010 – Adopted – California Green Building Standards Code, Title 24, Part 11 (California Green Building Standards Code, or CalGreen).

The 2010 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 11, published by the California Building Standards Commission, one copy of which has been filed for use and examination by the public in the office of the building official, is adopted by reference."

SECTION 17. SEVERABILITY

Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

SECTION 18. EFFECTIVE DATE

This ordinance shall be in full force and effective on January 1, 2011, no less than 30 days after its adoption, and shall be published or posted as required by law.

This ordinance was introduced by the City Council of the City of Rohnert Park on November 9, 2010 and adopted on November 23, 2010 by the following roll call vote:

AYES: Five (5) Council Members Belforte, Breeze, Callinan, Mackenzie, and Mayor Stafford

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)

ATTEST: CITY OF ROHNERT PARK

Semi Diggins
Deputy
City Clerk



Pam Stafford
Mayor

APPROVED AS TO FORM:
[Signature]
City Attorney