

BUILDING STANDARDS COMMISSION

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January 10, 2011

JoAnne M. Curie, City Clerk
Ukiah Fire Department
City of Ukiah
300 Seminary Way
Ukiah, CA 95482

Dear Ms. Curie:

This letter is to acknowledge receipt on December 8, 2010 of the City of Ukiah submittal pertaining to Ordinance NO. 1129 with findings and is acceptable for filing. Per Health and Safety Code Section 17958.8 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

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

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

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

Sincerely,


Jane Taylor
Senior Architect

cc: Chron
Local Filings

RESOLUTION 2010-40

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH ESTABLISHING FINDINGS OF FACT AND NEED FOR CHANGES OR MODIFICATIONS TO THE STATE BUILDING STANDARDS CODE BECAUSE OF LOCAL CONDITIONS

CHANGES OR MODIFICATIONS: Pursuant to Section 13869.7, 17958.5, 17958.7, 17922 and 18941.5 of the State of California Health and Safety Code, the City of Ukiah in its ordinance adopting and amending the 2010 Edition of the California Fire Code with reference to the 2009 Edition of the International Fire Code, changes or modifies certain provisions of the 2010 California Building Standards Code (Title 24, Part 9) as it pertains to the regulation of buildings used for human habitation. A copy of the text of such changes or modifications is attached.

Findings: Pursuant to Sections 17958.5, 17958.7, 17922 and 18941.5 of the State of California Health and Safety Code, the City of Ukiah has determined and finds that the attached changes or modifications to the 2010 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions.

Local Conditions: Local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications to the 2010 California Fire Code, 2009 International Fire Code and the 2010 California Building Standards Code in order to provide a reasonable degree of property security and fire and life safety in the City of Ukiah

Below are listed adverse local climatic (see No. 1), geographic and topographic (see No. 2) conditions.

1. Climatic

- a. **Precipitation.** Precipitation ranges from 13 to 71 inches per year with an average of approximately 37 inches per year. Approximately eighty-nine percent (89%) falls during the months of November through April, and eleven (11%) from May through October.
- b. **Relative Humidity.** Humidity generally ranges from 35% during daytime to 85% at night. It drops to 12% during the summer months and occasionally drops lower.
- c. **Temperatures.** Temperatures have been recorded as high as 115 degrees F. Average summer highs are in the 86 to 91 degree range.

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PLANNING AND
COMMUNITY DEVELOPMENT
COMMISSION

- d. **Winds.** Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 3 – 18 mph range, gusting to 33 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.
- e. **Summary.** These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to the ignition of structure fires which have the potential to burn into the vegetation (wildland), and vice versa. The winds experienced in this area can have a tremendous impact upon structure fires in buildings of close proximity to one another, commonly found in the residential neighborhoods throughout the Ukiah Valley. During structure, or wildland fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into the building and create a blowtorch effect, in addition to preventing “natural” ventilation and cross-ventilation efforts.

2. **Geographic and Topographic**

- a. The fire environment of a community is primarily a combination of two factors: the area’s physical geographic characteristics and the historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments which ultimately determines the area’s fire protection needs.

The service area of the City of Ukiah Fire Department has a varied topography and vegetative cover. A conglomeration of valley floor, mountainous slopes and ridges make up the terrain. Development has occurred on the flat lands in the central portion of the City. However, over the last thirty years, development has spread onto the surrounding mountainous slopes.

- b. **Seismic Location.** The relatively young geological processes that have created the San Francisco Bay Area are still active today. The City of Ukiah sits on the Maacama fault between the San Andreas fault to the west and the Bartlett Springs fault to the east.
- c. **Size and Population.** The City of Ukiah Fire Department covers approximately 5 square miles including a residential population estimated at 15,500. During day time hours it is estimated that population within the City of Ukiah can double in size, as the City of Ukiah hosts approximately 5,000 K-12 Students, 15,000 employed adults, and serves as the geographical hub for medical, retirement, governmental, and retail services. The City of Ukiah

Fire Department responds to more than 2,500 calls for service a year. The City of Ukiah has one fire station and a total of 46 career, volunteer and explorer personnel. The City of Ukiah handles diverse responsibilities including Wildland Fire, Urban Fire, Freeway and Auto Collision Response, and Advanced Life Support Medical Response, Hazardous Material Response, Urban Search and Rescue, and Swift Water Rescue Response.

- d. **Roads and Streets.** The roadway systems within the City of Ukiah are for the most part a grid or loop system. Many of the roads servicing residential areas on the west foothills of the City are narrow and winding affording difficult ingress to emergency apparatus. Ingress and egress into the foothill areas will be made extremely difficult by large-scale emergencies such as earthquake and wildland fire.
- e. **Topography.** The City's service area is a conglomeration of valley floor, and mountainous slopes. The flatter lands are found in the Urban portion of the City. Most of the existing urban and suburbanized areas are on relatively flat lands (0 – 5% slope).

Correspondingly, there is much diversity in slope percentages to the west of the valley floor. Slopes on the west side of the City average 48% and range from 6-80%. Slope is an important factor in fire spread. As a basic rule of thumb, the rate of spread will double as the slope percentage doubles, all other factors remaining the same.

- f. **Vegetation.** The Ukiah Valley's semi-arid Mediterranean-type climate produces vegetation similar to that of most of Mendocino County, with specific growth a result of topography and prevailing wind. The west facing slopes are heavily wooded from lower elevations to ridge with oak, madrone, Douglas-fir, Redwood, and minor shrubs of the general chaparral class.

Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation.

- g. **Hydrology.** The City of Ukiah adjoins Lake Mendocino, the Russian River, Mill Creek, Robinson Creek and multiple ephemeral streams. Annual precipitation at or above the annual average of 37 inches can result in flooding along the Russian River and its tributaries. These flooding events lead to increased emergency response times for apparatus responding through or around the flooded roadways.
- h. **Summary.** The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Ukiah Fire Department.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The majority of the Ukiah Valley's industrial/commercial complexes are located in close proximity to the Maacama fault. This fault zone also contains the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. The City's resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single-dwelling or structure fires.

Other variables may tend to intensify the situation:

- 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 the 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;
- 6) The availability of timely mutual aid or military assistance;

Conclusion: Local climatic, geographic and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake, or flood, and subsequent fire. Therefore it is found to be reasonably necessary that the California Fire Code and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Section 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the City of Ukiah finds that the following table provides code sections that have been modified pursuant to **Ordinance** _____ which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geological and topographical reasons.

<u>Section Number</u>	<u>Local climatic, geological and topographical conditions</u>
505.4	1e, 2c
605.3.1.1	1e, 2h
903.2	1e, 2h
506.2.3	1e, 2h

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Fire Chief of the Ukiah Fire Department shall file a copy of the change or modification together with a copy of this resolution with the California Buildings Standards Commission, and shall obtain an endorsed copy from said department to be filed with the City of Ukiah.

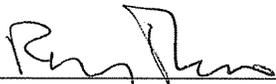
PASSED AND ADOPTED, by the Ukiah City Council, County of Mendocino, State of California on November 3rd, 2010, by the following vote:

AYES: Councilmembers Landis, Rodin, Baldwin, and Mayor Thomas

NOES: None

ABSTAIN: None

ABSENT: Councilmember Crane



Benj Thomas, Mayor

ATTEST:



JoAnne Currie, City Clerk

ORDINANCE NO. 1129

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH
AMENDING DIVISION 6, CHAPTER 3, ARTICLES 1, 2 AND 3 OF
THE UKIAH CITY CODE, ENTITLED: FIRE PREVENTION
CODE, TO ADOPT THE 2010 EDITION OF THE CALIFORNIA
FIRE CODE, INCLUDING ADDITIONS OR AMENDMENTS
THERE TO ADDRESS LOCAL CONDITIONS**

The City Council of the City of Ukiah does ordain as follows:

SECTION ONE

Ukiah City Code Section 5200 is hereby amended to read as follows:

SECTION 5200: ADOPTION OF CALIFORNIA FIRE CODE:

A certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Ukiah, being marked and designated as the California Fire Code, 2010 edition, including Appendix Chapter 4 and Appendices A, B, BB, C, CC, D, F and I, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Ukiah, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Division 6, Chapter 3, Articles 2 and 3 of this Code.

SECTION TWO

A new Section 5200.5 is hereby added to the Ukiah City Code to read as follows:

**SECTION 5200.5: INSERTIONS INTO CERTAIN SECTIONS OF THE
CALIFORNIA FIRE CODE, 2010 EDITION:**

The following sections of the California Fire Code, 2010 edition, are hereby revised by inserting information specific to the City of Ukiah so that these sections read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Ukiah, hereinafter referred to as "this code."

109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or

do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction for a continuing violation exceeding three (3) days or three (3) violations in any twenty-four (24) months or a misdemeanor, for a continuing violation of four (4) days or more or for a fourth or subsequent violation within any twenty-four (24) months punishable, if an infraction, by a fine of not more than \$100 for a first offense, \$500 for a second offense and \$1,000 for a third or subsequent offense, and if a misdemeanor, by a fine of not more than One Thousand Dollars (\$1,000) or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 dollars or more than \$1,000 dollars.

SECTION THREE

The following sections of the Ukiah City Code are hereby amended or repealed as follows:

1. Section 5202 is hereby amended to delete "Appendix 1," from subsection B and to delete subsection C, so that the amended section reads as follows:

SECTION 5202: ENFORCEMENT

A. The California fire code (CFC) herein adopted shall be enforced by the chief of the fire department of the city who is hereby appointed to supervise the bureau of fire prevention and such regularly employed members of said department in accordance with the applicable provisions of the California fire code.

B. Section 104.3 of the California Fire Code is amended by adding subsection 104.3.2 thereto as follows:

For the purpose of providing and maintaining functions necessary for the prevention of fire and for the protection of life and property from fire and panic, there is hereby established a "self-inspection program" assuring that certain California building code (CBC) group B, F, H, L, M, and S occupancies within the city are inspected on an annual basis for fire safety.

The Ukiah fire department shall deliver, by hand or by mail, "self-inspection worksheet" and "business and emergency record" forms as established from time to time by said department to certain CBC group B, F, H, L, M, & S occupancies within the city on an annual basis, or as may be initiated through the business license application process.

The owner or manager of said occupancy or person in highest authority in said occupancy shall be allowed thirty (30) days from issue date, as noted on the self-inspection worksheet, in which to conduct an inspection for fire safety, correct any deficiencies, complete said forms, and return completed forms to the Ukiah fire department as directed by the fire chief or his designee.

Any person who fails to comply with the requirements to return said forms duly completed and to correct the deficiencies noted in said occupancies within thirty (30) days of the issuance of said forms shall be guilty of an infraction, punishable by a fine of \$100 for a first offense, \$500 for a second offense and \$1,000 for a third or subsequent offense.

2. Section 5213 is hereby amended to read as follows:

SECTION 5213: ADDITIONS AND AMENDMENTS TO SECTIONS 505 AND 605 OF THE CALIFORNIA FIRE CODE, 2010 EDITION:

Section 505.4 is hereby added to read as follows:

Section 505.4 Map Directories. A lighted directory map, meeting current fire department standards, shall be installed at each driveway entrance to multiple unit residential projects and mobile home parks constructed after January 1, 2011, where the numbers of units in such projects exceed 15.

Section 605.3.1.1 is hereby added to read as follows:

Section 605.3.1.1 Alternate power sources. All permanent installations of electrical generators, wind generators, solar cell, or other power sources shall be approved by the building code official. All applicable provisions of the National Electrical Code, the Uniform Fuel Gas Code, the California Building Code, and the Code shall be followed for any such installation. Permanent engraved and affixed signage, red in color, reading "WARNING – This premise is provided with an Alternative Power Source. Disconnection of commercial power may not disable the electrical power source". Lettering shall be a minimum of ½" tall and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

3 Section 5214 is REPEALED in its entirety.

4 Section 5216 is amended to read as follows:

SECTION 5216: AMENDMENTS TO SECTION 903.2 OF THE CALIFORNIA FIRE CODE, 2010 EDITION:

Section 903.2 (not including sections 903.2.1 and all subsections thereof) of the California Fire Code, 2010 Edition, is amended to read as follows:

Section 903.2 Where required. Approved automatic sprinkler systems in new, additions to existing, remodeled, added to or altered buildings and structures shall be provided in the locations described in this section.

- A. Approved automatic sprinkler systems shall be provided in new buildings and structures requiring a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.
- B. Approved automatic sprinkler systems shall be provided in additions to existing structures where the new total building area would require a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.
- C. Approved automatic sprinkler systems shall be provided in existing structures which are remodeled, added to or altered, except for ordinary maintenance and repair not involving structural alterations, requiring a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code, and when the cost of such remodels, additions, or alterations within any 36 month period exceeds \$60,000.
Exception: Projects which are solely complying with statutory regulations (examples may be Health and Safety Codes, earthquake/seismic, American Disabilities Act (ADS), or façade improvements) will not trigger this requirement.
- D. Approved automatic sprinkler systems shall be provided in new structures exceeding 30 feet in height above the lowest grade level.
- E. Approved automatic sprinkler systems shall be provided in those new, additions to existing, remodeled, added to or altered buildings and structures which require a fire flow, as determined by Appendix B of this code, in excess of the capability of the available water supply.

5 Section 5218 is amended to read as follows:

SECTION 5218: AMENDMENTS TO SECTION 506.3 OF THE CALIFORNIA FIRE CODE, AS ADOPTED IN UKIAH:

Section 506.3 of the California Fire Code, 2010 Edition, is added as follows:

Section 506.3 - Emergency electrical disconnects.

Where access to main electrical control panels requires entry to, and passage through, portions of a structure which may be involved with fire, smoke, gasses, hazardous materials, or which otherwise present unsafe conditions to emergency personnel, the Chief may require that a means of remotely disconnecting electrical service to the structure be provided. This means of remotely disconnecting electrical service shall be by a secured key switch mechanism approved by the Fire Department.

6. Section 5223 is REPEALED in its entirety.

SECTION FOUR

The geographic limits referred to in certain sections of the 2010 California Fire Code are hereby established as follows:

Section 3404.2.9.6.1 The geographic limits referred to in Section 3404.2.9.6.1 of the 2010 edition of the California Fire Code in which storage of Class I, Class II and liquids in outside aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Ukiah.

Section 3406.2.4.4 The geographic limits referred to in Section 3406.2.4.4. of the 2010 edition of the California Fire Code in which storage of Class I, Class II and liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Ukiah.

Section 3804.2 The geographic limits referred to in Section 3804.2 of the 2010 edition of the California Fire Code in which storage of liquefied petroleum gas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 liters), is restricted, are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Ukiah.

SECTION FIVE

1. COMPLIANCE WITH CEQA. 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), 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment.)

2. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have adopted this Ordinance and any section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

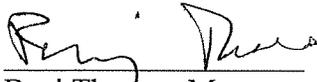
3. EFFECTIVE DATE. This Ordinance shall be published as required by law in a newspaper of general circulation in the City of Ukiah, and shall become effective thirty (30) days after its adoption.

Introduced by title only on November 3, 2010, by the following roll call vote:

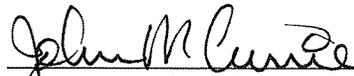
AYES: Councilmembers Landis, Rodin, Baldwin, and Mayor Thomas
NOES: None
ABSENT: Councilmember Crane
ABSTAIN: None

Adopted on November 17, 2010, by the following roll call vote:

AYES: Councilmembers Landis, Crane, Rodin, Baldwin, and Mayor Thomas
NOES: None
ABSENT: None
ABSTAIN: None


Benj Thomas, Mayor

ATTEST:


JoAnne Currie, City Clerk