

BUILDING STANDARDS COMMISSION

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



January 7, 2014

Michael W. McLaughlin
Fire Chief
City of Merced
99 East 16th Street
Merced, CA 95340

RE: Ordinance #2414

Dear Mr. McLaughlin:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on November 24, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

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

Sincerely,

A handwritten signature in blue ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

Day, Kevin@DGS

From: McLaughlin, Mike <McLaughlinM@cityofmerced.org>
Sent: Sunday, November 24, 2013 2:21 PM
To: CBSC@DGS
Cc: Staiger, Tracy; McLaughlin, Mike; Gonzalves, David
Subject: Fire Code Filing - City of Merced Fire Department
Attachments: 2414.pdf; CBSC Letter 112013-signed.pdf

~~2013 DEC 13 P 3 15
CITY OF MERCED
FIRE DEPARTMENT~~

Importance: High
Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please find our filing for the adoption of the 2013 California Fire Code attached to this email.

Please do not hesitate to contact me if you have any comments or questions.

Mike

Michael W. McLaughlin, CFO
Fire Chief
City of Merced Fire Department
99 East 16th Street
Merced, CA 95340
(209) 385-8540
(209) 388-7945 – Fax

“In times of change, learners inherit the earth, while the learned find themselves beautifully equipped to deal with a world that no longer exists.”
Eric Hoffer 1902-1983



City of Merced Fire Department

Michael W. McLaughlin, Fire Chief

November 20, 2013

California Building Standards Commission
2525 Natomas Park Dr., Suite 130
Sacramento, CA 95833-2936

Re: City of Merced Fire Code Ordinance

The City of Merced has adopted the 2013 Edition of the California Fire Code.

The City of Merced has made changes and modifications to the 2013 Edition of the California Fire Code and have advised that certain said changes and modifications are reasonably necessary due to local climatic, topographical and geological conditions in the City of Merced and have further advised that the remaining of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code or are reasonably necessary to safeguard life and property with the City of Merced.

The enclosed City Ordinance containing our findings of fact is for your files.

If additional information is desired, please contact me at (209) 385-8540.

Sincerely,

Michael W. McLaughlin

Michael W. McLaughlin, Fire Chief
City of Merced Fire Department



ORDINANCE NO. 2414

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

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

WHEREAS, California Health & Safety Code Section 18938(c) provides that the building standards contained in the 2013 Edition of the California Fire Code, by the International Code Council shall apply to all occupancies throughout the state and shall become effective 180 days after publication in the California Buildings Standards Code by the California Building Standards Commission; and,

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

WHEREAS, The City Council of the City of Merced has previously adopted the California Fire Code, 2010 Edition, including the appendix, which was published by the International Code Council, with certain amendments as the Fire Code of the City; and,

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

WHEREAS, The City Council of the City of Merced hereby finds the amendments to the California Fire Code, 2013 Edition, are reasonably necessary to provide sufficient and effective protection of life, health, and property in

consideration of the local climatic, geologic and topographic conditions as stated below; and,

WHEREAS, The City Council of the City of Merced finds that certain local climatic factors require certain amendments to the California Fire Code, 2013 Edition. During winter months, the San Joaquin Valley experiences thick fog that is a danger to emergency personnel responding to fires and other emergencies and significantly delays response time of emergency vehicles beyond the normal response time. Fire engines and trucks must greatly reduce their speed in the fog to compensate for appropriate breaking distances because of the weight of the vehicles; and,

WHEREAS, The City Council of the City of Merced finds that certain local geological factors require certain amendments to the “California Fire Code, 2013 Edition.” Merced County is located within an area with potential seismic activity. After a large seismic event, the potential for multiple fires occurring simultaneously will tax available firefighting resources. Built-in fire protection will assist in extinguishing or controlling fires in larger structures, which will increase the availability of firefighting resources after seismic activity; and,

WHEREAS, The City Council of the City of Merced finds that certain local topographical factors require certain amendments to the California Fire Code, 2013 Edition.” The City of Merced to a great extent lies on a level plain; as a result, heavy rains have historically caused flooding throughout the City, which has caused and can cause delays for emergency response, or in some situations, make it extremely difficult for responders to access certain areas of the City. Flooding is both a climatic and topographic problem. In addition, two major railroad lines crossing through the City have in the past been responsible and will continue to be responsible for creating delays for emergency vehicles by blocking emergency routes.

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

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

**“Chapter 17.32
FIRE CODE*”**

***Note to Chapter 17.32**

Section:

- 17.32.010 Adoption.**
- 17.32.020 Violation—Penalty.**
- 17.32.030 Issuance of Citations by Designated Officers and Employees.**
- 17.32.040 Chapter 1, Scope and Administration.**
- 17.32.050 Chapter 2, Definitions.**
- 17.32.060 Chapter 3, General Requirements**
- 17.32.070 Chapter 5, Fire Service Features.**
- 17.32.080 Chapter 8, Interior Finish, Decorative Materials and Furnishings.**
- 17.32.090 Chapter 9, Fire Protection Systems.**
- 17.32.100 Chapter 11, Construction Requirements for Existing Buildings.**
- 17.32.110 Chapter 25, Fruit and Crop Ripening.**
- 17.32.120 Chapter 56, Explosives and Fireworks.**
- 17.32.130 Appendix 4, Special Detailed Requirements Based on Use and Occupancy.**
- 17.32.140 Appendix B, Fire-Flow Requirements for Buildings.**
- 17.32.150 Appendix BB, Fire-Flow Requirements for Buildings.**
- 17.32.160 Appendix C, Fire Hydrant Locations and Distribution.**
- 17.32.170 Appendix CC, Fire Hydrant Locations and Distribution.**
- 17.32.180 Appendix D, Fire Apparatus Access Roads.**
- 17.32.190 Appendix K, Temporary Haunted Houses, Ghost Walks, and Similar Amusements.**

***Note to Chapter 17.32**

* Prior history: Prior code §§ 12.1--12.6 as amended by Ords. 1155, 1230, 1333, 1535, 1695, 1741, 1825, 1926, 1961, 1987, 2021, 2077, 2099, 2118, and 2367.

17.32.010 Adoption.

Subject to the particular additions, deletions, and amendments herein set forth in this Chapter, three (3) certified copies of which are on file in the Office of the City Clerk, the rules, regulations, provisions, and conditions set forth in that certain code entitled International Fire Code, 2012 Edition, the California Fire Code, 2013 Edition, including appendices Chapter 4, and Appendices B, BB, C, CC, D, H, and K as published by the International Code Council, is adopted and shall be designated, known, and referred to as the International Fire Code, and the California Fire Code of and for the City of Merced.

17.32.020 Violation Penalties.

109.4 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 a misdemeanor, subject to punishment in accordance with Chapter 1.12 of the Merced Municipal Code.

17.32.030 Issuance of Citations by Designated Officers and Employees.

Officers or employees of the City of Merced Fire Department, as designated by the Fire Chief, who have the discretionary duty to enforce a statute or ordinance

may, pursuant to Section 836.5 of the Penal Code of the State of California and subject to the provisions hereof, arrest a person without a warrant whenever any such officer or employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the officer's or employee's presence which he or she has the discretionary duty to enforce, and to issue a notice to appear and release such person on his or her written promise to appear in court pursuant to Chapter 5C of the Penal Code of the State of California (commencing with Section 853.6).

17.32.040 Chapter 1, Scope and Administration.

Chapter 1 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety with the following amendments:

A. Section 101.1, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

These regulations shall be known as the Fire Code of the City of Merced, herein referred to as 'this Code.'

B. Section 102.7.3, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

102.7.3 Tests. In instances where a new product or process for use or where alternative materials or methods are being proposed, the Fire Code Official may require that the product or process be evaluated by the International Code Council Evaluation Service (ICC-ES) or by another third party vendor that has been approved by the Fire Code Official. All tests required as evidence for compliance shall be made at no cost to the City.

C. Section 103.2, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

103.2 Appointment. The Fire Code Official shall be appointed by the chief appointing authority of the jurisdiction.

D. Section 104.9.2, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

104.9.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this Code, or evidence that a material or method does not conform to the requirements of this Code; or in order to substantiate claims for alternative materials or methods, the Fire Code Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this Code or by other recognized test standards. In the absence of a recognized and accepted test method, the Fire Code Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Fire Code Official for the period required for retention of public records. All tests required as evidence for compliance shall be made at no cost to the City.

E. Section 105.2, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

105.2 Inspection authorized. Before a new operational permit is approved, the Fire Code Official shall inspect the receptacles, vehicles, buildings, devices, premises, storage spaces, or areas to be used to determine compliance with this Code or any operational constraints required. In instances where laws, rules, regulations, provisions, or conditions are enforceable by departments or organizations other than the Fire Department, joint approval shall be obtained from the departments or organizations.

F. Section 105.3, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

105.3.1 Expiration. An operational permit shall remain in effect until rescinded, renewed or revoked, not to exceed a two (2) year period, as specified below:

A Occupancy	1 year
B Occupancy	2 years
E Occupancy	1 year
F Occupancy	2 years
H Occupancy	1 year
I Occupancy	1 year
L Occupancy	1 year
M Occupancy	2 years
R Occupancy	1 year
S Occupancy	1 year
U Occupancy	2 years

G. Section 105.6, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

105.6 Required operational permits. The Fire Code Official is authorized to issue operational permits for the operations set forth in Sections 105.5.1 through 105.6.47.3.

H. Section 105.6.14, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

105.6.14 Explosives. An operational permit is required for the manufacture, storage, handing, sale, or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 56; including public displays of dangerous fireworks.

I. Section 108.1, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the City of Merced Building and Housing Board of Appeals. The Fire Code Official shall be an ex officio member of said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Code Official.

J. Section 109.4, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

109.4 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 a misdemeanor, subject to punishment in accordance with Chapter 1.12 of the Merced Municipal Code.

K. Section 109.4.1, Chapter 1 of the California Fire Code, 2013 Edition, is amended to read as follows:

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

L. Section 113.6, Chapter 1 of the California Fire Code, 2013 Edition, is added to read as follows:

113.6 Inspection Fee. All buildings and premises inspected by the Fire Department shall receive an initial inspection and one re-inspection at no charge. An inspection fee shall be charged for the second inspection, if violations not cleared, and all subsequent re-inspections required until all violations noted on the fire inspection have been cleared.

This fee shall be in addition to any fire permit charges and any other fees required by this Code. Fees for inspections shall be adopted by Resolution of the City Council.

M. Section 113.7, Chapter 1 of the California Fire Code, 2013 Edition, is added to read as follows:

113.7 Fire Watch/Stand-by Fee. Where a fire watch or standby is required by the provisions of this Code or any other purpose as required by the Fire Code Official, the department shall charge a service fee.

The service charge shall equal the actual cost of providing the service. The fee is calculated on a per-minute per-person amount that is established by the Finance Department on an annual basis.

N. Section 113.8, Chapter 1 of the California Fire Code, 2013 Edition, is added to read as follows:

113.8 False alarms. The owner and occupants of any premises, which generates more than two (2) false alarms in any calendar year will be required to pay response costs for any and all false alarms for the third (3rd) and any subsequent alarm in that time frame. Such costs shall constitute a debt to the City and are collectible by the City in the same manner as in the case of an obligation under a contract. Fees for false alarms shall be adopted by Resolution of the City Council.

O. Section 113.9, Chapter 1 of the California Fire Code, 2013 Edition, is added to read as follows:

113.9 Permit fees. An inspection fee for permits required by Section 105.6 shall be paid prior to the issuance of the permit and prior to all subsequent renewals. Fees for permits shall be adopted by Resolution of the City Council.

P. Section 113.10, Chapter 1 of the California Fire Code, 2013 Edition, is added to read as follows:

113.10 Charge for fire suppression. Any person who, after written notification by the Fire Code Official causes, permits or allows the existence of a fire hazard or hazards as defined by this Code or any person who negligently, or in violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape onto any public or private property is liable for the expense of fighting the fire. These charges shall include all costs for suppression, rescue or emergency medical services, investigation. The Fire Chief or his authorized representative shall determine whether said fire hazard caused, or contributed to the spread of the fire. Such applicable expenses shall constitute a debt of such person, and are collectible by the City in the same manner as in the case of an obligation under a contract.

The service charge shall equal the actual cost of providing the service. The fee is calculated on a per-minute per-person amount that is established by the Finance Department on an annual basis.

17.32.050 Chapter 2, Definitions.

Chapter 2 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety with the following addition:

Sky Lantern. An unmanned device with a fuel source that incorporates an open flame in order to make the device airborne.

17.32.060 Chapter 3, General Requirements.

Chapter 3 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety with the following addition:

308.1.6.3 Sky lanterns. No person shall release or cause to be released an untethered sky lantern.

17.32.070 Chapter 5, Fire Service Features.

Chapter 5 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety with the following amendments:

A. Section 503.2, Chapter 5 of the 2013 California Fire Code is amended to read as follows:

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2(a) Roads. Required access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) right-of-way not less than 22 feet in width as measured from the face of the curb. Such right-of-way shall be unobstructed and maintained only as access to the public street.

B. Section 503.2.1, Chapter 5 of the California Fire Code, 2013 Edition, is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 22 feet as measured from the face of the curb, exclusive of shoulders, except for approved security gates in

accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

C. Section 506.1, Chapter 5 of the California Fire Code, 2013 Edition, is amended to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the Fire Code Official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official.

Where new or remodeled building(s) or premises are provided with automatic security gates, the following methods of entry shall be required:

Key switch. The key switch shall be keyed the same as the City of Merced approved master key (Knox); and, Radio Operated controller (Click2Enter or other approved equipment).

When Fire Department access is blocked due to a non-automatic gate, any locking devices used on such gate shall be operable with an approved key box access key.

D. Section 507.5.4, Chapter 5 of the California Fire Code, 2013 Edition, is amended to read as follows:

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. The Fire Department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Where fire hydrants and/or Fire Department connections are installed in inconspicuous locations, the Fire Code Official may require hydrant locations to be identified by

the installation of blue reflective markers and the location of the Fire Department connections to be identified by green reflective markers.

17.32.080 Chapter 8, Interior Finish, Decorative Materials and Furnishings.

Chapter 8 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.090 Chapter 9, Fire Protection Systems.

Chapter 9 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety with the following amendments:

A. Section 901.6.2.2, Chapter 9 of the California Fire Code, 2013 Edition, is added to read as follows:

901.6.2.2 System Records. All contractors who service, test, install, and/or maintain fire protection systems within the City are required to enroll and utilize the approved single-point repository to file the records of all system inspections, tests and maintenance required by the referenced standards. The approved repository service shall be maintained and provided to the Fire Code Official through a third party inspection reporting system. Fees, as applicable, will be paid directly from the contractor to the single-point repository vendor.

B. Section 903.1.2, Chapter 9 of the California Fire Code, 2013 Edition, is added to read as follows:

903.1.2. Determination of Building Area. For purposes of determining building area for automatic fire sprinkler system requirements, the following criteria shall be used:

1. Area or occupancy separation walls will not be allowed to reduce the overall square footage in

an area of a building in order to circumvent the requirements for an automatic sprinkler system.

Exceptions:

- a. Party walls located on a lot-line between two buildings in accordance with California Building Code, Section 706.
- b. Firewalls without openings installed in accordance with California Building Code, Section 706 and with specific fire wall requirements in Section 903.2 of this Code based on occupancy.

2. Determination of building area for combustible construction shall be measured to the building perimeter roof drip line, including architectural features, such as, but not limited to, mansards, towers, porte cocheres, etc., with the exception of 44" maximum depth roof eaves. For non-combustible construction, building area shall include all perimeter roof areas exceeding 44" that are required by NFPA 13 to have fire sprinkler protection under the projection. The area of open shafts or courts need not be included in calculating floor area. When multiple buildings are considered as one building per California Building Code, the combined floor areas shall be used to determine the automatic fire sprinkler requirements.

C. Section 903.1.3, Chapter 9 of the California Fire Code, 2013 Edition, is added to read as follows:

903.1.3. Applicability to Existing Buildings. For existing buildings an automatic fire extinguishing system shall be installed in those circumstances described in this sub-

section. Installation requirements shall be as set forth for new buildings by Sections 903.2.1 through 903.2.19.1.2.

1. **Building Additions.** When additions exceed 25% of the existing building square footage and the total proposed building area exceeds 5,000 square feet, an automatic fire sprinkler system shall be installed throughout the building. The 25% threshold shall be cumulative over the life of the building.

Exception: Building additions of non-combustible construction and non-combustible uses such as covered pedestrian walkways.

2. **Change of Occupancy.** In existing buildings 5,000 square feet or greater, when a Change of Occupancy, in accordance with the California Building Code is made and the proposed new occupancy is more hazardous to life and safety than the existing occupancy an automatic fire extinguishing system shall be installed throughout the building.

Exceptions:

a. If the area in which the Change of Occupancy occurs is less than 25% of the actual floor area of the existing building, the area of the new occupancy is 5,000 square feet or less, and fire sprinklers are not required based on occupancy by Section 903, and automatic fire sprinkler system is not required for any portion of the building. The 25% limit is cumulative over the life of the building.

b. If the area in which the Change of Occupancy occurs exceeds 25%, but is less than 50% of the actual floor area of the

existing building, only that portion of the building changing occupancy is required to have an automatic fire sprinkler system installed. An approved fire separation shall be required between portions of the building with fire sprinklers and those portions without.

- c. If individual or cumulative Change of Occupancies exceeds 50% of the overall floor area of the existing building, then the entire building shall have an automatic fire sprinkler system installed throughout.

3. Fire Damage Repairs. An automatic fire sprinkler system shall be installed as a condition of fire damage repair building permit as follows:

- a. When a fire occurs in any existing occupancy, and the building permit repair costs exceed 50% of the current building valuation, an automatic fire sprinkler system shall be installed throughout the building as required for a new building in Section 903.
- b. Fire damage repair costs and building valuation shall be based on the ICC Building Valuation Tables in use by the City's Development Services Department at the time of the issuance of the fire damage repair permit.

D. Section 903.2.1.1, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

- 1. The fire area exceeds 5,000 square feet.

2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

E. Section 903.2.1.2, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

F. Section 903.2.1.3, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

G. Section 903.2.1.4, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

H. Section 903.2.2, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.2 Group B ambulatory health care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing ambulatory health care facility occupancy when either of the following conditions exists:

1. Four or more care recipients are incapable of self-preservation; whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other

than the level of exit discharge serving such a facility.

In buildings where ambulatory healthcare is provided on levels other than the level of the exit discharge, an automatic fire sprinkler system shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest level of exit discharge, including the level of exit discharge. Automatic fire sprinklers shall be installed if the total fire area exceeds 5,000 square feet.

I. Section 903.2.3, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.3 Group E. Except as provided for in Section 903.2.3.1 for a new public school campus an automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5,000 square feet in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.

4. For public school state-funded construction projects see Section 903.2.19.

J. Section 903.2.4, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.4. Group F. An automatic fire sprinkler system shall be provided throughout buildings containing a Group F occupancy with a fire area over 5,000 square feet.

Exception: F-2 occupancies of non-combustible construction and where contents stored, used, or manufactured are classified by this Code as noncombustible. Minor accessory uses such as administrative offices and break rooms that, in total, do not exceed 10% of the building area are allowed and such uses are not required to have fire sprinklers unless the area exceeds 5,000 square feet. An operational statement shall be submitted to the City's Development Services Department with building plan submission and the owner shall execute a covenant running with the land agreeing to the installation of the required automatic extinguishing system if the use should change from the approved noncombustible limitation.

K. Section 903.2.7, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than three stories above grade plane.

3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 5,000 square feet.

4. A Group M occupancy is used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.

L. Section 903.2.9, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy with a fire area that exceeds 5,000 square feet or in buildings with repair garages servicing vehicles parked in basements.

M. Section 903.2.10, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 5,000 square feet; or
2. Where the enclosed parking garage is located beneath other groups.

N. Section 903.4.1, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved and listed supervising station or, when approved by the Fire Code

Official, shall sound an audible signal at a constantly attended location.

O. Section 903.2.1.1, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:
903.7 Fire Control Room. An approved fire control room shall be provided for all buildings protected by an automatic fire sprinkler or other approved system. The fire control room shall contain all system control valves, fire alarm control panels, other fire equipment, and pre-incident, hazardous material or other plans required by the Fire Code Official. Fire control rooms shall be located within the building at a location approved by the Fire Code Official and be provided with a means of access to the room directly from the exterior. The room shall be constructed of not less than 1-hour fire resistive construction. Durable signage shall be provided on the exterior side of the access door to identify the fire control room.

Exception: The Fire Code Official may waive this requirement for specific buildings based on size, configuration, use, and potential life and fire safety hazards.

P. Section 907.6.5, Chapter 9 of the California Fire Code, 2013 Edition, is amended to read as follows:

907.6.5 Monitoring. All required fire alarm and fire extinguishing systems shall be monitored by an approved supervising station in accordance with NFPA 72, and this section.

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

1. Single- and multiple-station smoke alarms required by Section 907.2.11.

2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.4.
3. Automatic sprinkler systems in one- and two-family dwellings.

17.32.100 Chapter 11, Construction Requirements for Existing Buildings.

Chapter 11 as contained in the California Fire Code, 2013 Edition, was partially adopted by the State Fire Marshal with the following amendments:

- A. Section 1101, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- B. Section 1102, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- C. Section 1103.1, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- D. Section 1103.2, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- E. Section 1103.8, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- F. Section 1104.3, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- G. Section 1104.4, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- H. Section 1104.5, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.
- I. Section 1104.6, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.

J. Section 1104.16, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.

K. Section 1104.23, Chapter 11 of the California Fire Code, 2013 Edition, is adopted without amendment.

17.32.110 Chapter 25, Fruit and Crop Ripening.

Chapter 25 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.120 Chapter 56, Explosives and Fireworks.

Chapter 56 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.130 Appendix 4, Special Detailed Requirements Based on Use and Occupancy.

Appendix 4 as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.140 Appendix B – Fire-Flow Requirements for Buildings.

Appendix B as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.150 Appendix BB, Fire-Flow Requirements for Buildings.

Appendix BB as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.160 Appendix C – Fire Hydrant Locations and Distribution.

Appendix C as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.170 Appendix CC – Fire Hydrant Locations and Distribution.

Appendix CC as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.

17.32.180 Appendix D, Fire Apparatus Access Roads.

Appendix D as contained in the California Fire Code, 2013 Edition, is adopted in its entirety with the following amendments:

A. Table D103.4, Appendix D of the California Fire Code, 2013 Edition, is amended to read as follows:

Table D103.4 – Requirements for dead-end fire apparatus access roads

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	22	None required
151-500	22	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in

		accordance with Figure D103.1
Over 750	Special approval required	

B. Section D103.5, Appendix D of the California Fire Code, 2013 Edition, is amended to read as follows:

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 22 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Fire Code Official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a KNOX padlock or key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the Fire Code Official.

8. Electric gate operators, where provided, shall be listed in accordance with UL 325.

9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

B. Figure D103.1, Appendix D of the California Fire Code, 2013 Edition, is amended to read as follows:

Figure D103.1 – Dead-end fire apparatus access road turnaround.

1. 60-Foot “Y” – Minimum road width 22’; Typical radius 33’

2. Minimum clearance around a fire hydrant – Minimum road width 22’

3. 120-Foot Hammerhead - Minimum road width 22’; Typical radius 33’

4. Acceptable Alternative to 120-Foot Hammerhead - Minimum road width 22’; Typical radius 33’

C. Section D103.6.1, Appendix D of the California Fire Code, 2013 Edition, is amended to read as follows:

D103.6.1 Roads 22 to 26 feet in width. Fire apparatus access roads 22 to 26 feet wide shall be posted on both sides as a fire lane.

17.32190 Appendix K – Temporary Haunted Houses, Ghost Walks, and Similar Amusements.

Appendix K as contained in the California Fire Code, 2013 Edition, is adopted in its entirety without amendments.”

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

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

SECTION 4. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

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The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the 4th day of November, 2013, and was passed and adopted at a regular meeting of said City Council held on the 18th day of November, 2013, by the following called vote:

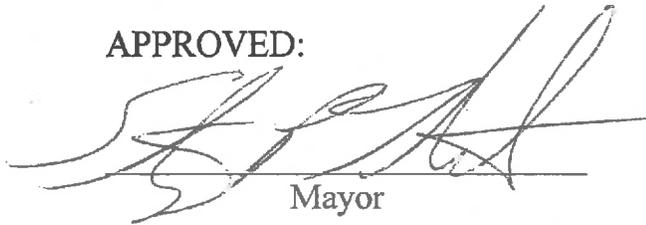
AYES: Council Members: BLAKE, DOSSETTI, MURPHY, RAWLING, LOR, PEDROZO, THURSTON

NOES: Council Members: NONE

ABSTAIN: Council Members: NONE

ABSENT: Council Members: NONE

APPROVED:



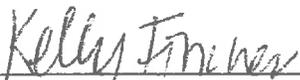
Mayor

ATTEST:
JOHN M. BRAMBLE, CITY CLERK

BY: 
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 10/28/13
City Attorney Date