

BUILDING STANDARDS COMMISSION

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



October 31, 2014

Patricia Athenour
City Clerk
City of Pinole
2131 Pear Street
Pinole, CA 94564

RE: Ordinance # 2014-01

Dear Ms. Athenour:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on October 23, 2014 .

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, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

O'Brien, Laurie@DGS

From: Patricia Athenour <PAthenour@ci.pinoles.ca.us>
Sent: Thursday, October 23, 2014 1:43 PM
To: OrdinanceFilings@DGS
Subject: FW: City of Pinole Building Code Adoption with Local Amendments
Attachments: O-2014-01.pdf; Building Code Findings.PDF

To: Building Code Standards Commission

Attached please find Ordinance 2014-01, Adopting By Reference the 2013 Codes and Resolution 2014-56 Supporting Local Modifications. If you have any questions, please contact Planning Manager Winston Rhodes at 510-724-9832 or email / wrhodes@ci.pinoles.ca.us

Patricia Athenour, MMC

Pinole City Clerk
2131 Pear Street
Pinole CA 94564
Ph: 510.724.8928

Pinole City Hall office hours: Monday through Thursday - 8 am to 4:30 PM. Closed Fridays.

RECEIVED
2014 OCT 23 P 2:26
CALIFORNIA BUILDING
STANDARDS COMMISSION

RECEIVED

2014 OCT 23 P 2:26

CITY OF PINOLE
ORDINANCE NO. 2014-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE REPEALING AND REPLACING CHAPTERS 15.02 THROUGH 15.24 OF TITLE 15 "BUILDINGS AND CONSTRUCTION" OF THE PINOLE MUNICIPAL CODE AND REPEALING CHAPTER 15.40 "FIRE CODE" OF TITLE 15 OF THE PINOLE MUNICIPAL CODE IN ORDER TO ADOPT BY REFERENCE, WITH MODIFICATIONS TO ADDRESS UNIQUE LOCAL CONDITIONS, THE 2013 EDITIONS OF THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE CALIFORNIA ELECTRIC CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA ADMINISTRATIVE CODE, AND THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE .

WHEREAS, currently Title 15 "Buildings and Construction" of the City of Pinole Municipal Code adopts the building standards contained in the 2013 versions of the California Building Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code, California Administrative Code, as such Codes are approved by the State Building Standards Commission (collectively, the "California Building Standards Code"); and

WHEREAS, the updated California Building Standards Code became effective within the City on January 1, 2014, took full effect on July 1, 2014 and Title 15 was updated by default to incorporate the California Building Standards Code without local amendments; and

WHEREAS, Section 17922 of the California Health and Safety Code requires local agencies to adopt the building standards contained in the California Building Standards Code; and

WHEREAS, Section 17958.7 of the California Health and Safety Code allows local agencies to enact modifications to those building standards provided that such modifications are reasonably necessary because of local climatic, geological or topographical conditions so long as a local agency adopts such findings; and

WHEREAS, the City adopted findings justifying local modifications based on local climatic, geologic, and topographic conditions on September 16, 2014; and

WHEREAS, a duly noticed public hearing was advertised in the West County Times on October 2, 2014 and October 9, 2014 as required by Government Code section 65090; and

WHEREAS, the City Council held a public hearing related to this Ordinance on

October 21, 2014 and considered the staff report and public testimony received; and

WHEREAS, the City Council finds that no additional environmental review is necessary because this Ordinance is not a project that has the potential to cause substantial or potentially substantial, adverse change in the environment and qualifies for an exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b) (3), and further, the Ordinance establishes standards for the approval of ministerial projects that are not themselves subject to CEQA review; and

WHEREAS, the City Council finds that this Ordinance is consistent with and supports the Pinole General Plan by helping to ensure and maintain a high level of public safety in the community (Goal CS.2); helping to minimize the potential loss of life, injury, damage to property, economic and social dislocation, and unusual public expense due to natural and man-made hazards (Goal HS.1); helping to minimize hazards of soil erosion, weak and expansive soils, potentially hazardous soils; other hazardous materials, geologic instability and seismic activity (Goal HS.3); helping support energy-efficient design and building practices in order to reduce housing utility expenses, minimize adverse environmental impacts, and provide for sustainability (Goal H.5); helping optimize energy efficiency and renewable energy (Goal SE.4); and helping integrate green building standards into new and rehabilitated development (Goal SE.6); and

WHEREAS, the City Council also finds that the adoption of 2013 Edition of the California Building, Residential, Green Building Standards, Plumbing, Mechanical, Electrical, Fire and related construction Codes help protect public health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PINOLE DOES ORDAIN as follows:

SECTION 1. The forgoing Recitals are true and correct and incorporated herein by this reference.

SECTION 2. Those certain documents, copies of which are on file and are open for inspection by the public at the Building Division of the City of Pinole, being marked and designated as the California Building Standards Code, 2013 Edition, comprising Title 24, Parts 1, 2 (Vol. 1 and 2), 2.5, 3, 4, 5, 6, 9, 11, and 12 California Code of Regulations, together with all appendices thereto; the 2009 International Property Maintenance Code; are hereby adopted, with certain modifications to reflect unique local conditions, as contained in the Municipal Code of the City of Pinole for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City. Each and all of the regulations, provisions, conditions, and terms of such California Building Standards Code, International Property Maintenance Code, all of which are on file at the Building Division are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 3.

Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.14, 15.16, 15.18, 15.20, 15.22, 15.24, and 15.40 of Title 15, Buildings and Construction, of the Pinole Municipal Code are hereby repealed and replaced in its entirety by the following:

**Title 15
BUILDINGS AND CONSTRUCTION**

Chapters:

I. ADOPTION OF UNIFORM BUILDING CODES

15.02	General Provisions
15.04	California Building Code
15.06	California Residential Code
15.08	California Green Building Standards Code
15.10	California Electrical Code
15.12	California Plumbing Code
15.14	California Mechanical Code
15.16	Housing and Property Maintenance Code
15.18	Abatement of Dangerous Buildings
15.20	California Fire Code
15.22	Administrative Code
15.24	Violation - Penalty

**Chapter 15.02
GENERAL PROVISIONS**

Sections:

- 15.02.010 Title.
- 15.02.020 Organization.
- 15.02.030 Codes adopted by reference.
- 15.02.040 Expiration of permits.
- 15.02.050 Premises identification numbering.
- 15.02.060 Construction permit fees – set by City Council.
- 15.02.070 Permitted hours and condition of construction, penalties.
- 15.02.080 Misrepresentations in permit application.
- 15.02.090 Disconnection of utility service.

15.02.010 TITLE.

Chapters 15.02 through 15.24 shall be known as the "City of Pinole Building Codes" and shall be cited as such.

15.02.020 ORGANIZATION.

A building division is established in accordance with the provisions of California Building Code, 2013 Edition, adopted in Chapter 15.04. This division shall be a part of and shall operate under the direction of the Community Development Director. The building division is authorized to direct and enforce all of the provisions of this Title and any of the Codes adopted in this Title.

15.02.030 CODES ADOPTED BY REFERENCE.

For the purpose of establishing proper regulations for building construction, maintenance of housing standards, installation of electrical, plumbing and mechanical systems and swimming pool construction, the codes specifically listed in Chapters 15.02 through 15.24, except as modified in this Title, are adopted and made a part of this Title by reference, without publishing or posting thereof, and copies of each of these Codes as listed in this Title are now on file for use and examination by the public in the office of the City Clerk.

15.02.040 EXPIRATION OF PERMITS.

All permits issued by the building division shall expire one hundred eighty (180) calendar days from date of issuance if the work is not commenced within this time period. A maximum time allowable for the completion of all work is established as follows:

MAXIMUM TIME ALLOWED	
Applicable to Construction, Alteration and Repair Work	
Total Estimated Cost	Total Time Allowed
\$1,000 or less	3 months
Over \$1,000 to and including \$10,000	6 months
Over \$10,000 to and including \$100,000	12 months
Over \$100,000 to and including \$1,000,000	18 months
Over \$1,000,000 to and including \$2,000,000	24 months
Over \$2,000,000 to and including \$10,000,000	30 months
Over \$10,000,000	36 months

15.02.050 PREMISES IDENTIFICATION NUMBERING.

A. Every main structure or building constructed, altered, repaired or moved into the City shall be assigned a street address identification number by the Building Official and approved by the Fire Code Official (as defined in 15:04.030 of this Code).

B. Identification numbers shall be placed on the street side of the building or structure in such a manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of 6" in height and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.

C. The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official and Fire Code Official.

D. The owner or his or her designated agent shall be responsible for the maintenance of identification numbers.

E. Any changes to the assigned street identification numbers must be approved by the Building Official and Fire Code Official.

F. The fee for assigning or modifying a street address shall be set by resolution of the City Council.

15.02.060 CONSTRUCTION PERMIT FEES – SET BY COUNCIL.

All construction permit fees including building, plumbing, mechanical, electrical, swimming pools and solar shall be set by resolution of the City Council and reflected in the City's Master Fee Schedule.

15.02.070 PERMITTED HOURS AND CONDITION OF CONSTRUCTION; PENALTIES.

A. Work is allowed from seven a.m. (7:00 a.m.) to five p.m. (5:00 p.m.) on non-federal holidays. Work is allowed on holidays recognized by the City of Pinole, but not acknowledged federally which include Cesar Chavez's Birthday and the Day After Thanksgiving, but no inspections will be performed.

B. Saturday work is allowed in commercial zones only, from nine a.m. (9:00 a.m.) to six p.m. (6:00 p.m.), as long as it is interior work and does not generate significant noise.

C. Exceptions for residential property owners.

1. Homeowners performing additions, repairs, or remodeling are allowed to work on their residences on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.).

2. By written authorization of the Building Official, a residential property owner with a valid permit to construct a single-family residence for personal occupancy shall be allowed to work on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.). This authorization shall be granted to applicants who have not built a residence in the City in the previous five (5) year period and who affirm in writing their intention to reside at the subject property.

D. Exceptions for commercial construction. The City Council designates the City Manager (or his/her designee) to further modify on a case-by-case basis the hours of construction in commercial zones. Additionally, the City Manager (or his/her designee) has the ability to modify the construction hours on a case-by-case basis based on inclement weather conditions or certain construction procedures (such as setting up from a concrete pour) and construction project characteristics that may require working beyond five p.m. (5:00 p.m.) on weekdays or six p.m. (6:00 p.m.) on Saturday.

E. The minimum fine for a citation or penalty for violating construction hours is one thousand dollars (\$1,000.00), and escalates in one thousand dollars (\$1,000.00) increments.

F. Work must be controlled to prevent causing a public nuisance due to dust, noise, vibrations, etc.

15.02.080 MISREPRESENTATIONS IN PERMIT APPLICATION.

No person shall make false statement or misrepresentation in or in connection with an application for a permit under this Title. Any permit issued under this Title may be revoked or suspended at any time by the Building Official or designee for fraud, misrepresentation or false statement contained in an application for a permit, or for violations of this Title in connection with work done under the permit.

15.02.090 DISCONNECTION OF UTILITY SERVICE.

The Building Official (or designee) may shut off or disconnect any or all utility service to any structure or facility or to any electrical conductor or apparatus which he/she finds to be in violation of any state or county law or regulation relating thereto or to the public health, safety or welfare, or he may order this done. If he/she finds that the violation involves an immediate danger to person(s) or to other properties or to the public health, safety or welfare, he/she may have the action taken as quickly as he/she deems necessitated by the danger; otherwise he/she shall give ten (10) days advance notice thereof by mail to the utility and the owner of the property as shown on the last assessment roll and by conspicuously posting notice of his orders and the action taken, which no person shall remove, tamper with or disobey. He/she shall rescind or modify such action when it becomes proper to do so in view of the danger or violation.

**Chapter 15.04
BUILDING CODE**

Sections:

- 15.04.010 Adoption by reference.
- 15.04.020 Copies on file.
- 15.04.030 Amendments made in the California Building Code.

15.04.010 Adoption By Reference.

The California Building Code, 2013 Edition, Volumes 1 and 2, including Chapter 1, Division II, and all Appendices published by the International Code Council is adopted by reference the same as though fully set forth in this chapter.

15.04.020 Copies On file.

One copy of the California Building Code and Appendices as adopted by Pinole Municipal Code 15.04.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.04.030 Amendments Made In The California Building Code.

The California Building Code is amended and changed in the following respects:

A. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1 subsection 1 is amended to read as follows:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet, nor seven feet in height, and for which written approval has been given by the Planning Division.

B. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1, is hereby amended adding subsection 14 to read as follows:

14. Detached decks under 100 square feet and under 30 inches in height, for which written approval has been given by the Planning Division and Building Division.

C. Section 105.3.2 of Chapter 1, Division II is amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing unless such application has been pursued in good faith, or a permit has been issued; except that the building official is authorized to grant one or more extensions of up to (6) months. The extensions shall be requested in writing and justified cause demonstrated. Whatever the case, a permit application is valid for a maximum one (1) year after which time the application expires and a new plan review fee must be paid. The code in effect at the time the newest application is made shall be the code that is enforced.

D. Section 105.5 (Building permit) of Chapter 1 Division II is amended to read as follows:

Building Permit. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within six (6) months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. The permit will remain valid for up to a total of three (3) years from the date of the permit issuance. If the work becomes invalid, a new permit must be issued and the permit fees paid as per the city fee schedule for the amount of work required to finish the job.

E. Chapter 1 Subsection 105.8 is added to the CBC, to read as follows:

105.8 Permit Issuance.

105.8.1 Except as otherwise provided in this Chapter, a permit shall be issued only to person holding a valid, unexpired, or unrevoked California building contractor's license.

105.8.2 A permit may be issued for work in a single-family dwelling used exclusively for living purposes, including any accessory buildings, if the permittee is the bona fide owner of the structure occupied by or designed to be occupied by the owner, in which case the owner himself fulfills the role of contractor for all work under the permit.

105.8.3 Any permit issued pursuant to this Chapter shall not be transferable to any person, business, or corporation.

F. Section 107.2 .1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

107.2.1 Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distance to all property lines and of every existing building on the property. Instead of detailed specifications, the City building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

G. Subsection 107.3.5 is amended to the CBC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CBC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California

Fire Code have been reviewed and approved, and that the requirements specified in Chapter 15.20 have been met.

- H. Chapter 1 Division II Subsection 107.6 (Standard plans) is added to read as follows:

107.6.1 – Standard plans. The building official may approve a set of plans for a building or structure as a “standard plan,” provided the applicant has made proper application, submitted complete sets of plans, and paid the plan checking fee as required by the City of Pinole. When it is desired to use an approved “standard plan” for an identical structure, three plot plans shall be submitted, and a plan-checking fee equal to one-half of the full plan-checking fee required by the City of Pinole shall be paid at the time application is made for such identical structure. Such duplicate plans shall be compared, stamped, and kept on the job as required by California Building Code section [A] 107.3.1. In case of any deviation whatsoever from this standard plan, complete plans, together with a full plan-checking fee, shall be submitted for the proposed work, as required by California Building Code section [A] 107. Standard plans shall be valid for a period of one year from the date of approval. This period may be extended by the building official when there is evidence that the plan may be used again. The code in effect when the plan review application is submitted and the plan review fee paid shall be the governing code.

- I. Section 110.1 (Inspections – General) is amended by adding the following to the end of the section:

At the time of first inspection by the City building official, a licensed Land Surveyor or Civil Engineer may be required to certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- J. Chapter 1, Section [A] 114 (Unlawful act). Chapter 1, Division II Section 114.5 Violation a Public Nuisance is added to read as follows:

It is declared that any violation of this code, the CPC, CMC, CEC or other state building codes constitutes a public nuisance. In addition to any other remedies this code provides for enforcement, the city may bring civil suit to enjoin violation of its provisions.

- K. Section 202 of Chapter 2 (Definitions) of the CBC is amended to include the following definition:

Accessory Living Unit: is a second dwelling unit on the same lot as a single-family dwelling with or without a separate entrance from the exterior.

- L. Section 202 of Chapter 2 (Definitions) of the CBC is amended to include the following definition:

Fire Hazard: is any building device, appliance, apparatus, equipment, tank, vehicle, combustible material or waste, fence or vegetation which, in the opinion of the City Building Official or the Fire Chief, is in such condition as to cause a fire or explosion or to augment the spread and intensity of a fire or explosion arising from any cause.

- M. Section 202 of Chapter 2 (Definitions) is amended to add the following definition:

Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.

- N. Section 501.2 of Chapter 5 (General building heights and areas) is amended to read as follows:

1. Address numbers. Apartment, Condominium and Townhouse Complexes – An illuminated, diagrammatic representation of the complex shall be installed at the primary vehicular and walkway entrance to each complex. This diagram shall be of sufficient size to be easily visible from said vehicular and walkway entrance.

a. An apartment, condominium, or townhouse complex shall be defined as a group of three or more separate, non-connecting buildings, all located on common ground where each building contains two or more living units.

b. Each building shall be marked at a location clearly visible from the nearest vehicular access with the street address, building number/letter and numbers of units located in that building.

Example: 2237 Address
Bldg. "B" Building designation
Units 1 – 8 Units in building

Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background.

2. Commercial – Individual units shall be addressed front and back. Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

3. Industrial – Individual units within a building shall be addressed front and back. Individual buildings shall be marked at a point clearly visible from the street. Minimum numeral size shall be 12" high with a 3" wide stroke and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

4. Lighting of building addresses – The building address for all new buildings constructed after the date of this ordinance shall be automatically lighted at night.

O. Section 902 of the CBC is amended to add the following definition:

SUBSTANTIAL REMODEL means any remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent (50%) of the existing fire area shall be deemed a "substantial remodel."

P. Section 903.2 of the CBC is adopted in its entirety except as amended below:

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.

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.

Council Ordinance 2014-01

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

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.

903.2.2.1 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 5,000 square feet.

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. Throughout any Group E structure greater than 10,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.

2. A Group F-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing 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 10,000 square feet.

4. A Group M occupancy is used for the display and sale of upholstered furniture.

5. The structure exceeds 10,000 square feet, contains more than one fire area containing Group M occupancy, and is separated into two or more buildings by firewalls of less than four-hour fire-resistance rating.

903.2.8.1 Group R-3 Substantial Remodel. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial remodel occurs and the total fire area of the structure exceeds 3,600 square feet.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.

2. A Group S-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.

2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.

3. Buildings with repair garages servicing vehicles parked in basements:

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 406.4 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 occupancy groups.

Q. Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

1406.5 Wood shakes or shingles. Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes and shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

R. Subsection 1505.1.5 (Shingles and shakes) is added to Chapter 15 (Roofing) of the California Building Code to read as follows:

Shingles and shakes. All new roof coverings shall be a class B or better roof covering assembly as defined by CBC 1505.

S. Section 1507.1.1 is added to the CBC to read as follows:

Roof Coverings: Roof coverings for Group R, Division 1 and 3, and Group U Occupancies shall be fire-retardant, Class B or better, complying with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingles shall be permitted regardless of class designation. See Section 1505.1.1 of the California Building Code for roofing standards in very high fire hazard severity zones.

T. Subsection 1907.1.2 (Minimum slab thickness) is added to Chapter 19 (Concrete) of the California Building Code to read as follows:

Minimum slab thickness. A minimum of four inches (4") of gravel and 4" of concrete shall be required under all non-engineered concrete floor slabs supported directly on the ground in all occupancies except "M"

occupancies that are not attached to another structure. Non-engineered concrete floor slabs on grade shall be reinforced with deform reinforcing bars not less than three-eighths inch (3/8") at twenty-four inches (24") each way.

All Portland cement concrete garage and driveway slabs shall be a minimum of five inches thickness and reinforced with no less than ten gauge, six inch square wire mesh reinforcing placed at the center of the total thickness.

- U. Subsection 2111.14 (Wood burning stove appliances) is added to Chapter 21 (Masonry) of the California Building Code to read as follows:

Wood burning stove appliances. Any new wood-burning appliance must be one of the following:

1. A pellet-fueled wood device;
2. A U. S. EPA Phase II certified device; or
3. A low mass fireplace, masonry heater or other wood burning device of a make and model that meets EPA emission targets and has been approved in writing by the air pollution control officer of the Bay Area Air Quality Management District or the designee thereof.

- V. Subsection 2304.11.2.6 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 1505.1.1 of the California Building Code for roofing standards in very high fire hazard severity zones.

- W. Subsection 2509.3 (Gypsum board in showers and water closets) of Chapter 25 (Gypsum board and plaster) is amended by adding the following:

4. Gypsum board in showers and water closets. Paper-backed gypsum board products shall not be used as a backer for tile in showers and bathtub areas.

**Chapter 15.06
RESIDENTIAL CODE**

Sections:

- 15.06.010 Adoption by reference.
- 15.06.020 Copies on file.
- 15.06.030 Amendments made in the California Residential Code.

15.06.010 Adoption by reference.

The California Residential Building Code, 2013 Edition, including all Appendices, published by the International Code Council is adopted by reference the same as though fully set forth in this chapter.

15.06.020 Copies on file.

One copy of the California Residential Code and Appendices as adopted by BMC 15.02.010, and all amendments thereto, shall be kept on file in the building official's office for inspection by the public.

15.06.030 Amendments made in the California Residential Code.

The California Residential Code is amended and changed in the following respects:

- A. Section R202 of Chapter 2 (Definitions) is amended to add the following definition to read as follows:
Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.
- C. Subsection R902.1.5 is added to Chapter 9 (Roof Assemblies) of the California Residential Code to read as follows:
All new roof coverings shall be a class B or better roof covering assembly as defined by CBC 1505.
- D. Subsection R506.1 (Minimum slab thickness) is amended to read as follows:

Minimum slab thickness. A minimum of four inches (4") of gravel and 4" of concrete shall be required under all non-engineered concrete floor slabs supported directly on the ground in all occupancies except "U" occupancies that are not attached to another structure. Non-engineered concrete floor slabs on grade shall be reinforced with deform reinforcing bars not less than three-eighths inch (3/8") at twenty-four inches (24") each way.

- E. Subsection R1007 (Wood burning stoves) is added to Chapter 10 (Chimneys and Fireplaces) of the California Residential Code to read as follows:

Wood burning stove appliances. Any new wood-burning appliance must be one of the following:

1. A pellet-fueled wood device;
2. A U. S. EPA Phase II certified device; or
3. A low mass fireplace, masonry heater or other wood burning device of a make and model that meets EPA emission targets and has been approved in writing by the air pollution control officer of the bay area air quality management district or the designee thereof.

- F. Section AG100.2 (Pools) is added to Appendix G (Special construction) of the California Residential Code to read as follows:

Pools.

1. Any body of water to which a permit issued after March 19, 1998, shall comply with the following: An outdoor swimming pool, spa, hot tub or manmade body of water such as decorative fountains or ponds over 18" deep, shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling with water. The barrier shall comply with the following:

- a. The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier which faces away from the pool. The vertical clearance between grade and the bottom of the barrier shall not be more than 2 inches measured on the side of the barrier which faces away from the swimming pool. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.

b. Openings in the barrier shall not allow passage of a 4" diameter sphere.

c. Chain link fences used as the barrier shall be substantial and shall not be less than 11 gauge.

d. Access gates shall comply with the requirements of items a. through c. Pedestrian access gates shall be self-closing and have a self-latching device with the latching service at least 60" above grade. Pedestrian gates shall swing away from the pool area. Any gates other than pedestrian access gates shall be equipped with attached lockable hardware or padlocks and shall remain locked at all times when not in use. This gate must have only occasional use.

e. All doors of a dwelling or garage providing direct access to the water area shall provide a separation fence and gate meeting the requirements of items a, b, c, and d.

EXCEPTION: When approved by the building official, one of the following may be used:

i. Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 60 inches (1,372 mm) above the floor.

ii. An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dba when measured indoors at 10 feet (3,048 mm). The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual device, such as a touchpad or switch to temporarily deactivate the alarm for a single opening. Such deactivations shall last no longer than 15 seconds. The deactivation switch shall be located at least 60 inches (1,524 mm) above the threshold of the door.

iii. Hot tubs or spas with locking safety covers complying with ASTM-ES 13-89 shall be considered in compliance with Pool Enclosure Requirements.

Indoor Swimming Pools. For an indoor swimming pool, protection shall comply with the requirements of Item e.

2. Any pool, spa or hot tub for which a building permit was issued prior to March 19, 1998, shall comply with the following. Every swimming pool shall be completely enclosed by a wall, fence or other substantial structure not less than four feet (4') in height measured on the outside of the enclosure. No openings other than doors and gates with any dimension greater than four inches (4") shall be permitted therein except that a picket fence may be erected or maintained having horizontal spacing between pickets not more than four inches (4"). All gates or door openings through such enclosures shall be equipped with self-closing and self-latching devices designed to keep and are capable of keeping such door or gate securely closed at all times when not in actual use; provided, however, that the door of any dwelling occupied by human beings and forming any part of the enclosure hereinabove required need not be so equipped. Any self-latching device accessible from the outside of the pool enclosure shall be located at least four feet (4') above the ground or otherwise equally inaccessible to small children. This requirement applies to any manmade body of water over 18" deep, including decorative fountains or ponds.

Chapter 15.08

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

- 15.08.010 Adoption by reference.
- 15.08.020 Copies on file.
- 15.08.030 Amendments made in the California Green Building Standards Code.

15.08.010 Adoption by reference.

The California Green Building Standards Code, 2013 Edition, including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.08.020 Copies on file.

One copy of the California Green Building Standards Code and Appendices as adopted by Pinole Municipal Code 15.08.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.08.030 Amendments made in the California Green Building Standards Code.

The California Green Building Standards Code is amended and changed in the following respects:

- A. Section 101.3.2 is added to California Green Building Standards Code to read as follows:

Section 101.3.2 The provisions of this code, except 4.504.2 through and including 4.504.5.1, shall be encouraged for residential room additions of 600 square feet or more.

- B. Section 101.3.3 is added to the California Green Building Standards Code to read as follows:

Section 101.3.3 When the total cost of a residential construction project exceeds a valuation threshold of 20,000 dollars or more based on the January 2011 "ENR US20 Cities " average construction cost index, the project is encouraged to comply with one or more of the following for the existing dwelling. The item(s) must be specified on the plans prior to permit issuance, and the work shall constitute at least 2% of the construction cost. The selected item(s) must be complete prior to the final inspection of the permit.

1. Install ceiling insulation to bring thermal resistance value of ceiling insulation to R-30.

Exempt: Those buildings with no attic, or inadequate attic space between roof and ceiling below. Inadequate space is defined as that where the roof slope is less than two and one-half feet in twelve feet, and that there is less than thirty (30) inches of vertical clear height at the roof ridge, measured from the top of the bottom chord of the truss or ceiling joist to the underside of the roof structural members or rafters.

Not Exempt: Houses or units having an attic but no attic access hole. A permanent access hole must be constructed, and R30 or greater insulation installed, including on the access cover.

2. Furnace ducts are sealed at plenum and all joints in air duct system, and ducts insulated to resistance value R3 or greater.

Exempt: Ducts between floors, inside interior walls or otherwise inaccessible without alteration.

3. Replace existing tank or flushometer type toilets with fixtures designed to comply with the standards referenced in section 5.303.6.
4. Low-flow devices installed in all shower fixtures, sink, and lavatory faucets designed to comply with the standards referenced in section 5.303.6.
5. All exposed hot water pipes insulated to at least a thermal resistance value of R3 in pumped, recirculating domestic forced hot water heating systems.
6. Insulate to at least a thermal resistance of R3 exposed hot and cold water pipes within 5 feet of water heater.

Exempt: Hot water pipes between floors, inside interior walls, or otherwise inaccessible without alteration.

7. Incandescent light bulbs replaced with lamps of at least 25 lumens per watt.
8. Approved weather stripping installed on all exterior doors, including doors to unheated garages, basements, crawl spaces, attics and porches. Weather strip must be permanently affixed; adhesive strip insulation tape does not meet the requirements unless it is screwed or tacked in place every six inches.
9. Approved dampers, doors or other devices to block airflow and reduce heat loss through chimneys.
10. Replace existing windows not affected by the renovation with windows rated with a minimum U-factor of 0.40.
11. Considerations may be made for other energy improvements if approved by the Building Official. Items from the list performed within 6 months of the permit application may also be considered with verification.

**Chapter 15.10
CALIFORNIA ELECTRICAL CODE**

Sections:

- 15.10.010 Adoption by reference.
- 15.10.020 Copy on file.
- 15.10.030 Amendments made in the California Electrical Code.

15.10.010 Adoption by reference.

The California Electrical Code, 2013 Edition, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.10.020 Copy on file.

One copy of the California Electrical Code and Appendices as adopted by Pinole Municipal Code 15.10.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.10.030 Amendments made in the California Electrical Code.

- A. Lighting fixtures shall be installed, controlled or directed so that the light will not glare or be blinding to pedestrians, vehicular traffic or on adjoining property.

**Chapter 15.12
CALIFORNIA PLUMBING CODE**

Sections:

- 15.12.010 Adoption by reference.
- 15.12.020 Copy on file.
- 15.12.030 Amendments made in the California Plumbing Code.

15.12.010 Adoption by reference.

The California Plumbing Code, 2013 Edition, including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.12.020 Copies on file.

One copy of the 2013 California Plumbing Code and Appendices as adopted by Pinole Municipal Code 15.12.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.12.030 Amendments made in the California Plumbing Code.

The California Plumbing Code is amended and changed in the following respects:

- A. Chapter 604 (Water supply and distribution) is amended by adding Section 604.15 (Metal water piping). Section 604.15 (Metal water piping) is added to read as follows:

Section 604.15 – Metal water piping. Metal water piping, including any repair of any metal water piping, is not to be permitted buried under any structure except as permitted in individual circumstances and approved by the building official.

- B. Chapter 710 (Sanitary drainage) is amended by adding Section 710.1 – (Sewage backwater). Section 710.1 (Sewage backwater) is added to read as follows:

Section 710.1 – Sewage backwater. Where a fixture is installed on a floor level that is lower than the next upstream manhole cover of the public or private sewer, serving such drainage piping, such fixtures shall be protected from backflow of sewage by installing an approved type of backwater valve or mushroom type device or other fixtures approved by the Building Official. Fixtures on floor levels above such level elevation shall not be discharged through the backwater valve. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating "Backwater Valve Downstream."

**Chapter 15.14
CALIFORNIA MECHANICAL CODE**

Sections:

- 15.14.010 Adoption by reference.
15.14.020 Copies on file.

15.14.010 Adoption by reference.

The California Mechanical Code, 2013 Edition, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.14.020 Copies on file.

One copy of the California Plumbing Code and Appendices as adopted by Pinole Municipal Code 15.12.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

**Chapter 15.16
CALIFORNIA HOUSING AND PROPERTY MAINTENANCE CODE**

Sections:

- 15.16.010 Housing and Property Maintenance Code – Adoption.
- 15.16.020 IPMC 102.3 Amended – Application of other codes.
- 15.16.030 IPMC 304.14 Amended – Insect screens.
- 15.16.040 IPMC 307.3.1 Amended – Disposal of garbage.
- 15.16.050 IPMC 602.4 Amended – Occupied work spaces.
- 15.16.060 House moving
- 15.16.070 Compliance with construction requirements.

15.16.010 HOUSING AND PROPERTY MAINTENANCE CODE – ADOPTION.

The housing and property maintenance code for the City is the California Housing Law Regulations as set forth in Division 13, Part 1.5, commencing with Section 17910, in the Health and Safety Code (as amended) combined with the 2009 International Property Maintenance Code (IPMC) except as amended by the changes, additions and deletions set forth in this Chapter.

15.16.020 IPMC 102.3 AMENDED – APPLICATION OF OTHER CODES.

Section 102.3 of the IPMC is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the City Municipal Code and the California Building Codes.

15.16.030 IPMC 304.14 AMENDED – INSECT SCREENS.

Section 304.14 of the IPMC is amended as follows:

During the entire year, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

15.16.040 IPMC 307.3.1 AMENDED – DISPOSAL OF GARBAGE.

Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading “an approved incinerator unit in the structure available to the occupants in each dwelling unit” shall be deleted in its entirety.

15.16.050 IPMC 602.4 AMENDED – OCCUPIED WORK SPACES.

Section 602.4 of the IPMC is amended as follows:

Indoor occupiable work spaces shall be supplied with heat during the entire year to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

15.16.060 HOUSE MOVING

A. Any person, firm, or corporation wishing to move any house or structure on any public street or way in the city shall first obtain a permit as provided in this section.

B. House moving, as permitted in this section, is allowed only on the day and hours as stated on the permit and on the routes as approved by the director of public works and the chief of police.

C. The building department may issue a permit for house moving when the person, firm or corporation has applied for such permit and has complied with the following:

1. A special pre-moving inspection of the building has been made and approved;

2. Posted a performance bond in the amount of two thousand dollars payable to the city;

3. Provided a certificate of insurance for public and auto liability of not less than one hundred thousand dollars; three hundred thousand dollars bodily injury and twenty-five thousand dollars property damage;

4. Payment of a permit fee of fifty dollars for each day or part thereof in which the moving operation will take place;

5. Agree to furnish adequate traffic control. Method and number of persons directing traffic must be approved by the chief of police;

6. Agree to pay the cost of any police and fire protection which may be required. A deposit of fifty dollars is required;

7. Provide a copy of signed agreement with the public utilities as to date, time and route;

8. Post a time schedule with the public services department, building department and police department at least twenty-four hours in advance of any actual move.

15.16.070 COMPLIANCE WITH CONSTRUCTION REQUIREMENTS

Buildings moved into or relocated within the city shall be made to comply with the requirements for new construction in the codes adopted in this Title.

**Chapter 15.18
ABATEMENT OF DANGEROUS BUILDINGS**

Sections:

- 15.18.010 Abatement of dangerous buildings – Adoption
- 15.18.020 Section 801.3 Amended – Costs
- 15.18.030 Section 912 Amended – Cost Recovery

15.18.010 ABATEMENT OF DANGEROUS BUILDINGS

The abatement of dangerous buildings code for the city is the 1997 Edition of Abatement of Dangerous Buildings Code as adopted and printed by the International Conference of Building Officials.

15.18.020 SECTION 801.3 AMENDED – COSTS

Section 801.3 of the Uniform Dangerous Buildings Code is hereby amended to read as follows:

801.2 Costs. The cost of such work shall be paid from the General Fund, and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner.

15.18.030 SECTION 912 AMENDED – COST RECOVERY

Section 912 of the Uniform Dangerous Buildings Code is hereby amended to read as follows:

912. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the Finance Director of the City, who shall credit the same to the General Fund.

Chapter 15.20

FIRE CODE

Sections:

- 15.20.010 Fire Code – Adoption
- 15.20.020 Establishment and duties of bureau of fire prevention.
- 15.20.030 Amendments to the California Fire Code.
- 15.20.040 Appeals.
- 15.20.050 New materials, processes or occupancy which may require permits.
- 15.20.060 Violation – Penalty.

15.20.010 FIRE CODE – ADOPTION.

The City of Pinole hereby adopts, in its entirety, the 2013 California Fire Code based on the 2012 International Fire Code published by the International Code Council, including Appendix Chapter 4, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H and Appendix I as amended by the changes, additions and deletions set forth in this Chapter.

15.20.020 ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

The California Fire Code as adopted and amended in this Chapter shall be enforced by the bureau of fire prevention of the Pinole Fire Department which is established and which shall be operated under the Chief of the Fire Department.

15.20.030 AMENDMENTS TO THE CALIFORNIA FIRE CODE.

Chapter 1. Administration.

Chapter 1 is adopted in its entirety except as amended below.

101.1 Title. These regulations shall be known as the fire code of the City of Pinole hereinafter referred to as "this code".

Section 102.1 is amended to add item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, boats, and other mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

Section 105.6 is amended to read:

105.6 Required operational permits. The Fire Code Official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.54.

Section 105.6 is amended by adding subsections 105.6.48 through 105.6.57, to read:

105.6.48 Asbestos removal. A permit is required to conduct asbestos-removal operations regulated by Section 3318.

105.6.49 Battery systems. A permit is required to operate stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L) pursuant to Section 608.

Council Ordinance 2014-01

105.6.50 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees.

105.6.51 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code.

105.6.52 Model rockets. A permit is required to sell or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17.

105.6.53 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Sections 3312.1.

105.6.54 Tire storage. A permit is required to store more than one thousand (1,000) cubic feet (28.3m³) of tires inside buildings pursuant to Chapter 34.

Section 105.7 is amended to read:

105.7 Required construction permits. The Fire Code Official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.7.1 through 105.7.21.

Section 105.7 is amended by adding sections 105.7.15 through 105.7.21 as follows:

105.7.15 Access for fire apparatus. Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire Department access is required by CFC. A permit is required to install a gate across a fire apparatus access road pursuant to Section 503.

105.7.16 Construction, alteration, or renovation of a building for which a building permit is required. Plans shall be submitted to the Fire Code Official for all land developments or for the construction, alteration, or renovation of a building within the jurisdiction where a building permit is required.

105.7.17 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 5306.

105.7.18 Refrigeration equipment. A permit is required to install a mechanical refrigeration unit or system regulated by Chapter 6 of the CFC.

105.7.19 Land development, subdivisions. Plans shall be submitted to the Fire Code Official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

105.7.20 Water supply for fire protection. Plans shall be submitted to the Fire Code Official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings or portions of

buildings either constructed or moved into the Department pursuant to Section 507 of the CFC.

105.7.21 Solar photovoltaic power systems. A construction permit is required to install or modify solar photovoltaic power systems.

Section 108.1 is amended to read:

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 is hereby created a board of appeals. The board of appeals is comprised of the City Council. The applicant may appeal the decision of the Fire Code Official to the City Council with thirty (30) days from the date of the Fire Code Official's decision. The Fire Code Official shall be an ex officio member of said board but shall have no vote on any manner 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.

Section 109.4 is amended in its entirety to read:

109.4 Violation penalties. Every person who violates any provision of this fire code is guilty of a misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions. This section is a declaration of Health and Safety Code section 13871 and is not intended to create a different or separate penalty.

Section 111.4 is amended to read:

111.4 Failure to comply. Any person who continues any work after having been served with a stop work order is subject to citation, except any work that a person is directed by the Fire Code Official to perform to remove a violation or unsafe condition.

Chapter 2. Definitions.

Chapter 2 is adopted in its entirety except as amended below.

Section 202 is amended by adding the following definitions to read:

Administrator. Fire Chief.

All-weather driving surface. A roadway with a minimum surface finish of one layer of asphalt or concrete that is designed to carry the imposed weight loads of fire apparatus.

Driveway. A private roadway that provides access to no more than two single-family dwellings.

Fire Code Official. The Fire Code Official is the Fire Chief or his/her designee.

Firebreak. A continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Fire trail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the Fire Department and is caused by malfunction, improper maintenance, negligence, or misuse, of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

Response time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rural area. An area generally designated for agricultural or open space uses with parcels more than 10 acres (4.046873ha) in size.

Rural residential area. An area generally designated for single-family residential use with parcels between three (1.2140619ha) and 10 (4.046873ha) acres in size.

Running time. The calculated time difference between leaving the first-due station and arriving on the emergency scene.

Sprinkler Alarm & Supervisory System (SASS). A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

Temporary fire department access road for construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

Temporary fire department access road for construction of one residential (R3) unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary water supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

Chapter 3. General Precautions Against Fire.

Chapter 3 is adopted in its entirety except as amended below:

Section 304.1.2 is amended in its entirety to read:

304.1.2 Vegetation. Hazards created by the growth of weeds, grass, vines, trees or other growth capable of being ignited and endangering property shall be mitigated in accordance with Section 319.

Section 304.1.4 is added as follows:

304.1.4 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct and associated equipment free from accumulations of lint and combustible materials.

Section 319.1.4 Exception 1 is amended to read:

Exception 1. Residential Occupancies.

Section 319 is added as follows:

319 Exterior Fire Hazard Control.

319.1 General.

319.1.1 Jurisdictional Authority. The City Council of the City of Pinole, as the supervising, legislative and executive authority of the jurisdiction, has the authority to act pursuant to Part 5 (commencing with Section 14875), Division 12, of the Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with provisions of said Part 5 and/or this Ordinance.

319.1.2 Contract for Services. The City Council of Pinole delegates the power to award a contract for fire hazard abatement work where the employees of this City are not used to perform the abatement work, to the Fire Chief.

319.2 Definitions.

Weeds. All weeds growing upon streets or private property in the jurisdiction, including any of the following:

Weeds that bear seeds of a fluffy nature or are subject to flight.

Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.

Weeds that are otherwise noxious or dangerous.

Poison oak and poison sumac when the conditions of growth constitute a menace to public health.

Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Rubbish. Waste matter, litter, trash, refuse, debris and dirt on streets, or private property within the jurisdiction, which may become, a fire hazard.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

Person. Includes individuals, firms, partnerships, and corporations.

Defensible Space. The area within the perimeter of a parcel providing the key point of defense from an approaching wildland or escaping structure fire.

Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of slope, density of homes amount of vegetation (native and ornamental) and other conditions favorable to fast moving fires.

Reduced Fuel Zone. The area that extends from 30 feet to 100 feet or more away from the structure or to the property line, whichever is closer to the structure.

Cost of Abatement. Includes all expenses incurred by the jurisdiction in its work of abatement undertaken and administrative costs pursuant to Section 319.5.

319.3 Weeds and Rubbish a Public Nuisance. The City Council hereby declares that all weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

319.4 Abatement of Hazard.

319.4.1 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish, weeds, trees, or other vegetation that constitutes a fire hazard. Destruction by burning within this jurisdiction is unlawful unless the written permission of the Fire Chief is first obtained, and all other applicable permits are obtained from appropriate governing agencies or jurisdictions.

319.4.2 Specific Requirements. The Fire Department shall develop minimum abatement standards for land in residential, rural and/or rural residential, business, industrial areas, or land which is unused or vacant. Such standards may be modified periodically as circumstances dictate.

319.4.2.1 Clearance of Weeds from Streets. The Fire Code Official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of streets that are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Code Official is authorized to enter upon private property to do so.

319.5 Abatement Procedures.

319.5.1 Abatement Order. The Fire Code Official may order the abatement of the weeds and rubbish described in Sections 304.1.2 and 319.2, above. On making the order, the Fire Code Official will mail a copy of a notice to the owners of the affected property as their names and addresses appear upon the last county equalized assessment roll, or as their names and addresses are known to the Fire Code Official. As an alternative to mailing, the notice may be posted upon the affected property and published in the jurisdiction, not less than fifteen (15) days prior to the date of the abatement hearing. Copies of the notice will be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice will be in substantially the following form:

NOTICE TO ABATE WEEDS AND RUBBISH

Notice is hereby given on [date] that, in accordance with the Section 15.20.030 of the City of Pinole Municipal Code, weeds and rubbish constitute a fire hazard and a public nuisance on the following described property owned by you:

[Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map]

You must remove the weeds and rubbish within fifteen (15) days from the date of this notice. If you fail to do so, the Pinole Fire Department will remove the weeds which constitute a nuisance on your property, and the cost of such removal (abatement), including administrative costs, will be collected as property taxes and will be a lien on your property until paid.

You are further notified that the Pinole City Council has declared that such weeds and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Pinole City Council on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced.

If you have any questions, please call (name of Fire Code Official) at (contact info).

(Signed): (Name of Fire Code Official of Pinole Fire Department

319.5.2 Hearing Date. A date for hearing on the notice will be set at least fifteen (15) days after the date of the notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order should not be enforced. For good cause shown, the Pinole City Council may extend the time for compliance with the order or may rescind the order.

319.5.3 Contract Award. If the owner fails to comply with the order and fails to appear at the indicated hearing, the Fire Code Official may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it will be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. Concerning any contract previously awarded as provided in this subsection and that has been fully extended as provided in that contract, it may thereafter be extended on its same terms and conditions for a further period (not to exceed one (1) year) by agreement of the Fire Chief and the involved contractor.

319.5.4 Abatement Report of Costs. The Fire Code Official or his or her designee abating the nuisance will keep an account of the cost of abatement in front of or on each separate parcel of land and will render an itemized report in writing to the City Council showing the cost of removing the weeds and rubbish on or in front of each separate lot or parcel of land, or both.

319.5.5 Notice and Hearing on Costs of Abatement. Before the cost report regarding the cost of abatement is submitted to the City Council, a copy of the report will be posted for at least five (5) days on or near the door of the City Council Chambers with a notice of the time and when the report will be submitted to the City Council for confirmation or the City Council may direct staff to mail a Notice of Potential Lien to each property owner at issue in the cost report at least five (5) days prior to the City Council hearing on the report. Such Notice of Potential Lien shall include the cost of abatement for that property, warning that such costs will become a lien on the property, and the time and date of the City Council hearing on such costs.

At the time fixed for receiving and considering the report, the City Council will hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, by motion or resolution the City Council may make such modifications in the report as it deems necessary, after which the report will be confirmed. The amount of the cost, including administrative costs, of abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed will constitute special assessment against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien

attaches upon recordation, in the office of the County Recorder, of a certified copy of the Resolution of Confirmation.

319.5.6 Cost Assessments. Upon confirmation of the report of cost by the City Council and the recordation of the Resolution of Confirmation, a copy of the report of cost will be sent to the County Auditor, who will enter the amount of the assessments against the parcels. Thereafter the amount of the assessments will be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

319.6 Alternate Mitigation. In lieu of ordering abatement as provided in Section 319.5.1, the Fire Code Official may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the Fire Code Official will consider the height of the growth, weather condition, topography, and the accessibility to the property for fire protection equipment. The procedure set forth in Section 318.5.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

319.7 Subsurface Fires.

319.7.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.

319.7.2 Fire Suppression Costs. If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or combustion of peat, vegetable matter or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, this jurisdiction may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire Department in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)

Section 320 is added to Chapter 3 to read:

320 Automobile Wrecking Yards.

320.1 General. The operation of automobile wrecking yards shall be in accordance with this Section.

320.2 Definitions.

Automobile Wrecking Yard. An area that stores or dismantles salvaged vehicles.

Automobile Dismantling. The operation of dismantling or removing parts from salvaged vehicles including engines or engine parts.

320.3 Requirements.

320.3.1 Permits. An operation permit is required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

320.3.2 Fire Apparatus Access Roads. Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.

320.3.3 Welding and cutting. Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires and all other debris.

320.3.4 Housekeeping. Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the Fire Code Official to be a fire hazard.

320.3.5 Fire Protection. Offices, storage buildings and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A, 40-B-C rating. When required by the Fire Code Official, additional fire extinguishers shall be provided.

320.3.6 Tire storage. Tires shall be stored in racks or in a manner as approved by the Fire Code Official.

320.3.6.1 Distance from Water Supply. Tire storage shall be located on-site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the Fire Code Official.

320.3.7 Storage Piles. Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.

320.3.8 Burning operations. The burning of salvaged vehicles and salvaged or waste materials is prohibited.

320.3.9 Motor vehicle fluids. Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts.

320.3.9.1 Mitigation of leaking fluids. Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems and transmissions shall be kept available on site. Single-use plugs, dikeing and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state and local requirements.

320.3.10 Fuel tanks. Fuel tanks of salvaged vehicles shall be emptied of all flammable (gasoline, diesel) fuels in an approved manner and stored in approved tanks.

320.3.10.1 Repair of vehicle fuel tanks. The repair of fuel tanks, including cutting, welding or drilling of any kind, is prohibited.

320.3.11 Lead acid batteries. Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the Fire Code Official.

Chapter 4. Emergency Planning and Preparedness.

Chapter 4 is adopted in its entirety except as follows:

Section 401.5.1 is amended by adding a new subsection 401.5.1.1 to read:

401.5.1.1 Nuisance fire alarm fee. A fee may be charged for false and/or nuisance fire alarms in accordance with a fee schedule adopted by the City Council.

Chapter 5. Fire Service Features.

Chapter 5 is adopted in its entirety, except as amended below:

Section 503.1 is amended to add subsection 503.1.4 to read:

503.1.4 Access to Open Spaces. When existing access to open land or space, or to fire trail systems maintained for public or private use, is obstructed by new development of any kind, the developer shall provide an alternate means of access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the Fire Code Official.

Section 503.2.1 is amended by adding the following exception:

Exception: A minimum 16-foot wide driveway is acceptable for access to one or two single-family dwellings.

Section 505 is amended by adding Section 505.3, to read:

505.3 Street names and addressing. Street names and addressing shall be submitted for review and approval to the Fire Code Official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.

Section 507.2 is amended by adding subsection 507.2.3, to read:

507.2.3 Suburban and rural water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 507.1.

Section 510.1.1 is added to read:

Section 510.1.1 Emergency Responder Radio Installation. Installations of emergency responder radios shall be in accordance with Appendix J of this code.

Chapter 6. Building Services and Systems.

Chapter 6 is adopted in its entirety, except as follows:

Section 603.6 is amended by adding subsection 603.6.6, to read:

603.6.6 Sparks from chimneys. A chimney that is used with either a fireplace or heating appliances in which solid or liquid fuel is used shall be maintained with spark arresters that are required for incinerators pursuant to the California Mechanical Code.

Chapter 8. Interior Finish, Decorative Materials and Furnishings.

Chapter 8 is adopted in its entirety, except as follows:

Section 806 is amended by adding subsections 806.1.4, 806.1.5 and 806.1.6, to read:

806.1.4 Flame retardance. Cut trees shall be treated by a California State Fire Marshal licensed fire retardant applicator. Trees shall be properly treated with an approved flame retardant.

806.1.5 Tags. Trees shall bear a tag stating date of placement in the public building, type of flame-retardant treatment used, name of the person who applied the flame retardant, the name of the person affixing the tag, a permit expiration date and the name of the designated individual making daily tests.

806.1.6 Daily tests. A designated individual shall test trees daily. The test shall include a check for dryness and adequate watering.

Chapter 9. Fire Protection Systems.

Chapter 9 is adopted in its entirety, except as amended below:

Section 901.6.2.2 is added to read:

901.6.2.2 Inspection Records. Records of all inspections, testing and maintenance for all water based fire suppression systems shall be completed on the forms found in annex B of NFPA 25, California Edition.

Section 902 is amended to add:

SUBSTANTIAL REMODEL Remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent (50%) of the existing fire area shall be deemed a "substantial remodel."

Section 903.2 is adopted in its entirety except as amended below:

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.

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 structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

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.

903.2.1.6 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 5,000 square feet.

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. Throughout any Group E structure greater than 10,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.

2. A Group F-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing 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 10,000 square feet.

4. A Group M occupancy is used for the display and sale of upholstered furniture.

5. The structure exceeds 10,000 square feet, contains more than one fire area containing Group M occupancy, and is separated into two or more buildings by firewalls of less than four-hour fire-resistance rating.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all Group R occupancies, *including manufactured and mobile homes, regardless of whether or not the manufactured or mobile home is located in a mobile home park.*

903.2.8.3 Group R-3 Substantial Remodel. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial remodel occurs and the total fire area of the structure exceeds 3,600 square feet.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.

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 406.4 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 occupancy groups.

Section 903.3.1.1.2 is added as follows:

903.3.1.1.2 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet (356 mm), the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet (356 mm), the fire sprinkler system shall be designed to conform to Ordinary Hazard Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.5 is amended to add subsection 903.3.5.3 as follows:

903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.

Section 903.3.8 is amended to read:

903.3.8 Floor control valves. Individual floor control valves and waterflow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.

Exception: Group R-3 and R-3.1 Occupancies.

Section 903.4.2 is amended to read:

903.4.2 Alarms. One approved audible device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6 is amended by adding subsections 903.6.1 and 903.6.2 as follows:

903.6.1 Substantial Remodels. In an existing building, if any substantial remodel occurs where the total fire area of the building exceeds 5,000 square feet, the entire building shall be protected by an automatic sprinkler system.

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1012.4 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section

Council Ordinance 2014-01

903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest hazard). R-3.x occupancies shall be considered a relative hazard of 4 (lowest hazard).

Section 907.4.4 is added as follows:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored and comply with the UL Certification requirements contained herein.

Section 907.5.2.3.1 is amended to read:

907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms and locker rooms.
2. Corridors, hallways, aisles with shelving and/or fixtures obstructing the required light intensity for that area.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.
7. Occupational shops.
8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies.
10. Meeting/Conference rooms.
11. Classrooms.
12. Medical exam rooms.
13. Open office areas.

Council Ordinance 2014-01

14. Sales floor areas.
15. Break or lunch rooms
16. Copy or workrooms.
17. Computer server rooms exceeding 200 square feet.
18. File or Storage rooms exceeding 200 square feet.

Section 907.6.5 is amended to read:

907.6.5 Monitoring of fire alarm systems: A fire alarm system required by this chapter, or by the Pinole Building Code shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code:

Exception: Monitoring by a UL listed central 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. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an occupant load of six or less.
6. Occupancies with a local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.8.6 is added as follows:

907.8.6 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.8.7 is added as follows:

907.8.7 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within forty-five (45) days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Chapter 10 is adopted in its entirety except as amended below.

Section 1027.5 is amended by adding a new subsection 1027.5.1 as follows:

1027.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather, and shall terminate at a public way as defined in the California Building Code.

Chapter 33. Fire Safety During Construction and Demolition.

Chapter 33 is adopted in its entirety except as amended below.

Section 3301.3 is added as follows:

3301.3 Permits. Permits shall be obtained for asbestos removal operations, temporary fire department access roads for construction, and temporary water supplies as set forth in sections 105.6 and 105.7.

Section 3318 is added as follows:

Section 3318 Asbestos removal.

3318.1 General. Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3318.

Exception: Section 3318 does not apply to the removal of asbestos from:

1. Pumps, valves, gaskets and similar equipment.
2. Pipes, ducts, girders or beams that have a length less than 21 linear feet (6400 mm).
3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m²) or a dimension of less than 10 linear feet (3048 mm).
4. Floor tiles when their removal can be completed in less than four hours.
5. Group R-3 occupancies.

3318.2 Notification. The Fire Code Official shall be notified twenty-four (24) hours prior to the commencement and closure of asbestos-removal operations. The permit applicant shall notify the building official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.

3318.3 Plastic Film. Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.

3318.4 Signs. Approved signs shall be posted at the entrance, exit and exit-access door, decontamination areas and waste disposal areas for asbestos-removal operations. The signs shall state that asbestos is being removed from the

area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of two inches (51 mm) high.

Chapter 50. Hazardous Materials – General Provisions.

Chapter 50 is adopted in its entirety except as amended below:

Section 5001.5 is amended by adding subsection 2701.5.3 as follows:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information may be required to be stored in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Section 5003.9.1 is amended by adding subsection 5003.9.1.2 as follows:

5003.9.1.2 Documentation. Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56. Explosives and Fireworks.

Chapter 56 is adopted in its entirety except as amended below:

Section 5601 is amended to add Sections 5601.2, 5601.2.1, 5601.3, 5601.4 and 5601.5, as follows:

5601.2 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the City are prohibited.

Exceptions:

1. Fireworks may be temporarily stored only if they are aerial or theatrical piece fireworks stored in conjunction with an approved and permitted aerial or set display.
2. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

5601.2.1 Prohibited and Limited Acts. The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned for industrial or agricultural uses. In zoning districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code sections 5601.8.1 and 5601.8.1.1.

Council Ordinance 2014-01

5601.3 Rocketry. The storage, handling and use of model and high-power rockets shall comply with the requirements of the California Code of Regulations, Title 19, Chapter 6, Article 17 and, when applicable, NFPA 1122, NFPA 1125, and NFPA 1127.

5601.3.1 Ammonium nitrate. The storage and handling of ammonium nitrate shall comply with the requirements of Chapter 40 and NFPA 490.

Exception: The storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

5601.4 Residential uses. No person shall keep or store, nor shall any permit be issued to keep or store, any explosives, fireworks or pyrotechnic material at any place of habitation, or within 100 feet (30 480mm) thereof.

Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale.

5601.5 Sale and retail display. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials are prohibited.

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5608 is amended by adding Sections 5608.2 and 5608.3 as follows:

5608.2 Permit required. A permit is required to conduct an aerial display in accordance with California Code of Regulations, Title 19, Chapter 6. (See Chapter 1, Section 105.6.52.)

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

5608.3 Financial responsibility. Before a permit is issued pursuant to Section 3308.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of one million dollars (\$1,000,000.00) or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The Fire Code Official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Chapter 57: Flammable and Combustible Liquids

Chapter 57 is adopted in its entirety except as amended below:

Section 5704.2.9.6.1 is amended to read:

5704.2.9.6.1 Locations where aboveground tanks are prohibited. The storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 500 gallons (1892.706L) for Class I or II liquids, or 1,000 gallons (3785.412L) for Class III liquids.

Section 5706.2.4.4 is amended to read:

5706.2.4.4 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural use.

Chapter 58. Flammable Gases and Flammable Cryogenic Fluids.

Chapter 58 is adopted in its entirety except as amended below.

Section 5806.2 is amended to read:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area that is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with section 3506.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Chapter 61 is adopted in its entirety except as amended below.

Section 6103.2.1.7 is amended in its entirety to read:

6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A or Group B occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the Fire Code Official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the International Fuel Gas Code, the International Mechanical Code, and NFPA 58.

Section 6104.2 is amended to read:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas is prohibited in any central business Department and in all

zoning Departments except Departments zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7570 L).

Appendix B. Fire-Flow Requirements for Buildings.

Appendix B is adopted in its entirety except as amended below.

Section B105.2, the exception is amended to read:

Exception: A reduction in required fire-flow of 50 percent, as approved by the Fire Code Official, when the building is provided with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1. The resulting fire-flow shall be not less than 1,500 gallons per minute (5678L/min) for the prescribed duration as specified in Table B105.1.

Appendix C. Fire Hydrant Locations and Distribution.

Appendix C is adopted in its entirety except as amended below.

Table C105.1 footnote f and g are added to read:

f. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.

g. For infill projects within existing single-family residential developments refer to Sec. 507.5.1.

Appendix D. Fire Apparatus Access Roads.

Appendix D is adopted in its entirety except as amended below.

Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other approved *all-weather driving surface* capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds (33 566 kg) in accordance with Cal Trans Design Standard HS-20-44.

Exception: *Driveways* serving one or two single-family *dwelling*s may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed ten percent (10%).

Section D103.1 is deleted in its entirety.

Section D103.2 is deleted in its entirety and replaced by the following, to read:

D103.2 Grade. Fire department access roadways having a grade of between sixteen percent (16%) and twenty percent (20%) shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound (19,958 kg) traction load. The grooves in the concrete surface shall be ½ inch (13 mm) wide by ½ inch (13 mm) deep and 1 ½ inch (38 mm) on center and set at a 30 to 45 degree angle across the width of the roadway surface. No grade shall exceed twenty percent (20%), nor shall the cross slope exceed eight percent (8%), unless authorized in writing by the Fire Code Official.

Section D103.2.1 is added to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed ten percent (10%) at 10 feet of the grade break.

Section D103.3 is deleted in its entirety and replaced by the following, to read:

D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet (7620 mm) inside and 45 feet (13 716 mm) outside.

Table D103.4 is amended to read:

Table D103.4

REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0 – 150	20 ^a	None required
151 – 750	20 ^a	100-foot Hammerhead, 50-foot “Y”, 75-foot Shunt or 90-foot-diameter cul-de-sac in accordance with figure D103.1
Over 750		Special approval required ^b

a. A driveway with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.

- b. Any fire apparatus access roadway or driveway that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the Fire Code Official. Each outset or turnout shall be of the following dimensions: an eight foot wide turnout that extends at least 40 feet in length.

Figure D 103.1 is amended to read:

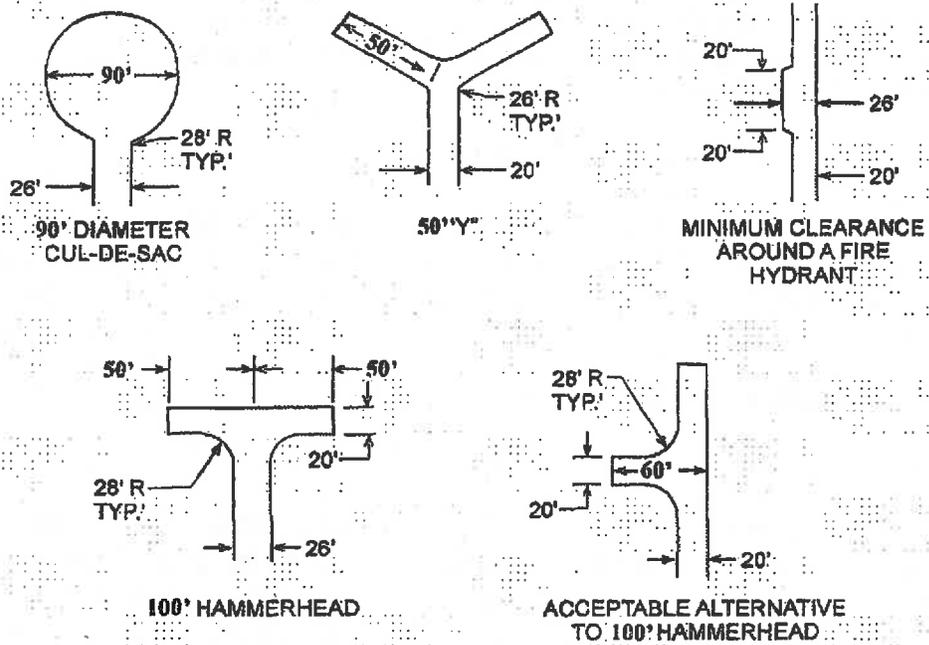


Figure D103.1

1) Dead-end Fire Apparatus Access Road Turnaround

Section D103.5 is amended by amending criteria 1 and adding criteria 8, to read:

1. The minimum clear width shall be 20 feet (6096mm.)

Exception: For access to one or two single-family dwellings, 16 feet clear width is acceptable.

10. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a *fire lane*.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a *fire lane*.

Section D105.3 is amended to read:

D105.3 Proximity to Building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (45772mm) and a maximum of 30 feet (9144mm) from the building, and shall be positioned parallel to one entire side of the building with the largest vertical dimension while allowing access to each floor of the building.

Section D106.1 is amended to read:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads and shall meet the requirements of Section D104.3.

Exception: Deleted.

Section D106.2 is deleted in its entirety.

The City of Pinole City Council declares that if any section, paragraph, sentence or word of this ordinance or of the 2010 California Fire Code as adopted and amended herein is declared for any reason to be invalid, it is the intent of the City of Pinole City Council that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

15.20.040 APPEALS.

Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Council within thirty (30) days from the date of the decision.

15.20.050 NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

The City Council and Fire Chief shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now

enumerated in Fire Code. The Fire Chief or designee shall post such list in a conspicuous place at the offices of the fire prevention bureau and distribute copies thereof to interested persons.

15.20.060 VIOLATION – PENALTY.

A. Any person who violates any of the provisions of the California Fire Code as adopted and amended in this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any details, statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than seventy-five dollars (\$75.00) nor more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a period of time not to exceed six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

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

**Chapter 15.22
ADMINISTRATIVE CODE**

Sections:

- 15.22.010 California Administrative Code – Adoption.
- 15.22.020 Copying and imaging fee.

15.22.010 CALIFORNIA ADMINISTRATIVE CODE – ADOPTION

The Administrative Code for the City, sometimes referred to as "the CAC," is the California Administrative Code, 2013 Edition as approved by the California Building Standards Commission, and as published in Title 24, Part 1, of the California Code of Regulations.

15.22.020 COPYING AND IMAGING FEE.

Copying and imaging fees shall be set by resolution of the City Council and reflected in the City's Master Fee Schedule.

**Chapter 15.24
VIOLATION – PENALTY**

Sections:

15.24.010 Violation – Penalty.

15.24.020 Violation – Penalty for work without permits.

15.24.010 VIOLATION – PENALTY.

Any person violating any of the provisions of Chapters 15.02 through 15.22 of this Title shall be deemed guilty of an infraction and may be deemed guilty of a misdemeanor punishable by a fine or imprisonment.

15.24.020 VIOLATION – PENALTY FOR WORK WITHOUT PERMITS.

Any person who commences work without the necessary permits shall be subject to the following penalties:

A. Penalties within a twelve (12) month period:

1. First Offense: an investigation fee equal to the permit fee;
2. Second Offense: an investigation fee equal to two times the permit fee and a two hundred fifty dollar (\$500.00) penalty fee;
3. Third Offense: an investigation fee equal to three times the permit fee and a five hundred dollar (\$1,000.00) penalty fee;
5. Four or More Offenses: Four or more offenses shall result in referral of the matter to the City Attorney for prosecution.

B. The foregoing penalties, applicable to first, second, third, and fourth offenses for those commencing work without all necessary permits, supersede any conflicting provisions of this code governing the penalties for violation of any provision thereof. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

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

SECTION 4. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or

Council Ordinance 2014-01

phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 5. Adoption. This Ordinance shall take effect thirty (30) days after passage and shall within fifteen (15) days after passage, be posted in accordance with Section 36933 of the Government Code of the State of California with the names of these City Council members voting for and against it.

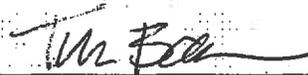
THE FOREGOING ORDINANCE was introduced at a regular meeting of the Pinole City Council on the 16th day of September, 2014 and passed and adopted on the 21st day of October, 2014 by the following vote:

AYES: COUNCILMEMBERS: Banuelos, Green, Long, Murray, Swearingen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Tim Banuelos, Mayor


Patricia Athenour, MMC
City Clerk

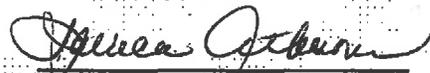
Pursuant to G.C. Section 40806(c), I certify the following is a true & correct copy:

Notice of Adopted

Ordinance Published: West County Times, October 27, 2014

Posted: October 24, 2014

By:


Patricia Athenour, City Clerk

RESOLUTION NO. 2014-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS TO THE STANDARDS CONTAINED IN THE 2013 CALIFORNIA BUILDING STANDARDS CODE, ENACTED AS PART OF ORDINANCE NO. 2014-01; AND DIRECTING THE CITY CLERK TO SCHEDULE A HEARING AND PUBLISH A NOTICE OF THE ADOPTION OF THE 2013 CALIFORNIA BUILDING STANDARDS CODE IN ACCORDANCE WITH STATE LAW.

WHEREAS, Section 17922 of the California Health and Safety Code requires that local agencies adopt the building standards contained in the California Building Code, the California Fire Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code, as such codes are approved by the State Building Standards Commission (collectively, the "California Building Standards Code"); and

WHEREAS, Section 17958.7 of the California Health and Safety Code allows local agencies to enact modifications to those building standards provided that such modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Section 17958.7 of the California Health and Safety Code further provides that a local agency which enacts modifications to those building standards must adopt findings which tie those modifications to such local climatic, geological or topographical conditions; and

WHEREAS, the Pinole City Council has considered whether certain modifications to the building standards contained in the California Building Standards Code are necessary in Pinole due to local climatic, geological, or topographical conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole does hereby adopt the following findings in conformance with its obligations under Section 17958.7 of the California Health and Safety Code:

I. The City of Pinole is subject to the following climatic, geological and topographical conditions:

A. Climatic Conditions

General Conditions

The seasonal climatic conditions during late summer, fall and early winter create serious difficulties regarding the control of and protection against fires in Pinole. The hot, dry weather typical of this area in the summer and fall, and the extreme dryness of fuel stands in the early winter, coupled with wind, temperature and precipitation conditions outlined below frequently cause fire events which threaten the City.

1. Precipitation and Relative Humidity

(a) Conditions

Precipitation ranges from 15 to 24 inches per year with an average of 18 inches per year. Ninety-five percent of all rainfall occurs during the seven months of October through April and only five percent occurs from May through September. The dry season is considered to last at least six months in this area, where typically 0.8 percent of the annual rainfall occurs in any given month during this period. In addition, the Northern California area is subject to recurrent periods of drought lasting for several years. Relative humidity remains in the middle range most of the year with 45 to 65 percent occurring during the spring, summer and fall, and a wider range of 60 to 90 percent in the winter. Occasionally, the relative humidity falls as low as 12 percent during temporary changes in climate and wind direction. Such low humidity periods can occur any time of year. Coastal fog, on the other hand, can raise humidity especially during night hours.

(b) Impact

During the dry season generally and during occasional periods of low humidity, burning conditions are worse than normal. Such weather conditions cause extreme dryness in combustible material including untreated wood shakes and shingles on buildings, wood siding, and combustible building materials. Non-irrigated grass, brush, and weeds, which are often near buildings, are also subject to extreme drying. Extremely dry, combustible materials are vulnerable to rapidly spreading exterior fires which can quickly transfer to other buildings by means of radiation or flying brands, sparks, or embers. Under such conditions, a small fire can rapidly grow in magnitude beyond the capabilities of the City's Fire Department to control. Such fires produce excessive fire loss that has a negative impact on the quality of life in the community.

2. Temperature

(a) Conditions

Temperatures have been recorded as high as 107° F. Seasonal highs over 90° can be sustained for several days in a row.

(b) Impact

High temperatures cause rapid fatigue and heat exhaustion of firefighters, reducing their effectiveness and ability to control large building and wildland fires. High temperatures will preheat combustible building materials and non-irrigated weeds, grass and brush causing their materials to ignite readily and burn more rapidly and intensely. In addition, a series of local ridges and valleys produce differences in solar heating of fuels which increase the probability of erratic fire behavior, including area-wide ignition and "blow-up" conditions. Higher air and fuel temperatures increase the rate of fire spread and reduce the effectiveness of water applied to extinguish fires. Additional fire department resources and water will be required for timely and effective suppression of fires. Temperature has a direct relationship to the intensity and size of fires.

3. Winds

(a) Conditions

Prevailing winds in the area occur from the west or southwest. Off shore winds from the northeast and east, known locally as Diablo winds, frequently occur during the summer and fall and are prevalent during periods of hot, dry weather. Virtually any time during the year a climatic pattern of strong, steady, dry winds can occur for several days in succession, creating extremely dry conditions. Hillside elevation differences are ideal for the creation of localized up slope or down slope winds, which follow ridgelines or canyon valleys. Because of these topographic variables, winds can be experienced from virtually every direction depending on location and surrounding climatic conditions. Wind velocities range generally from 15 to 25 mph, with typical gusting to 35 mph. Severe storm gusts have been recorded as high as 80 mph. Westerly afternoon winds are common. Forty (40) mph winds are experienced occasionally during extreme fire weather conditions. In rare circumstances, both on shore and off shore breezes up to 55 mph have been registered locally during non-storm conditions.

(b) Impact

Local winds can cause water intrusion and structural deterioration to building components, this deterioration may facilitate a premature structural building collapse. These local winds cause interior and exterior fires to burn intensely and spread rapidly. Wind driven fires involving non-irrigated weeds, grass and brush can grow to a magnitude and intensity beyond the capabilities of the fire department to control. Even relatively moderate winds can cause extreme and erratic fire behavior. Prevailing winds generally align with local topographical features creating ideal avenues for uphill fire spread. Wind driven fires can move uphill or downhill with great speed. When wind driven fires are not controlled they can spread from property to property and threaten the entire community.

Summary

The local climatic conditions created by precipitation patterns, temperature and wind conditions combine to affect the rate of acceleration, intensity, and magnitude of fire in the community. Periods with little or no rainfall, low humidity and high temperatures create extreme fire hazard conditions. Temperature extremes can create intense and erratic fire behavior. Local winds can have a tremendous impact on fire intensity, growth, and spread. Winds can carry sparks and burning brands to other areas up to one-mile away thus spreading fire and causing conflagrations. In building fires and fires at the bottom of canyons, winds can literally create a "blow torch" effect, which concentrates heat and resists control efforts.

B. Geologic Conditions

General Conditions

The geologic features of the local area create conditions that leave the area vulnerable to local flooding, earthquakes, land sliding, restricted access and conflagration. These events create serious difficulty regarding the control of and protection against fires in Pinole. Local flooding conditions can impede the ability of the fire department to aid or assist in fire control, evacuations, rescues and other emergency tasks. Among the potential effects of earthquake activity are isolation of neighborhoods or the entire community, loss of water sources and conflagration. Seismic events and landslides may isolate Pinole from surrounding communities and restrict or eliminate internal circulation by rendering surface travel difficult or impossible. Topographic features present multiple problems in the delivery of emergency services including fire protection.

1. Seismic

(a) Conditions

Pinole is located in a High Risk Seismic Zone, the worst risk rating in the United States. Buildings and other structures in High Risk Zones can experience major damage as the result of a seismic event. Pinole is in close proximity (1.5 – 3.0 miles northeast) to the Hayward Fault and Rodgers Creek/ Healdsburg fault zone underneath San Pablo Bay. The City's Planning Area is also located about 18 to 20 miles northeast of the San Andreas fault zone. The Green Valley-Concord fault trend is located approximately 12 miles east of Pinole. The Hayward fault has been identified as a likely site for a major seismic event in the 7 + Richter scale range within the next 25 years. Minor seismic events have been localized in the El Cerrito-Berkeley area nearby Pinole. Most recently, an earthquake measuring 6.0 on the Richter Scale occurred on August 24, 2104 near American Canyon.

Much of the transportation infrastructure in Pinole is built upon soils classified as subject to liquefaction or landslide. Interstate 80 which bisects Pinole is subject to liquefaction. San Pablo Avenue, a major north-south route through the city, is

subject to liquefaction. Pincle Valley Road a major north-south route within Pinole, is subject to liquefaction and landslides. Simas Avenue which provides access to several neighborhoods in southern Pinole is subject to landslide. Damage to these roadbeds would have a significant, negative impact on response times.

Earthquakes of the magnitude experienced locally can cause major damage to electrical transmission facilities which in turn, cause power failures while at the same time starting fires throughout the city. The simultaneous occurrence of multiple fires will quickly disperse available fire department resources, thereby reducing and delaying an emergency response to any additional fires. An electrical power outage would incapacitate elevators, building smoke management systems, lighting systems, alarm systems and other electrical equipment. Since these are urgently needed to assist evacuation and fire control in large buildings there is increased expectation of life loss and major fire losses in such larger buildings.

A seismic event powerful enough to damage roadways would also damage other utility systems such as water mains, natural gas pipelines and telephone lines. The East Bay Municipal Utilities District anticipates seismic disruption of water service. Damage to these systems would have a negative impact on the service delivery capabilities of local emergency services.

(b) Impact

The above listed local geologic conditions increase accessibility problems and fire hazards in the City of Pinole. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. Hazardous materials, particularly toxic gases, could pose the greatest threat to a larger number of citizens should a leak occur during a significant seismic event. Public safety resources would have to be prioritized to meet the greatest threat and may be unavailable for smaller structure fires in dwellings or other structures. Smaller fires may grow to conflagration proportions. Other factors can intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to bridge or freeway overpass collapse;
- 3) The extent of roadway damage or amount of debris blocking the roadway;
- 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;
- 7) Dwellings with wood shingle roof coverings could burn and result in conflagrations.

Summary

The local geologic conditions leave the city vulnerable to emergency conditions created by local flooding, earthquakes, landslide, and conflagration. Local flooding from the drainages and slopes within the City could result in conditions rendering the roads impassable. Earthquakes can occur at any time. Earthquakes can isolate the community or significant portions of the community, cause loss of water sources used to provide fire protection and cause injury or rescue situations, which could then overtax the available resources to respond to new fires. Land movement can impair, restrict or deny emergency access to significant portions of the city. Geologic features and conditions can make firefighting strategy and tactics difficult at best. When coupled with prevailing climatic and topographic conditions, the City is at risk to conflagration at any time and is extremely vulnerable during or after a triggering event such as earthquake, floods, landslide or fire.

C. Topographic

General Conditions

The topographic features of the city increase the difficulty of fighting fires. Steep hillsides, ridges and deep, well-defined canyons are subject to fires that, in those areas, are easily influenced by wind and weather. Steep canyons are subject to rapid-fire spread, spot fires and area ignition. Fire growth controlled by topographic features (topography-driven fires) is subject to erratic fire behavior including blowups, fire whirls, and sudden changes in fire front direction. On the other hand, certain topographic features such as moist or sparse vegetation conditions, surface features, and man-made improvements such as roads have a dampening influence on erratic fire behavior.

1. Soils

(a) Conditions

The area is replete with various soils, which are unstable: clay loam, unconsolidated fills, and alluvial fans are predominant. These soil conditions are moderately to severely prone to swelling and shrinking, and are plastic and tend to liquefy. Large hillside portions of the city are subject to landslide, slumping and collapse.

(b) Impact

Throughout Pinole the topography and the pattern of growth and development have created a network of aging, narrow roads which limit access to some neighborhoods even in the best conditions. These roads are subject to damage and closure from mud and rock slides caused by earthquakes, storms or erosion. Unstable soils can slip causing trees, power poles and lines, or other obstructions to close roadways. Any significant seismic or weather event can close roadways isolating residential subdivisions.

2. Vegetation

(a) Conditions

Highly combustible dry grass, weeds and brush are common six to eight months of each year in the hilly and open space areas adjacent to built-up locations. Many of these areas have experienced wildland fires, which have threatened nearby buildings; particularly those with wood roofs or siding. The California Department of Forestry and Fire Protection has designated areas within the southwest portion of the city as Very High Fire Hazard Severity Zones (VHFHSZ) and where vegetation management is especially important. Many residential areas border parklands, which contain vegetation fire hazards.

(b) Impact

Combustible dry grass, weeds and brush contribute to a recognized conflagration hazard. City efforts to provide for vegetation management and strict fire code enforcement have reduced but not eliminated the threat of conflagration due to rapid fire spread in vegetation stands. Should active fire become established in vegetation stands, this growing fire could rapidly overcome fire department control efforts.

3. Surface Features

(a) Conditions

The arrangement and location of natural and man-made surface features, including hills, valleys, creeks, roadways, housing density, commercial areas, and fire stations combine to limit feasible emergency response routes to certain areas.

(b) Impact

The arrangement and location of natural surface features produce an area very similar to those conditions found in the Oakland-Berkeley hills prior to their conflagration of October 1991. Surface features can easily produce fires of great magnitude or with erratic fire behavior that could threaten the entire community.

4. Buildings and Landscaping

(a) Conditions

Many commercial buildings and apartment complexes have building and landscape features, which preclude or greatly limit the operational access of fire department vehicles. There are houses and other buildings with untreated wood shake or shingle roofs or siding in the City which are within 10 feet of each other. There

are many such buildings to which access to all but one side is virtually impossible due to landscaping, fences, electrical transmission lines, slopes or other buildings.

(b) Impact

When Fire Department vehicles cannot gain access to buildings on fire, there is a high potential for complete loss. Difficult access to a fire site often requires that personnel must carry equipment for long distances. Such operations quickly exhaust fire personnel and reduce the effective number of personnel available for suppression. Access problems often result in severe delays, the misdirection of fire and smoke control efforts, or the failure to make a timely fire attack.

Summary

The above listed local topographical conditions increase accessibility problems and fire hazards in the City of Pinole. Should a significant emergency occur, such as an area wide conflagration, public safety resources would be prioritized to mitigate the greatest threat and may likely remain unavailable for smaller single dwelling or structure fires. Other variables may 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 and commute hours;
- 6) The availability of timely mutual aid or military assistance;
- 7) The large proportion of dwellings with wood single roof coverings could result in conflagrations.

D. Conclusion

Based on the local climatic, geologic, and topographic conditions outlined above, there is a real risk of damage to the community from a disaster. A seismic event can cause structural damage to buildings and utility infrastructure; storm flooding and high winds may increase the damages. Any of these conditions may negatively affect fire prevention efforts by increasing the frequency, spread, acceleration, intensity, and size of fires involving buildings in this community. Further, these conditions will increase the potential damage to all structures occurring from any earthquake and subsequent fire. It is found, therefore, to be reasonably necessary that the California Fire Code and the State Building Standards Code are changed or modified to mitigate the effects of the above conditions.

II. Pursuant to Sections 17958.5 and 17958.7 of the State of California Health and Safety Code, the City Council of the City of Pinole makes the finding that changes, modifications, and amendments to the 2013 Edition of the California Building Standards Codes are needed and are reasonably necessary because of certain local climatic, geologic and topographic features and conditions as described in Section I above, and that those features and conditions, under certain circumstances, affect delivery of emergency services. The amendments to the California Building Standards Codes are enacted to mitigate the impact of those local features and conditions by (i) preventing the chance of accident or injury by requiring standards more stringent than required by the current codes; and (ii) requiring additional built-in automatic fire protection systems which will provide for early detection and initial fire control.

III The following changes and/or modifications to the 2013 California Building Standards Code are found to be necessary to mitigate the impacts caused by the local climatic, geologic and topographic conditions. The City of Pinole has adopted substantive changes and modifications to the California Building Standards Code as follows:

Pinole Municipal Code Section	California Code Section	Findings
15.04.030	CBC 105.2, 105.3.2, 105.5, 105.8, 105.8.1, 105.8.3, 107.2.1, 107.3.5, 107.6, 110.1, 114.5, 202, 501.2, 902, 903.2.1.1, 903.2.1.3, 903.2.1.4, 903.2.2.1, 903.2.3, 903.2.4, 903.2.7, 903.2.8.1, 903.2.9, 903.2.9.1, 903.2.10, 1406.5, 1406.5, 1505.1.5, 1507.1.1, 1907.1.2, 2111.14, 2304.11.2.6, and 2509.3	1A, 1B, and 1C
15.06.030	CRC 202, 902.1.5, 506.1, 1007, and Appendix G 100.2	1A, 1B, and 1C
1508.030	CGBSC 101.3.2, 101.3.3	1A, 1B, and 1C
15.12.030	CPC 604, 604.15, 710,710.1	1A, 1B, and 1C
15.16.030, 15.16.040, and 15.16.050	2009 IPMC 304.14, 307.3.1, 602.4	1A, 1B, and 1C
15.40.030	CFC 101.1, 102.1, 105.6, 105.7, 108.1, 109.4, 111.4, 202, 304.1.2, 304.1.4, 308.1.4, Chapter 3 adding 319 and 320, 401.5.1, 503.1, 505, 507.2, 603.6, 806,	1A, 1B, and 1C

	<p>901.6.2.2, 902, 903.2, 903.3.1.1.2, 903.3.5, 903.3.8, 903.4.2, 903.6, 907.4.4, 907.4.2.3.1, 907.6.5, 907.8.6, 907.8.7, 1027.5, Chapter 33 adding 3301.3, 5001.5.3, 5003.9.1, 5601, 5704.2.9.6, 5706.2.4.4, 5806.2, 6103.2.1.7, 6104.2, Appendix B 105.2, Appendix C Table 105.1, Appendix D 102.1, Appendix D 103.2, 103.3, 103.6.2, 105.3, 106.1, and 106.2.</p>	
--	--	--

The aforementioned amendments have been incorporated in detail in Ordinance 2014-01.

BE IT FURTHER RESOLVED that the City Council of the City of Pinole does hereby direct the City Clerk to schedule a public hearing for consideration of Ordinance No. 2014-01, to be held October 21, 2014, at 7:00 p.m. in the City Council Chambers, and to publish a notice of such hearing in accordance with Government Code Section 50022.3; and that such notice state that the purpose of the ordinance is to adopt the 2014 California Building Standards Code (including the Fire Code) and the California Housing Regulations, with modifications to address unique local conditions.

I certify that at a regular meeting on September 16, 2014, the City Council of the City of Pinole passed this Resolution by the following vote:

AYES: COUNCILMEMBERS: **Banuelos, Green, Long, Murray, Swearingen**
NOES: COUNCILMEMBERS: **None**
ABSENT: COUNCILMEMBERS: **None**
ABSTAIN: COUNCILMEMBERS: **None**


 Patricia Athenour, MM
 City Clerk



CALIFORNIA BUILDING
 STANDARDS COMMISSION

2014 OCT 23 P 2:27

RECEIVED