

**BUILDING STANDARDS COMMISSION**

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



April 24, 2014

Sheila R. Cobian  
City Clerk  
City of Poway  
13325 Civic Center Drive  
Poway, CA 92074

RE: Ordinance #756, 757, 759-763

Dear Ms. Cobian:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on April 15<sup>th</sup>, 2014.

Our review finds the submittal to contain seven ordinances 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 modifications are accepted for filing and are 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,

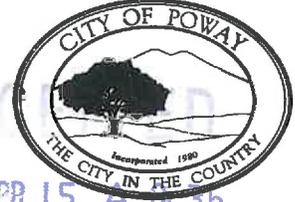
A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

# CITY OF POWAY

DON HIGGINSON, Mayor  
DAVE GROSCH, Deputy Mayor  
JIM CUNNINGHAM, Councilmember  
JOHN MULLIN, Councilmember  
STEVE VAUS, Councilmember



RECEIVED  
2014 APR 15 8 05 AM  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

April 2, 2014

Enrique M. Rodriguez  
California Building Standards Commission  
2525 Natomas Park Drive, Ste. 130  
Sacramento, CA 95833-2936

**SUBJECT: Ordinance No. 756, 757, 759-763**

At their meeting held January 7, 2014, and January 21, 2014, the Poway City Council adopted the above referenced Ordinances. Per Health and Safety Code Section 17958.7 we are enclosing copies for your files.

If you have any questions or need additional information, please call me at 858-668-4535.

Sincerely,

  
Sheila R. Cobian, CMC  
City Clerk

Enclosure

cc: Jon Canavan, Division Chief, Fire Marshal with the City of Poway

**ORDINANCE NO. 756**

**AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,  
REPEALING CHAPTER 15.24 OF THE POWAY MUNICIPAL CODE  
AND ADOPTING A NEW CHAPTER 15.24 REGARDING THE POWAY FIRE CODE,  
WHICH ADOPTS BY REFERENCE THE 2013 CALIFORNIA FIRE CODE  
AND THE 2012 INTERNATIONAL FIRE CODE  
WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS**

**WHEREAS, Chapter 15.24 of the Poway Municipal Code is the Poway Fire Code, which adopts by reference the 2010 California Fire Code; and**

**WHEREAS, there is a need to amend Chapter 15.24 because the State of California has recently adopted a 2013 version of the California Fire Code; and**

**WHEREAS, Sections 50022.1 through 50022.10, inclusive, of the California Government Code provide authority for cities to adopt state codes, or portions of state codes, by reference; and**

**WHEREAS, the City of Poway is mandated by the California Health & Safety Code to adopt the same requirements as set forth in the state regulations adopted pursuant to Health & Safety Code Section 17922 and the same requirements as set forth in the 2013 California Fire Code, hereinafter referred to as the Fire Code or Fire Codes; and**

**WHEREAS, code amendments adopted by the State of California shall take precedence over the 2012 International Fire Code language; provided, however, that the regulations in the 2012 International Fire Code shall be used for those code sections not adopted by the State; and**

**WHEREAS, local amendments adopted by the City of Poway shall take precedence over both the 2012 International Fire Code and 2013 California Fire Code provisions; and**

**WHEREAS, Health & Safety Code Section 17958.5 permits the City of Poway to make such changes or modifications to the Fire Codes as are reasonably necessary after making express findings that the modifications are necessary due to local climatic, geological or topographical conditions; and**

**WHEREAS, the City Council of the City of Poway finds that the City of Poway has certain climatic, geologic, and topographic features that can have a deleterious effect on emergency services such as fire protection and emergency medical services; and**

**WHEREAS, the City Council of the City of Poway finds that the modifications and changes to the 2013 California Fire Code are reasonably necessary because of the local climatic, geological, and topographical conditions identified in Attachment A; and**

**WHEREAS, certain amendments to the 2013 California Fire Code are necessary to mitigate said deleterious effects to the extent possible.**

WHEREAS, the City Council finds that the amendments are exempt from the provisions of the California Environmental Quality Act ("CEQA"), under California Code of Regulations, Title 14, pursuant to Section 15061(b) of the 2013 CEQA Guidelines, where it can be seen with certainty that there is no possibility that the adoption of this ordinance will have a significant effect on the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:

SECTION 1: Poway Municipal Code Chapter 15.24 is hereby rescinded, and a new Chapter 15.24 is added in its place as follows:

**15.24.010 Adoption of California Fire Code.**

The City of Poway adopts by reference the 2013 California Fire Code, excluding Section 103, and including Appendix Chapters 4 and Appendices B and F, as published by the International Code Council, except those portions that are deleted, modified, or amended by this chapter. One copy of the above-mentioned code has been and is now filed in the office of the City Clerk or the Fire Marshal, City of Poway, and the same is adopted and incorporated as fully as if set out at length herein. From the effective date of the ordinance codified in this chapter, the provisions thereof shall be controlling within the limits of the City of Poway.

**15.24.020 Administration**

Section 102.13 is added to read:

102.13 Repeal of Conflicting Ordinances, Resolutions or Motions. All former ordinances, resolutions, motions, or parts thereof that are conflicting or inconsistent with the provisions of this Ordinance or of the Code or standards hereby adopted are repealed.

Section 104.12 is added to read:

**104.12 Cost Recovery**

104.12.1 Purpose. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or enforcement action by the City of Poway to protect the public from fire or hazardous substances and situations.

**104.12.2 Reimbursement.**

(a) In accordance with Health and Safety Code Section 13000 et seq., an individual who acts negligently or in violation of the law and thereby requires the jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substance shall be liable for reimbursement to the agency for the costs incurred.

(b) In accordance with Government Code Sections 53150 through 53158, any individual who is under the influence of an alcoholic beverage, or any drug, or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil aircraft caused by that influence, proximately causes any incident and thereby requires the agency to provide an emergency response, shall reimburse the agency for the cost incurred.

Section 105.1.2 is modified to read:

105.1.2 Permits. Permits as required by the Chief, are obtained from the Fire Prevention Division. An application approved by the Chief and the payment of a permit fee shall be required for such a permit. Such permit fees shall be established by resolution of the City Council.

Section 105.3.9 is added to to read:

105.3.9 Expense Recovery. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or enforcement action by the City of Poway to protect the public from fire or hazardous substances and situations. Such expense recovery fees shall be established by a resolution of the City Council.

Section 105.6.5.1 is added to to read:

105.6.5.1 Christmas Tree Lots. An operational permit is required to operate a Christmas tree lot with or without flameproofing services.

Section 105.6.19.1 is added to to read:

105.6.19.1 Green Waste Recycling, Mulching, Composting Operations and Storage. A permit is required per Section 1908.3 of Chapter 19.

Section 108 of Chapter 1 is deleted, and PMC 15.24.025 is added in its place.

#### **15.24.025 Appeals.**

Whenever the Chief has denied a permit or other entitlement, or when it is alleged that a mistake has been made in the interpretation or application of the code, the applicant may appeal the decision of the Chief to the City Manager by filing a written appeal with the City Clerk within 30 days of the decision. If the appeal is denied by the City Manager, the City Manager's decision may be appealed to the City Council by filing a written appeal with the City Clerk within 30 days of the City Manager's decision and paying of the appeal fee set forth in the City's Master Fee Schedule for administrative appeals.

Section 109.3 is modified to read:

Appendix Chapter 1, Section 109.3 Penalties. It is unlawful for any person to violate any of the provisions of this Code or standards hereby adopted by reference as a part of this Code, or to fail to comply with any lawful order issued pursuant to this Code, or to violate any permit or condition of approval issued pursuant to this Code. It is further unlawful for any person to fail to comply with any lawful order issued pursuant to this Code by the City Attorney or by a court of competent jurisdiction. A violation of any provision of this Code, or failure to comply with orders or conditions issued pursuant to this Code, shall constitute a misdemeanor, as set forth in Chapter 1.08 PMC, and in the alternative, shall be subject to civil and administrative penalties, as set forth in Chapters 1.08 and 1.10 PMC.

Section 111.4 is modified to read:

111.4 Failure to Comply. It is unlawful for any person to continue any work after having been served with a stop-work order, except such work expressly identified in the stop-work order as necessary to correct a violation or unsafe condition.

#### **15.24.030 Definitions.**

The following definitions are added to Section 202:

**Administrator.** Wherever the term "Administrator" is used in the California Fire Code, it means the Poway City Council.

**Bureau of Fire Prevention.** Wherever the term "Bureau of Fire Prevention" is used, it means "Fire Prevention Division."

**Chief of the Bureau of Fire Prevention.** Wherever the term "Chief," or "Chief of the Bureau of Fire Prevention" is used, it means "Fire Marshal."

**Corporation Counsel.** Wherever the term "Corporation Counsel" is used, it means the City Attorney for the City of Poway.

**Fire Code Official.** Wherever the term "Fire Code Official" is used in the California Fire Code, it means "Fire Marshal." The Fire Marshal is authorized to exercise the powers and perform the duties as set forth in this Code.

**Fire Department.** Any regularly organized fire department regularly charged with the responsibility of providing fire protection to the jurisdiction.

**Fire Authority Having Jurisdiction (FAHJ).** The designated entity providing enforcement of fire regulations as they relate to planning, construction, and

development. This entity for the City of Poway also provides fire suppression and other emergency services.

**Fire Hazard.** Anything that increases or could cause an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing, or extinguishing fire; or anything or act, which could obstruct, delay, hinder, or interfere with the operations of the fire department; or egress of occupants in the event of fire.

**Ignition-Resistant Material.** Any product which, when tested in accordance with ASTM E84 for a period of 30 minutes, shall have a flame spread rating of not over 25 and show no evidence of progressive combustion. In addition, the flame front shall not progress more than 10½ feet beyond the centerline of the burner at any time during the test.

Materials shall pass the accelerated weathering test and are identified as exterior type, in accordance with ASTM D 2898 and ASTM D 3201. All materials shall bear identification showing the fire performance rating thereof. That identification shall be issued by ICC-ES or a testing facility recognized by the State Fire Marshal as having a service for inspection of materials at the factory.

**Jurisdiction.** Wherever this term is used in the California Fire Code, it means the jurisdictional boundaries of the City of Poway.

**Public Nuisance.** Any condition declared by this Code or the Chief to be a fire or health hazard.

**Response Time.** Response time is used in the Fire Code portion of the California Building Standards Code. It means the time period from when the original incident alarm was received by dispatch to when the first fire unit arrives on scene.

**Travel Time.** The estimated time it would take for a responding agency to travel from the fire station to the furthest structure in a proposed development project, determined by measuring the safest, most direct, appropriate, and reliable route with consideration given to safe operation speeds for heavy fire apparatus.

**Wildland-Urban Interface Code.** The Code regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels as adopted by the local FAHJ.

**2012 International Fire Code or Fire Code.** Whenever the terms "this Code" and "2012 International Fire Code" are used, they shall mean the 2013 California

Fire Code as modified by the City of Poway with the deletions, revisions, and additions set forth in the amendments.

The definition of "High-Rise Building" in Section 202 is modified to read:

**High-Rise Building.**

1. "Existing high-rise structure" means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
2. "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having building access (see California Building Code, Section 403.1.2), except buildings used as hospitals as defined in Health and Safety Code Section 1250.
3. "New high-rise structure" means a high-rise structure, the construction of which is commenced on or after July 1, 1974.

**15.24.040 General precautions against fire.**

Section 304.1.4 is added to read:

**304.1.4 Outdoor Carnivals and Fairs.** Outdoor carnivals and fairs shall only be conducted on grounds free of combustible vegetation or trimmed to the satisfaction of the FAHJ.

Section 305.5 is added to read:

**305.5 Rockets, Model Aircraft and Similar Devices.** Rockets, model airplanes, gliders, ballons, sky lanterns, floating luminaries or similar devices-powered with an engine, propellant, open flame, or other feature liable to start or cause a fire shall not be projected into or across hazardous fire areas without prior approval of the Fire Code Official.

Section 307.4.1 is modified to read:

**307.4.1 Bonfires.** Bonfires are prohibited within the City of Poway.

Section 307.4.2.1 is added to read:

**307.4.2.1 Recreational Fire.** Recreational fires comprised of ordinary combustibles such as wood and paper products are prohibited in the very high fire hazard area as geographically defined by the Wildland-Urban Interface Code. The Chief may authorize the use of gas-fired, nonspark-generating recreational fires in accordance with Section 307 for recreational purposes only.

Section 307.5.1 is added to read:

307.5.1 An adult must be present at all times to watch and tend to outdoor fires.

**15.24.050 Fire service features.**

Section 503.1.2 is modified to read:

503.1.2 Additional Access. The Chief may require one or more secondary means of access to a project, development or area where he or she deems that such access is necessary for emergency operations and/or evacuation. The maximum length of a dead-end road, including all dead end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcels zoned for less than 1 acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1,320 feet
Parcels zoned for 5 acres to 19.99 acres	2,640 feet
Parcels zoned for 20 acres or larger	5,280 feet

These requirements may be modified when, in the opinion of the Chief, conditions warrant.

All lengths shall be measured from the edge of the roadway surface at the intersection where the road begins to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes that require different length limits, the shortest allowable length shall apply.

Secondary access must be remote from the primary access and must meet all provisions of this section.

Section 503.2.1 is modified to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed, improved width of not less than 20 feet, except single-family residential driveways serving no more than two improved parcels containing dwelling units shall have a minimum of 16 feet of unobstructed improved width. In most cases, the City of Poway construction standards for streets (Chapter 12.20 PMC) will be more restrictive. The more restrictive standard shall apply. Vertical overhead clearance shall be a minimum of 13 feet 6 inches.

Exceptions:

1. Upon approval by the Chief, vertical clearances or width may be reduced provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance.

2. Fire access roadways, gated entrances with card readers, guard stations, or center medians, which have separated lanes of one-way traffic shall be not less than 12 feet wide per lane.

Sections 503.2.3 through 503.2.5 are modified to read:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus not less than 75,000 pounds unless authorized by the FAHJ, and shall be provided with an approved paved surface so as to provide all-weather driving capabilities. When deemed necessary in the opinion of the Chief, a paved driving surface shall mean asphalt or concrete surface.

503.2.4 Turning Radius. The turning radius of a fire apparatus access road shall be a minimum of 28 feet as measured to the inside edge of the improvement width or as approved by the Chief.

503.2.5 Dead Ends. All dead-end fire access roads in excess of 150 feet in length shall be provided with approved provisions that allow emergency apparatus to turn around. A cul-de-sac shall be provided in residential areas where the access roadway serves more than two structures. The minimum, unobstructed paved radius width for a cul-de-sac shall be 38 feet in residential areas. The Fire Chief shall establish a policy identifying acceptable turnarounds for various project types.

Section 503.2.7 is modified to read:

503.2.7 Grade. The gradient for a fire apparatus access roadway shall not exceed 20 percent. Grades exceeding 15 percent (incline or decline) shall be constructed of Portland cement concrete (PCC), with a deep broom finish perpendicular to the direction of travel, or equivalent, to enhance traction. The Chief may require additional mitigation measures where he or she deems appropriate.

Section 503.2.8 is modified to read:

503.2.8 Angles of Approach and Departure. The angle of departure and the angle of approach of a fire access roadway shall not exceed seven degrees (12 percent) or as approved by the Chief.

Section 503.3.1 is added to read:

503.3.1 Marking of Fire Apparatus Access Roads. When required, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

All new public roads, all private roads within major subdivisions, and all private

road easements serving four or more parcels shall be named. Road name signs shall comply with City of Poway Supplemental Engineering Standards, Street Sign Specifications. The Chief may require the posting of a fire access roadway where parking has obstructed or could obstruct the required width.

Section 503.6.1 is added to read:

**503.6.1 Security Gates.** All gates or other structures or devices that could obstruct fire access roadways or otherwise hinder emergency operations are prohibited unless they meet the standards approved by the Chief and receive Specific Plan approval.

All automatic gates across fire access roadways and driveways shall be equipped with approved, emergency, key-operated switches overriding all command functions and opening the gate(s). Gates accessing more than four residences or residential lots, or gates accessing hazardous institutional, educational or assembly occupancy group structures shall also be equipped with approved emergency traffic control-activating strobe light sensor(s), or other devices approved by the Chief, which will activate the gate on the approach of emergency apparatus with a battery backup or manual-mechanical disconnect in case of power failure. In the event of a power failure, the gate shall be automatically transferred to a fail-safe mode allowing the gate to be manually pushed open without the use of special knowledge or equipment.

All automatic gates must meet fire department policies deemed necessary by the Chief for rapid, reliable access.

Automatic gates serving more than one dwelling or residential lot that are in existence at the time of adoption of this ordinance are required to install an approved emergency key-operated switch or other mechanism approved by the Chief at an approved location which overrides all command functions and opens the gate(s). Property owners must comply with this requirement within 90 days of written notice to comply.

Where this section requires an approved key-operated switch, it shall be dual keyed or dual switches shall be provided to facilitate access by law enforcement personnel.

Section 505.1 is modified to read:

**505.1 Address Numbers.** Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: four inches for

single-family dwellings; six inches for multifamily dwellings; between six inches (minimum) and 18 inches (maximum) for commercial buildings; and between 18 inches (minimum) and 24 inches (maximum) for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, e.g. rear access doors, building corners, and entrances to commercial centers. The Fire Chief may establish different minimum sizes for numbers for various categories of projects.

**Roof Numbers.** When required by the Chief, roof numbers shall be installed meeting current fire department standards.

Section 505.3 is added to read:

**505.3 Easement Address Signs.** All easements which are not named differently from the roadway from which they originate, shall have an address sign installed and maintained, listing all street numbers occurring on that easement located where the easement intersects the named roadway. The minimum size of the numbers on that sign shall be four inches in height with a minimum stroke of 3/8 inch and shall contrast with the background.

Section 505.4 is added to read:

**505.4 Map/Directory.** A lighted directory map, meeting current fire department standards, shall be installed at each driveway entrance to multiple unit residential projects and mobile home parks, where the number of units in such project exceeds 15.

Section 506.1 is modified to read:

**506.1 Key Boxes.** When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, the Chief is authorized to require a key box to be installed in an accessible location. The key box shall be a type approved by the Chief and shall contain keys to gain necessary access.

Section 506.2.1 is added to read:

**506.2.1 Emergency Key Access.** All central station-monitored fire detection systems and fire sprinkler systems shall have an approved emergency key access box on site in an approved location. The owner or occupant shall provide and maintain current keys for the structure(s) for fire department placement in the box and shall notify the fire department in writing when the building is re-keyed.

Section 507.2.2 is modified to read:

507.2.2 Water Storage Tanks. Water storage tanks, when permitted by the Fire Code Official, shall comply with Table No. 507.2.2 and installed in accordance with NFPA 22.

**TABLE NO. 507.2.2**

Building Square Feet	Gallons Per Minute Water Flow	Capacity Gallons	Duration Minutes
Up to 3,600	250	10,000	40
3,601 to 7,700		15,000	60
7,701 and above	333	20,000	60

When the exposure distance is 100 feet or less from an adjacent property or the severity of the potential fire risk has been determined to exist, an increase in water storage may be required by the Chief.

1. Tank elevation shall be equal to or higher than the fire department connection on the premises. Regardless of domestic use, all tanks shall be equipped with a device that will ensure that the tank contains the designated amount of water for fire flow duration as determined by the Fire Department. Tank size may be increased to serve multiple structures on a single parcel.
2. The supply outlet shall be at least four inches in diameter from the base of the tank to the point of outlet at the fire department connection. The fire department connection shall be at least one 4-inch National Standard Thread (male), reduced to one 2½-inch National Standard Thread (male). Additional outlets may be required.
3. Tanks that are supplied by municipal water, when permitted by the Fire Chief, shall have a capacity of 10,000 gallons provided that the sole use of these tanks is for fire protection purposes.
4. Location of fire department outlet shall be determined on the plot plan when submitted to the fire department. Consideration will be given to factors such as topography, elevations, and distance from structures, driveway access, and prevailing winds.
5. The outlet shall be located along an access roadway and shall not be closer than 50 feet or further than 150 feet from the structure.
6. All exposed tank supply pipes shall be of an alloy or other material listed for above-ground use. Adequate support shall be provided.

7. Water storage tanks shall be constructed from materials approved by the Fire Marshal and installed per manufacturer recommendations.

8. The Chief may require any necessary information be submitted on a plot plan for approval.

9. Vessels previously used for products other than water shall not be permitted.

Section 507.3 is modified to read:

**507.3 Fire Flow Requirements.** Fire flows shall be based on Appendix B. Consideration should be given to increasing the gallons per minute set forth in Appendix B to protect structures of extremely large square footage and for such reasons as poor access roads, grade and canyon rims, hazardous brush, and response times greater than five minutes by a recognized fire department or fire suppression company.

In hazardous fire areas as defined in Appendix B, the main capacity for new subdivisions shall not be less than eight inches in diameter and capable of supplying the required fire flow with a maximum flow velocity of 15 feet per second, unless otherwise approved by the Chief and the City Engineer.

If fire flow increases are not feasible, the Chief may require alternative design standards such as alternative types of construction providing a higher level of fire resistance, fuel break requirements which could include required irrigation, modified access road requirements, specified setback distances for building sites addressing canyon rim developments and hazardous brush areas, and other requirements authorized by this Code and as specified by the Chief.

Section 507.5.1 is modified to read:

**507.5.1 Required Installations.** The location, type, and number of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public or private street, or on the site of the premises to be protected, or both, as required and approved by the Fire Chief. Fire hydrants shall be accessible to fire department apparatus by roads meeting the requirements of Section 503. For fire safety during the construction, alteration, or demolition of a building, see Section 3312.1.

Section 507.5.1.1 is added to read:

**507.5.1.1 Water Supplies and Fire Hydrants.** For Group R-3 and U occupancies, an approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or are within the jurisdiction. When any portion of the facility or building protected is in excess of 500 feet for a parcel size of one acre or larger, or 350 feet for a parcel size of

less than one acre, from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required flow shall be provided when required by the Chief.

Fire hydrant spacing shall be reasonably maintained and not minimized when location is determined by placement of a new structure. The Fire Code Official shall approve the distance between fire hydrants, and fire hydrant locations. This may necessitate offsite improvements.

Exception: Remodels and additions. Existing structures which are remodeled or added to where the amount of new area does not exceed 1,500 square feet and the additional or remodeled area is protected with an approved automatic fire extinguishing system.

Section 507.5.1.1.2 is added to read:

**507.5.1.1.2 Fire Hydrant Systems – Placement.** In multifamily, commercial, and industrial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs and every 300 feet of fire access roadways, regardless of parcel size.

Exception: When improved methods of fire protection are provided beyond those required by the Code and they are accepted by the Chief, adjusted spacing of fire hydrants from those set forth above may be considered.

Section 507.5.1.1.3 is added to read:

**507.5.1.1.3 Fire Hydrant Systems – Materials/Construction.** All fire hydrants shall be of bronze construction, including all internal parts except seats. Alternate materials may be used if approved by the Fire Marshal and the Public Works Department. The stems shall be designed and installed in a manner that will ensure that they will not be projected outward from the main body by internal water pressure due to disassembly. The number and size of fire hydrant outlets shall be as follows:

1. One 4-inch and one 2½-inch NST outlet.
2. One 4-inch and two 2½-inch NST outlets.
3. Two 4-inch and two 2½-inch NST outlets.

In some instances the Chief may require a fire hydrant to have any other combination of four-inch and 2½-inch outlets.

#### **15.24.060 Building services and systems.**

Section 603.8.1 is modified to read:

603.8.1 Residential Incinerators. Residential incinerators shall be prohibited.

**15.24.070 Fire sprinkler systems.**

Section 903.1.2 is added to read:

903.1.2 Life Safety Sprinkler System. Life safety sprinkler systems shall meet National Fire Protection Association Standards 13, 13-D or 13-R, and City of Poway installation policies as appropriate.

Section 903.2 is modified to read:

903.2 Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section. For the purpose of fire-sprinkler systems, buildings separated by less than ten feet from adjacent buildings shall be considered as one building. Fire barriers, partitions, and walls, regardless of rating, shall not be considered as creating separate buildings for purposes of determining fire sprinkler requirements. Mezzanines shall be included in the total square footage calculation.

All occupancies within the City of Poway:

New Commercial Buildings	New Residential (R3) Buildings	Additions – All Commercial Buildings	Additions – Residential Buildings located in the City's very high fire hazard area*
<p>All buildings greater than 5,000 sq. ft.</p>	<p>Required per California Residential Code</p>	<p>Additions of more than 25% of the square footage of an existing building, which results in a structure of 5,000 square feet or more, shall be required to be protected throughout the entire structure with a sprinkler system consistent with this section.</p>	<p>Residences may be required to install a Sprinkler system when the proposed addition is more than 749 square feet which results in a structure of 3,600 square feet or more when structurally feasible.</p> <p>Residences may be required to install a sprinkler system when the proposed addition is more than 749 square feet which results in an increase in square footage of more than 50 percent when structurally feasible and when a special hazard such as a substandard water supply or a substandard access exists. Standards for water supply and access are defined by Section 15.24.050 of the Poway Municipal Code.</p> <p>When sprinklers are required under this section, the structure shall be required to be protected throughout the entire structure with a sprinkler system consistent with this section.</p>

1. Commercial buildings built on a property line other than a public way shall be protected by a fire sprinkler system consistent with the foregoing standards, regardless of size. When present, utility easement(s) may be considered as building separation distance when that utility easement will prevent construction of a structure within the boundaries of that specific easement.
2. Where an existing commercial building or structure is not protected by an automatic fire extinguishing system but would otherwise be required to be protected if built as a new building, its use will be allowed to continue until such time as any structural change takes place that modifies, alters, or affects any bearing wall or similar structural assembly at which time it shall be made to conform to the provisions of this Code.
3. Agricultural buildings constructed of wood or metal frames over which fabric or similar material is stretched which are specifically used as green houses are exempt from fire sprinkler requirements unless they are physically connected to other structures.
4. Where life safety sprinkler systems are required by this code, a fire alarm signal shall be provided by a water flow switch located on the sprinkler riser, and the alarm bell(s) or other audible device shall be of sufficient intensity to be clearly audible in all bedrooms.
5. For new buildings less than 750 square feet in size located in both the City's water service area and very high fire hazard severity area that require a NFPA 13D life safety sprinkler system, water meters shall be a minimum of 3/4 inch, and the water service line shall be a minimum of 3/4 inch.
6. For new buildings greater than 749 square feet in size located in the City's water service area that require a NFPA 13D life safety sprinkler system, water meters shall be a minimum one-inch, and the water service line shall be a minimum of one-inch.
7. For residential additions located in the City's water service area that require a NFPA 13D life safety sprinkler system, water meters shall be a minimum one-inch, and the water service line shall be a minimum of one-inch.

Section 903.3.1 is modified to read:

903.3.1 Standards. Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

For all sprinkler systems:

1) Required automatic fire extinguishing systems plans shall be approved by the Fire Chief or his/her designee.

2) Plans shall be submitted prior to any installation commencing by a licensed system designer and/or installer. Plans shall be approved prior to the beginning of installation. Plans shall show all necessary engineering features and

calculations to document compliance with and as required by NFPA 13, 13R, and 13D.

3) Standard tests during and after installation shall be as required by NFPA 13, 13R, and 13D, and Fire Prevention Division standards. These tests must be performed and documented prior to final inspection.

4) No building hereafter required to have an automatic fire extinguishing system installed shall pass final building inspection or be issued a certificate of occupancy until the fire extinguishing system passes a final fire inspection.

5) If the Fire Prevention Division needs assistance from a specialized consultant for plan checks, or if extensive inspections/reinspections are required during installation, a reasonable fee shall be charged to cover expenses. Fees shall be established by resolution of the City Council.

6) For commercial and industrial occupancies commonly referred to as "spec buildings" wherein no specific end use is identified at the time of plan check, the sprinkler system shall provide a density of .45 gallons per minute per square foot for a 3,000-square-foot design area.

Section 903.4, Exception 1, is modified to read:

Exception 1 – Automatic sprinkler systems with less than 100 fire sprinklers protecting one- and two-family dwellings.

Section 903.4.2.1 is added to read:

903.4.2.1 Exterior Audible Device. Exterior audible device or devices shall be located on the exterior of the building in an approved location(s) and shall be connected to the approved NFPA 13D fire sprinkler system.

Section 907.2.11.5 is added to read:

907.2.11.5 Additions, Alterations or Repairs to Group R Occupancies. When the valuation of an addition, alteration, or repair to Group R occupancy exceeds \$1,000 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R occupancies, smoke alarms shall be installed in accordance with Section 907.2.11.

#### **15.24.080 Flammable finishes.**

Section 2404.3.3.2 is added:

2404.3.3.2 Spraying Space. Spray operations of flammable finishes are prohibited outside if the spray area exceeds nine square feet and/or produces vapors that could reach any source of ignition.

**15.24.090 Storage and processing of wood chips, hogged materials, fines, compost, and raw product in association with yard waste and recycling facilities.**

Section 2808.1 is modified to read:

2808.1 General. The storage and processing (mulching, composting) of wood chips, hogged materials, fines, compost, and raw product produced from yard waste, debris, and recycling facilities shall be in accordance with Section 2808.

Section 2808.1.2 is added to read:

2808.1.2 Definitions. For the purpose of Section 2808, certain words and phrases are defined and certain provisions shall be construed as set forth herein, unless it is apparent from the context that a different meaning is intended.

**Aerated Static Pile** means a composting process that uses an air distribution system to either blow or draw air through the pile. Little or no pile agitation or turning is performed.

**Chipping and Grinding** means an activity that mechanically reduces the size of organic matter.

**Composting Operations** means an operation that is conducted for the purpose of producing compost and shall be by means of one or a combination of the following processes used to produce a compost product: static pile, windrow pile, or aerated static pile.

**Green Waste** includes but is not limited to such organic material as yard trimmings, plant waste, manure, untreated wood wastes, paper products, and natural fiber products.

**Hogged Materials** means mill waste consisting mainly of hogged bark but may include a mixture of bark, chips, dust, or other by-products from trees and vegetation.

**Mulching** is the process by which mixed green waste is mechanically reduced in size for the purpose of making compost.

**Static Pile** means a composting process that is similar to the aerated static pile except that the air source may or may not be controlled.

**Windrow Composting Process** means the process in which compostable material is placed in elongated piles. The piles or windrows are aerated and/or mechanically turned on a periodic basis.

**Wood Chips** means chips of various species of wood produced or used in chipping and grinding operations.

**Section 2808.1.3 is added to read:**

**2808.1.3 Permit Required.** A permit shall be obtained from the fire department prior to engaging in the operation and storing process of wood chips, hogged material, fines, compost and raw product in association with yard waste and similar material recycling facilities. The permit shall be renewed on an annual basis or shall be limited to such period of time as designated by the Chief. Permits shall not be transferable and any change in use, location, occupancy, operation, or ownership shall require a new permit.

**Section 2808.1.4 is added to read:**

**2808.1.4 Security Bond/Financial Commitment for Cost Recovery.** A security bond or other approved form of financial commitment may be required by the Chief to be posted in an amount determined by the Chief but not less than \$25,000.00, and not more than \$100,000.00, depending on the size of the operation. The security bond or financial commitment shall reimburse the fire department for expenses incurred in any emergency response and/or enforcement action by the fire department to protect the public from fire or hazardous substances related to the operation. The security bond/financial commitment shall be returned to the operator in a timely fashion upon satisfactory closure of the operation as determined by the Chief.

**Section 2808.3 is modified to read:**

**2808.3 Size of Piles.** Pile height, width, and length shall be limited to criteria approved by the Chief, based in part on the site material handling equipment. In no case shall the piles exceed 12 feet in height, 100 feet in width, and 200 feet in length.

**Section 2808.4 is modified to read:**

**2808.4 Pile Separation.** A fire access roadway shall be provided to the site and on-site as approved by the Chief. It shall have a minimum width based upon site material handling equipment and an approved driving surface as approved by the Chief. In no case shall the fire access roadway be less than 20-feet wide.

**Section 2808.6 is modified to read:**

**2808.6 Static Pile Protection.** Interior pile temperatures shall be monitored and recorded on a regular basis per the Operational Plan. Internal pile temperatures must be taken at 2/3 the pile height, 12-to-24 inches from the surface with a probe-type thermometer. Readings shall be made at not greater than 50-foot intervals along the length of the pile.

Temperatures above 158 degrees F are known to adversely affect microbial decomposition and are considered excessive. Infrared thermometers may be used to monitor for hot spots at the surface but are not a substitute for internal probe measurement and documentation.

Once windrows exceed 170 degrees F, the windrows must be reduced in size, rotated, and monitored daily until temperatures drop below 158 degrees F. All green waste stockpiles shall be remixed as necessary to alleviate any fire due to spontaneous combustion or temperatures above 170 degrees F.

Windrows shall be visually inspected on a regular basis. Once fires have been detected in any windrows at a site, a visual inspection shall be required at least once per day. Daily inspections shall continue until the threads of fire no longer exist and the Chief approves suspension.

All temperature and pile-handling records shall be kept on file at the site and be made available for inspection by fire department personnel. Data shall include date, time, temperature, specific location, and the name of the person conducting the measurement.

Section 2808.9 is modified to read:

**2808.9 Material Handling Equipment.** Equipment used on all piles should be of a type that minimizes compaction. All vehicles operating on or around the piles shall have a Class A fire extinguisher with a minimum of a 2-A rating in addition to the Class B rating appropriate for the vehicle. Approved material-handling equipment shall be available during fire fighting operations for moving wood chips, hogged material, compost, and raw product produced from yard waste.

Section 2808.10.1 is added to read:

**2808.10.1 Operational and Emergency Plans.** The following operational and emergency action plans shall be submitted to and be approved by the Chief prior to initiating operation:

1. **Operational Plan.** At a minimum the Operational Plan must include:
  - a. Site layout, pile dimensions, fire access, water supply, and site security.
  - b. Site operations: temperature monitoring, rotation, and a diversion plan.
2. **Emergency Plan.** At a minimum the Emergency Plan must include:
  - a. Operator fire response actions, fire dispersal area, emergency equipment-operator callback, and initiation of an incoming diversion plan.

- b. All plans shall define the equipment necessary to process and handle the materials.

Section 2808.10.2 is added to read:

2808.10.2 Notification of Fire. All fires shall be reported to the Fire Department immediately upon discovery.

Section 2808.10.3 is added to read:

2808.10.3 Equipment Operator Emergency Callback. The operator shall implement and maintain a plan for rapid equipment-operator response to the site. The maximum response time to the site shall be within one hour of a fire department notification. The following equipment shall be on site and staffed with skilled operators: bulldozer, loaders, and heavy duty equipment necessary to mitigate a fire. Notification procedures shall be maintained operational 24 hours a day, seven days a week. Notification may be by pager activation, telephone answering service, or other approved means.

Section 2808.11 is added to read:

2808.11 Combustible Vegetation Control. The operator shall clear any combustible material, weeds, brush, trees, or other vegetation (including mulch) that is, or could become, dry and could be capable of transmitting fire from within 50 feet of raw green waste and mulch piles. Clearance shall be to bare earth or approved pavement. Individual growing trees within that distance may remain with approval of the Chief.

Section 2808.12 is added to read:

2808.12 Firefighting Water Supplies and Storage

2808.12.1 Public Water Supply. The operator shall provide and maintain approved fire hydrants and waterline mains as required by the Chief. Water lines may be approved above-ground lines supplied from a reliable water supply with adequate protection against impact and fire flow reaction. Hydrant spacing shall be at 400-foot intervals along primary fire access roadways. Fire flow at the hydrant(s) shall be least 1,000 gallons per minute at 20 psi. Duration of the required fire flow shall be as determined by the Chief.

2808.12.2 Private Water Supply. Above-ground water storage tanks may be installed when authorized by the Chief where public water supply is not adequate to meet fire flow requirements. Volume and duration of the required fire flow shall be as determined by the Chief.

Section 2808.13 is added to read:

2808.13 Site Equipment Maintenance – General Safety Rules. Welding or cutting torch operations shall be conducted at a minimum of 30 feet from

combustible materials. A fire watch shall be provided to detect fire and to operate fire-extinguishing equipment throughout the welding or cutting operation and 30 minutes thereafter. Refueling and on-site maintenance shall meet the standards set forth in California Fire Code Chapter 22 and 34 – Flammable and Combustible Liquids, and all other applicable fire code requirements.

Section 2808.14 is added to read:

2808.14 Site Security. Pile storage areas shall be surrounded with approved fencing. Fences shall be a minimum of six feet in height.

Section 2808.15 is added to read:

2808.15 Smoking and Open Burning Prohibited. The operator shall prohibit smoking and open flame on the operational site, including smoking within vehicles. Approved signs shall be clearly and prominently posted and shall be enforced by the site operators. No open burning will be allowed on site.

Section 2808.16 is added to read:

2808.16 Incoming Waste Diversion Plan. The operator shall develop a diversion plan for incoming green waste for implementation in the event of equipment failure or other inability to process and distribute green waste. The plan shall prevent stockpiling of waste on the site and unauthorized depositing of waste on or near the site. The operator shall initiate the diversion based on criteria in the Operational and Emergency Plan without further direction from the fire department.

Section 2808.17 is added to read:

2808.17 Unprocessable or Non-Green Waste Material. All green waste that cannot be processed on-site, such as stumps and fibrous plants, shall be immediately removed from the feedstock, stored in roll-off containers or bins, and be removed from the facility on a weekly basis. All plastic bags shall be removed prior to shredding material.

#### **15.24.100 Explosive materials storage and handling.**

Section 5601.2 is added to read:

5601.2 Explosives and Blasting Agents. The storage of explosives and blasting agents is prohibited within the jurisdictional limits of the City of Poway.

#### **15.24.110 Flammable and combustible liquids.**

Section 5704.2.9.6.1 is modified to read:

5704.2.9.6.1 Location Where Above-Ground Storage Tanks are Prohibited. The limits referred to in Sections 5704.2.9.6.1 and 5706.2.4.4 of the 2013 California

Fire Code and the 2012 International Fire Code in which storage of flammable or combustible liquids in outside above-ground tanks is prohibited are hereby established as the jurisdictional limits of the City of Poway (see exceptions at Section 5704.2.9.6.1).

**Exceptions:**

1. With the Chief's approval, Class I and II liquids may be stored above-ground outside of buildings in specially designed, approved, and listed containers which have features incorporated into their design which mitigates concerns for exposure to heat, ignition sources, and mechanical damage. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. The Chief may disapprove the installation of such containers when in his or her opinion, their use presents a risk to life or property. Storage in such tanks on any site shall not exceed 550 gallons for Class I or 1,100 gallons of Class II liquids. In no case shall such storage be permitted within 100 feet of any residential or institutional setting. Venting shall meet Fire Code and Air Pollution Control District standards, "No Smoking" signs shall be provided, and the tank shall be marked accordingly.

2. Crankcase draining may be stored in specially constructed above-ground storage tanks, approved by the Chief with a maximum capacity of 550 gallons. Such tanks may be located within a building when the Chief deems appropriate, and the container must be a specially designed, approved, and listed container which has features incorporated into its design which mitigate concerns for exposure to heat, ignition sources, and mechanical damage. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. In no case shall such storage be permitted in residential or institutional property.

3. With the Chief's approval, temporary storage of a maximum of 10,000 gallons of Class II liquids may be permitted for a period not to exceed 90 days at remote construction sites and earth-moving projects consistent with Sections 5704 and 5706.

4. The following criteria shall be applied in areas within the South Poway Business Park, which are designated commercial, light industrial, or industrial park. With the Chief's approval, Class I and II liquids may be stored above-ground outside of buildings in specially designed, approved, and listed containers which have features incorporated into their design which mitigate concerns for exposure to heat (two-hour fire resistance), ignition sources, and mechanical damage. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. Storage in such tanks on any site shall not exceed 5,000 gallons for Class I or 10,000

gallons for Class II liquids. The Chief may disapprove the installation of such containers when, in the Chief's opinion, their use presents a risk to life or property. In no case shall such storage be permitted on residential or institutional property. A permit shall be obtained from the Fire Department following the approval of submitted plans prior to installation. Tanks shall be required to be secured by fencing and to have appropriate signage. The City's Development Services Director shall determine methods of visually screening these tanks. In no case shall such installation be permitted within 50 feet of any building or property line which can be built upon, including the opposite side of a public way, unless an alternative design method for such installation is approved by the Fire Department and by any other appropriate City of Poway departments deem necessary, including the City's Development Services Department. Temporary above-ground tanks for storage of Class I liquids of a maximum capacity of 550 gallons or Class II tanks with a maximum capacity of 10,000 gallons may be installed for a maximum of 90 days under specific restrictions and safeguards, on remote, isolated, secured construction sites, earth-moving projects, gravel pits, or borrow pits when approved by the Chief.

#### **15.24.120 Liquefied petroleum gases.**

Section 3807.5 is added to read:

3807.5 Securing Tanks to Ground (Liquefied Petroleum Gases). Tanks shall be secured to prevent the tank from rolling or moving when required by the FAHJ.

#### **15.24.130 Chapter 80 Referenced Standards**

The following referenced standard of the California Fire Code is modified to read:

##### **NFPA 13D, Amended Sections as follows:**

Section 5.1.1.1 is modified to read:

5.1.1.1 Spare sprinkler heads. Spare fire sprinkler heads (one of each type or as approved by the FAHJ) wrench, operation and maintenance instructions shall be provided in the vicinity of the riser.

Section 7.1.5 is added to read:

7.1.5 Pressure-regulating valve. When available system water pressure exceeds 150 psi, a listed/approved pressure-regulating valve shall be installed at the system riser. Such valves shall be adjusted to restrict the outlet pressure to a maximum of 150 psig at any flow or no flow.

Exception: At the discretion of the FAHJ the contractor may install a listed/approved pressure relief valve, piped to the system main drain, set to relieve the pressure at 150 psig, provided the available supply pressure does not exceed 150 psig.

When such valves are installed submittal documents must include manufacturer information sheets along with charts showing the dimensions (size) and flow characteristics inlet and outlet pressures at various flows for the type of valve being installed, and the valve shall be included in the design calculations.

Section 7.2.5 is modified to read:

**7.2.5 Inspector Test.** Each sprinkler system shall have a ½" or larger test connection with a threaded keyless valve. The valve shall be remote to the riser, located on the building exterior about five 5 feet above final grade and shall be remote from the riser. It shall be labeled with a permanent plate with minimum ¼" lettering, with contrasting background, and stating: "INSPECTOR TEST". (Pre-assembled riser assemblies with a built-in Drain/Test valve shall not be accepted for inspector test valve unless approved by the FAHJ.)

Exception: Automatic fire sprinkler systems for manufactured homes installed at the factory may have the inspectors test valve located at the location as designed at the factory.

Section 7.3.3 is added to read:

**7.3.3 Pressure gauge.** A listed 300 psi pressure gauge shall be permanently installed at the riser.

Section 7.6 is modified to read:

**7.6 Alarms.** A water flow switch shall be provided and located on the sprinkler riser above the check valve and main drain and shall actuate an audible fire alarm signal bell. The water flow switch shall be a retarding type with a delay between 30-45 seconds before activation of the signal bell. Alarm bell shall have a minimum diameter of 8 inches and be mounted on the exterior in the vicinity of the master bedroom. The alarm bell shall be clearly audible in all bedrooms with intervening doors closed.

Section 8.2.5.4.5 is added to read:

**8.2.5.4.5 Heads Cored in Beams.** Heads cored in beams are allowed in beams not greater than 8" in depth. Beams greater than 8" in depth shall result in heads being placed in the pockets or bays formed by the beams.

Section 8.3.2 is modified to read:

**8.3.2 Sprinklers** are not required in bathrooms where the area does not exceed 55 sq. ft. unless there is door exiting directly to the outside.

Section 8.3.4 is modified to read:

**8.3.4.** Sprinklers may be omitted from carports and open attached porches when less than 4-feet in depth. However, attached garages shall be protected with intermediate temperature rated sprinklers with not more than 150 sq. ft. head spacing. Sprinkler heads in garages shall be protected against mechanical damage by approved guards, unless recessed heads are provided. Garage doors may be disregarded in the layout of the fire sprinkler system.

Section 8.3.5.1.1 is modified to read:

8.3.5.1.1. Where the fuel-fired equipment is above all of the occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment.

Section 10.2.4.1 is added to read:

10.2.4.1 3-Head Calculation. When the slope of the ceiling is greater than the listing of an available sprinkler head, the system shall be designed to provide the hydraulic demand of 3 sprinkler heads.

Section 10.2.5 is added to read:

10.2.5 Pressure Cushion. The system shall be designed 10% below available water source pressure during peak usage.

Section 11.2.1.1 is modified to read:

11.2.1.1 Hydrostatic Tests. Where a fire department connection is not provided, the system shall be hydrostatically tested at 200 psi. Manufactured or mobile homes shall be tested at 100 psi or as specified on the manufacturer's nameplate.

#### **15.24.140 Appendix B, fire-flow requirements for buildings.**

The following definition is added to Section B102.1:

Hazardous Fire Area. Any geographic area mapped by the state or local jurisdiction as a high or very-high fire hazard area, or as set forth by the FAHJ that contains the type and condition of vegetation, topography, weather, and structure density to potentially increase the possibility of vegetation conflagration fires shall be considered a hazardous fire area.

Section B103.3 is modified to read:

B103.3 Areas Without Water Supply Systems. For information regarding water supplies for firefighting purposes in rural areas and suburban areas in which adequate and reliable water supplies do not exist, the Fire Code Official is authorized to utilize provisions in Appendix B of this Code or the standard published by the Insurance Services Office document entitled *Guide for Determination of Required Fire Flow*.

Section B106 is modified to read:

B106 Referenced Standards. The references to ICC IWUIC-06 and NFPA 1142-01; and to the Fire Code portion of the California Building Standards Code in Section B106 of Appendix B, are hereby deleted.

**15.24.150 Geographic limits.**

The geographic limits referred to in certain sections of the 2013 California Fire Code are hereby modified as follows:

Section 5704.2.9.6.1 is modified to read:

5704.2.9.6.1 Locations Where Above-Ground Tanks Are Prohibited. The geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited in residential areas is hereby established as jurisdiction limits of the City of Poway.

Section 5706.2.4.4 is modified to read:

5706.2.4.4 Locations Where Above-Ground Tanks Are Prohibited. The geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited in residential areas is hereby established as jurisdiction limits of the City of Poway.

Section 5806.2 is modified to read:

5806.2 Limitations. The geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited is hereby established as jurisdiction limits of the City of Poway.

Section 6104.2 is modified to read:

6104.2 Maximum Capacity Within Established Limits. The geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdiction limits of the City of Poway except for areas specifically zoned by the City for such uses.

**15.24.160 Conflict.**

All other ordinances or parts of ordinances in conflict herewith are hereby repealed. Wherever a conflict exists in this chapter, the more restrictive requirement shall apply.

SECTION 2: Upon passage, the City Clerk shall transmit a copy of this Ordinance to the California Building Standards Commission pursuant to Health & Safety Code Section 17958.7 and the California Department of Housing and Community Development.

SECTION 3: This Ordinance shall be codified.

EFFECTIVE DATE: This Ordinance shall take effect and be in force thirty (30) days after the date of its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names of members voting for and against



**Findings Supporting the  
City of Poway Amendments to the  
*California Fire Code*, 2013 Edition:**

As required by Health and Safety Code Section 17958, the Poway City Council does herewith make express findings that amendments to the California Fire Code are necessary for the protection of the public health, safety, and welfare due to certain climatic, topographic, or geological features existing in the County of San Diego.

Findings for the City of Poway amendments to the *California Fire Code*, 2013 Edition.

**FINDING 1**

The City of Poway is situated on the slopes and at the base of the coastal mountains with drainage from the eastern portion of the City of Poway, including the San Dieguito River and Rancho Penasquitos Creek, which, when flooded, could result in conditions rendering vehicular access unduly burdensome or impossible for the Fire Department.

Further, the flood conditions described above carry the potential for overcoming the ability of the Fire Department to aid or assist in fire control, evacuations, rescues, and the emergency tasks and demands inherent in such situations. The potential for the aforementioned flooding conditions to result in limiting Fire Department emergency vehicular traffic, with resulting overtaxing Fire Department personnel, may further cause a substantial or total lack of protection against fire for the buildings and structures located within the jurisdiction.

**FINDING 2**

The City of Poway is situated near several known major faults, each capable of generating earthquakes of significant magnitude. These include the Rose Canyon fault, the Newport-Inglewood fault, the Coronado Banks fault, and the Silver Strand fault, (located generally west of the City of Poway), and the Elsinore fault and Agua Caliente fault (located east of the City of Poway). These faults are subject to activity at any time, and the City of Poway is particularly vulnerable to devastation should such an earthquake occur.

The potential effects of earthquake activity include, isolating the City of Poway from the surrounding area, restricting or eliminating internal circulation due to the potential for the collapse of highway overpasses and underpasses along with other bridges in the City, or an earth slide and the potential for vertical movement rendering surface travel unduly burdensome or impossible.

**FINDING 3**

The City of Poway and Southern California are semi-arid regions and experience water shortages from time to time. Those shortages can have a severely adverse effect on water availability for firefighting. Fires starting in sprinkled buildings are typically

controlled by one or two sprinkler heads flowing as little as 13 gallons per minute per sprinkler head activation.

Hose streams used by engine companies on well-established structure fires operate at a minimum of about 250 gallons per minute each, and the estimated water need for a typical residential fire is 1,250 to 1,500 gallons per minute, according to the Insurance Service Office and the California Fire Code.

Under circumstances such as lack of water, infrastructure, earthquakes, and multiple and wildland fires within a community, the limited water demands of residential fire sprinklers would control and extinguish many fires before they spread from building to wildland. In such a disaster, water demands needed for conflagration firefighting probably would not be available.

#### FINDING 4

The topography of the City of Poway presents problems in delivery of emergency services, including fire protection. The hilly terrain has narrow, winding roads with little circulation, preventing rapid access and orderly evacuation. Much of these hills are covered with highly non-fire resistive natural vegetation. In addition to access and evacuation problems, the terrain makes delivery of water extremely difficult. Some hilly areas served by water tank and pump systems are subject to failure in fire, high winds, earthquake, and other power failure situations.

#### FINDING 5

The seasonal climatic conditions during the late summer and fall create numerous serious difficulties regarding the control of, and protection against, fires in the City of Poway. The hot, dry weather that is typical of this area in summer and fall, coupled with Santa Ana winds and low humidity, frequently result in wildfires that threaten, or could threaten, the City of Poway.

Although some Code requirements, such as fire-resistive roof classification, have a direct bearing on building survival in a wildland fire situation, others, such as residential fire sprinklers, may also have a positive effect. In a dry climate on low humidity days, many materials are much more easily ignited. More fires are likely to occur and any fire, once started, can expand extremely rapidly. Residential fire sprinklers can arrest a fire starting within a structure before the fire is able to spread to adjacent brush and structures.

A seasonal wind also has the potential for interfering with emergency vehicle access and delaying or making impossible fire responses because of toppling of extensive plantings of dense chaparral, eucalyptus, and conifer trees. The trees are subject to uprooting in strong winds due to their relatively small root bases compared to the tree itself. The aforementioned problems support the imposition of fire-protection requirements greater than those set forth in the California Building Code or Fire Code.

**FINDING 6**

Due to the topography in much of the City of Poway, roadway condition, gates, angle of approach or departure, steeply sloping roadways, and grades are common. In addition, a combination of potentially severe rainstorms and ground-water retention could occur in many areas of the City where there is expansive soil. This produces a condition wherein the moisture content of the soil is sufficient, that roadways become damaged due to soil expansion and shrinkage. All-weather, paved surfaces, capable of supporting the imposed loads of fire apparatus are necessary to ensure access of emergency response personnel. These roadways, gates, approach angles, steep slopes, and grades can also make it difficult for fire apparatus and other emergency vehicles to access a site. It is, therefore, essential that these roadway accesses be provided with proper all-weather, paved surfaces, angle of approach, grades, and gate access.

**FINDING 7**

The City of Poway has State Route 67, Poway Road, Scripps Poway Parkway, Pomerado Road and Espola Road as major roadways within its boundaries. Transportation vehicles carrying known toxic, flammable, explosive, and hazardous materials travel these roadways.

The potential for the release or threatened release of hazardous materials along these routes is likely given the volume that is transported within Poway city limits. Incidents of this nature will normally require all available emergency response personnel to prevent injury and loss of life and to limit or prevent environmental and property loss. Emergency personnel responding to such aforementioned incidents may be unduly impeded and delayed in accomplishing an emergency response as a result of this situation, with the potential result of undue and unnecessary risk to the protection of life and public safety and, in particular, endangering residents and occupants in buildings or structures without the protection of automatic fire sprinklers.

The aforementioned problems support the imposition of fire protection requirements greater than those set forth in the California Building Code or Fire Code.

**ORDINANCE NO. 757**

**AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,  
REPEALING CHAPTER 15.05 OF THE POWAY MUNICIPAL CODE  
AND ADOPTING A NEW CHAPTER 15.05 REGARDING  
THE POWAY WILDLAND-URBAN INTERFACE CODE,  
WHICH ADOPTS BY REFERENCE THE INTERNATIONAL  
WILDLAND-URBAN INTERFACE CODE, 2012 EDITION,  
WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS**

**WHEREAS, Chapter 15.05 of the Poway Municipal Code is the Poway Wildland-Urban Interface Code, which adopts by reference the 2009 version of the International Wildland-Urban Interface Code; and**

**WHEREAS, there is a need to amend Chapter 15.05 because the International Code Council has adopted a 2012 version of the International Wildland-Urban Interface Code; and**

**WHEREAS, Sections 50022.1 through 50022.10, inclusive, of the California Government Code provide authority for cities to adopt codes, or portions of codes, by reference; and**

**WHEREAS, Health & Safety Code Section 17958.5 permits the City of Poway to make such changes or modifications to codes and regulations upon an express finding that such changes or modifications are necessary due to local climatic, geologic or topographic conditions; and**

**WHEREAS, the City Council of the City of Poway finds that the City of Poway has certain climatic, geologic, and topographic features that can have a deleterious effect on emergency services such as fire protection and emergency medical services; and**

**WHEREAS, the City Council of the City of Poway finds that the modifications and changes to the 2012 International Wildland-Urban Interface Code are reasonably necessary because of the local climatic, geological, and topographical conditions identified in Attachment A; and**

**WHEREAS, certain amendments to the 2012 International Wildland-Urban Interface Code are necessary to mitigate said deleterious effects to the extent possible; and**

**WHEREAS, the City Council finds that the amendments are exempt from the provisions of the California Environmental Quality Act ("CEQA"), under California Code of Regulations, Title 14, pursuant to Section 15061(b) of the 2013 CEQA Guidelines, where it can be seen with certainty that there is no possibility that the adoption of this ordinance will have a significant effect on the environment.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:**

SECTION 1: Poway Municipal Code Chapter 15.05 is hereby repealed, and a new Chapter 15.05 is added in its place as follows:

**15.05.010 Adoption of Wildland-Urban Interface Code.**

The City of Poway adopts by reference the 2012 Edition of the International Wildland-Urban Interface Code, as published by the International Code Council, as the Wildland-Urban Interface Code of the City of Poway, except those portions that are added, deleted, modified, or amended by this chapter. One copy of the above-mentioned code has been and is now filed in the office of the City Clerk or the Fire Marshal, City of Poway, and the same is adopted and incorporated as fully as if set out at length herein, with the deletions, modifications, and amendments set forth in this chapter. From the effective date of the ordinance codified in this chapter, its provisions shall be controlling within the limits of the City of Poway.

**15.05.020 Administration.**

Section 101.1 is modified to read:

101.1 Title. These regulations shall be known as the Wildland-Urban Interface Code of City of Poway, hereinafter referred to as "this Code."

Section 101.5 is modified to read:

101.5 Additions or Alterations. Additions or alterations may be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this Code, provided the addition or alteration conforms to that required for a new building or structure.

Exception: Provisions of this Code that specifically apply to existing conditions are retroactive. See Sections 402.3 and 601.1. Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this Code, nor shall such additions or alterations cause the existing building or structure to become unsafe. Additions or alterations of an existing building or structure constitute unsafe conditions in the following circumstances: (1) Where the addition or alteration causes the building or structure to become structurally unsafe or overloaded; (2) Where the addition or alteration causes the building or structure to have inadequate access, as required by this Code, or causes the obstruction of existing exits or access; (3) Where the addition or alteration creates a fire hazard or reduces required fire resistance; or (4) Where an addition or alteration otherwise creates conditions dangerous to human life.

When additions are made to an existing structure and the addition is within the 100-foot defensible space, such addition shall be in accordance with setback distances as set forth in this Code, including Sections 504.1.2, 504.1.4, 505.1.2, and 505.1.3.

Section 101.7 is added to read:

**101.7 Guidance Documents.** The Planning Authority Having Jurisdiction (PAHJ) may prepare, circulate for public comment, disseminate, and maintain guidance documents addressing the methods of ignition-resistant construction described in this Code. These guidance documents may set out additional compliance alternatives that, in specified circumstances, can provide the same protection that is afforded by the methods required by this Code. These guidance documents may also identify practices that have been determined by the PAHJ and the Fire Authority Having Jurisdiction (FAHJ) to be equivalent, and they may include additional new fire-resistive technologies as they become available.

**15.05.030 Appeals.**

Section 106 is modified to read:

**106 Appeals.** Section 106 is deleted in its entirety. Appeals shall be governed by Section 15.24.160 of the locally adopted Fire Code.

**15.05.040 Permits.**

Section 107 is modified to read:

Section 107 is deleted in its entirety. Permits shall be governed by Section 15.24.160 of the locally adopted Fire Code.

**15.05.050 Plans and specifications – Maps.**

Section 108.4 is hereby modified to read:

**108.4 Vegetation Management Plans.** When utilized by the permit applicant pursuant to Section 502, vegetation management plans shall be prepared and shall be submitted to the Code official for review and approval as part of the plans required for a permit.

Section 108.7.1 is added to read:

**108.7.1 Accuracy.** While it is important for the information on the vicinity plan to be accurate, it shall not require the precision of a formal land survey.

**15.05.060 Definitions.**

The definition of "Building Official" in Section 202 is modified to read:

**Building Official.** The officer or other designated authority charged with the administration and enforcement of the locally adopted California Building Code or the building official's duly authorized representative.

A definition of "Combustible Vegetation" is added to Section 202 to read:

**Combustible Vegetation.** Material that in its natural state will readily ignite, burn, and transmit fire from native or landscape plants to any structure or other vegetation. Combustible vegetation includes dry grass, brush, weeds, litter or other flammable vegetation that creates a fire hazard.

A definition of "Discretionary Project" is added to Section 202 to read:

**Discretionary Project.** A project which requires the public agency to exercise judgment or deliberation when deciding to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.

A definition of "Fire Authority Having Jurisdiction (FAHJ)" is added to Section 202 to read:

**Fire Authority Having Jurisdiction (FAHJ).** The designated entity providing enforcement of fire regulations as they relate to planning, construction, and development. This entity may also provide fire suppression and other emergency services.

A definition of "Fire Code" is added to Section 202 to read:

**Fire Code.** The California Fire Code, as locally adopted with amendments.

The definition of "Fire Code Official" is added to Section 202 to read:

**Fire Code Official.** Fire Code Official shall have the same definition as set forth in the locally adopted Fire Code.

A definition for "Fuel Modification Zone" is added to Section 202 to read:

**Fuel Modification Zone.** A strip of land where combustible vegetation has been modified and partially or totally replaced with approved drought-tolerant, fire-resistant, and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces radiant and convective heat, thereby reducing the amount of heat exposure on the roadway or structure and providing fire suppression forces with a safer area in which to take action.

A definition for "Hazardous Fire Area" is added to Section 202 to read:

**Hazardous Fire Area.** Any geographic area mapped by the state or local jurisdiction as a very high fire hazard area, or as set forth by the FAHJ that contains the type and condition of vegetation, topography, weather, and structure density to potentially increase the possibility of vegetation conflagration fires shall be considered a hazardous fire area.

The definition for "Hazardous Materials" in Section 202 is modified to read as follows:

**Hazardous Materials.** Hazardous Materials shall have the same meaning as set forth in Section 202 of the locally adopted Fire Code.

The definition of "Ignition-Resistant Construction Class 3" in Section 202 is hereby deleted.

A definition for "Ignition Source" is added to Section 202 to read:

**Ignition Source.** Any item or substance capable of energy release of a type and magnitude sufficient to ignite any flammable materials that could occur inside or outside of a structure. Examples of ignition source include storage or use of flammable gases and flammable liquids, permanent or temporary electrical wiring, and open-flame devices.

A definition of "Roof Covering" is added to Section 202 to read:

**Roof Covering.** Roofs shall comply with the California Building Code and have at a minimum a Class A roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers. Exception: On qualified historical buildings, wood roof covering may be repaired or reconstructed as allowed by the State Historical Building Code.

A definition for "Off-Site Roadway" is added to Section 202 to read:

**Off-Site Roadway.** A road, street, public highway, or private road used for fire apparatus access from a publicly maintained road to the boundary of the subject property.

A definition for "On-Site Roadway" is added to Section 202 to read:

**On-Site Roadway.** A road, street, public highway, private road, or driveway used for fire apparatus access within the boundaries of the subject property or land division.

A definition for "Planning Authority Having Jurisdiction (PAHJ)" is added to Section 202 to read:

**Planning Authority Having Jurisdiction (PAHJ).** The identified authority regulating and enforcing planning and/or construction standards.

A definition for "Vegetation Conflagration" is added to Section 202 to read:

**Vegetation Conflagration.** An uncontrolled fire spreading through vegetative fuels, and exposing and consuming structures in the advancing path of fire.

A definition for "Wildland Fuel" is added to Section 202 to read:

**Wildland Fuel.** Any timber, brush, grass, or other flammable vegetation, living or dead, standing or down, that is not classified as fire-resistive.

**15.05.070 Wildland-urban interface areas.**

Section 302.1 is modified to read:

**302.1 Declaration.** The legislative body shall declare the wildland-urban interface areas within the jurisdiction. The wildland-urban interface areas shall be based on findings of fact. The wildland-urban interface area boundary shall be any geographic area mapped or otherwise identified by the state or local jurisdiction as a very high fire hazard area, or as set forth by the FAHJ. When the type and condition of vegetation, topography, weather, and structure density which potentially increases the probability of vegetation conflagration exists, such area shall be considered a hazardous fire area.

**15.05.080 Applicability.**

Section 402.1 is modified to read:

**402.1. Subdivisions.** New subdivisions, as determined by this jurisdiction, shall be provided with fire apparatus access roads in accordance with the locally adopted Fire Code and access requirements in accordance with Section 403.

Section 402.1.1 is modified to read:

**402.1.1 Access.** New subdivisions, as determined by this jurisdiction, shall be provided with fire apparatus access roads in accordance with the locally adopted Fire Code and access requirements in accordance with Section 403.

Section 402.2.1 is modified to read:

**402.2.1 Access.** Individual structures hereafter constructed or relocated into or within Wildland-Urban Interface Areas shall be provided with fire apparatus access, in accordance with the locally adopted Fire Code, and driveways in accordance with Section 403.2. Marking of fire protection equipment shall be provided in accordance with Section 403.5 and address markers shall be provided in accordance with Section 403.6.

Section 402.2.2 is modified to read:

**402.2.2 Water Supply.** Individual structures hereafter constructed or relocated into or within Wildland-Urban Interface Areas shall be provided with a conforming water supply in accordance with the locally adopted Fire Code.

Exception: Structures constructed to meet the requirements for the class of ignition-resistant construction specified in Table 503.1 for a nonconforming water supply.

#### **15.05.090 Access.**

Section 403.2 is modified to read:

Section 403.2. Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building, measured in an approved manner, is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 16 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and less than 24 feet in width, shall be provided with turnouts in addition to turnarounds. A driveway shall not serve more than two improved parcels containing dwelling units. Driveway turnarounds shall have an inside turning radius of not less than 28 feet and an outside turning radius of not less than 45 feet. Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction required to make the turnaround meet the radii requirements for driveway turnarounds. Driveway turnouts shall be an all-weather road surface at least 10-feet wide and 30-feet long.

The turnout requirement can be waived or modified for existing driveways that comply with the minimum width requirement listed in this section if in the opinion of the Fire Chief such turnouts will require substantial roadway modification, additional access easements, and/or alteration to such driveway.

Driveway turnouts shall be located as required by the Fire Code Official. Vehicle load limits shall be posted at both entrances to bridges and on driveways and private roads containing bridges. Design loads for bridges shall be established by the code official.

Section 403.3 is modified to read:

403.3. Fire Apparatus Access Road. Fire apparatus access road shall comply with the locally adopted Fire Code.

#### **15.05.100 Water supply.**

Section 404.5 is modified to read:

404.5 Adequate Water Supply. In Hazardous Fire Areas as defined in the locally adopted Fire Code, the water main capacity for new subdivisions shall not be less than eight inches in diameter unless otherwise approved by the Chief and the City Engineer. Fire hydrant flow shall exceed a minimum of 1,500 gallons per minute with a minimum residual flow pressure of 20psi. The water flow velocity is not to exceed 15 feet per second and be capable of providing uninterrupted flow capability. For occupied structures outside of the City of Poway water service area, adequate water

supply shall be determined for purposes of initial attack and flame front shall be provided as defined in Table 508.2.2 of the California Fire Code as amended by the City of Poway.

Section 404.6 is hereby deleted.

**15.05.110 Fire protection plan.**

Section 405.1 is modified to read:

405.1 General. When required by the Fire Code Official, a fire protection plan, or its equivalent, shall be prepared.

Section 405.2 is modified to read:

405.2 Content of Wildland Fire Protection Plan. The Wildland Fire Protection Plan may be based upon a community, site specific wildfire risk assessment that is developed in consultation with local and state government representatives, federal agencies, and other interested parties. The plan shall consider location, topography, geology, aspect, combustible vegetation (fuel types), climatic conditions, and fire history. The plan shall address water supply, access, structural ignitability, structure setback and ignition resistive building features, fire protection systems and equipment, impacts to existing emergency services, defensible space, and vegetation management. The plan shall identify and prioritize areas for hazardous fuel reduction treatments and recommend the types and methods of treatment that will protect one or more at-risk communities and essential infrastructures. The plan shall recommend measures that homeowners and communities shall take to reduce the ignitability of structures throughout the area addressed by the plan.

**15.05.120 Fire hazard severity.**

Section 502.2 is modified to read:

502.2 Fire Hazard Severity Reduction. The fire hazard severity identified in Table 502.1 may be reduced by implementing an approved vegetation management plan.

<b>TABLE 502.1 FIRE HAZARD SEVERITY</b>			
<b>FUEL MODEL<sup>b</sup></b>	<b>CRITICAL FIRE WEATHER FREQUENCY</b>		
	<b>≥ 8 days<sup>a</sup></b>		
	<b>Slope (%)</b>		
	<b>≤ 40</b>	<b>41 – 60</b>	<b>≥ 61</b>
<b>Light fuel</b>	<b>M</b>	<b>M</b>	<b>H</b>
<b>Medium fuel</b>	<b>E</b>	<b>E</b>	<b>E</b>
<b>Heavy fuel</b>	<b>E</b>	<b>E</b>	<b>E</b>
<b>a. Days per annum.</b> <b>b. When required by the code official, fuel classification shall be based on the historical fuel type for the area.</b> <b>E = Extreme hazard</b> <b>H = High hazard</b> <b>M = Moderate hazard</b>			

**15.05.130 Ignition-resistant construction.**

Section 503.1 is modified to read:

503.1 General. Buildings and structures hereafter constructed, modified, or relocated into or within Wildland-Urban Interface Areas shall meet the construction requirements in accordance with Table 503.1. Class 1 and Class 2 ignition-resistant construction shall be in accordance with Sections 504 and 505, respectively.

**TABLE 503.1**

**IGNITION-RESISTANT CONSTRUCTION**

DEFENSIBLE SPACE <sup>c</sup>	FIRE HAZARD SEVERITY					
	Moderate Hazard		High Hazard		Extreme Hazard	
	Water Supply <sup>b</sup>		Water Supply <sup>b</sup>		Water Supply <sup>b</sup>	
	Conforming <sup>d</sup>	Nonconforming <sup>e</sup>	Conforming <sup>d</sup>	Nonconforming <sup>e</sup>	Conforming <sup>d</sup>	Nonconforming <sup>e</sup>
Nonconforming	IR 2	IR 1	IR 1	IR 1 N.C.	IR 1 N.C.	Not Permitted
Conforming	IR 2	IR 2	IR 2	IR 1	IR 1	IR 1 N.C.
1.5 x Conforming	Not Required	IR 2	IR 2	IR 2	IR 2	IR 1

- a. Access shall be in accordance with Section 402.
- b. Subdivisions shall have a conforming water supply in accordance with Section 402.1.  
 IR 1 = Ignition-resistant construction in accordance with Section 504.  
 IR 2 = Ignition-resistant construction in accordance with Section 505.  
 N.C. = Exterior walls shall have a fire-resistance rating of not less than 1 hour, and the exterior surfaces of such walls shall be noncombustible. Usage of log wall construction is allowed.
- c. Conformance based on Section 603.
- d. Conformance based on Section 404.
- e. A nonconformance water supply is any water system or source that does not comply with Section 404, including situations where there is no water supply for structure protection or fire suppression.

**15.05.140 Class 1 ignition-resistant construction.**

Section 504.1.1 is added to read:

504.1.1 Zoning Requirements. The minimum setbacks for locating structures on a lot are set by the PAHJ. To minimize fire spread potential the FAHJ may require additional setbacks as described. In no case may the setbacks required by the FAHJ be less than those established by the PAHJ.

Section 504.1.2 is added to read:

**504.1.2 Fire Requirements.** In those jurisdictions where a FAHJ approves a fuel modification zone of less than 100 feet, all structures, including any part of a structure located within the Wildland-Urban Interface Area, shall not be less than 30 feet measured perpendicular from the subject property line adjacent to wildland fuel. When the property line abuts a public way, the setback is measured to the farthest roadway edge of the public way or street.

**Exception:** When allowed by both the FAHJ and by the PAHJ zoning requirements and the wildland fire hazard is determined to be minimal, the 30-foot setback may be reduced to a minimum of five feet from a property line provided the entire exterior wall, eave, overhang, or any other building construction elements shall comply with the enhanced Class 1 ignition-resistant construction standards.

**Note:** The FAHJ may allow openings in the exterior wall facing the Wildland-Urban Interface Area if it is determined the hazard is minimal.

Section 504.1.3 is added to read:

**504.1.3 Future setback modification.** All fuel modification zones shall not extend beyond the property line.

**Exception:** The FAHJ may approve fuel modification zones that extend beyond the property lines when a legal agreement, such as an easement running with the land, is in place.

Section 504.1.4 is added to read:

**504.1.4 Structure Setback from Top of Slope.** A structure shall be set back a minimum of 1.25-feet horizontally from the top of slope for every 1-foot in building height as measured from the farthest projection of a roof. No portion of the structure may be higher than the plane created by the 80-percent setback from top of slope.

**Exceptions:**

1. Structures constructed with a noncombustible exterior wall adjacent to the slope, no openings adjacent to the slope, no combustible attachments to the exterior wall adjacent to the slope, and no roof eaves adjacent to the slope.
2. There exists no open wildland fuel area directly adjacent or juxtaposed to the structure, and, the slope is directly adjacent to developed parcels with fuel management principles in place.
3. The Fire Code Official determines the hazard to be minimal.

Section 504.1.5 is added to read:

**504.1.5 Mitigation.** In jurisdictions where a PAHJ or FAHJ approves a fuel modification zone of less than 100 feet, Class 1 ignition-resistant construction shall be provided and/or additional mitigation as determined by the FAHJ.

Section 504.2 is modified to read:

**Roof Covering.** Roofs shall have a Class A roof assembly. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers, or have one layer of 72-pound (32.4kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D 3909 installed over the combustible decking.

**Exception:** On qualified historical buildings, wood roof covering may be repaired or reconstructed as allowed by the State Historical Building Code.

Section 504.2.2 is added to read:

**504.2.2 Insulation.** In the Wildland-Urban Interface Area, paper-faced insulation shall be prohibited in attics or ventilated spaces.

Section 504.3.1 is added to read:

**Exception:** Eave construction on additions may match the existing structure provided that the addition does not exceed 50 percent of the existing structure or 2,500 square feet, whichever is less.

Section 504.5 is modified to read:

**504.5 Exterior Walls.** Exterior walls of buildings or structures located in the Wildland-Urban Interface Area shall comply with the provisions of Section 707A.3 of the California Building Code. Wood shingle and shake wall covering shall be prohibited.

**Exception:** Livestock stables less than 2,000 square feet total floor area and without restrooms are exempt from the noncombustible wall requirement if constructed a minimum of 100 feet from the property line, from any open space easement, and from any dwelling on the parcel. If a dwelling, or addition to a dwelling is subsequently proposed to be constructed closer than 100 feet from a stable constructed under this exemption, the stable must be retrofitted with noncombustible exterior wall coverings or be removed.

Section 504.5.1 is added to read:

**504.5.1 Repair/Replacement.** If 50 percent or more of an exterior wall located less than 30 feet from a property line requires repair or replacement, the entire wall shall conform to this section. If less than 50 percent of the wall requires repair or replacement, the existing wall may be repaired or replaced in kind; however, if the

wall covering is wood shingle or shake, it must be repaired or replaced with fire-retardant, pressure-treated wood shingles or shake labeled for exterior use and shall meet the requirements of Section 703A.5.2 of the California Building Code.

Sections 504.7.2 through 504.7.6 are added to read:

**504.7.2 Fences and Other Attachments to Structures.** The first ten feet of fence and other items attached to a structure shall be constructed of noncombustible material, or pressure-treated exterior fire-retardant wood or meet the same fire-resistive standards as the exterior walls of the structure.

Exception: Wooden gates are permitted provided that a five-foot minimum length section of noncombustible fencing material is installed as a firebreak immediately adjacent to the gate.

**504.7.3 Structural Supports and Framing Members.** Structural supports and framing members shall be of noncombustible construction; exterior fire-retardant-treated wood; modified, heavy-timber construction; or one-hour, fire-resistive construction.

Exception: Structural supports and framing may be constructed of non-fire-rated lumber when decks, balconies, and similar projections are skirted from floor level to ground level with noncombustible material or an approved alternate. The skirted under-deck area must be vented in conformance with Section 504.10.

**504.7.4 Decking Surfaces.** Decking surfaces, stair treads, risers, and landings of decks, porches, and balconies shall be constructed in compliance with California Building Code 709A.

**504.7.5 Deck Remodels or Repair.** When remodels or repairs are made to decks in areas of the Wildland-Urban Interface Area requiring Enhanced Class 1 ignition-resistant construction and the deck remodel or repair exceeds 50 percent of the projected area or 1,000 square feet, whichever is less, the entire deck shall comply with Section 709A of the California Building Code. For the purpose of this exception, deck remodel or repair projects must be separated by at least 12 months to be considered separate projects.

**504.7.6 Coatings.** The use of paints, coatings, stains, or other surface treatments is not an approved method of protection, as required in this Chapter.

Section 504.8 is modified to read:

**504.8 Exterior Windows and Glazing.** Glass or other transparent, translucent, or opaque glazing shall be of tempered glass, multi-layered glass panels (dual glazed), or glass block, and have a fire-protection rating of not less than 20 minutes, or other assemblies approved by the FAHJ. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWDA 101/I.S.2-97 structural requirements.

Section 504.8.1 is added to read:

**504.8.1 Skylights.** Skylights shall be made of tempered glass.

Exception: Skylights in commercial buildings are not required to be tempered if the entire building is protected by an approved fire sprinkler system.

Section 504.10.2 is added to read:

Exception: Attic vents in soffits may be permitted by the FAHJ on those areas of the building that do not face the wildland fuels, when the FAHJ determines it is not a hazard.

**15.05.150 Class 2 ignition-resistant construction.**

Section 505.1.1 is added to read:

**505.1.1 Zoning Requirements.** The minimum setbacks for locating structures on a lot are set by the PAHJ. To minimize fire spread potential, the FAHJ may require additional setbacks as described in Section 505.1.4. In no case may the setbacks required by the FAHJ be less than those established by the PAHJ.

Sections 505.1.2 through 505.1.5 are added to read:

**505.1.2 Fire Requirements.** In those jurisdictions where a FAHJ approves a fuel modification zone of less than 100 feet, all structures, including any part of a structure located within the Wildland-Urban Interface Area, shall not be less than 30 feet measured perpendicular from the subject property line adjacent to wildland fuel. When the property line abuts a public way, the setback is measured to the farthest roadway edge of the public way or street.

Exception: When allowed by both the FAHJ and by the PAHJ zoning requirements and the wildland fire hazard is determined to be minimal, the 30 foot setback may be reduced to a minimum of five feet from a property line provided that the entire exterior wall, eave, overhang, or any other building construction elements shall comply with enhanced Class 1 ignition resistant construction standards.

Note: The FAHJ may allow openings in the exterior wall facing the Wildland-Urban Interface Area if it is determined the hazard is minimal.

**505.1.3 Future Setback Modification.** All fuel modification zones shall not extend beyond the property line.

Exception: The FAHJ may approve a fuel modification zone that extends beyond the property lines when a legal agreement, such as an easement running with the land, is in place and appropriately recorded.

Section 505.1.4 is added to read:

**505.1.4 Structure Setback from Top of Slope.** A structure shall be set back a minimum of 1.25-feet horizontally from the top of slope for every 1-foot in building height as measured from the farthest projection of a roof. No portion of the structure may be higher than the plane created by the 80-percent setback from top of slope.

**Exceptions:**

1. Structures constructed with a noncombustible exterior wall adjacent to the slope, no openings adjacent to the slope, no combustible attachments to the exterior wall adjacent to the slope, and no roof eaves adjacent to the slope.
2. There exists no open wildland fuel area directly adjacent or juxtaposed to the structure, and, the slope is directly adjacent to developed parcels with fuel management principles in place.
3. The Fire Code Official determines the hazard to be minimal.

**505.1.5 Mitigation.** In jurisdictions where a PAHJ or FAHJ approves a fuel modification zone of less than 100 feet, Class 1 ignition-resistant construction shall be provided and/or additional mitigation as determined by the FAHJ.

Section 505.2 is modified to read:

**505.2 Roof Covering.** Roofs shall have a minimum of a Class A roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire-stopped to preclude entry of flames or embers, or have one layer of 72-pound (32.4kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D 3909 installed over the combustible decking.

**Exception:** On qualified historical buildings, a wood roof covering may be repaired or reconstructed as allowed by the State Historical Building Code.

Section 505.2.2 is added to read:

**505.2.2 Insulation.** In the Wildland-Urban Interface Area, paper-faced insulation shall be prohibited in attics or ventilated spaces.

Section 505.3.1 is added to read:

**Exception:** Eave construction on additions may match the existing structure, provided that the addition does not exceed 50 percent of the existing structure or 2,500 square feet, whichever is less.

Section 505.5 is modified to read:

**505.5 Exterior Walls.** Exterior walls of buildings or structures located in the Wildland-Urban Interface Area shall comply with the provisions of Section 707A.3 of the California Building Code. Wood shingle and shake wall covering shall be prohibited.

Exception: Livestock stables with less than 2,000 square feet of total floor area and without restrooms are exempt from the noncombustible wall requirement if constructed a minimum of 100 feet from the property line from any open space easement, and from any dwelling on the parcel. If a dwelling or addition to a dwelling is subsequently proposed to be constructed closer than 100 feet from a stable constructed under this exemption, the stable must be retrofitted with noncombustible exterior wall coverings or be removed.

Section 505.5.1 is added to read:

**505.5.1 Repair/Replacement.** If 50 percent or more of an exterior wall located less than 30 feet from a property line requires repair or replacement, the entire wall shall conform to this section. If less than 50 percent of the wall requires repair or replacement, the existing wall may be repaired or replaced in kind; however, if the wall covering is wood shingle or shake, it must be repaired or replaced with fire-retardant, pressure-treated wood shingles or shake labeled for exterior use and shall meet the requirements of Section 703A.5 of the California Building Code.

Sections 505.7.2 through 505.7.3 are added to read:

**505.7.2 Fences and Other Attachments to Structures.** The first five feet of fence and other items attached to a structure shall be constructed of noncombustible material, or pressure-treated exterior fire-retardant wood, or meet the same fire-resistive standards as the exterior walls of the structure.

Exception: Wooden gates are permitted, provided that a five-foot minimum length section of noncombustible fencing material is installed as a firebreak immediately adjacent to the gate.

**505.7.3 Coatings.** The use of paints, coatings, stains, or other surface treatments is not an approved method of protection as required in this chapter.

Section 505.8 is modified to read:

**505.8 Exterior Windows and Glazing.** Glass or other transparent, translucent, or opaque glazing shall be of tempered glass, multi-layered glass panels (dual glazed), or glass block, and have a fire-protection rating of not less than 20 minutes, or other assemblies approved by the FAHJ. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWDA 101/I.S.2-97 structural requirements.

Section 505.9 is modified to read:

**505.9 Exterior Doors.** All exterior doors facing the Wildland-Urban Interface Area shall be of approved noncombustible construction or ignition-resistant, solid core wood not less than 1 3/4-inches thick or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall comply with Section 505.8.

Section 505.10.1 is added to read:

**Exception:** Attic vents in soffits may be permitted by the FAHJ on those areas of the building that do not face the wildland fuels, when the FAHJ determines it is not a hazard.

Section 505.10.2 is added to read:

**505.10.2 Venting on Roofs and Vertical Walls.** Roof vents, dormer vents, gable vents, soffit vents, foundation ventilation openings, ventilation openings in vertical walls, or other similar ventilation openings are accepted for use when they comply with the Office of the State Fire Marshal's CBC Ch7A Compliance Policy(s).

**15.05.160 Class 3 ignition-resistant construction.**

Section 506 is hereby deleted in its entirety.

**15.05.170 Replacement or repair of roof coverings.**

Section 507.1 is modified to read:

**507.1 General.** When re-roofing or repairs are made, the entire roof shall consist of fire-rated roof coverings in conformance with Section 503 and Poway Municipal Code Section 15.04.050.

Section 507.1.1 is added to read:

**507.1.1 Roof Coverings – Historical Buildings.** On qualified, historical buildings, wood roof coverings may be repaired or reconstructed as allowed by the State Historical Building Code.

**15.05.180 Defensible space.**

Section 603.2 is modified to read:

**603.2 Fuel Modification.** For individual building or structures on a property, in order to qualify as a conforming defensible space for the purpose of Table 503.1, the fuel modification zone shall be achieved by removing or modifying combustible vegetation and other flammable materials from areas within 100 feet from such buildings or structures. The distances specified in Table 603.2 shall be measured on

a horizontal plane, in plain view, from the perimeter or projection of the building or structure as shown in Figure 603.2. The Code official, because of a site-specific analysis based on local conditions and the fire protection plan, may increase distances specified in Table 603.2.

The fuel management plan shall conform to the standards and guidelines in Section 6 of the Poway Landscape and Irrigation Design Manual, as adopted by City Council Resolution No. P-10-04, titled Fuel Management in Very High Fire Hazard Areas.

Section 603.2.4 is added to read:

**603.2.4 Fuel Modification of Brush or Vegetative Growth from Roadways.**

(a) **Fuel Modification at Existing Off-Site Roadways.** The Fire Chief and/or his or her designee are authorized to cause the area within 20 feet on each side of the improved width portions of highways and private streets or roads which are improved, designed, or ordinarily used for vehicular traffic to be thinned and reduced of flammable vegetation and other combustible growth shall comply with the requirements of a fuel modification zone. The Fire Chief or his or her designee is authorized to enter upon private property to insure the fuel modification zone requirements are met.

Exception: Single specimens of trees, ornamental shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers provided that they do not form a means of readily transmitting fire.

(b) **Fuel Modification for New Off-Site Roadways when Constructed and New On-Site Roadways.** The area 30 feet on each side of the improved width of highways, private roads, streets, and driveways shall comply with requirements of a fuel modification zone.

Exceptions:

1. Upon approval by the Fire Department, the roadway fuel modification zones may be reduced provided that the reduction of the zones does not impair access.
2. Single specimens of trees, ornamental shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers provided that they do not form a means of readily transmitting fire.

(c) All roadways shall have a minimum of 13 feet 6 inches of vertical clearance free of vegetation.

<b>TABLE 603.2 REQUIRED DEFENSIBLE SPACE</b>	
<b>URBAN-WILDLAND INTERFACE AREA*</b>	<b>FUEL MODIFICATION DISTANCE (FEET) (1)</b>
Moderate Hazard	30
High Hazard	100
Extreme Hazard	100
* From Table 502.1 Fire Hazard Severity (1) Or as defined in a Fire Protection Plan (See Section 405)	

Sections 603.3 through 603.3.2 are added to read:

**603.3 Community Fuel Modification.** Fuel modification zones to protect new communities shall be provided when required by the Fire Code official in accordance with Section 603 to reduce the fuel loads adjacent to communities and structures within them.

**603.3.1 Land Ownership.** Fuel modification zone land used to protect a community shall be under the control of an association or other common ownership established in perpetuity for the benefit of the community to be protected.

**603.3.2 Plans.** Plans shall be approved prior to fuel modification work. Plans shall be placed on a site plan shown in plan view. An elevation plan shall also be provided to indicate the length of the fuel modification zone on the slope. Plans shall include, at a minimum, one plan showing existing vegetation, and three plans showing the location of proposed structures and setback from the top of slope to all structures.

Section 603.4 is added to read:

**603.4 Fuel Modification Installations.** All fuel modifications shall be installed prior to the final inspection for issuance of a certificate of occupancy.

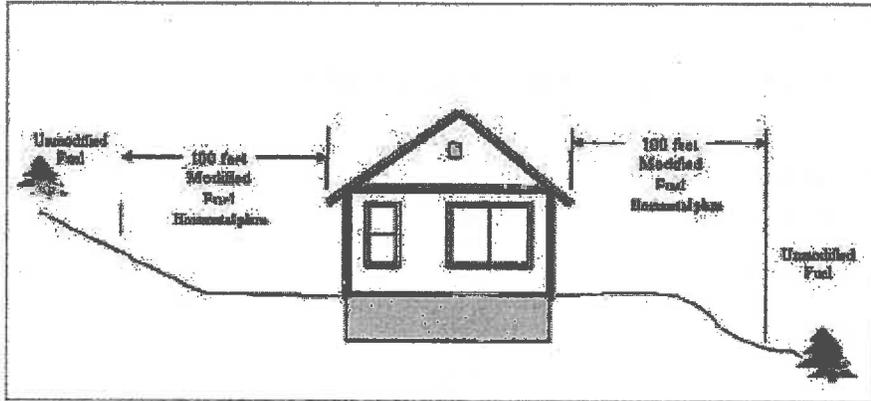


FIGURE 603.2 MEASUREMENTS OF FUEL MODIFICATION DISTANCE

**15.05.190 Maintenance of defensible space.**

Section 604.3 is modified to read:

**604.3 Responsibility.** Persons owning, leasing, controlling, operating, or maintaining buildings or structures are responsible for maintenance of defensible spaces. Maintenance of the defensible space shall be conducted annually or as determined by the FAHJ and may include, but is not limited to, the modification or removal of non-fire resistive or undesirable vegetation as described with the Poway Landscape and Irrigation Design Manual, Tables 6.1 and 6.2, and keeping leaves, needles, and other dead vegetative material regularly removed from roofs of buildings and structures.

Section 604.4 is modified to read:

**604.4 Trees.** Horizontal clearance from tree crowns to structures shall be pruned to maintain a minimum of ten feet for fire resistive trees and 30 feet for non-fire resistive trees. Tree crowns within the defensible space shall be pruned to remove limbs located less than six feet above the ground surface adjacent to the trees. Portions of tree crowns that extend within ten feet of the outlet of a chimney shall be pruned to maintain a minimum horizontal clearance of ten feet. Dead wood and litter shall be regularly removed from trees. Ornamental trees shall be limited to groupings of two to three trees with canopies for each grouping separated horizontally as described in Table 604.

**TABLE 604 - DISTANCE BETWEEN TREE CANOPIES**

<b>Distances Between Edge of Mature Tree Canopies</b>	
<b>Zone A</b>	No more than three trees per cluster; minimum distance between clusters or individual non-clustered trees is 20 feet
<b>Zone B</b>	No less than 2x the diameter of the species' mature canopy.

Sections 604.5 through 604.5.5 are added to read:

**604.5 Landscape Requirements – Objective.** Provisions of this section are intended to modify fuel load in areas adjacent to structures to create defensible space.

**604.5.1 Landscape Submittals.** Landscape plans are required for all residential custom homes, production tract homes, multifamily residential, and commercial buildings. Landscape plans shall be submitted and approved by the Development Services Department and the Department of Safety Services prior to the issuance of a building permit. Landscape plan submittals shall follow the submittal requirements found in the Poway Landscape and Irrigation Design Manual and shall, at a minimum, include a readable scale, the delineation of 100-foot fuel modification zones, the existing vegetation, all irrigated areas, a plant legend with both botanical and common names, and identification of all plant material symbols. The Fire Marshal may expand or reduce the distance of the fuel modification zone based on project location, surrounding vegetation, and topography.

**604.5.2 Landscaping Requirements.** All plant materials used shall be from the list of suggested fire-resistive plant species identified in Table 6-2 of the Poway Landscape and Irrigation Design Manual. The addition of plant material to the approved list will be at the discretion of the Fire Department. Landscape plans shall be in accordance with the following criteria:

1. All non-fire resistive trees, including conifers, pepper trees, eucalyptus, and acacia species shall be planted and maintained so that the drip line of the tree at maturity is a minimum of 30 feet from any combustible structure. All fire resistive tree species shall be planted and maintained at a minimum of ten feet from the drip line of the tree to any combustible structure.
2. For streetscape plantings, all non-fire resistive trees shall be planted so that the center of the tree trunk is 20 feet from edge of curb. Fire resistive trees can be planted ten feet from the edge of the curb to the center of the tree trunk. Trees selected shall be of a type that will not encroach into the roadway nor produce a closed canopy effect.
3. Limit planting of large unbroken masses, especially trees and large shrubs. Groups should be a maximum of two to three trees with mature foliage of any group separated horizontally by at least 20 feet in Zone A, and no less than two times (2x) the diameter of the species' mature canopy in Zone B.
4. If shrubs are located underneath the drip line of a tree, the lowest branch should be at least three times as high as the understory shrubs or ten feet, whichever is greater.

5. Existing trees can be pruned ten feet away from roof, eave, or exterior siding, depending on the physical or flammable characteristics of the tree and the building construction features.

6. All tree branches and palm fronds shall be removed within ten feet of a fireplace chimney or outdoor barbecue.

604.5.3 Orchards, Groves, or Vineyards. All orchards, groves, and vineyards shall be kept in a healthy state and maintained as described below. A ten-foot firebreak shall be cleared between the perimeter of the orchard trees or row of grape vines and native vegetation or ornamental landscaping. Orchards shall be kept clean of dead and/or downed trees. Orchards and vineyards shall be free of combustible debris including, but not limited to, dead branches and dead foliage. All dead grasses between rows of trees or vines shall be removed.

604.5.4 Eucalyptus Forests and Oak Woodlands. All forests and woodlands shall be kept in a healthy state and maintained as described below. The forest or woodlands shall be free of all dead, dying, or diseased trees (excluding tree stumps no higher than six inches above the ground). Dead, dying, or diseased trees shall include insect-infested trees and trees that are no longer living, in the last stages of growth, or infected by a pathogen of any type. If combustible vegetation is located underneath the drip line of a tree, the lowest branch shall be at least three times as high as the understory brush or grasses, or 10 feet, whichever is greater. Firewood shall be neatly stacked and shall have a minimum of 30 feet of clearance (no vegetation) around the entire firewood storage area. Debris and trimmings produced by the removal process shall be removed from the site, or if left, shall be converted into mulch by a chipping machine and evenly dispersed to a maximum depth of six inches.

604.5.5 Landscape Installation. All landscaping shall be installed prior to the final inspection for issuance of a certificate of occupancy.

#### **15.05.200 Liquefied petroleum gas installations.**

Section 606.2 is modified to read:

606.2 Location of Containers. Liquefied petroleum-gas containers shall be located within the defensible space, in accordance with the locally adopted Fire Code.

#### **15.05.210 Storage of firewood and combustible materials.**

Section 607.1 is modified to read:

607.1 General. Storage of Firewood and Combustible Materials. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, on decks, or under eaves, canopies, or other projections or overhangs. When required by the Code official, storage of firewood and combustible material

stored in the defensible space shall be located a minimum of 30 feet from structures and separated from the crown of trees by a minimum of 15 feet, measured horizontally. Firewood and combustible materials not for use on the premises shall be stored so as to not pose a hazard.

**15.05.220 General requirements.**

Section A103 is added to Appendix Chapter 1 to read:

**ACCESS RESTRICTIONS**

**A103.1 Restricted entry to public lands.** The Fire Code Official is authorized to determine and publicly announce when Wildland-Urban Interface Areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of Wildland-Urban Interface Areas that have been closed to entry is prohibited, with the exception of public roadways, inhabited areas, or established trails and campsites that have not been closed during such time when the Wildland-Urban Interface Area is closed to entry.

Exceptions:

1. Residents and owners of private property within wildland-urban interface areas and their invitees and guests going to or being on their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, and members of a fire department.

**A103.2.1 Signs.** Approved signs prohibiting entry by unauthorized persons and referring to this code shall be placed on every closed area.

**A103.2.2 Trespassing.** Entering and remaining within areas closed and posted is prohibited.

Exception:

Owners and occupiers of private or public property within closed and posted areas; their guests or invitees; authorized persons engaged in the operation and maintenance of necessary utilities such as electrical, power, gas, telephone, water and sewer; and local state and federal public officers and their authorized agents acting in the course of duty.

**A103.5 Tampering with Locks, Barricades, Signs and Address Markers.** Locks, barricades, seals, cables, signs, and address markers installed within Wildland-Urban Interface Areas by or under the control of the Fire Code Official shall not be tampered with, mutilated, destroyed, or removed.

**A103.5.1 Gates, Doors, Barriers and Locks.** Gates, doors, barriers, and locks installed by or under the control of the Fire Code Official shall not be unlocked.

Section A109 is modified to read:

<b>SECTION A109 REFERENCED STANDARDS</b>		
<b>CBC -2013</b>	<b>California Building Code</b>	<b>A107.5</b>
<b>CFC -2013</b>	<b>California Fire Code</b>	<b>A104.6, A105.1, A107.5</b>
<b>NFPA 70-11</b>	<b>National Electrical Code</b>	<b>A107.5</b>

**15.05.230 Appendices.**

Appendices "B," "C," "E," "F," and "H" are hereby deleted.

**15.05.240 Conflict.**

All other ordinances or parts of ordinances in conflict with this chapter are hereby repealed. Wherever a conflict exists in this chapter, the more restrictive requirement shall apply.

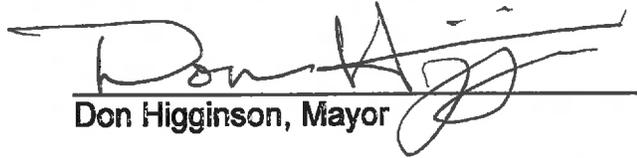
**SECTION 2:** Upon passage, the City Clerk shall transmit a copy of this Ordinance to the California Building Standards Commission pursuant to Health & Safety Code Section 17958.7 and the California Department of Housing and Community Development.

**SECTION 3:** This Ordinance shall be codified.

**EFFECTIVE DATE:** This Ordinance shall take effect and be in force thirty (30) days after the date of its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names of members voting for and against the same in the *Poway News Chieftain*, a newspaper of general circulation published in the City of Poway.

**CERTIFICATION/PUBLICATION:** The City Clerk shall certify the adoption of this Ordinance and cause it or a summary of it, to be published with the names of the City Council members voting for and against the same in the *Poway News Chieftain*, a newspaper of general circulation in the City of Poway within fifteen (15) days after its adoption and shall post a certified copy of this Ordinance in the Office of the City Clerk in accordance with Government Code § 36933.

Introduced and first read at a Regular Meeting of the City Council of the City of Poway held the 3rd day of December, 2013, and thereafter PASSED AND ADOPTED at a regular meeting of said City Council held the 7th day of January, 2014.

  
Don Higginson, Mayor

ATTEST:

  
Sheila R. Cobian, CMC, City Clerk

STATE OF CALIFORNIA )  
  ) SS  
COUNTY OF SAN DIEGO )

I, Sheila R. Cobian, City Clerk, of the City of Poway, do hereby certify that the foregoing Ordinance No. 757, was duly adopted by the City Council at a regular meeting of said City Council held on the 7th day of January, 2014, and that it was so adopted by the following vote:

AYES:	CUNNINGHAM, VAUS, MULLIN, GROSCH, HIGGINSON
NOES:	NONE
ABSENT:	NONE
DISQUALIFIED:	NONE

  
Sheila R. Cobian, CMC, City Clerk  
City of Poway

Findings Supporting the  
City of Poway Amendments to the  
*International Code Council (ICC)*  
*Wildland Urban Interface (WUI) Code*, 2012 Edition:

As required by Health and Safety Code Section 17958, the Poway City Council does herewith make express findings that amendments to the ICC WUI Code are necessary for the protection of the public health, safety, and welfare due to certain climatic, topographic, or geological features existing in the County of San Diego.

Findings for the City of Poway amendments to the *ICC WUI CODE*, 2012 Edition.

**FINDING 1**

The City of Poway is situated on the slopes and at the base of the coastal mountains with drainage from the eastern portion of the City of Poway, including the San Dieguito River and Rancho Penasquitos Creek, which, when flooded, could result in conditions rendering vehicular access unduly burdensome or impossible for the Fire Department.

Further, the flood conditions described above carry the potential for overcoming the ability of the Fire Department to aid or assist in fire control, evacuations, rescues, and the emergency tasks and demands inherent in such situations. The potential for the aforementioned flooding conditions to result in limiting Fire Department emergency vehicular traffic, with resulting overtaxing Fire Department personnel, may further cause a substantial or total lack of protection against fire for the buildings and structures located within the jurisdiction.

**FINDING 2**

The City of Poway is situated near several known major faults, each capable of generating earthquakes of significant magnitude. These include the Rose Canyon fault, the Newport-Inglewood fault, the Coronado Banks fault, and the Silver Strand fault, (located generally west of the City of Poway), and the Elsinore fault and Agua Caliente fault (located east of the City of Poway). These faults are subject to activity at any time, and the City of Poway is particularly vulnerable to devastation should such an earthquake occur.

The potential effects of earthquake activity include, isolating the City of Poway from the surrounding area, restricting or eliminating internal circulation due to the potential for the collapse of highway overpasses and underpasses along with other bridges in the City, or an earth slide and the potential for vertical movement rendering surface travel unduly burdensome or impossible.

**FINDING 3**

The City of Poway and Southern California are semi-arid regions and experience water shortages from time to time. Those shortages can have a severely adverse effect on water availability for firefighting. Fires starting in sprinkled buildings are typically

controlled by one or two sprinkler heads flowing as little as 13 gallons per minute per sprinkler head activation.

Hose streams used by engine companies on well-established structure fires operate at a minimum of about 250 gallons per minute each, and the estimated water need for a typical residential fire is 1,250 to 1,500 gallons per minute, according to the Insurance Service Office and the California Fire Code.

Under circumstances such as lack of water, infrastructure, earthquakes, and multiple and wildland fires within a community, the limited water demands of residential fire sprinklers would control and extinguish many fires before they spread from building to wildland. In such a disaster, water demands needed for conflagration firefighting probably would not be available.

#### FINDING 4

The topography of the City of Poway presents problems in delivery of emergency services, including fire protection. The hilly terrain has narrow, winding roads with little circulation, preventing rapid access and orderly evacuation. Much of these hills are covered with highly non-fire resistive natural vegetation. In addition to access and evacuation problems, the terrain makes delivery of water extremely difficult. Some hilly areas served by water tank and pump systems are subject to failure in fire, high winds, earthquake, and other power failure situations.

#### FINDING 5

The seasonal climatic conditions during the late summer and fall create numerous serious difficulties regarding the control of, and protection against, fires in the City of Poway. The hot, dry weather that is typical of this area in summer and fall, coupled with Santa Ana winds and low humidity, frequently result in wildfires that threaten, or could threaten, the City of Poway.

Although some Code requirements, such as fire-resistive roof classification, have a direct bearing on building survival in a wildland fire situation, others, such as residential fire sprinklers, may also have a positive effect. In a dry climate on low humidity days, many materials are much more easily ignited. More fires are likely to occur and any fire, once started, can expand extremely rapidly. Residential fire sprinklers can arrest a fire starting within a structure before the fire is able to spread to adjacent brush and structures.

A seasonal wind also has the potential for interfering with emergency vehicle access and delaying or making impossible fire responses because of toppling of extensive plantings of dense chaparral, eucalyptus, and conifer trees. The trees are subject to uprooting in strong winds due to their relatively small root bases compared to the tree itself. The aforementioned problems support the imposition of fire-protection requirements greater than those set forth in the California Building Code or Fire Code.

**FINDING 6**

Due to the topography in much of the City of Poway, roadway condition, gates, angle of approach or departure, steeply sloping roadways, and grades are common. In addition, a combination of potentially severe rainstorms and ground-water retention could occur in many areas of the City where there is expansive soil. This produces a condition wherein the moisture content of the soil is sufficient, that roadways become damaged due to soil expansion and shrinkage. All-weather, paved surfaces, capable of supporting the imposed loads of fire apparatus are necessary to ensure access of emergency response personnel. These roadways, gates, approach angles, steep slopes, and grades can also make it difficult for fire apparatus and other emergency vehicles to access a site. It is, therefore, essential that these roadway accesses be provided with proper all-weather, paved surfaces, angle of approach, grades, and gate access.

**FINDING 7**

The City of Poway has State Route 67, Poway Road, Scripps Poway Parkway, Pomerado Road and Espola Road as major roadways within its boundaries. Transportation vehicles carrying known toxic, flammable, explosive, and hazardous materials travel these roadways.

The potential for the release or threatened release of hazardous materials along these routes is likely given the volume that is transported within Poway city limits. Incidents of this nature will normally require all available emergency response personnel to prevent injury and loss of life and to limit or prevent environmental and property loss. Emergency personnel responding to such aforementioned incidents may be unduly impeded and delayed in accomplishing an emergency response as a result of this situation, with the potential result of undue and unnecessary risk to the protection of life and public safety and, in particular, endangering residents and occupants in buildings or structures without the protection of automatic fire sprinklers.

The aforementioned problems support the imposition of fire protection requirements greater than those set forth in the California Building Code or Fire Code.

**ORDINANCE NO. 759**

**AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,  
REPEALING CHAPTER 15.04 OF THE POWAY MUNICIPAL CODE  
AND ADOPTING A NEW CHAPTER 15.04,  
REGARDING THE 2013 CALIFORNIA BUILDING STANDARDS,  
INCORPORATING BY REFERENCE THEREIN THE  
CALIFORNIA BUILDING CODE, 2013 EDITION**

WHEREAS, the City of Poway last revised its construction codes on July 19, 2011; and

WHEREAS, California Health and Safety Code Section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission; and contained in the California Building Standards; and

WHEREAS, on January 7, 2014, the City Council held a duly advertised public hearing to receive testimony from the public, both for and against, relative to this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:

Section 1: The City Council finds that local climatic; geographical and topographical conditions, including the terrain; high summer month temperatures; population growth rate; housing and occupancy conditions and needs; and the environment existing in the City of Poway constitute conditions which require that the California Building Code be modified as set forth herein.

Section 2: The City Council of the City of Poway finds that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations) in that it entails the adoption of the State-mandated Building Codes with minor amendments.

Section 3: Chapter 15.04 of the Poway Municipal Code (PMC) is hereby repealed.

Section 4: A new Chapter 15.04 of the PMC is hereby added to read as follows:

Chapter 15.04

**BUILDING CODE**

**Sections:**

- 15.04.010 Adoption.
- 15.04.020 Findings.
- 15.04.030 Deletions, revisions and additions to the California Building Code.
- 15.04.040 Chapter 1, Administration, deleted.
- 15.04.050 Table 1505.1 Amended.
- 15.04.060 Appendices.

**15.04.010 Adoption.**

There is hereby adopted and incorporated by reference herein as the City Building Code for the purpose of prescribing regulations in the City of Poway for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and structures, the 2013 California Building Code, Part 2, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code, Section 18901 et seq. which is based on the International Building Code, 2012 Edition, including those Appendix Chapters adopted by this chapter. Except as otherwise provided by this chapter and Chapter 15.02 of the City of Poway Municipal Code, all erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures within the City of Poway shall be in conformance with the 2013 California Building Code, published by the California Building Standards Commission, which is based on the International Building Code, 2012 Edition and the adopted Appendix Chapters, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478.

**15.04.020 Findings.**

The City of Poway has many large brush-covered hillsides. The City is subject to frequent Santa Ana conditions consisting of dry gusting winds, which create extreme fire dangers. The City Council specifically finds that these geographic and topographic conditions necessitate greater fire protection than that provided by the 2013 California Building Code. Therefore, this chapter alters the International Building Code, 2012 Edition, to require more fire retardant roof coverings.

**15.04.030 Deletions, revisions and additions to the California Building Code.**

Deletions, revisions and additions to the 2013 California Building Code, shall be as set forth in Sections 15.04.040 through 15.04.060.

**15.04.040 Chapter 1, Administration, deleted.**

Chapter 1, Division II, Administration, of the California Building Code, 2013 Edition, is deleted.

15.04.050 Table 1505.1 Amended.  
Table 1505.1 of the 2013 California Building Code is amended to read as follows:

TABLE 1505.1  
MINIMUM ROOF COVERING CLASSIFICATION  
FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

15.04.060 Appendices.  
Appendix Chapters C, H and I of the 2013 California Building Code, are adopted herein as part of the City's Building Code.

**EFFECTIVE DATE:** This Ordinance shall take effect and be in force thirty (30) days after the date of its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names and members voting for and against the same in the *Poway News Chieftain*, a newspaper of general circulation published in the City of Poway.

Introduced and first read at a regular meeting of the City Council of the City of Poway held the 7th day of January 2014, and thereafter PASSED AND ADOPTED at a regular meeting of said City Council held the 21st day of January 2014.

  
\_\_\_\_\_  
Dave Grosch, Deputy Mayor

ATTEST:

  
\_\_\_\_\_  
Sheila R. Cobian, CMC, City Clerk



**ORDINANCE NO. 760**

**AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,  
REPEALING CHAPTER 15.08, OF THE POWAY MUNICIPAL CODE  
AND ADOPTING A NEW CHAPTER 15.08,  
REGARDING THE 2013 CALIFORNIA BUILDING STANDARDS,  
INCORPORATING BY REFERENCE THEREIN  
THE CALIFORNIA ELECTRICAL CODE, 2013 EDITION**

**WHEREAS, the City of Poway last revised its construction codes on July 19, 2011; and**

**WHEREAS, California Health and Safety Code Section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission; and contained in the California Building Standards; and**

**WHEREAS, on January 7, 2014, the City Council held a duly advertised public hearing to receive testimony from the public, both for and against, relative to this ordinance.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:**

**Section 1: The City Council finds that local climatic; geographical and topographical conditions, including the terrain; high summer month temperatures; population growth rate; housing and occupancy conditions and needs; and the environment existing in the City of Poway constitute conditions which require that the California Building Code be modified as set forth herein.**

**Section 2: The City Council of the City of Poway finds that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations) in that it entails the adoption of the State-mandated Building Codes with minor amendments.**

**Section 3: Chapter 15.08 of the Poway Municipal Code (PMC) is hereby repealed.**

**Section 4: A new Chapter 15.08 of the PMC is hereby added to read as follows:**

Chapter 15.08

ELECTRICAL CODE

Sections:

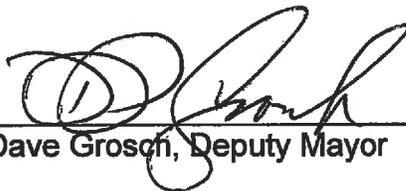
15.08.010 Adoption.

15.08.010 Adoption.

There is hereby adopted and incorporated by reference herein as the City Electrical Code for the purpose of prescribing regulations in the City of Poway for the installation, alteration or repair of electrical systems and permit requirements and inspection thereof, the 2013 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code which is based on the National Electrical Code, 2011 Edition. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Poway Municipal Code, all installation, alteration or repair of electrical systems within the City of Poway shall be in conformance with the 2013 California Electrical Code, published by the California Building Standards Commission, which is based on the National Electrical Code, 2011 Edition, published by the National Fire Protection Association, Battery March Park, Quincy, MA, 02269.

**EFFECTIVE DATE:** This Ordinance shall take effect and be in force thirty (30) days after the date of its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names and members voting for and against the same in the *Poway News Chieftain*, a newspaper of general circulation published in the City of Poway.

Introduced and first read at a regular meeting of the City Council of the City of Poway held the 7th day of January 2014, and thereafter PASSED AND ADOPTED at a regular meeting of said City Council held the 21st day of January 2014.

  
\_\_\_\_\_  
Dave Grosch, Deputy Mayor

ATTEST:

  
\_\_\_\_\_  
Sheila R. Cobian, CMC, City Clerk



**ORDINANCE NO. 761**

**AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,  
REPEALING CHAPTER 15.10, OF THE POWAY MUNICIPAL CODE  
AND ADOPTING A NEW CHAPTER 15.10,  
REGARDING THE 2013 CALIFORNIA BUILDING STANDARDS,  
INCORPORATING BY REFERENCE THEREIN  
THE CALIFORNIA RESIDENTIAL CODE, 2013 EDITION**

WHEREAS, the City of Poway last revised its construction codes on July 19, 2011; and

WHEREAS, California Health and Safety Code Section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission; and contained in the California Building Standards; and

WHEREAS, on January 7, 2014, the City Council held a duly advertised public hearing to receive testimony from the public, both for and against, relative to this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:

Section 1: The City Council finds that local climatic; geographical and topographical conditions, including the terrain; high summer month temperatures; population growth rate; housing and occupancy conditions and needs; and the environment existing in the City of Poway constitute conditions which require that the California Building Code be modified as set forth herein.

Section 2: The City Council of the City of Poway finds that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations) in that it entails the adoption of the State-mandated Building Codes with minor amendments.

Section 3: Chapter 15.10 of the Poway Municipal Code (PMC) is hereby repealed.

Section 4: A new Chapter 15.10 of the PMC is hereby added to read as follows:

Chapter 15.10

RESIDENTIAL CODE

Sections:

- 15.10.010 Adoption.
- 15.10.020 Findings.
- 15.10.030 Deletions, revisions and additions.
- 15.10.040 Chapter 1, Division II, Administration, deleted.
- 15.10.050 Section R902.1.3 amended.
- 15.10.060 Appendix H adopted.

15.10.10 Adoption.

There is hereby adopted and incorporated by reference herein as City Residential Code for the purpose of prescribing regulations in the City of Poway for the construction, alteration or repair of use and occupancy, location and maintenance of detached one- and two-family dwellings and townhouses not more than three stories above grade plane and permit requirements and inspection thereof, 2013 California Residential Code, Part 2.5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code published by the California Building Standards Commission which is based on the International Residential Code published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478.

15.10.020 Findings.

The City of Poway has many large brush-covered hillsides. The City is subject to frequent Santa Ana conditions consisting of dry gusting winds, which create extreme fire dangers. The City Council specifically finds that these geographic and topographic conditions necessitate greater fire protection than that provided by the 2013 California Residential Code. Therefore this chapter alters the California Residential Code to require more fire retardant roof coverings.

15.10.030 Deletions, revisions and additions.

Deletions, revisions and additions to the 2013 California Residential Code shall be as set forth in sections 15.10.040 through 15.10.060.

15.10.040 Chapter 1, Division II, Administration, deleted.

Chapter 1, Division II, Administration, of the California Residential Code is deleted.

15.10.050 Section R902.1.3 amended.

Section R902.1.3 of the California Residential Code is amended to read as follows:

R902.1.3 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.



**ORDINANCE NO. 762**

**AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,  
REPEALING CHAPTER 15.12, OF THE POWAY MUNICIPAL CODE  
AND ADOPTING A NEW CHAPTER 15.12,  
REGARDING THE 2013 CALIFORNIA BUILDING STANDARDS,  
INCORPORATING BY REFERENCE THEREIN  
THE CALIFORNIA PLUMBING CODE, 2013 EDITION**

**WHEREAS, the City of Poway last revised its construction codes on July 19, 2011; and**

**WHEREAS, California Health and Safety Code Section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission; and contained in the California Building Standards; and**

**WHEREAS, on January 7, 2014, the City Council held a duly advertised public hearing to receive testimony from the public, both for and against, relative to this ordinance.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:**

**Section 1: The City Council finds that local climatic; geographical and topographical conditions, including the terrain; high summer month temperatures; population growth rate; housing and occupancy conditions and needs; and the environment existing in the City of Poway constitute conditions which require that the California Building Code be modified as set forth herein.**

**Section 2: The City Council of the City of Poway finds that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations) in that it entails the adoption of the State-mandated Building Codes with minor amendments.**

**Section 3: Chapter 15.12 of the Poway Municipal Code (PMC) is hereby repealed.**

**Section 4: A new Chapter 15.12 of the PMC is hereby added to read as follows:**

Chapter 15.12

PLUMBING CODE

Sections:

- 15.12.010 Adoption.
- 15.12.020 Deletions.
- 15.12.030 Chapter 1, Division II, Administration, deleted.
- 15.12.040 Appendices G and I adopted.

15.12.010 Adoption.

There is hereby adopted and incorporated by reference herein as the City Plumbing Code for the purpose of prescribing regulations in the City of Poway for the construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment in or on any building or structure or outdoors on any premises or property, the 2013 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. which is based on the Uniform Plumbing Code 2012 Edition. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Poway Municipal Code, all construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment within the City of Poway shall be in conformance with the 2013 California Plumbing Code published by the California Building Standards Commission which is based on the Uniform Plumbing Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, CA, 91789-2825.

15.12.020 Deletions.

Deletions to the 2013 California Plumbing Code shall be as set forth in Sections 15.12.030 and 15.12.040.

15.12.030 Chapter 1, Division II, Administration, deleted.

Chapter 1, Division II, Administration of the California Plumbing Code, 2013 Edition, is deleted.

15.12.040 Appendices G and I adopted.

Appendices G and I of the California Plumbing Code are adopted herein as part of the City's Plumbing Code.

**EFFECTIVE DATE:** This Ordinance shall take effect and be in force thirty (30) days after the date of its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names and members voting for and against the same in the *Poway News Chieftain*, a newspaper of general circulation published in the City of Poway.



**ORDINANCE NO. 763**

**AN ORDINANCE OF THE CITY OF POWAY, CALIFORNIA,  
REPEALING CHAPTER 15.16, OF THE POWAY MUNICIPAL CODE  
AND ADOPTING A NEW CHAPTER 15.16,  
REGARDING THE 2013 CALIFORNIA BUILDING STANDARDS,  
INCORPORATING BY REFERENCE THEREIN  
THE CALIFORNIA MECHANICAL CODE, 2013 EDITION**

**WHEREAS, the City of Poway last revised its construction codes on July 19, 2011; and**

**WHEREAS, California Health and Safety Code Section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission; and contained in the California Building Standards; and**

**WHEREAS, on January 7, 2014, the City Council held a duly advertised public hearing to receive testimony from the public, both for and against, relative to this ordinance.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POWAY DOES ORDAIN AS FOLLOWS:**

**Section 1: The City Council finds that local climatic; geographical and topographical conditions, including the terrain; high summer month temperatures; population growth rate; housing and occupancy conditions and needs; and the environment existing in the City of Poway constitute conditions which require that the California Building Code be modified as set forth herein.**

**Section 2: The City Council of the City of Poway finds that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations) in that it entails the adoption of the State-mandated Building Codes with minor amendments.**

**Section 3: Chapter 15.16 of the Poway Municipal Code (PMC) is hereby repealed.**

**Section 4: A new Chapter 15.16 of the PMC is hereby added to read as follows:**

Chapter 15.16

MECHANICAL CODE

Sections:

15.16.010 Adoption.

15.16.020 Deletions.

15.16.030 Chapter 1, Division II deleted.

15.16.010 Adoption.

There is hereby adopted and incorporated by reference herein as the City Mechanical Code for the purpose of prescribing regulations in the City of Poway for the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances, the 2013 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. which is based on the Uniform Mechanical Code, 2012 Edition. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Poway Municipal Code, all erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances shall be in conformance with the 2013 California Mechanical Code, published by the California Building Standards Commission and any rules and regulations promulgated pursuant thereto,

15.16.020 Deletions.

Deletions to the 2013 California Mechanical Code shall be as set forth in PMC 15.16.030.

15.16.030 Chapter 1, Division II deleted.

Chapter 1, Division II, Administration, of the California Mechanical Code, 2013 Edition, is deleted.

**EFFECTIVE DATE:** This Ordinance shall take effect and be in force thirty (30) days after the date of its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names and members voting for and against the same in the *Poway News Chieftain*, a newspaper of general circulation published in the City of Poway.

