

CITY OF FAIRFIELD

ORDINANCE NO. 2019 - 09

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD REPEALING AND REPLACING CHAPTER 8 (FIRE PREVENTION CODE) OF THE FAIRFIELD CITY CODE, ADOPTING BY REFERENCE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9, KNOWN AS THE 2019 CALIFORNIA FIRE CODE, WITH AMENDMENTS TO REFLECT LOCAL CONDITIONS, AND ADOPTING BY REFERENCE CERTAIN PORTIONS OF THE 2018 INTERNATIONAL FIRE CODE

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

SECTION 1. Chapter 8, Article I of the Fairfield City Code is repealed in its entirety and replaced and amended as follows:

“Article I. Fire Prevention Code

Sec. 8.1 Adoption of the 2019 California Fire Code.

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, those certain Codes and Standards known as the 2019 California Building Standards Code, Title 24, California Code of Regulations, Part 9, (2019 California Fire Code) in its entirety including Division II of Chapter 1, and including Appendices Chapters 4, A, B, BB, C, CC, D, H, & I are hereby adopted. Further, to the extent not inconsistent with the 2019 California Fire Code, Chapters 3, 5, 8, and Appendix D of the 2018 International Fire Code published by the International Code Council, Inc. are hereby adopted. These Codes and Standards are hereby adopted and incorporated as fully as if set out at length herein, save and except such portions as are deleted, modified or amended by Section 8.3 of this City Code. Said Codes and Standards are adopted by reference pursuant to Section 50022, et seq., of the Government Code of the State of California, and collectively shall be known as the Fire Code of the City of Fairfield.

8.2 Enforcement of the Fire Code

The Fire Code shall be enforced by the Fire Chief or his or her designee.

8.3 Amendments, Additions and Deletions.

Notwithstanding the provisions of Section 8.1 of this City Code, the following sections and appendices of the Fire Code are amended as follows:

Chapter 1

Administration

Section 101.1 is amended to read as follows:

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

Section 102.1 is amended by adding item (5) to state the following:

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

Subsection 102.7.3 – Supplemental rules and regulations, is added to read as follows:

102.7.3 Supplemental Rules and Regulations. The Fire Chief is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations in order to carry out the application and intent of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours. These rules and regulations shall be contained in the Fairfield Fire Department Prevention Standards, which shall hereinafter be referred to in this code as "Standards."

Subsection 103.3.1 – Fire Prevention Division Personnel and Police, is added to read as follows:

103.3.1 Fire Prevention Division Personnel and Police. The Fire Chief and personnel assigned to the Fire Prevention Division shall have the powers of a police officer in performing their duties under the following codes: California Fire Code, National Fire Codes, any fire or life safety sections of the California Building Code, Health and Safety Code, Public Resources Code, and other city, county, or state fire related laws or codes not specifically covered in any part of this code. When requested to do so by the Chief, the Chief of Police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

Subsection 103.3.2 – Peace Officers, is added to read as follows:

103.3.2 Peace Officers. The Chief is authorized to designate a member, or members, of the fire department as a peace officer as described in Section 830.37 and 853.5 of the California Penal Code who shall enforce the Penal Code and California Fire Code. These police powers include the issuance of citations (Notice to Appear), powers of arrest and detention.

Subsection 104.2.1 – Fees, is added to read as follows:

104.2.1 Fees. The Fire Chief may establish a schedule of fees, as approved by the City Council, to be charged and collected for plan checking, required inspection services, and for the issuance of permits pursuant to Section 105 of this Code. In addition, this schedule may include a fire service fee to be charged to any person, firm, corporation or business that through negligence, violation of the law or as a result of carelessness is responsible for the cause of any fire service response to the scene of such an incident. A copy of the fee schedule shall be kept in the office of the City Clerk and the Office of the Fire Marshal and shall be available for public inspection.

Section 104.2.2 - Development Requirements, is added to read as follows:

Section 104.2.2. Development Requirements. This section shall be applicable whenever any land is developed or a building is constructed or improved which would require:

1. Provision of a water supply for fire protection;
2. Provision of access for fire apparatus;
3. An occupancy for the storage, handling, or use of any hazardous substance, material process or device;
4. Occupancies for which a fire department has responsibility for enforcement of laws or ordinances for fire safety or for the preservation of property or lives; or
5. Provisions to control the spread of fire

Subsection 105.7 – Required construction permits, is amended in its entirety as follows:

105.7 Required construction permits. The fire code official is authorized to issue permits for work as set forth in Chapter 1, Sections 105.7.1 through 105.7.25. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a penalty fee may be assessed in addition to the regular permit fees.

Subsection 105.7.12.1 – Security gates, is added to read as follows:

105.7.12.1 Security gates. A construction permit is required to install any gate, vehicular or pedestrian, that obstructs emergency access to a building or property.

Subsection 107.2.1 – Inspection requests, is amended in its entirety to read as follows:

107.2.1 It shall be the duty of the permit holder to request an inspection not less than two business days before such inspection is desired. Such requests may be submitted to the fire code official via writing, telephone, or email.

Subsection 109.1 – Board of Appeals, is amended in its entirety to read as follows:

109.1 Appeals. When it is claimed that the provisions of this code do not apply, or that the true intent and meaning of this code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief of the Fire Department to the City Manager within 30 days from the date of the decision of the Chief of the Fire Department. The City Manager or his duly authorized representative shall be the hearing officer and his decision shall be final.

Subsections 109.2 and 109.3 shall be deleted in their entirety.

Subsection 110.4, Violation penalties is amended in its entirety to read as follows: and

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be charged with either an infraction or misdemeanor at the discretion of the city attorney.

Subsection 110.4.1, Abatement of violation, is amended in its entirety to read as follows:

110.4.1 Infraction. Except as provided in Section 109.4.2, persons operating or maintaining any occupancy, premises or vehicle subject to this code that shall permit any fire or life safety hazard to exist on premises under their control shall be guilty of an infraction.

Subsection 110.4.2 – Misdemeanor, is added to read as follows:

110.4.2 Misdemeanor. Persons who fail to take immediate action to abate a fire or life safety hazard when ordered or notified to do so by the Chief or a duly authorized representative, or who violate the following sections of this code, shall be guilty of a misdemeanor:

109.3.2	Compliance with Orders and Notices
107.6	Overcrowding
104.11.2	Obstructing operations
104.11.3	Systems and Devices
111.4	Failure to comply
305.4	Deliberate or negligent burning
308.1.2	Throwing or placing sources of ignition
310.7	Burning Objects
3104.7	Open or exposed flame

Subsection 110.4.3 – Abatement of violation is added to read as follows:

110.4.3 Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises. Cost of abatement is the responsibility of the property owner and steps to recover those costs will be taken, up to and including a lien against the property. Property owners shall be notified of any action taken as soon as possible.

Section 112.4 is amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 dollars or more than \$500 dollars.

Chapter 2

Definitions

Section 202 – General Definitions, is amended as follows:

Amend definition of “Alteration.”

ALTERATION – Any change or renovation to an existing structure other than a repair or addition. Alterations include, but are not limited to, the addition or elimination of walls within the existing building envelope and any

modification to the structure that involves removal and replacement of finished wall surfaces.

Amend definition of “Fire Area.”

FIRE AREA – For the purpose of calculating square footage for application of fire sprinkler requirements, the fire area shall include all combustible areas attached to the structure.

Add the following definitions:

FIRE BREAK – A continuous strip of land, devoid of flammable vegetation, intended to prevent the spread of fire from one area to another.

FIRE TRAIL – An approved access road, including any concrete-lined erosion control or drainage ditch that allows fire personnel and equipment to suppress and prevent a surface extension of fire. Such trails shall be a minimum of 16 feet wide and shall not exceed a gradient determined to be unsafe by the Fire Chief. Such trails shall be kept clear of all debris and maintained so that dry grass or weeds do not exceed 4 inches in height.

TEMPORARY – Any use for a period as determined by the Fire Code Official.

Chapter 3

General Precautions against Fire

Subsection 304.1 – Waste Accumulation Prohibited is amended by adding the following:

All properties shall be maintained in accordance with Chapter 23 of the Fairfield City Code – Weeds and Rubbish and with Fairfield Fire Prevention Standard 95-45 – Vegetation Management.

Subsection 307.6 is added to read as follows:

307.6 Materials. All materials used for bonfires, recreational fires, or in portable outdoor fireplaces shall be clean, uncontaminated wood, manufactured wood logs, or other such approved materials. Unapproved materials include, but are not limited to, contaminated wood, waste construction materials, garbage, yard waste and leaves, or other such materials that produce offensive or objectionable smoke emissions, and are prohibited from use.

1st Reading
Fire Department

Section 321 – Unattended Vehicles, is added to read as follows:

Section 321 Unattended Vehicles. It shall be unlawful for anyone to leave unattended any vehicle loaded with: hazardous materials (as defined in Section 2402.7 CVC), explosives, cryogenics, compressed gas, flammable or combustible liquids in excess of 60 gallons, (not including fuel tank for engine) within 2,000 feet of any residential or commercial area or any other area that is deemed unsafe in the opinion of the Fire Chief.

Chapter 5

Fire Service Features

Subsection 503.1.2.1 is added to read as follows:

503.1.2.1 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by development of any kind, the developer/property owner shall provide alternate acceptable access into the area(s), as approved by the fire code official, for fire personnel and apparatus. The developer/property owner shall be responsible for maintaining this access in drivable condition at all times.

Subsection 503.2.4 is amended in its entirety as follows:

503.2.4 Minimum turning radius. A fire department access road shall have a minimum standard turning radius of 28 feet (8.5 m) inside and a 48-foot (14.6 m) outside diameter.

Subsection 503.2.7 Grade. Subsection 503.2.7 is amended in its entirety as follows:

503.2.7 Grade. Fire department access roads shall have a maximum grade of 15% in accordance with City of Fairfield Public Works Standards relating to public streets.

Subsection 503.3 – Marking is amended by adding the following to the end of the paragraph:

All markings shall be in accordance with Fairfield Fire Prevention Standard 92-40 – Designated Fire Lanes.

Subsection 503.6 – Security gates is amended by adding the following to the end of the paragraph:

Vehicular access gates or barriers shall be in accordance with Fairfield Fire Prevention Standard 95-44 – Access Gates.

Subsection 505.1 – Address numbers, is amended to add the following to the end of the paragraph:

Any business which affords vehicular access to the rear through a driveway, alleyway, or parking lot, shall also display the building identification or address numbers on the rear of the building. Address numbers shall be in accordance with Fairfield Fire Prevention Standard 87-7 – Building Identification.

Subsection 505.3 is added to read as follows:

505.3 - Multi-family dwellings. At the main entrance driveway to each newly constructed multiple dwelling complex there shall be positioned an illuminated diagram (map) of the complex that lists all individual addresses of each unit in the complex. The design and location of the map shall be approved by the fire marshal.

Chapter 6

Building Services and Systems

Subsection 605.10.1.2 – Manual operation, is amended by adding the following at the end of the paragraph:

The manual valves shall be located in an approved location immediately outside of the machinery room, in a secure metal box and marked as Emergency Controls.

Chapter 9

Fire Protection Systems

Subsection 901.4.7 is added to read as follows:

901.4.7 - Fire Control Room. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall meet the following requirements:

1. Fire control rooms shall contain only fire system control valves, fire alarm control panels and other related fire system equipment.

2. The location of the fire control room shall be approved by the fire code official.
3. Fire control rooms shall have minimum dimensions of five feet by seven feet.
4. Fire control rooms shall be constructed with a one-hour fire rating.
5. Fire control rooms shall be provided with an exterior access door approved by the fire code official.
6. Durable signage shall be provided on the exterior side of the access door.
7. Storage of materials in fire control rooms is prohibited.

Exception: Group R-3 Occupancies.

Subsection 903.2 – Where required, is amended to in its entirety to read as follows:

903.2. Required locations. Regardless of any exception listed above or in the remainder of this code or the California Building Code, all buildings greater than five thousand (5,000) square feet, shall be equipped, throughout, with an approved fully automatic fire sprinkler system.

Any existing building which was not required to be protected by an automatic fire sprinkler system, according to codes in effect at the time of its construction, shall have installed throughout the building, in accordance with NFPA 13, an automatic fire sprinkler system whenever any of the following conditions are met:

1. Alterations, repairs or remodels. When the floor area of an alteration, repair or remodel exceeds 50% of the gross floor area of the existing building.
2. Additions. When the floor area of the addition shall increase the gross floor area of the existing building by 50%.

3. Change of occupancy. When there is a change in occupancy type, use or character of the building that results in an increased life safety or fire risk as determined by the Fire Chief.

Exception: Non-combustible, detached canopies open on four sides, not exceeding the basic allowable square footage in CBC Table 503, used exclusively for the parking or storage of private or pleasure vehicles and non-combustible storage (includes fuel islands).

Section 903.3.1.1 NFPR 13R Sprinkler Systems, is deleted in its entirety.

Subsection 903.3.5.1 Domestic services, is amended in its entirety as follows:

903.3.5.1 Domestic water services shall only be used to supply NFPA 13D automatic sprinkler systems.

Subsection 903.3.5. 2 Residential combination services, is deleted in its entirety.

Subsection 903.4.2 - Alarms, is added to read as follows:

903.4.2 Alarms. One exterior approved audible alarm and visual strobe device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Visible alarm notification appliances shall not be required except when required by Section 907. A single approved audible alarm and visual strobe device shall be provided in the interior of the building in a normally occupied location within each space or dwelling unit and floor level, unless otherwise required by the California Fire Code.

Subsection 903.6 Where required in existing buildings and structures, is amended in its entirety as follows:

903.6 Any existing building which was not required to be protected by an automatic fire sprinkler system, according to codes in effect at the time of its construction, shall have installed throughout the building, in accordance with NFPA 13, an automatic fire sprinkler system whenever any of the following conditions are met:

1. Alterations, repairs or remodels. When the floor area of an alteration, repair or remodel exceeds 50% of the gross floor area of the existing building.
2. Additions. When the floor area of the addition shall increase the gross floor area of the existing building by 50%.
3. Change of occupancy. When there is a change in occupancy type, use or character of the building that results in an increased life safety or fire risk as determined by the Fire Chief.

Section 907.6.6 - Monitoring, is amended in its entirety as follows:

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by a Central Station Service (UUFX) that is listed in the current edition of the UL Online Certifications Directory unless otherwise required by the California Fire Code.

Combination Alarm Systems. Combination fire and burglar alarm systems are not permitted. Exception: Group R-3 and R-3.1. (Ord. 5758 § 5, 2016; Ord. 5258 § 6, 2013.)

Chapter 56

Explosives and Fireworks

Subsection 5601.1.6 is added to read as follows:

5601.1.6 Prohibition. The use, sale and discharge of fireworks are prohibited.

1. Findings. The City Council finds that the sale, use and/or discharge in the City of Fairfield, whether classified as "dangerous fireworks" and/or "safe and sane fireworks" (pursuant to Health and Safety Code Sections 12500 et seq.), will endanger life and property, and may encourage the use and/or discharge of fireworks in neighboring jurisdictions where their sale, use and/or discharge are prohibited unless prohibited and/or regulated as set forth in this chapter.
2. Definitions. Any and all terms used in this chapter shall have the same meaning as defined in Health and Safety Code Section 12500 et seq. and shall govern the construction of this chapter.

3. Applicability of State Law. This chapter does not supersede State law, but is intended to supplement the provisions of Division 11, Part 2, of the Health and Safety Code (Sections 12500 et seq.) and the administrative regulations adopted pursuant to law, and to prohibit and/or regulate by local authority, as authorized by Health and Safety Code Section 12541, the sale, use, and/or discharge of fireworks in the City.
4. Sale, Use, Possession and/or Discharge Prohibited. No person or organization shall sell, use, possess and/or discharge in the City any fireworks, including, but not limited to, dangerous fireworks and safe and sane fireworks subject to the following exceptions:
 - a) A public display of fireworks, including, but not limited to, dangerous fireworks and safe and sane fireworks in the City provided that the person or organization is properly licensed and strictly complies with all applicable provisions of this chapter, all regulations adopted by the Fire Chief, all City resolutions and ordinances, all provisions of the Health and Safety Code, and receives authorization of the fire code official for the public displays of fireworks.
 - b) Any special item containing pyrotechnic compositions which the State Fire Marshal, with the advice of the State Advisory Board, has investigated and determined to be limited to industrial, commercial, agricultural use, or religious ceremonies when authorized by a permit granted by the fire code official and is classified as "exempt fireworks" in the Health and Safety Code.

Appendix D

Fire Apparatus Access Roads

Subsection D103.2 Grade is amended in its entirety as follows:

D103.2 Fire apparatus access roads shall not exceed 15 percent in grade. Grades steeper than 15 percent must be approved by the fire code official.

Subsection D103.6 Signs is amended in its entirety as follows:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING – FIRE LANE signs complying with Fairfield Fire Prevention Standard 92-40 –Designated Fire Lanes.

Subsection D107.1 is amended as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

SECTION 2. This Ordinance shall be effective 30 days following its adoption by the City Council or January 1, 2020, whichever is later.

SECTION 3. A summary of this Ordinance, within fifteen (15) days after passage, be published in accordance with Section 36933 of the Government Code of the State of California with the names of the City Councilmembers voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Fairfield on the _____ day of _____, 2019; and

PASSED AND ADOPTED this _____ day of, _____ 2019, by the following vote:

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSENT: Councilmembers: _____

ABSTAIN: Councilmembers: _____

MAYOR

ATTEST:

CITY CLERK