

ORDINANCE NO. 11-2019

AN ORDINANCE OF THE CITY OF FREMONT ADOPTING BY REFERENCE AND AMENDING THE 2019 CALIFORNIA FIRE CODE AND REPEALING AND REPLACING FREMONT MUNICIPAL CODE TITLE 15 (BUILDINGS AND CONSTRUCTION), DIVISION 1 (FREMONT BUILDING STANDARDS CODE), CHAPTER 15.35 (FREMONT FIRE CODE)

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

SECTION 1. DRAFTING SYNTAX

Fremont Municipal Code (FMC) section text adopting the local modification is italicized in this ordinance to assist the reader in distinguishing between City of Fremont modifications to the California Fire Code (CFC) and the FMC section text adopting the modifications.

Each section of the California Fire Code that is modified by the City of Fremont is listed however, whole subsections may not be modified and those unmodified subsections are indicated by the subsection number followed by “{CFC text not modified}”. The unmodified subsections are to be codified as written in the California Fire Code. Each subsection that is deleted in its entirety by the City of Fremont is indicated by the subsection number followed by “deleted”.

SECTION 2. FMC CHAPTER 15.35 REPEALED AND REPLACED

Fremont Municipal Code Title 15 (Buildings and Construction), Division 1 (Fremont Building Standards Code), Chapter 15.35 (Fremont Fire Code) is repealed and replaced as follows:

Sec. 15.35.010 Title.

This division shall be known and may be cited as the “Fremont fire code” or “FFC.” The Fremont fire code consists of the California Fire Code, as codified in Title 24 of the California Code of Regulations, and as amended by this chapter.

Sec. 15.35.020 Fire prevention bureau.

(a) The fire prevention bureau is established within the Fremont fire department under the direction of the chief and consists of Fremont fire department personnel assigned to the bureau by the chief. The function of the bureau is to assist the chief in the administration and enforcement of the provisions of this code.

(b) References to the “Fire Marshal,” “Fire Code Official,” or the “Fire Prevention Engineer” in the California Fire Code mean the person in charge of the fire prevention bureau as appointed by the chief.

(c) The chief of the fire department shall recommend to the city manager the

employment of technical consultants.

Sec. 15.35.030 Adoption of the 2019 CFC with amendments.

The 2019 edition of the California Fire Code (“CFC”) as published by the California Building Standards Commission is adopted as the fire code of the city of Fremont, California, as if fully set out in this ordinance, and is amended as set forth in this chapter. A copy of the 2019 CFC is on file in the office of the city clerk.

Sec. 15.35.040 Adoption of certain 2019 CFC appendices.

The following Appendices of the 2019 California Fire Code are adopted, as amended, by the city of Fremont and made a part of the Fremont fire code.

Appendix	Title
Appendix Chapter 4	Special Detailed Requirements Based on Use and Occupancy
Appendix B	Fire-Flow Requirements for Buildings
Appendix C	Fire Hydrant Locations and Distribution
Appendix D	Fire Apparatus Access Roads
Appendix E	Hazard Categories
Appendix F	Hazard Ranking
Appendix G	Cryogenic Fluids-Weight and Volume Equivalent
Appendix H	Hazardous Materials Management Plans and Hazardous Materials Inventory Statements (see Sections 2701.5.1 and 2701.5.2)
Appendix I	Fire Protection Systems- Noncompliant Conditions
Appendix N	Indoor Trade Shows and Exhibitions
Appendix O	Temporary Haunted Houses, Ghost Walks and similar Amusement Uses

Sec. 15.35.050 Amendment of 2019 CFC Appendix B.

Appendix B of the 2019 California Fire Code is amended as follows:

B101.1 – Table B105.1(2) {CFC text not modified}

Table B105.2

TABLE B105.2		
REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE-AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOMES		
AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)

Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) ^b	Duration in Table B105.1(2) at the reduced flow rate
For SI: 1 gallon per minute = 3.785L/m a. The reduced fire flow shall not be less than 1,000 gallons per minute b. The reduced fire flow shall not be less than 1,500 gallons per minute		

B105.2 – B106 {CFC text not modified}

Sec. 15.35.060 Adoption of 2019 CFC Chapter 1, Division II Administration.

Chapter 1, Division II of the 2019 California Fire Code is adopted by the city of Fremont and made a part of the Fremont fire code. References to model codes in the adopted sections shall mean the corresponding California Codes as adopted by the city of Fremont.

Sec. 15.35.070 Amendment to 2019 CFC Section 102 Applicability.

Section 102 of the 2019 California Fire Code is amended as follows:

102.1 – 102.2 {CFC text not modified}

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the California Building Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes of other groups without conforming to all the requirements of this code and the California Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

When a change of occupancy results in a structure being reclassified to a higher occupancy classification, an automatic fire extinguishing system and associated fire and life safety protection systems shall be provided in the building or tenant space, whichever is applicable, in accordance with Table 1012.4. Tenant spaces shall be separated from the remaining tenant spaces based on the non-sprinklered type of construction and occupancy in accordance with the CFC.

*Table 1012.4

Relative Hazard	Occupancy Classifications
1 (Highest Hazard)	H
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1
5 (Lowest Hazard)	F-2, S-2, U

*Ref: 2015 IEBC Chapter 10, Table 1012.4

102.4 – 102.12 {CFC text not modified}

Sec. 15.35.080 Amendment to 2019 CFC Section 105 (Permits).

Section 105 of the 2019 California Fire Code is amended as follows:

105.1 {CFC text not modified}

105.2 Application. Application for a permit required by this code shall be made to the fire code official in such form and detail as prescribed by the fire code official. Applications for permits shall be accompanied by such plans as prescribed by the fire code official. An application for a permit shall be accompanied by a fee established by resolution of the city council.

105.2.1. – 105.6.7 {CFC text not modified}

105.6.8 Compressed Gases. An operational permit is required for the storage, use, or handling at normal temperatures and pressures of compressed gases in excess of the amounts listed in Table 105.6.9 to install any piped distribution system for compressed gases, or to install a non-flammable medical gas manifold system. A permit is required to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system.

105.6.9 {CFC text not modified}

105.6.10 Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10 Except where federal or state regulations apply and except for fuel systems of a vehicle, a construction permit is required to install a cryogenic vessel or piping system for the storage or distribution of cryogenics. See also Chapter 55.

105.6.11 – 105.6.15 {CFC text not modified}

105.6.16 {CFC text not modified}

1. – 11. {CFC text not modified}

12. To store, handle or use class III-B liquids with a flashpoint of less than 500 degrees F. in excess of 110 gallons.

13. To install, alter, remove, test, abandon, place temporarily out of service or otherwise dispose of any flammable or combustible liquid tank.

105.6.17 – 105.6.24 {CFC text not modified}

105.6.25 Lumber Yards and Wood Working Plants. To operate any wood working plant. See Chapter 28.

105.6.26 – 105.6.51 {CFC text not modified}

105.6.52 Christmas Tree Lot. To operate a Christmas Tree Sale Lot. See additional provisions in Section 806.

105.6.53 Fire Alarm or Sprinkler Monitoring System. No person shall install or cause to be installed any fire alarm signaling system or device designed to indicate a fire emergency without first obtaining a permit. Application and plans for such permit shall be made to the building and safety department.

105.7 – 105.7.25 {CFC text not modified}

Sec. 15.35.090 Amendment to 2019 CFC Section 110 (Violations).

Section 110 of the 2019 California Fire Code is amended as follows:

110.1 – 110.3 {CFC text not modified}

110.4 Violation penalties. A person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs, or does work in violation of the approved construction documents or direction of the fire code official, or of a permit or certificate used under the provisions of this code, is guilty of an offense as set forth in FMC Section 1.15.010 *et seq.*

110.4.1 Powers To Abate. The chief is authorized to abate a fire or life hazard when necessary to protect life or property. This may include, but is not limited to, confiscation of flammable liquids, fireworks, the removal of hazardous electrical wiring, temporary closure of commercial occupancies, extinguishing unsafe or illegal fires and any other similar hazards, determining no smoking areas, and ceasing operation of any type apparatus that poses an imminent danger to property or life.

110.4.2 Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this chapter.

Sec. 15.35.100 Amendment to 2019 CFC Section 202 (General definitions).

Section 202 of the 2019 California Fire Code is amended by adding or modifying the following definitions. The remaining definitions in Section 202 are not modified.

ABANDONED shall mean tanks out of service and not being monitored in accordance with this Article and the provisions of the California Health and Safety Code shall be considered abandoned.

CONTINUOUS GAS-DETECTION SYSTEM is a gas-detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis shall be performed on a cyclical basis at intervals not to exceed five

minutes.

CORROSIVE LIQUID is a liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action. Examples include acidic, alkaline or caustic materials. Such material will be considered prima facie corrosive when the pH is 2 or less or 12.5 or more, except for foodstuffs or medicine. This includes materials classified by DOT and Title 22 as corrosives.

CURRENT CODE shall mean the edition of the California Building, Fire or other California Building Standards Codes published by the International Code Council as adopted by the city of Fremont under California Health and Safety Code Section 18941.5. The edition to be applied shall be that edition in effect at the time damage occurs.

ENGINEERING EVALUATION means an evaluation of a suspected damaged building or structure, performed under the direction of a fire protection engineer, structural engineer, civil engineer or architect retained by the owner of the building or structure. Engineering evaluations shall, at a minimum, contain recommendations for repair with an appropriate estimate of the construction cost for those repairs.

ESSENTIAL SERVICE FACILITY shall mean that building or structure which has been designated by the city council to house facilities that are necessary for emergency operations.

HIGHLY TOXIC {CFC text not modified}

1. – 3. {CFC text not modified}

4. A chemical that has a health hazard ranking of 4 in accordance with NFPA Standard 704.

JURISDICTION means the city of Fremont.

LOCAL FIRE ALARM shall mean a fire alarm system provided for notification and evacuation of occupants. It shall have more than one notification appliance on each and every floor. The system may notify a monitoring company at the discretion of the fire marshal.

REMOVAL - tanks abandoned or permanently out of service shall be removed from the ground. Tanks required to be removed by this code shall be removed and disposed of in a manner approved by the chief, or his authorized representative. Whenever a tank is required to be removed by this section, the chief may require removal of all levels of containment, foundations, structures, or similar items which would obstruct soil sampling or cleanup of contaminated soil.

REPLACEMENT VALUE is the dollar value, as determined by the building official based upon the square footage and the guidelines used in establishing the valuation of new construction, of replacing the damaged structure with a new structure of the same size, construction material and occupancy on the same site.

SECONDARY CONTAINMENT is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

SEGREGATED is storage in the same room or area, but physically separated by distance and independent secondary containment from incompatible materials.

SEMICONDUCTOR FABRICATION FACILITY OR COMPARABLE MANUFACTURING, RESEARCH AND DEVELOPMENT AREAS is a building or portion of a building classified as a Group H Occupancy in which electrical circuits or similarly manufactured devices are created.

SPECULATIVE WAREHOUSING is a building constructed without a specific use, occupancy hazard designation, or tenant. Buildings that do not have a designed fire sprinkler system for a specific use (occupancy) or storage commodity classification.

STORAGE OR USE FACILITY is a building, portion of a building, or exterior area used for the storage, use, or handling of hazardous materials where the quantity of hazardous materials is equal to or greater than the permit amounts specified in Appendix Chapter 1, Section 105.

STORAGE OR USE SYSTEM is any one or combination of tanks, sumps, waste treatment facilities, pipes, vaults or other portable or fixed containers, and their secondary containment systems which are used, or designed to be used, for the storage, use, or handling of hazardous materials at a storage or use facility. For purposes of this code, a workstation having limited quantities of hazardous materials shall not be treated as a storage system.

TEMPORARY INSTALLATIONS shall mean those that do not exceed one year.

TOXIC {CFC text not modified}

1. – 3. {CFC text not modified}

4. A chemical that has a health hazard rating of 3 in accordance with NFPA Standard 704.

VALUE OF REPAIR is the dollar value, as determined by the building official, of making the necessary repairs to a damaged structure.

WASTE OIL is a Class III-B waste liquid resulting from the use of Class III-B combustible liquids such as waste motor oil, hydraulic oil, lubricating oil, brake fluids and transmission fluids.

Sec. 15.35.110 Amendment to 2019 CFC Section 503 (Fire Apparatus Access Roads).

Section 503 of the 2019 California Fire Code is amended as follows:

503.1 – 503.2.8 {CFC text not modified}

503.3 Marking, Fire Lanes. Where necessary to maintain adequate emergency vehicle access to buildings or fire apparatus access roads, the Fire Code Official may establish designated "Fire Lanes."

503.3.1 Restrictions and requirements as specified in the California Vehicle Code shall apply to fire lanes established by this section.

503.3.2 The means by which fire lanes are designated or identified shall be maintained in a clean and legible condition at all times and or replaced when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access road. Fire apparatus access roads shall not be obstructed in any manner, which includes parking of vehicles. The minimum width and clearances established by Section 503.2.1 or as applicable, Appendix Section D105, shall be maintained at all times.

503.4.1 – 503.5.2 {CFC text not modified}

503.6 {CFC text not modified}

503.6.1 Automatic security gates that cross fire department access roadways, shall be equipped with an approved infrared receiver or key override switch.

503.6.2 Manual security gates shall be equipped with an approved key box or Knox padlock.

Sec. 15.35.120 Amendment to 2019 CFC Section 506 (Key Boxes).

Section 506 of the 2019 California Fire Code is amended as follows:

506.1 – 506.2 {CFC text not modified}

506.3 Emergency information boxes. When an occupancy contains storage of hazardous materials that exceed the exempt amounts listed in Chapter 50 of the California Fire Code, or the occupancy is required by the fire chief to have available on site pre-fire plans, the fire chief may require an approved emergency information box be installed on the premises for the storage of such information. The emergency information box shall be installed in an approved location and the enclosed information shall be updated, annually or as changes dictate, by the occupant.

Sec. 15.35.130 Amendment to 2019 CFC Section 507 (Fire Protection Water Supplies).

Section 507 of the 2019 California Fire Code is amended as follows:

507.1 – 507.5 {CFC text not modified}

507.5.1 Distribution of fire hydrants. Fire hydrants shall be nominally spaced every 500 linear feet in residential areas comprised of single-family dwellings. In commercial or industrial areas, or in residential areas containing condominiums, townhouses, or apartments, fire hydrants shall be nominally spaced every 300 feet. The chief may require that fire hydrants be placed at closer intervals to conform to street intersections, unusual street curvatures, or fire-flow requirements. Divided streets shall have hydrants on both sides of the street and shall, where applicable, be installed in alternate or staggered positions so that hydrants will not be directly across from each other.

Exceptions: deleted

507.5.1.1 – 507.5.6 {CFC text not modified}

507.5.7 Hydrants. The chief is authorized to determine the types of hydrants acceptable for installation. In areas where public or private water mains are not available for the provision of required fire flow, the fire chief may require that water supply for firefighting is provided in accordance with the most current addition of NFPA Standard #1142, (Standard on Water Supplies for Suburban and Rural Fire Fighting)

507.5.8 Hydrant Identification. All fire hydrants shall be identified with a reflective, raised, blue pavement marker installed in the centerline of public and private roadways perpendicular to the location of the hydrant. Fire hydrants shall also be painted in accordance with the standard detail issued by the city of Fremont. Public and private hydrants shall be periodically painted to maintain rust protection and visibility.

Sec. 15.35.140 Amendment to 2019 CFC Section 508 (Fire Command Center).

Section 508 of the 2019 California Fire Code is amended as follows:

508.1 General. When required by other sections of this code and in all buildings four or more stories in height and all buildings classified as high-rise buildings by the *California Building Code and Group I-2 occupancies having occupied floors located more than 75 feet (22,860mm) above the lowest level of fire department vehicle access*, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.7.

508.1.1 - 508.1.2 {CFC text not modified}

508.1.3 {CFC text not modified}

Exception:

1. In buildings four or more stories in height, but not classified as a high-rise by the California Building Code, the fire command center shall be a minimum of 96 square feet (9 m²) with a minimum dimension of eight feet (2438mm).
2. In buildings with eight or fewer units, the fire command center shall be a minimum 48 square feet with a minimum dimension of six feet.

508.1.4 – 508.1.6 {CFC text not modified}

508.1.7 {CFC text not modified}

Exception: In buildings four or more stories in height, but not classified as a high-rise by the California Building Code

508.1.8 Floor Plan Signs. Buildings four or more stories in height and all buildings classified as high-rise buildings by the *California Building Code* shall post a floor plan sign which provides emergency procedures at every stairway landing, elevator landing, and immediately inside all public entrances to the building. Information contained in the floor plan signs shall include, but not be limited to the following:

1. Location of exits and fire alarm initiating stations;
2. Description of fire alarm sounds and appearance;
3. Fire Department emergency telephone number 911;
4. Prohibition of the use of elevators during emergencies;
5. Instructions to be followed by ambulatory, non-ambulatory, and disabled persons in the event of an emergency
6. Notation “you are here” or other readily understandable marking specifying the location on the floor plan sign.
7. Floor plan signs shall be printed in non-decorative lettering which shall not be less than 3/16” of an inch in height and shall provide a sharp contrast with the background. The information shall accurately depict the layout of the floor where the sign is located.

Sec. 15.35.150 Amendment to 2019 CFC Section 903 (Automatic Sprinkler Systems).

Sections 903 of the 2019 California Fire Code are amended as follows:

903.1 – 903.1.1 {CFC text not modified}

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

Exceptions:

1. Automatic fire sprinkler protection for fixed guide way transit systems shall be as per Section 903.2.17.
2. Canopies over motor vehicle fuel dispensing facilities when constructed in accordance with Section 406.7.2 of the 2019 California Building Code.

3. Temporary construction trailers, less than 1,650 square feet, on-site less than one year and 10' from property lines, building, structures and combustibles.
4. The following detached Group U occupancies: Barns, fences more than six feet high, grain silos accessory to residential occupancies, green houses, gazebos or similar structures accessory to residential occupancies, livestock shelters, retaining walls, tool or storage sheds, stables, tanks, towers.
5. Detached Group U occupancies housing dumpsters or refuse containers with floor areas of 500 sq. ft. or less are exempt from installation of automatic fire extinguishing systems.
6. Detached one-story Group U occupancies housing dumpsters or refuse containers with floor area of 500 to 1500 sq. ft. are exempt from installation of automatic fire extinguishing systems provided all of the following requirements are met:
 - a. Building is constructed to Type IV, Type V 1-Hour, or a higher fire-resistive construction, and
 - b. Minimum five-foot setback to property line and ten-foot setback to any other building on the site is maintained.
7. Airport Control Towers (see 903.2.11.3 exception #1)
8. Parking shade structures or solar trellises when constructed of non-combustible materials, set back from property lines and separated from buildings in accordance with the California Building Code.

903.2.1 Group A and B. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A and B occupancies.

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout Group A-1 occupancies.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided throughout Group A-2 occupancies.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout Group A-3 occupancies.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout Group A-4 occupancies.

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided throughout Group A-5 occupancies.

903.2.1.6 – 903.2.1.7 {CFC text not modified}

903.2.2 Ambulatory care facilities. An automatic sprinkler system shall be provided throughout Ambulatory care facilities.

903.2.3 Group E. Except as provided for in Sections 903.2.3 for a new public school campus and 907.2.3 (fire alarm and detection) for modernization of an existing public school campus building(s), an automatic sprinkler system shall be provided for Group E occupancies.

903.2.4 Group F. An automatic sprinkler system shall be provided throughout all buildings containing Group F occupancies.

903.2.4.1 {CFC text not modified}

903.2.5 Group H. An automatic sprinkler system shall be provided throughout all buildings containing Group H occupancies.

903.2.5.1 – 903.2.5.4 {CFC text not modified}

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

903.2.6.1 {CFC text not modified}

903.2.6.2 {CFC text not modified}

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy.

903.2.7.1 {CFC text not modified}

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

903.2.8.1 – 903.2.8.4 {CFC text not modified}

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy.

903.2.9.1 – 903.2.9.2 {CFC text not modified}

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as parking garages in accordance with Section 406.4 of the California Building Code or where located beneath other groups.

903.2.10.1 Commercial Parking Garages. An automatic sprinkler system shall be provided throughout buildings used for the storage of commercial trucks and buses.

903.2.11 Specific building areas and hazards. In all occupancies, an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.6.

903.2.11.1 Stories without openings. An automatic sprinkler system shall be installed throughout every story or basement without openings.

903.2.11.1.2 through 903.2.11.1.3 - deleted

903.2.11.2 {CFC text not modified}

903.2.11.3 {CFC text not modified}

Exceptions – deleted

903.2.11.4 – 903.2.17.2.6 {CFC text not modified}

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports and garages, accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13-D. Fire sprinklers shall be residential or quick response sprinklers, designed to provide a minimum density of .05 gpm/ft² over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception: Group U private garages and carports attached to Group R-3 Accessory Dwelling Units.

903.2.19 – 903.2.20 {CFC text not modified}

903.2.21 Additions to Group A, B, E, F, H, I, L, M, R, S, and certain miscellaneous Group U occupancies. For additions to existing Groups A, B, E, F, H, I, L, M, R, S, and U occupancies not exempted in 903.2, an automatic fire extinguishing system (AFES) shall be required throughout the entire building when one of the following thresholds is exceeded. For purposes of floor area calculations, Group U (attached private garages or similar) occupancies shall be included in the floor area calculation.

1. The combined floor area of the existing building plus the addition exceeds 5,000 square feet.
2. The addition exceeds 2,500 square feet.
3. The addition increases the floor area of the existing building by 50%. The increase in floor area shall be calculated cumulatively from July 1, 1999.

Exception: The existing portion of a one or two story building with no basement does not require automatic fire extinguishing systems when the following conditions are met:

- (a) The addition is protected by an AFES.

(b) The addition and the existing structure are separated from the remaining spaces based on the non-sprinklered type of construction and occupancy in accordance with the CFC, including any required protection and fire rated openings.

(c) An Assembly, Education, Institutional and Multi-Family Residential occupancy installs an underwriter laboratory certified and National Fire Protection Association Standard 72 compliant fire alarm system.

903.2.22 Additions to existing R-3 occupancies. For additions to R-3 occupancies, an automatic fire extinguishing system (AFES) shall be required throughout the entire building when one of the following thresholds is exceeded. For purposes of floor area calculations, Accessory Dwelling Units and Group U attached private garages, or similar occupancies shall be included in the floor area calculation:

1. The combined floor area of the existing building plus the addition exceeds 5,000 square feet.
2. The addition increases the floor area of the existing structure by 50%.

Exception: The entire residence including the addition does not require an AFES when the following conditions are met:

(a) The approved addition is less than 500 square feet and the cumulative floor area is 5,000 square feet or less

or

The approved addition is less than 1,000 square feet, the cumulative floor area is 5,000 square feet or less and an approved local, hard wired or similarly configured, fire alarm and smoke detection system is installed throughout the existing structure and the addition.

(b) No Planning or Building Department variances or exceptions are needed to accommodate the addition.

(c) Exception (a) may be used only once for the first addition or conversion of existing space to habitable space occurring after July 1, 1999.

903.2.23 Repair/Retrofit. All occupancies except Group U occupancies exempted in 903.2 damaged during a fire or natural disaster shall require an automatic fire-extinguishing system to be installed in the entire structure. Retrofit criteria shall be as follows:

1. All installations of automatic fire extinguishing systems and signaling devices shall comply with the current code.
2. Any occupancy that has been damaged as a result of a fire or natural disaster, except as otherwise noted, shall be retrofitted with an automatic fire extinguishing system to the entire building and structure in accordance with the following criteria:

(a) When the estimated value of repair is less than 50 percent of the replacement value of the structure, the damaged portion(s) may be restored to their pre-damaged condition.

(b) When the estimated value of repair is 50 percent or more of the replacement value of the structure, the entire building shall be retrofitted with an automatic fire extinguishing system.

903.2.24 Retrofit for Essential Services Facilities. When the estimated value of repair contained in the engineering evaluation is more than 30 percent of the replacement value of the structure, the entire building shall be retrofitted with an automatic fire extinguishing system.

903.2.25 Retrofit for Historic Buildings or Structures. The minimum criteria for retrofit of Historic Buildings or Structures shall be as included in FMC Section 15.95.070, with due consideration given to the historical rating and nature of the structures. Additional standards and criteria, as noted in the California Code of Regulations and the State of California Historic Building Code, shall apply.

Where conflicts exist between the standards contained herein and the State of California Historic Building Code, the Historic Building Code shall govern.

903.2.26 Alterations to existing R-1, R-2, R-2.1 and R-4 Occupancies: Where the *gross floor area* of a proposed alteration and the *gross floor area* of any alterations that have been undertaken in a 10 year time period starting from January 1, 2017 that exceeds 50 percent of the existing *gross floor area* of the building, an automatic fire extinguishing system (AFES) shall be required throughout the entire building.

The standard for calculating the size of alteration for determining the threshold for fire sprinkler systems shall be:

1. The square footage of every room being added or altered shall be included in the calculation of total square footage of addition or alteration.
2. The entire square footage of an individual room shall be considered added or altered when at least 50 percent or greater of the linear length of interior wall sheeting or ceiling of any one wall within the room is new, removed, or replaced.

903.3 through 903.3.1.1.1 {CFC text not modified}

903.3.1.1.2 Deleted

903.3.1.2. NFPA 13R in Group R Occupancies. Automatic sprinkler system in group R occupancies up to and including 4 stories in height shall be permitted to be installed throughout in accordance with NFPA 13R as amended in Chapter 80 and as follows.

The sprinkler system shall include protection in the following areas: garages, carports, bathrooms, concealed spaces, closets, water heater closets, laundry rooms, attic spaces, under walkways, or overhangs, balconies or decks greater than four feet in depth, at each floor

under stair landing that is wholly or partially enclosed, and other areas where deemed necessary by the Fire Chief and the Building Official to protect the public health and safety.

903.3.1.2.1 - deleted

903.3.1.2.2 - 903.3.1.3 {CFC text not modified}

903.3.1.3.1 NFPA 13D in Group R-3 Occupancies. An automatic fire sprinkler system shall be installed in all Group R-3 occupancies including garages, detached garages, and other attached rooms.

When an Automatic Fire Extinguishing System is required, the system in R-3 occupancies up to 12,000 square feet may be installed to a modified NFPA 13D standard as follows:

A modified NFPA 13D system shall include areas such as; garages, carports, bathrooms, concealed spaces, closets, water heater closets, laundry rooms and attic spaces, under walkways, overhangs or balconies over four feet in depth, at each floor under stair landing that is wholly or partially enclosed; and meet the following requirements:

1. A one-inch water meter or larger may be required to meet AFES hydraulic calculations.
2. For new residences over 5,000 square feet, hydraulic calculations shall be required for all sprinkler heads in the most remote fire area up to a maximum of four sprinkler heads. For new residences of less than 5,000 square feet, hydraulic calculations shall be required for all sprinkler heads in the most remote area up to a maximum of two sprinkler heads.
3. Five gallons per minute for domestic use shall be added at the domestic and fire water supply split point.
4. In residences with high, sloped, beamed, soffited, cathedral ceilings or smooth flat ceilings greater than nine feet, additional fire sprinkler head discharge calculations may be required.
5. Each system shall have a single control valve arranged to shut off both the domestic and sprinkler systems.
6. In residential sprinkler projects, the fire chief with the concurrence of the building official may grant alternate methods of construction.

Exceptions. This section does not apply to:

(a) Any structure exempt from permit requirements per the currently adopted California Building Code or the California Fire Code is exempt from the requirements for fire sprinklers.

(b) All exterior decks without roof covering adjacent to R-3 occupancies, unless

otherwise required by the Fire Chief or Building Official. This exemption shall not apply to R-3 occupancies in the Wildland Urban Interface.

903.3.2 through 903.3.5.2 {CFC text not modified}

903.3.5.3 Underground water supply. The location of the fire department connection, post indicator valve and the routing of the water supply for multi-building facilities or buildings over 300,000 square feet shall be evaluated on an individual basis.

Underground fire lines to the automatic sprinkler risers and fire hydrants to buildings over 300,000 square feet shall have separate loops. The same two points of connection to the public water supply can be utilized with separate piping to each loop of each building. Post Indicator Valve (PIV) shall be located after each backflow preventer and a Fire Department Connection (FDC) sufficient to provide the fire flow demand after the PIV at one point of connection.

903.3.6 {CFC text not modified}

903.3.7 Fire department connections. A fire department connection shall be provided for all buildings, or when the Fire Code Official deems them necessary. The type and location of fire department connections shall be approved by the fire code official.

Exception: Group R-3 occupancies less than 12,000 square feet do not require fire department connections.

903.3.8 – 903.3.8.5 {CFC text not modified}

903.3.9 Floor control valves. Floor control valves and waterflow detection assemblies shall be installed at each floor. An exterior control valve shall be provided for all buildings except Group R, Division 3 occupancies.

Exception: Group R-2 without an interior hallway, R-3 and R-3.1.

903.3.10 Underground corrosion protection. A corrosion protection plan, including details and specifications for all ferrous underground piping must be designed and provided by a corrosion engineer certified by the National Association of Corrosion Engineers (NACE) or its equivalent.

Exception: underground piping systems with cathodic protection on all ferrous piping.

903.3.11 Control Valves. Control valves and flow switches shall be installed on each floor. All control valves shall be monitored by a Central Station.

903.3.12 Stages. All stages shall be provided with an automatic fire extinguishing system. Such systems shall be provided throughout the stage and in dressing rooms, workshops, storerooms and other accessory spaces contiguous to such stages.

903.3.13 Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in all occupancies.

903.3.14 Speculative Warehousing. The sprinkler system shall be designed to discharge at the following rates:

1. Where clear ceiling heights are 20 feet or less, 0.33 gallons per minute, per square foot, over a minimum area of 3,000 square feet.
2. Where clear ceiling heights are between 20 and 30 feet, 0.495 gallons per minute, per square foot, over a minimum area of 3,000 square feet.
3. Where clear ceiling heights are over 30 feet, 0.60 gallons per minute, per square foot, over a minimum of 3,000 square feet.

903.3.15 Modification to existing automatic fire extinguishing system (AFES). All changes or additions to any existing automatic fire sprinkler systems or underground fire lines must comply with all regulations within this section.

903.4 {CFC text not modified}

Exceptions:

1. - 4. {CFC text not modified}
5. deleted
6. - 7. {CFC text not modified}

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly and descriptively different, transmitted to the control panel, local annunciator and automatically transmitted to an approved central station, remote supervising station, or proprietary supervising station as defined in NFPA 72 and the most current version of Fire Department Standard 25A. When approved by the fire code official, signals may sound an audible signal at a constantly attended location.

Exceptions: {CFC text not modified}

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarms devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible notification devices shall be provided inside each tenant space in a normally occupied area and on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall activate the building fire alarm system. Visible alarm notification appliances shall not be required except when required by Section 907.

Group R-3 occupancies shall have local alarms. Local alarms shall be of sufficient intensity

to be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

1. An exterior alarm bell shall be installed on the front 1/3 of the building facing public or private street access.
2. Interior alarm devices (minimum DCBL rating of 88) may be recessed into the wall, centrally located between sleeping rooms in hallway.
3. Such alarms shall be audible in all sleeping rooms with doors closed.

903.4.3 {CFC text not modified}

903.4.4 Central Station Monitoring. An approved central alarm monitoring company shall mean approved by the State Fire Marshal or a nationally recognized testing laboratory. All alarm transmitting devices and systems shall be installed and maintained in accordance with nationally recognized standards.

Valve supervision, water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote station or proprietary supervising station as defined by national standards or, when approved by the building official with the concurrence of the fire chief, sound an audible signal at a consistently attended location.

Exceptions:

(a) Underground key or hub valves in roadway boxes provided by the municipality or public utility need not be supervised.

(b) Monitored systems are not required for Group R, Division 3 occupancies.

903.5 – 903.6 {CFC text not modified}

Sec. 15.35.160 Amendment to the 2019 CFC Section 904 (Alternative Automatic Fire-Extinguishing Systems).

Section 904 of the 2019 California Fire Code is amended as follows:

904.1 – 904.3.4 {CFC text not modified}

904.3.5 Monitoring. Where a building fire alarm system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system in accordance with NFPA 72 and Fire Department Standard 25A.

904.4 - 904.14.1 {CFC text not modified}

904.15 Ventilating Hood and Duct Systems and Air Handlers. All buildings with an existing or new fire alarm/sprinkler monitoring control panel shall interconnect all hood and duct systems and air handlers over 2000 cfm to the alarm panel. The hood and duct shall report to

a central station as a fire condition. Air handlers shall report as a supervisory or trouble condition when the building is provided with fire sprinklers. They shall report as an alarm in buildings without fire sprinklers.

Sec. 15.35.170 Amendment to 2019 CFC Section 905 (Standpipes).

Section 905 of the 2019 California Fire Code is amended as follows:

905.1 {CFC text not modified}

905.1.1 Hose connections. All Class I, II and III standpipe outlets in multi-storied buildings or buildings with basements shall be installed on intermediate landings between floors.

905.2 – 905.3.1 {CFC text not modified}

905.3.2 Group A. Class I standpipes shall be provided in Group A buildings having an occupant load exceeding 1,000 persons.

Exceptions:

1. {CFC text not modified}

2. deleted

905.3.3 – 905.1.1 {CFC text not modified}

Sec. 15.35.180 Amendment to the 2019 CFC Section 907 (Fire Alarm and Detection Systems).

Section 907 of the 2019 California Fire Code is amended as follows:

907.1 – 907.1.2 {CFC text not modified}

907.1.3 Equipment. Systems and their components shall be California State Fire Marshal listed and approved for the purpose for which they are installed. The building owner shall provide a serially numbered certificate from an approved nationally recognized testing laboratory for all fire alarm systems indicating that the system has been installed in accordance with the approved plans and specification and meets minimum NFPA Standards. A copy shall be provided to the fire marshal's office at no cost to the city. Certification shall be required for all new systems installed after January 1, 1996. Existing systems that can no longer be serviced or maintained or those that are deemed problematic shall also be required to obtain this certification within 12 months of notification.

907.1.3.1 Remote Annunciator Location. All new or existing systems that require a new Fire Alarm Control Panel shall have a remote annunciator at the main entrance. It shall be visible to approaching emergency personnel.

907.1.4 – 907.1.5 {CFC text not modified}

907.2 {CFC text not modified}

Exceptions:

1. deleted
2. – 3. {CFC text not modified}

907.2.1 – 907.2.5.1 {CFC text not modified}

907.2.5.2 All new H occupancies, or existing H occupancies that require a new fire alarm control panel, and that have a local detection system(s) shall interconnect, or otherwise configure, the system(s) to report to a Central Station as a fire condition or alarm condition. The report shall be in nomenclature easy to understand (e.g. Water, not H2O).

907.2.6 – 907.2.9 {CFC text not modified}

907.2.9.1 Group R-2 and R-2.1. A manual fire alarm system shall be in Group R-2 occupancies where:

1. {CFC text not modified}
2. {CFC text not modified}
3. The building contains more than eight dwelling units or sleeping units.
4. {CFC text not modified}

Exceptions: {CFC text not modified}

907.2.9.2 – 907.2.29.1 {CFC text not modified}

907.3 Fire safety functions. Automatic fire detectors utilized for the purpose of performing fire safety functions shall be connected to the building's fire alarm control unit where a fire alarm or sprinkler monitoring system is installed. Detectors shall, upon actuation, perform the intended function and activate the alarm notification appliance or activate a visible and audible supervisory signal at a constantly attended location when approved by the Fire Code Official. In buildings not required to be equipped with a fire alarm or sprinkler monitoring system, the automatic fire detector shall be powered by normal electrical service and, upon actuation, perform the intended function. The detectors shall be located in accordance with NFPA 72 and Fire Department Standard 25A.

907.3.1 Duct Smoke Detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm/sprinkler monitoring is installed. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a central station or when approved by the Fire Code Official at a constantly attended location and shall perform the intended fire safety function in accordance with this code and

the California Mechanical Code. Duct smoke detectors shall not be used as a substitute for required open area detection.

Exceptions:

1. The supervisory signal at a constantly attended location is not required where duct smoke detectors activate the building's notification appliances.
2. In occupancies, not required to be equipped with a fire alarm or sprinkler monitoring system, actuation of a smoke detector shall activate a visible and an audible signal in an approved location and shall be identified as air duct detector supervisory.

907.3.2 - 907.6.1.1 {CFC text not modified}

907.6.2 Power Supply. The primary and secondary power supply for the alarm system shall be provided in accordance with NFPA 72 and Fire Department Standard 25A.

Exception: {CFC text not modified}

907.6.3 Initiating device identification. The fire alarm/fire sprinkler monitoring system shall identify the specific initiating device address/zone, location, device type, floor level per the Fire Department Standard 25A including indication of normal, alarm, trouble and supervisory status as appropriate.

Exception:

1. deleted
2. deleted
3. deleted
4. Fire alarm systems or devices that have multiple devices on a single zone and the existing wiring can be used with the new replacement system.

907.6.4 Zones. Fire alarm and sprinkler monitoring systems shall be divided into zones where required by this section. For the purposes of annunciation and notification, zoning shall be in accordance with Fire Department Standard 25A.

907.6.4.1 - 907.6.4.1.1 {CFC text not modified}

907.6.4.2 High-rise buildings. In high-rise buildings, and Group I-2 occupancies having occupied floors located more than 75 feet (22860mm) above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.

3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems in accordance with Fire Department Standard 25A.

907.6.4.3 {CFC text not modified}

1. Fire alarm initiating devices with individual annunciation in accordance with the Fire Department Standard 25A.
2. {CFC text not modified}
3. Fire alarm system troubles in accordance with the Fire Department Standard 25A.
4. {CFC text not modified}
5. {CFC text not modified}

907.6.4.4 - 907.6.5 {CFC text not modified}

907.6.6 Monitoring. Fire alarm system shall transmit distinctly and descriptively different alarm, supervisory and trouble signals to an approved supervising station in accordance with NFPA 72 and Fire Department Standard 25A or when approved by the Fire Code Official, shall sound an audible signal at a constantly attended location.

907.6.6.1 – 907.9 {CFC text not modified}

Sec. 15.35.190 Amendment to 2019 CFC Section 914 (Fire Protection Based on Special Detailed Requirements of Use and Occupancy).

Exceptions: {CFC text not modified}

Section 914 of the 2019 California Fire Code is amended as follows:

914.1 – 914.2.2 {CFC text not modified}

914.2.3 Emergency voice/alarm communication system. A covered mall building or buildings within the perimeter line of an open mall shall be provided with an emergency voice/alarm communication system. Emergency voice/alarm communication system serving a mall, required or otherwise, shall be accessible to the fire department. The system shall be provided in accordance with Section 907.5.2.2.

914.2.4 – 914.11.3 {CFC text not modified}

914.12 Building four stories or more. Buildings four stories or more measured from the Fire department access roadway shall be provided with an emergency voice/alarm communication system. Emergency voice/alarm communication system required or otherwise, shall be accessible to the fire department. The system shall be provided in accordance with Section

907.5.2.2

Sec. 15.35.200 Amendment to 2019 CFC Section 1103 (Fire Safety requirements for existing Buildings.

Section 1103 of the 2019 California Fire Code is amended as follows:

1103.1 – 1103.7.5 {CFC text not modified}

1103.7.5.1 Group R-1 hotels and motels manual fire alarm system. A manual fire alarm system shall be installed in existing Group R-1 hotels and motels more than three stories or with more than eight sleeping units.

Exceptions:

1. Buildings less than two stories in height where all sleeping units, attics and crawl spaces are separated by one hour fire resistance-rated construction and each sleeping unit has direct access to a public way, exit court or yard.
2. Manual fire alarm boxes are not required throughout the building when the following conditions are met:
 - 2.1. The building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
 - 2.2 The notification appliances will activate upon sprinkler water-flow; and
 - 2.3 At least one manual fire box is installed at an approved location.

1103.7.5.1.1 – 1103.7.5.2.1 {CFC text not modified}

1103.7.6 Group R-2. An automatic or manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-2 occupancies more than two stories in height or more than 8 dwelling or sleeping units.

Exceptions:

1. deleted
2. {CFC text not modified}
3. {CFC text not modified}
4. {CFC text not modified}

1103.7.7 MISSING FROM 2019 CFC

1103.7.8 - 1103.10 {CFC text not modified}

Sec. 15.35.210 Amendment to 2019 CFC Section 4902 (Definitions).

Section 4902 of the 2019 California Fire Code is amended by modifying the following definitions in Section 4902.1. All other provisions of Section 4902 are not modified.

LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE means those areas designated by the city of Fremont as Very High Fire Hazard Severity Zones in Fremont Municipal Code Chapter 16.65.

WILDLAND-URBAN INTERFACE FIRE AREA is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with Public Resources Code Sections 4201 through 4204 and Government Code Sections 51176 through 51189, and includes those areas designated by the city of Fremont as Very High Fire Hazard Severity Zones in Fremont Municipal Code, Chapter 16.65.

Sec. 15.35.220 Amendment to 2019 CFC Section 4903 (Fire Protection Plans).

Section 4903 of the 2019 California Fire Code is amended as follows:

4903.1 General. When required by the fire chief, a fire protection plan shall be prepared.

4903.2 Content. The plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

4903.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4903.4 Plan Retention. The fire protection plan shall be retained by the Fire Code Official.

Sec. 15.35.230 Amendment to 2019 CFC Section 4905 (Wildfire Protection Building Construction).

Section 4905 of the 2019 California Fire Code is amended as follows:

4905.1 - 4905.2 {CFC text not modified}

4905.3 Establishment of limits. The establishment of limits for the Wildland-Urban Interface Fire Area’s required construction methods shall be designated under the California Public Resources Code for the State Responsibility areas and by the areas designated as Very High Fire Hazard Severity Zones by the city of Fremont under Government Code Section 51179 as set forth in Fremont Municipal Code, Chapter 15.65 for areas outside the State Responsibility areas and within the city of Fremont.

Sec. 15.35.240 Amendment to 2019 CFC Section 4907 (Defensible Space).

Section 4907 of the 2019 California Fire Code is amended as follows:

4907.1 Requirements. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining the Wildland-Urban Interface Fire Area and persons owning, leasing or controlling land adjacent to such buildings or structures, shall:

4907.1.1 At all times comply with the provisions of Government Code Section 51182 and Public Resources Code Section 4291 as adopted and amended by this Article. In the event of a conflict between these provisions, the more restrictive requirement shall prevail.

4907.1.2 When required by the Fire Chief under either Government Code Section 51182(a)(2) due to steepness of terrain or other conditions that would cause a defensible space of only 30 feet (9144 mm) to be insufficient, or by rules or regulations adopted by the fire chief under Public Resources Code Section 4117, maintain additional effective defensible space by removing brush, flammable vegetation and combustible growth located 30 feet to 100 feet (9144 mm to 30480 mm) from the buildings or structures.

Exception: Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

Sec. 15.35.250 Amendment to 2019 CFC Section 5001 (General).

Section 5001 of the 2019 California Fire Code is amended as follows:

5001.1 –5001.5 {CFC text not modified}

5001.5.1 {CFC text not modified}

1. – 9. {CFC text not modified}

10. The HMMP, also known as the Hazardous Materials Business Plan (HMBP) and HMIS are to be reviewed at a minimum of once per year and any needed changes made and submitted to the fire chief as provided in Fremont Municipal Code Section 8.35.010 *et seq.* Major changes to the facility may require updating of the HMBP and HMIS more often than annually.

11. If the chief, or his authorized representative, determines that a facility poses a significant likelihood of risk to public health and safety or the environment, whether or not the facility handles regulated materials (federal and state RMP chemicals), the fire chief can require at the expense of the owner or operator that the facility prepare a California Accidental Release Prevention Program in accordance with the California Health and Safety Code Sections 25500 *et seq.*

The HMMP shall comply with Health and Safety Code, Chapter 6.95, Sections 25500 through 25545, and Title 19, Division 2, Chapter 4.

Sec. 15.35.260 Amendment to 2019 CFC Section 5003 (General Requirements).

Section 5003 of the 2019 California Fire Code is amended as follows:

5003.1 – 5003.2.4 {CFC text not modified}

5003.2.4.1 Underground Tanks. Underground tanks used for the storage of liquid hazardous material shall be provided with secondary containment. In lieu of providing secondary containment for an underground tank, an above-ground tank in an underground vault complying with Section 5704.2.8 may be permitted.

Underground tanks shall also comply with the laws and regulations set forth in Chapter 6.7, Division 20, Sections 25280 through 25299.7, Underground Storage of Hazardous Substances, of the California Health and Safety Code and the associate regulations in the California Code of Regulations Title 23, Waters, Chapter 3, Water Resources Control Board, subchapter 16, Underground Tank Regulations, as amended, are adopted by reference to be the minimum standards in effect in the city. The city can require more stringent standards through other sections of this Code.

5003.2.4.2 – 5003.2.9.2 {CFC text not modified}

5003.2.10 Fire Protection for Workstations. When the building is protected by an automatic fire protection system, an approved fire protection system in accordance with Section 2703.10 shall be provided for all combustible (plastic) workstations where hazardous materials are dispensed, stored or used.

Exception: Internal fire protection is not required for Biological Safety Cabinets that carry NSF/ANSI certification and where aggregate quantities of flammable liquids in use or storage within the cabinet do not exceed 500ml.

The chief may approve alternate automatic fire-extinguishing systems. Activation of such systems shall deactivate the related processing equipment. An alternative automatic fire-extinguishing system other than automatic fire sprinkler heads may be installed where:

1. In process equipment that operates at temperatures exceeding 932 degrees F (500 degrees C).
2. In exhaust ducts 10 inches (254 mm) or less in diameter for flammable gas storage cabinets that are part of a workstation.

5003.3 – 5003.5 {CFC text not modified}

5003.5.1 Markings. Individual containers, cartons or packages shall be conspicuously marked or labeled in an approved manner. Rooms or cabinets containing compressed gases shall be conspicuously labeled: COMPRESSED GAS. Product conveying ducts for venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

5003.6 –5003.9.10 {CFC text not modified}

5003.9.11 Monitoring. Liquid and solid hazardous materials storage or use systems must be monitored on a regular or continuous basis. A written monitoring plan must be submitted for approval by the chief and must be included in the Hazardous Materials Business Plan. Monitoring methods may include but are not limited to the following:

1. Visual inspection, no less than monthly (requires trained personnel and documentation).
2. Approved continuous leak detection and alarm system.
3. Any system which will provide continuous, reliable monitoring of the primary container(s) capable of alerting occupants to an alarm or trouble condition; all systems are subject to approval by the chief.

5003.9.12 Spill Control for hazardous materials liquids. Regardless of the exempt amounts and containment requirements in Chapter 50, all containers of liquid hazardous materials regulated by this or any other article shall be provided with an approved means to control spills. The spill control shall take into consideration the amount and hazard of the materials and the nature of the facility.

5003.9.13 Secondary Containment requirements. When deemed necessary to protect life safety, emergency responders, or the environment and regardless of the exempt amounts and secondary containment requirements in Chapter 50, the fire chief, or his designee, may require containers of liquid, solid, or gaseous hazardous materials regulated by this or any other article to be provided with secondary containment in accordance with Section 5004.2.2.

If parts of this Code differ in their requirements for secondary containment, the more stringent shall apply. The chief may require outside containment areas to be covered with a roof or canopy for protection from the environment.

5003.10 – 5003.12 {CFC text not modified}

Sec. 15.35.270 Amendment to 2019 CFC Section 5004 (Storage).

Section 5004 of the 2019 California Fire Code is amended as follows:

5004.1 Scope. Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003, and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

Notwithstanding CFC Chapter 50, hazardous materials present below the exempt amounts specified in Section 5003.1 shall be provided with an approved method of spill protection

designed to address a release from the single largest container. The spill protection shall take into consideration the amount and hazard of the materials and the nature of the facility.

5004.2 {CFC text not modified}

5004.2.1 Spill control for hazardous materials liquids. Rooms, buildings or areas used for the storage of hazardous materials in excess of their permit amount or 55 gallons, whichever is less, shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas in outdoor locations provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings that are provided with an open-grate trench across the opening that connects to an approved collection system.

5004.2.2 Secondary containment for hazardous materials liquids and solids. Buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section when the capacity of an individual vessel or the aggregate capacity of multiple vessels exceeds the following:

1. Liquids: Capacity of an individual vessel exceeds 55 gallons (208.2L) or the aggregate capacity of multiple vessels exceeds 1,000 gallons (3,785L); and
2. Solids: Capacity of an individual vessel exceeds 550 pounds (248.8 kg) or the aggregate capacity of multiple vessels exceeds 10,000 pounds (4,524.8 kg).

5004.2.2.1 Containment and drainage methods. The building, room or area shall contain or drain the hazardous materials and fire-protection water through the use of one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas in outdoor locations provided with liquid-tight raised or recessed sills or dikes.

3. Sumps and collection systems.
4. Drainage systems leading to an approved location.
5. Other approved engineered systems.

5004.2.2.2 Incompatible materials. Incompatible materials shall be separated from each other in discrete secondary containment system(s).

5004.2.2.3 – 5004.2.2.6 {CFC text not modified}

5004.2.2.7 Weather protection. The chief may require weather protection for exterior storage and containment of hazardous materials.

Table 5004.2.2 (Required Secondary Containment-Hazardous Materials Solids and Liquids Storage) is deleted.

5004.2.3 – 5004.13 {CFC text not modified}

Sec.15.35.280 Amendment to 2019 CFC Section 5005 (Use, Dispensing and Handling).

Section 5005 of the 2019 California Fire Code is amended as follows:

Table 5005.2.1.4 (Required Secondary Containment-Hazardous Liquids Use) is deleted.

5005.1 – 5005.2.1.2 {CFC text not modified}

5005.2.1.3 Spill control for hazardous materials liquids. Buildings, rooms or areas where hazardous materials liquids are dispensed into vessels or used in open systems shall be provided with spill control in accordance with Section 5004.2.1.

5005.2.1.4 Secondary containment for hazardous materials liquids. Buildings, rooms or areas where hazardous materials liquids are dispensed or used in open vessels or systems shall be provided with secondary containment in accordance with Section 5004.2.2 when the capacity of an individual vessel or system or the capacity of multiple vessels or systems exceeds the following:

1. Individual Vessel or System: Greater than 1.3 gallons (5 L)
2. Multiple Vessels or Systems: Greater than 5.3 gallons (20 L)

5005.2.2 – 5005.2.2.2 {CFC text not modified}

5005.2.2.3 Spill control for hazardous materials liquids. Buildings, rooms or areas where hazardous materials liquids are used shall be provided with spill control in accordance with Section 5004.2.1.

5005.2.2.4 Secondary containment for hazardous materials liquids. Buildings, rooms or areas where hazardous materials liquids are used in vessels or systems shall be provided with secondary containment in accordance with Section 5004.2.2 when the capacity of an individual vessel or system or the capacity of multiple vessels or systems exceeds the following:

1. Individual Vessel or System: Greater than 55 gallons (208.2 L)
2. Multiple Vessels or Systems: Greater than 1,000 gallons (3785 L)

5005.3 – 5005.3.3 {CFC text not modified}

5005.3.4 Spill control for hazardous materials liquids in open systems. Outdoor areas where hazardous materials liquids are dispensed or used in open systems shall be provided with spill control in accordance with Section 5004.2.1.

5005.3.5 Secondary containment for hazardous materials liquids in open systems. Buildings, rooms or areas where hazardous materials liquids are dispensed or used in open systems shall be provided with secondary containment in accordance with Section 5004.2.2 when the capacity of an individual vessel or system or the capacity of multiple vessels or systems exceeds the following:

1. Individual Vessel or System: Greater than 1.3 gallons (5 L)
2. Multiple Vessels or Systems: Greater than 5.3 gallons (20 L)

5005.3.6 Spill control for hazardous materials liquids in closed systems. Outdoor areas where hazardous materials liquids are used in closed systems shall be provided with spill control in accordance with Section 5004.2.1.

5005.3.7 Secondary containment for hazardous materials liquids in closed systems. Outdoor areas where hazardous materials liquids are dispensed or used in closed systems shall be provided with secondary containment in accordance with Section 5004.2.2 when the capacity of an individual vessel or system or the capacity of multiple vessels or systems exceeds the following:

1. Individual Vessel or System: Greater than 55 gallons (208.2 L)
2. Multiple Vessels or Systems: Greater than 1,000 gallons (3785 L)

5005.3.8 – 5005.4.4 {CFC text not modified}

Sec. 15.35.290 Amendment to 2019 CFC Section 5601 (General).

Section 5601 of the 2019 California Fire Code is amended as follows:

5601.1 – 5601.1.2 {CFC text not modified}

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of

fireworks are prohibited.

Exceptions:

1. deleted
2. deleted
- 3-4. {CFC text not modified}

5601.1.4 – 5601.8.1.4 {CFC text not modified}

Sec. 15.35.300 Amendment to 2019 CFC Section 5605 (Manufacture, Assembly and Testing of Explosives, Explosive Materials and Fireworks).

Section 5605 of the 2019 California Fire Code is amended to read:

5605.1 General. The manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall be prohibited.

Exceptions:

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.
2. The mixing and loading of blasting agents at blast sites in accordance with NFPA495.
3. The use of binary explosives or phosphoric materials in blasting or pyrotechnic special effects applications in accordance with NFPA 495 or NFPA 1126.
4. Possession, storage, handling and use of explosives for test and research purposes as permitted and approved by the fire chief.

5605.2 – 5605.2.4 {CFC text not modified}

5605.3-5605.4 deleted

5605.5 {CFC text not modified}

Exception: deleted

5605.5.1-5605.6.10 {CFC text not modified}

5605.7 deleted

5605.8-5605.9 {CFC text not modified}

Sec. 15.35.310 Amendment to 2019 CFC Section 5701 (General).

Section 5701 of the 2019 California Fire Code is amended as follows:

5701.1 – 5701.4 {CFC text not modified}

5701.4.1 Plans. Plans shall be submitted with each application for a permit to store liquids outside of buildings in drums or tanks. The plans shall indicate the method of storage, quantities to be stored, distances from buildings and property lines, access ways, fire-protection facilities, and provisions for spill control and secondary containment.

All plans and specifications shall be prepared and wet stamped by a fire protection engineer, professional engineer, architect or similarly registered individual.

5701.5 {CFC text not modified}

Sec. 15.35.320 Amendment to 2019 CFC Section 5703 (General Requirements).

Section 5703 of the 2019 California Fire Code is amended as follows:

5703.1 – 5703.6.11 {CFC text not modified}

5703.6.12 Monitoring. Flammable and combustible liquid storage or use systems must be monitored on a regular or continuous basis. A written monitoring plan must be submitted for approval by the chief and must be included in the Hazardous Materials Business Plan. Monitoring methods may include but are not limited to the following:

1. Visual inspection, no less than monthly.
2. Continuous leak detection and alarm system.
3. Any system which will provide continuous, reliable monitoring of the primary container(s) capable of alerting occupants to an alarm or trouble condition; all systems are subject to approval by the fire chief.

Sec 15.35.330 Amendment to 2019 CFC Section 5705 (Dispensing, Use, Mixing and Handling).

Section 5705 of the 2019 California Fire Code is amended as follows:

5705.1 – 5705.3.7.5.2 {CFC text not modified}

5705.3.7.5.3 Spill Control and Secondary Containment. Spill control shall be provided in accordance with Section 5703.4 when flammable or combustible liquids are dispensed into containers or mixed or used in open containers or systems. Spill control and secondary containment shall be provided in accordance with Section 5703.4 when the capacity of an individual container exceeds 1.3 gallon (5L) or the aggregate capacity of multiple containers or tanks exceeds 5.3 gallons (20L).

5705.3.7.6 – 5705.3.7.6.2 {CFC text not modified}

5705.3.7.6.3 Spill Control and Secondary Containment. Spill control shall be provided in accordance with Section 5703.4 when flammable or combustible liquids are dispensed, used or mixed. Spill control and secondary containment shall be provided in accordance with Section 5703.4 when the capacity of an individual container exceeds 55 gallons (208L) or the aggregate capacity of multiple containers or tanks exceeds 1,000 gallons (3785L).

5705.3.8 – 5705.5.1 {CFC text not modified}

Sec. 15.35.340 Amendment to 2019 CFC Section 6004 (Highly Toxic and Toxic Compressed Gases).

Section 6004 of the 2019 California Fire Code is amended as follows:

6004.1 General. The storage and use of highly toxic and toxic compressed gases and those with health hazard rankings of 3 or 4 in accordance with NFPA 49 or NFPA704 shall comply with this section.

6004.1.1 – 6004.1.1.3 {CFC text not modified}

6004.1.1.4 Other areas of Group B, F, M, S or L occupancies. Storage, use, and handling of highly toxic and toxic compressed gases shall comply with the following:

1. When located inside, highly toxic and toxic compressed gases shall be permitted, stored or used only when located within approved gas cabinets, exhausted enclosures, or gas rooms. See also Sections 6004.1.2, 6004.1.3, and 6004.2.2.6.

Exceptions:

1.1 Cylinders of compressed gases with a health hazard ranking of 4 and with a capacity not exceeding 10 cubic feet at normal temperature and pressure (NTP) are allowed in gas cabinets or fume hoods.

1.2 Cylinders of compressed gases with a health hazard ranking of 3 and with a capacity not exceeding 20 cubic feet at normal temperature and pressure (NTP) are allowed in gas cabinets, fume hoods or approved tools designed for their use.

2. When located outside, and when approved by the fire chief, highly toxic and toxic compressed gases shall be kept under a canopy in accordance with 6004.3.

6004.1.2 – 6004.1.3 {CFC text not modified}

6004.1.4 Automatic Shut-Off Valve. An automatic shut-off valve, which is of a fail-safe to close design, shall be provided to shut off the supply of highly toxic gases for any of the following:

1. Activation of a manual fire alarm system.

2. Activation of the gas detection system.
3. Failure of emergency power.
4. Failure of primary containment.
5. Seismic activity.
6. Failure of required ventilation.
7. Manual activation at an approved remote location.

6004.1.5 Emergency Control Station. Signals from emergency equipment used for highly toxic gases shall be transmitted to an emergency control station or other approved monitoring station, which is continually staffed by trained personnel.

6004.1.6 Maximum Allowable Quantity. Toxic gases stored or used in quantities exceeding the maximum allowable quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for highly toxic gases of Section 6004 of this Code.

6004.1.7 Reduced Flow Valve. All containers of materials other than lecture bottles containing Highly Toxic material and having a vapor pressure exceeding 29 psia shall be equipped with a reduced flow valve when available. If a reduced flow valve is not available, the container shall be used with a flow-limiting device. All flow limiting devices shall be part of the valve assembly and visible to the eye when possible; otherwise, they shall be installed as close as possible to the cylinder source.

6004.1.8 Annual Maintenance. All safety control systems at a facility shall be maintained in good working condition and tested not less frequently than annually. Maintenance and testing shall be performed by persons qualified to perform the maintenance and tests. Maintenance records and certifications shall be available to any representative of the Fire Department for inspection upon request.

6004.1.9 Fire Extinguishing Systems. Buildings and covered exterior areas for storage and use areas of materials regulated by this Chapter shall be protected by an automatic fire sprinkler system in accordance with NFPA 13. The design of the sprinkler system for any room or area where highly toxic or toxic gases are stored, handled or used shall be in accordance with Section 5004.5.

6004.1.10 Local Gas Shut Off. Manual activation controls shall be provided at locations near the point of use and near the source, as approved by the fire code official. The fire code

official may require additional controls at other places, including, but not limited to, the entry to the building, storage or use areas, and emergency control stations.

Manual activated shut-off valves shall be of a “fail-safe-to-close” design.

6004.1.11 Exhaust Ventilation Monitoring. For highly toxic gases and toxic gases exceeding

threshold quantities, a continuous monitoring system shall be provided to assure that the required exhaust ventilation rate is maintained. The monitoring system shall initiate a local alarm. The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the interior storage, use, or handling area.

6004.1.12 Emergency Response Plan. If the preparation of an emergency response plan for the facility is not required by any other law, responsible persons shall prepare, or cause to be prepared, and filed with the fire code official, a written emergency response plan. If the preparation of an emergency response plan is required by other law, a responsible person shall file a copy of the plan with the fire chief.

6004.1.13 Emergency Response Team. Responsible persons shall be designated the on-site emergency response team and trained to be liaison personnel for the Fire Department. These persons shall aid the Fire Department in preplanning emergency responses, identifying locations where regulated materials are stored, handled and used, and be familiar with the chemical nature of such material. An adequate number of personnel for each work shift shall be designated.

6004.1.14 Emergency Drills. Emergency drills of the on-site emergency response team shall be conducted on a regular basis but not less than once every three months. Records of drills conducted shall be maintained.

6004.1.15 Cylinder Leak Testing. Cylinders shall be tested for leaks immediately upon delivery and again immediately prior to departure. Testing shall be approved by the fire code official in accordance with appropriate nationally recognized industry standards and practices, if any. Appropriate remedial action shall be immediately undertaken when leaks are detected.

6004.1.16 Inert Gas Purge System. Gas systems shall be provided with dedicated inert gas purge systems. A dedicated inert gas purge system may be used to purge more than one gas, provided the gases are compatible. Purge gas systems inside buildings shall be located in an approved gas cabinet unless the system operates by vacuum demand.

Exceptions:

1. Cylinders of compressed gases with a health hazard ranking of 4 and with a capacity not exceeding 10 cubic feet at normal temperature and pressure (NTP) when used in gas cabinets or fume hoods.
2. Cylinders of compressed gases with a health hazard ranking of 3 and with a capacity not exceeding 20 cubic feet at normal temperature and pressure (NTP) when used in gas cabinets, fume hoods or approved tools designed for their use.

6004.1.17 Seismic Shutoff Valve. An automatic seismic shutoff valve, which is of a fail-safe to close design, shall be provided to shutoff the supply of highly toxic, and toxic gases upon a seismic event within five seconds of a horizontal sinusoidal oscillation having a peak acceleration of 0.3G (1.47m/sec²) and a period of 0.4 seconds.

Exceptions:

1. Cylinders of compressed gases with a health hazard ranking of 4 and with a capacity not exceeding 10 cubic feet at normal temperature and pressure (NTP) when used in gas cabinets or fume hoods.
2. Cylinders of compressed gases with a health hazard ranking of 3 and with a capacity not exceeding 20 cubic feet at normal temperature and pressure (NTP) when used in gas cabinets, fume hoods or approved tools designed for their use.

6004.2 – 6004.2.2.6 {CFC text not modified}

6004.2.2.7 {CFC text not modified}

Exceptions: deleted

6004.2.2.7.1 - 6004.2.2.7.5 {CFC text not modified}

6004.2.2.8 {CFC text not modified}

Exceptions:

1. Emergency power is not required for mechanical exhaust ventilation, treatment systems and temperature control systems where approved fail-safe systems are installed.
2. When the aggregate quantities of toxic or highly toxic gases do not exceed the maximum allowable quantities set forth in Tables 5003.1.1 (2) and 5003.1.1 (4).

6004.2.2.8.1 – 6004.3.2.4 {CFC text not modified}

6004.3.3 Outdoor Storage Weather Protection for Portable Tanks and Cylinders. Weather protection in accordance with Section 5004.13 and this section shall be provided for portable tanks and cylinders located outdoors and not within gas cabinets or exhausted enclosures. The storage area shall be equipped with an approved automatic sprinkler system in accordance with Section 5004.5.

Exception: deleted

6004.3.3.1 Gas Detection Under Canopies. Gas detection in conformance with 6004.2.2.10 shall be provided when the maximum rate of release from a cylinder or tank could result in gas levels above the accepted permissible exposure level at the property line.

6004.3.4 – 6004.3.4.3 {CFC text not modified}

Sec. 15.35.350 Amendment to 2019 CFC Chapter 80 (REFERENCED STANDARDS).

- (a) The reference standards in Chapter 80 of the 2019 California Fire Code are amended

as provided in this section.

(b) NFPA 13-16 is amended to read:

2.2 – 8.15.1.2.15 {CFC text not modified}

8.15.5.6.1 {CFC text not modified}

8.15.7.1. Sprinklers shall be installed under exterior roofs, canopies, balconies, decks, or similar projections exceeding 4 feet in depth.

A.8.15.7.2 – 8.16.1.6.1 {CFC text not modified}

8.16.1.6.1.1 – Deleted

8.16.1.6.1.2 – 25.6.1 {CFC text not modified}

(c) NFPA 13D-16 is amended to read:

5.1.1.2 A spare sprinkler of each type and their specialized sprinkler wrench shall be installed in a spare head box located near the riser, hot water heater, furnace or in locations approved by the Fire Code official.

6.2. Water Supply Sources. When approved by the Fire Code Official and the requirements are met, the following water supply sources shall be considered to be acceptable by this standard.

1. A connection to a reliable waterworks system with or without an automatically operated pump
2. An elevated tank
3. A pressure tank designed to American Society of Mechanical Engineers (ASME) standards for the pressure vessel with a reliable pressure source.
4. A stored water source with an automatically operated pump.
5. A well with a pump sufficient capacity and pressure to meet the sprinkler system demand. The stored water requirement of 6.1.2 or 6.1.3 shall be permitted to be a combination of the water and the well (including the refill rate) plus the water in the holding tank if such tank can supply the sprinkler system.

6.2.2. – 6.2.4 {CFC text not modified}

8.3.4 – Deleted

(d) NFPA 13R-16 {CFC text not modified}

(e) NFPA 14-16 is amended to read:

6.3.7.1 System Water Supply valves, isolation control valves and other valves in fire mains shall be supervised in an approved manner in an open position by one of the following approved methods:

1. Where a building has a fire alarm system or a sprinkler monitoring system installed, the valve shall be supervised by:

(a) A central station, proprietary or remote supervising station.

(b) Deleted

1. Where a building does not have a fire alarm system or a sprinkler monitoring system installed, the valve shall be supervised by:

(a) Locking the valves in the open position or

(b) Sealing valves in an approved weekly recorded inspection where valves are located within fenced enclosures under the control of the owner.

(f) NFPA 15-17 through 22-18 {CFC text not modified}

(g) NFPA 24-16 is amended to read:

4.2.1 – 6.5.1 {CFC text not modified}

6.6.1.1 – deleted

[6.6.1.2 – 10.9.1 {CFC text not modified}

(h) NFPA 25.13 CA through 70.17 {CFC text not modified}

(i) Section NFPA 72-16 is amended to read:

23.8.5.1.2 – Exception deleted

23.8.5.4.1 – 29.8.3.4 {CFC text not modified}

(j) NFPA 80-16 through 2010-15 {CFC text not modified}

Sec. 15.35.360 Supplemental Fire Protection Standards.

The provisions of Fremont Municipal Code Title 15 (Building Regulations and Construction), Chapter 15.60 (Automatic Fire Extinguishing Systems Retrofit Requirements for Certain Types of Apartment Buildings) known as the Fremont Central Corridor Retrofit Ordinance amend the 2019 California Building and Fire Codes as adopted by this Chapter.

Sec. 15.35.370 Location limitations on the storage of explosive, combustible or flammable materials.

(a) Explosive, combustible or flammable materials. The storage of the explosive, combustible or flammable materials listed below is prohibited in all locations within the city of Fremont except as provided in subsections (b) and (c).

- (1) Flammable or combustible liquids in outside aboveground tanks (see CFC Chapter 57).
- (2) Bulk storage of liquefied petroleum gas (see CFC Chapter 61).
- (3) Explosives and blasting agents (see CFC Chapter 56).
- (4) Compressed natural gas (see CFC Chapter 53 and NFPA 52).
- (5) Flammable cryogenic fluids in stationary containers (see CFC Chapter 55).

(b) Location limitations. The materials listed in subsection (a) may be stored in the following districts. The zoning districts listed in this subsection are defined in Title 18 of the Fremont Municipal Code.

- (1) I-L (Light Industrial District).
- (2) I-R (Restricted Industrial District).
- (3) G-I (General Industrial District).
- (4) A (Agricultural District).
- (5) A (F) (Agricultural with Flood Combining District).

(c) Aboveground Class I, II or III-A storage tanks. Aboveground Class I, II or III-A flammable or combustible liquid storage tanks may be allowed when the installation of underground tank(s) is impractical or because of property or building limitations. The tank area may be used for private and governmental fleets, construction vehicles, waste oil storage, and any situation where the fire chief deems it would create a safer condition. Tanks shall not be approved for service stations or other commercial retail applications.

The fire chief or his designee shall have the sole discretion to prohibit use of these tanks based on the safety of the public.

Sec. 15.35.380 Staffing Standards Not Adopted.

Notwithstanding any other provision of this Article, or any provision contained in the 2019 California Fire Code, the 2012 International Fire Code, or the standards established by the National Fire Protection Association (NFPA), staffing standards are not established by this Article and any direct or indirect reference by any document incorporated by reference by this Article pertaining to staffing standards is expressly excluded and not adopted by this Article.

SECTION 3. CEQA

The City Council finds under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The City Council therefore directs that a Notice of Exemption be filed with the Alameda County Clerk in accordance with the CEQA Guidelines.

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect and be enforced beginning January 1, 2020.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. Such section, subsection, sentence, clause or phrase, instead, shall be superseded and replaced by the corresponding provisions, if any exist, of Title 24 of the California Code of Regulations. The City Council of the City of Fremont hereby declares that it would have passed this ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. POSTING AND PUBLICATION

The City Clerk has prepared and published at least five days before the date of adoption a summary of this ordinance once in a newspaper of general circulation printed and published in Alameda County and circulated in the City of Fremont. A certified copy of the full text of the ordinance was posted in the office of the City Clerk since at least five days before this date of adoption. Within 15 days after adoption of this ordinance, the City Clerk shall cause the summary to be published again with the names of those City Council members voting for and against the ordinance and shall post in the office of the City Clerk a certified copy of the full text of this adopted ordinance with the names of those City Council members voting for and against the ordinance.

* * *

The foregoing ordinance was introduced before the City Council of the City of Fremont at the regular meeting of the City Council, held on the 15th day of October, 2019, and finally adopted at a regular meeting of the City Council held on the 5th day of November 5, 2019, by the following vote:

AYES: Mayor Mei; Vice Mayor Salwan; Councilmembers; Bacon, Keng, Jones, Kassan and Shao

NOES: None

ABSENT: None

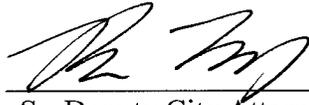
ABSTAIN: None



Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


Sr. Deputy City Attorney