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ORDINANCE NO. XX-2010

AN ORDINANCE OF THE CITY OF FREMONT ADOPTING AND AMENDING THE 2010 CALIFORNIA FIRE CODE AND AMENDING FREMONT MUNICIPAL CODE TITLE VII (BUILDING REGULATIONS), CHAPTER 1 (FREMONT BUILDING STANDARDS CODE), ARTICLE 7 (FREMONT FIRE CODE)

The City Council of the City of Fremont does ordain as follows:

SECTION 1. REPEALS

Those portions of Ordinances 32-2007 and 20-2009 amending Fremont Municipal Code Title VII, Chapter 1, Article 7 that are in conflict with or superseded by the provision of this ordinance are repealed.

SECTION 2. FMC §7-1710 AMENDED

Section 7-1710 of Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) is amended to read:

Sec. 7-1710 Adoption of the 2010 CFC With Amendments.

The 2010 edition of the California Fire Code ("CFC") as published by the International Code Council 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 Article. A copy of 2010 CFC is on file in the office of the city clerk.

SECTION 3. FMC §7-1712 AMENDED

Section 7-1712 of Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) is amended to read:

Sec. 7-1712 Adoption of certain 2010 CFC Appendices

The following Appendices of the 2010 California Fire Code are adopted 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 Equivalents
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

SECTION 4. FMC §7-1713 AMENDED

Section 7-1713 of Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) is amended to read:

Sec. 7-1713 Adoption of 2001 CFC Appendix II-K

Appendix II-K (Non-protected Aboveground Steel Tank For Private Motor Vehicle Fuel-Dispensing Stations Outside Buildings) of the 2001 California Fire Code is adopted by the City of Fremont and made a part of the Fremont Fire Code. Appendix II-K is amended by Section 7-1722.

SECTION 5. FMC §7-1714 ADDED

Section 7-1714 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1714 Adoption of certain parts of 2010 CFC Chapter 1, Division II

(a) Chapter 1, Division II of the 2010 California Fire Code is adopted by the City of Fremont and made a part of the Fremont Fire Code, except for the sections set forth in subsection (b). References to model codes in the adopted sections shall mean the corresponding California Codes as adopted by the City of Fremont.

(b) The following sections of Chapter 1, Division II of the 2010 California Fire Code are not adopted: 101, 103, and 108.

SECTION 6. FMC §§7-1720.202 - 7-1720.4707 REPEALED

Sections 7-1720.202, 7-1720.503, 7-1720.506, 7-1720.508, 7-1720.509, 7-1720.511, 7-1720.608, 7-1720.903, 7-1720.905, 7-1720.907, 7-1720.913, 7-1720.914, 7-1720.1802, 7-1720.2701, 7-1720.2702, 7-1720.2703, 7-1720.2704, 7-1720.2705, 7-1720.3102, 7-1720.3301, 7-1720.3401, 7-1720.3403, 7-1720.3405, 7-1720.3704, 7-1720.4501, 7-1720.4702, 7-1720.4703, 7-1720.4705, and 7-1720.4707 of Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 are repealed.

SECTION 7. FMC §7-1720 AMENDED

Section 7-1720 of Fremont Municipal Code Title VII (Building Regulations), Chapter 1

(Fremont Building Standards Code), Article 7 (Fremont Fire Code) is amended to read:

Sec. 7-1720 Amendments to 2010 CFC Chapters; numbering.

Amendments to the non-appendix chapters of the 2010 California Fire Code ("CFC") are set forth in Sections 7-1720.202 through 1720.4707. The number to the right of the decimal point in these sections corresponds to the section number in the 2010 California Fire Code that is modified by the City of Fremont.

SECTION 8. FMC §7-1720.102 ADDED

Section 7-1720.102 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec.7-1720.102 Amendment to 2010 CFC Section 102

Section 102 of the 2010 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 protection systems shall be provided in the building or tenant space, whichever is applicable, in accordance with Table 102.3.

*Table 102.3

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: 2006 IEBC Table 912.4.

102.4 – 102.12 {CFC text not modified}

SECTION 9. FMC §7-1720.105 ADDED

Section 7-1720.105 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.105 Amendment to 2010 CFC Section 105 (Permits).

Section 105 of the 2010 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 compressed gases in excess of the amounts listed in Table,105.6.8 to install any piped distribution system for compressed gases, or to install a non-flammable medical gas manifold system. When the compressed gases in use or storage exceed the amounts listed in Table 105.6.8, 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 cryogens. See also Chapter 32.

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 19.

105.6.26 – 105.6.47 {CFC text not modified}

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

105.6.49 Fire Alarm Systems. 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 & safety department.

SECTION 10. FMC §7-1720.109 ADDED

Section 7-1720.109 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.109 Amendment to 2010 CFC Section 109 (Violations)

Section 109 of the 2010 California Fire Code is amended as follows:

109.1 – 109.2.4 {CFC text not modified}

109.3 Violation penalties. A person violates a provision of this code 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 1-3100 et seq.

109.3.1.1 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.

109.3.1.2 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 Article.

SECTION 11. FMC §7-1720.202 ADDED

Section 7-1720.202 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.202 Amendment to 2010 CFC Section 202 (General definitions)

Section 202 of the 2010 California Fire Code is amended by adding or modifying the following definitions. The remaining definitions in Section 202 are not modified:

CURRENT CODE shall mean the edition of the California Building Code 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.

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.

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.

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.

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.

SECTION 12. FMC §7-1720.503 ADDED

Section 7-1720.503 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.503 **Amendment to 2010 CFC Section 503** (Fire Apparatus Access Roads).

Section 503 of the 2010 California Fire Code is amended as follows:

503.1 – 503.2.8 {CFC text not modified}

503.3 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.

503.2.2 The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be 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.

503.5 – 503.5.2 {CFC text not modified}

503.6 Security Gates: {CFC text not modified}

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

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

SECTION 13. FMC §7-1720.506 ADDED

Section 7-1720.506 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.506 Amendment to 2010 CFC Section 506 (Key Boxes)

Section 506 of the 2010 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 27 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.

SECTION 14. FMC §7-1720.507 ADDED

Section 7-1720.507 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.507 Amendment to 2010 CFC Section 507 (Fire Protection Water Supplies).

Section 507of the 2010 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

507.5.2 – 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 fire fighting be provided in accordance with NFPA Standard #1142, 2007 Edition (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 hydrant shall be periodically painted to maintain rust protection and visibility.

SECTION 15. FMC §7-1720.508 ADDED

Section 7-1720.508 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.508 Amendment to 2010 CFC Section 508 (Fire Command Center)

Sections 508 of the 2010 California Fire Code is amended as follows:

508.1 General. When required by other sections of this code and in all buildings four (4) 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.

508.1.2 {CFC text not modified}

508.1.3 {CFC text not modified}

Exception: In buildings four (4) 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 8 feet (2438mm)

508.1.4 – 508.1.5 {CFC text not modified}

508.1.6 Floor Plan Signs. Building four (4) 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 provide 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 three-sixteenths of an inch (3/16") 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.

SECTION 16. FMC §7-1720.511 ADDED

Section 7-1720.511 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec.7-1720.511 Amendment to 2010 CFC Chapter 5 (Air Replenishment Systems)

Section 511 is added to the 2010 California Fire Code to read:

SECTION 511
AIR REPLENISHMENT SYSTEMS.

511.1 Where required. Buildings classified as high-rise buildings by the *California Building Code* shall be equipped with an approved air replenishment system as required by the Fire Code Official.

SECTION 17. FMC §7-1720.608 ADDED

Section 7-1720.608 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.608 Amendment to 2010 CFC Section 608 (Stationary Storage Battery Systems).

Section 608 of the 2010 California Fire Code is amended as follows:

608.1 – 608.6 {CFC text not modified}

608.6.1 {CFC text not modified}

1. - 2. {CFC text not modified}

3. Failure of the ventilation system shall initiate a local alarm and transmit a signal to a constantly attended station or automatically disengage the charging system.

SECTION 18. FMC §7-1720.903 ADDED

Section 7-1720.903 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.903 Amendments to 2010 CFC Section 903

Sections 903 of the 2010 California Fire Code is 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 guideway transit systems shall be as per Section 903.2.17.

2. Canopies over motor vehicle fuel dispensing facilities when constructed in accordance with Section 406.5 of the 2007 California Building Code.

3. Temporary construction trailers, less than 1000 sq ft, on-site less than one year and 20' from property lines, building, structures and combustibles.

4. The following detached Group U occupancies: Barns, fences more than 6 feet high, grain silos accessory to residential occupancies, green houses accessory to residential occupancies, livestock shelters, retaining walls, 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)

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

903.2.2 Group B. An automatic sprinkler system shall be provided throughout Group B occupancies.

903.2.3 Group E. Except as provided for in Sections 903.2.3.1 for a new public school campus and 907.2.3.7 (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.

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

903.2.5.1 Pyroxylin plastics. An automatic sprinkler system shall be provided throughout all buildings, portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45kg)

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

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

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.

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

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.

Exceptions: deleted

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 through 903.2.17.2.6 {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 attached 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 .05gpm/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: deleted

903.2.19 Additions to Group A, B, E, F, H, I, L, M, R, S, and certain miscellaneous group U occupancies. For additions to existing Group 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 (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 with two-hour or four-hour fire walls, any required protection, and fire rated openings according to type of construction.

(c) An underwriter laboratory certified National Fire Protection Association Standard 72 approved fire alarm system shall be installed throughout the addition and the existing structure in all Assembly, Education, Institutional and Residential occupancies.

903.2.20 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, Group U (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.

903.2.21 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 then 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 (50%) 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 (50%) or more of the replacement value of the structure, the entire building shall be retrofitted with an automatic fire extinguishing system.

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

903.2.23 Retrofit for Historic Buildings or Structures. The minimum criteria for retrofit of Historic Buildings or Structures shall be as included in FMC Section 7-9115 (b), 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.

903.3 through 903.3.1.1.1 (CFC text not modified)

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 47 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

903.3.1.3 (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 over 500 square feet, 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. Copper pipe shall not be used with steel or iron riser assemblies.

6. Each system shall have a single control valve arranged to shut off both the domestic and sprinkler systems.

7. 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 shall be evaluated on an individual basis.

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 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 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.

903.3.9 Underground corrosion protection. A corrosion protection plan, including details and specifications for all ferrous underground piping must be designed and provided by a qualified corrosion engineer.

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

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

903.3.11 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.

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

903.3.13 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.

903.3.14 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}

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly and descriptively different, which shall be annunciated 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 fire department standard 25A or when approved by the fire code official, shall 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. Alarm 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.

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.

904.5 – 904.11.6.3 {CFC text not modified}

SECTION 19. FMC §7-1720.904 ADDED

Section 7-1720.904 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec.7-1720.904 **Amendment to the 2010 CFC Section 904** (Alternative Automatic Fire-Extinguishing Systems)

Section 904 of the 2010 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 - 904.11.6.3 {CFC text not modified}

904.11.7 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.

SECTION 20. FMC §7-1720.905 ADDED

Section 7-1720.905 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.905 Amendment to 2010 CFC Section 905 (Standpipes).

Section 905 of the 2010 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

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

Exceptions: deleted

SECTION 21. FMC §7-1720.907 ADDED

Section 7-1720.907 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec.7-1720.907 **Amendment to the 2010 CFC Section 907** (Fire Alarm and Detection Systems)

Section 907 of the 2010 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 to be 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 Where required – new buildings and structures {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 systems(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 H20).

907.1.6 – 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 (8) dwelling units or sleeping units.

4. {CFC text not modified}

Exceptions: {CFC text not modified}

907.2.9.2 – 907.2.28 {CFC text not modified}

907.3 Where required in existing buildings and structures. An approved fire alarm system shall be installed in existing buildings and structures where required in Chapter 46.

The Fire Alarm system shall be installed in accordance with the provisions of this code, NFPA 72 and Fire Department Standard 25A

907.4 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.

907.4.1 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.

907.4.2 – 907.6.2.2.4 {CFC text not modified}

907.6.2.3 Visible alarms. Visible alarm notification appliances shall be provided in accordance with Sections 907.6.2.3.1 through 907.6.2.3.5.

Exceptions:

1. In other than I-2 and I-2.1, visible alarm notification appliances alterations, except where an existing fire alarm or sprinkler monitoring system is added to, upgraded, replaced or a new fire alarm system is installed.

2. {CFC text not modified}

3. {CFC text not modified}

907.6.2.3.1 - 907.6.2.3.3 {CFC text not modified}

907.6.2.3.4 Group R-2. In Group R-2 occupancies required by Section 907 to have a fire alarm system, all dwelling units and sleeping units shall be provided with the capacity to support visible alarm notification appliances. Each dwelling unit and sleeping unit shall be pre-wired and the control unit/notification power supply shall have the current capacity to support the cumulative number of appliances.

907.6.2.3.5 - 907.7.1 {CFC text not modified}

907.7.2 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}

907.7.3 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.

907.7.3.1 - 907.7.3.1.1 {CFC text not modified}

907.7.3.2 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.

907.7.3.3 - 907.7.4 {CFC text not modified}

907.7.5 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.

Exceptions: {CFC text not modified}

SECTION 22. FMC §7-1720.914 ADDED

Section 7-1720.914 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Section 914 of the 2010 California Fire Code is amended as follows:

914.1 – 914.2.2 {CFC text not modified}

914.2.3 Emergency voice/alarm communication system. Covered malls buildings 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 907.6.6.2.

914.2.4 – 914.11.3 {CFC text not modified}

SECTION 23. FMC §7-1720.1802 ADDED

Section 7-1720.1802 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.1802 Amendment to 2010 CFC Section 1802 (Definitions).

Section 1802 of the 2010 California Fire Code is amended by modifying the following definitions in Section 1802.1. All other provisions of Section 1802 are unchanged.

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 (5) minutes.

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 similar devices are created.

SECTION 24. FMC §7-1720.2701 ADDED

Section 7-1720.2701 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.2701 Amendment to 2010 CFC Section 2701 (General).

Section 2701 of the 2010 California Fire Code is amended as follows:

2701.1 – 2701.5 {CFC text not modified}

2701.5.1 Hazardous Arterials Management Plan (HMMP) {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 3-12100 *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.

SECTION 25. FMC §7-1720.2702 ADDED

Section 7-1720.2702 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.2702 Amendment to 2010 CFC Section 2702 (Definitions).

Section 2702 of the 2010 California Fire Code is amended by adding the following definitions to Section 2702.1. All other provisions of Section 2702 are not modified.

ABANDONED. 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.

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.

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.

SECTION 26. FMC §7-1720.2703 ADDED

Section 7-1720.2703 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.2703 Amendment to 2010 CFC Section 2703 (General Requirements).

Section 2703 of the 2010 California Fire Code is amended as follows:

2703.1 – 2703.2.4 {CFC text not modified}

2703.2.4.1 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 3404.2.8 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.

2703.2.4.2 – 2703.2.9.2 {CFC text not modified}

2703.2.10 Fire Protection for Workstations. When the building is protected by an automatic fire protection system, an approved fire protection system in accordance with Section 1803.10 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.

2703.3 – 2703.5 {CFC text not modified}

2703.5.1 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.

2703.6 – 2703.9.10 {CFC text not modified}

2703.9.11 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.

2703.9.12 Spill Control for hazardous materials liquids. Regardless of the exempt amounts and containment requirements in Chapter 27, 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.

2703.9.13 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 27, 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 2704.2.2.

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.

2703.10 – 2703.12 {CFC text not modified}

SECTION 27. FMC §7-1720.2704 ADDED

Section 7-1720.2704 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.2704 Amendment to 2010 CFC Section 2704 (Storage).

Section 2704 of the 2010 California Fire Code is amended as follows:

2704.1 Scope. Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 2703.1 shall be in accordance with Sections 2701, 2703, and 2704. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 2703.1 shall be in accordance with Sections 2701 and 2703. 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 2703.11.

Notwithstanding CFC Chapter 27, hazardous materials present below the exempt amounts specified in Section 2703.1 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.

2704.2 {CFC text not modified}

2704.2.1 Spill control for hazardous materials liquids. Rooms, buildings or areas used for the storage of hazardous materials in excess of their permit amount or fifty-five (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.

2704.2.2 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).

2704.2.2.1 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.

2704.2.2.2 Incompatible materials. Incompatible materials shall be separated from each other in discrete secondary containment system(s).

2704.2.2.3 – 2704.2.2.6 {CFC text not modified}

2704.2.2.7 Weather protection. The chief may require weather protection for exterior storage and containment of hazardous materials.

***Table 2704.2.2** (Required Secondary Containment-Hazardous Materials Solids and Liquids Storage) is deleted.*

SECTION 28. FMC §7-1720.2705 ADDED

Section 7-1720.2705 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.2705 **Amendment to 2010 CFC Section 2705** (Use, Dispensing and Handling).

Section 2705 of the 2010 California Fire Code is amended as follows:

***Table 2705.2.1.4** (Required Secondary Containment-Hazardous Liquids Use) is deleted.*

2705.1 – 2705.2.1.2 {CFC text not modified}

2705.2.1.3 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 2704.2.1.

2705.2.1.4 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 2704.2.2 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)

2705.2.2 – 2705.2.2.2 {CFC text not modified}

2705.2.2.3 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 2704.2.1.

2705.2.2.4 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 2704.2.2 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)

2705.3 – 2705.3.3 {CFC text not modified}

2705.3.4 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 2704.2.1.

2705.3.5 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 2704.2.2 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)

2705.3.6 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 2704.2.1.

2705.3.7 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 2704.2.2 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)

2705.3.8 – 2705.4.4 {CFC text not modified}

SECTION 29. FMC §7-1720.3102 ADDED

Section 7-1720.3102 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec.7-1720.3102 Amendment to 2010 CFC Section 3102 (Definitions)

Section 3102 of the 2010 California Fire Code is amended adding the following definition to Section 3102.1. All other provisions of Section 3102 are not modified.

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. Included are DOT and Title 22 classed corrosives.

SECTION 30. FMC §7-1720.3301 ADDED

Section 7-1720.3301 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec.7-1720.3301 Amendment to 2010 CFC Section 3301 (General)

Section 3301 of the 2010 California Fire Code is amended as follows:

3301.1 Scope. For explosives requirements, see Title 19 California Code of Regulations Chapter 10 and Section 3301.1.1 of this Chapter. For fireworks regulations and requirements, see Title 19 California Code of Regulations Chapter 6 and FMC Title III, Chapter 21.

Exceptions:

1. The armed Forces of the United States, Coast Guard or National Guard.

2. Explosives in forms prescribed by the official United States Pharmacopoeia.

3. The possession, storage and use of small arms ammunition when packaged in accordance with DOT packaging requirements.

4. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.

5. Items preempted by federal regulations.

3101.2 {CFC text not modified}

Sec.7-1720.3302 Amendment to 2010 CFC Section 3302 (Reserved)

Section 3302 of the 2010 California Fire Code is amended to read:

SECTION 3302
LOCAL RESTRICTIONS

3302.1 Explosives. The possession, manufacture, storage, sale, handling, and use of explosives are prohibited without first obtaining a permit from the Fire Chief.

Exceptions:

1. Possession, storage, handling and use of explosives for test and research purposes is allowed with permit and approval of the fire code official.

2. Possession, storage, handling and use of squibs, explosive nuts or bolts and similar small quantity explosive devices is allowed with permit and approval of the fire code official.

3302.2 Fireworks. Nothing in this Chapter authorizes the sale, use, storage, possession or discharge of any fireworks prohibited by FMC Title III, Chapter 21.

3302.3 Fireworks Display Permit. No person shall store, handle or discharge fireworks and pyrotechnic special effects used for public or proximate audience displays, motion picture, television, theatrical and group entertainment productions outside or inside of buildings without first obtaining a permit from the Fire Chief.

3302.4 Model Rocketry. The storage, handling, and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and as approved by the Fire Code Official.

SECTION 31. FMC §7-1720.3401 ADDED

Section 7-1720.3401 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.3401 Amendment to 2010 CFC Section 3401 (General)

Section 3401 of the 2010 California Fire Code is amended as follows:

3401.1 – 3401.4 {CFC text not modified}

3401.4.1 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.

3401.5 {CFC text not modified}

SECTION 32. FMC §7-1720.3403 ADDED

Section 7-1720.3403 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.3403 Amendment to 2010 CFC Section 3403 (General Requirements).

Section 3403 of the 2010 California Fire Code is amended as follows:

3403.1 – 3403.6.11 {CFC text not modified}

3403.6.12 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.

SECTION 33. FMC §7-1720.3405 ADDED

Section 7-1720.3405 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.3405 **Amendment to 2010 CFC Section 3405** (Dispensing, Use, Mixing and Handling).

Section 3405 of the 2010 California Fire Code is amended as follows:

3405.1 – 3405.3.7.5.2 {CFC text not modified}

3405.3.7.5.3 Spill Control and Secondary Containment. Spill control shall be provided in accordance with Section 3403.4 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 3403.4 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).

3405.3.7.6 – 3405.3.7.6.2 {CFC text not modified}

3405.3.7.6.3 Spill Control and Secondary Containment. Spill control shall be provided in accordance with Section 3403.4 when flammable or combustible liquids are dispensed, used or mixed. Spill control and secondary containment shall be provided in accordance with Section 3403.4 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).

3405.3.8 – 3405.5.1 {CFC text not modified}

SECTION 34. FMC §7-1720.3702 ADDED

Section 7-1720.3702 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.3702 **Amendment to 2010 CFC Section 3702 (Definitions)**

Section 3702 of the 2010 California Fire Code is amended by modifying the following definitions in Section 3702.1. All other provision of Section 3702 are not modified.

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.

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.

SECTION 35. FMC §7-1720.3704 ADDED

Section 7-1720.3704 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.3704 Amendment to 2010 CFC Section 3704 (Highly Toxic and Toxic Compressed Gases)

Section 3704 of the 2010 California Fire Code is amended as follows:

3704.1 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 UFC Standard 79-3 shall comply with this section.

3704.1.1 – 3704.1.1.3 {CFC text not modified}

3704.1.1.4 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 3704.1.2, 3704.1.3, and 3704.2.2.6.

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 Section 3704.3.3.

3704.1.2 – 3704.1.3 {CFC text not modified}

3704.1.4 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. Fai lure of emergency power.

4. Failure of primary containment.

5. Seismic activit y.

6. Failure o f required ventilation.

7. Manual activation at an approved remote location.

3704.1.5 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.

3704.1.6 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 3704 of this code.

3704.1.7 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.

3704.1.8 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.

3704.1.9 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 2704.5.

3704.1.10 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.

3704.1.11 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.

3704.1.12 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.

3704.1.13 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.

3704.1.14 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.

3704.1.15 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

3704.1.16 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. C ylinders 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. C ylinders 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.

3704.1.17 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 5 seconds of a horizontal sinusoidal oscillation having a peak acceleration of 0.3G (1.47m/sec^2) 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.

3704.2 – 3704.2.2.6 {CFC text not modified}

3704.2.2.7 {CFC text not modified}

Exceptions. deleted

3704.2.2.7.1 - 3704.2.2.7.5 {CFC text not modified}

3704.2.2.8 {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 2703.1.1 (2) and 2703.1.1 (4).

3704.2.2.9 – 3704.3.2.4 {CFC text not modified}

3704.3.3 Outdoor Storage Weather Protection For Portable Tanks and Cylinders. Weather protection in accordance with Section 2704.13 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 2704.5.

Exception: deleted

3704.3.3.1 Gas Detection Under Canopies. Gas detection in conformance with 3704.2.2.10 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.

3704.3.4 – 3704.3.4.3 {CFC text not modified}

SECTION 36. FMC §7-1720.4603 ADDED

Section 7-1720.4603 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.4603 **Amendment to 2010 CFC Section 4603** (Fire Safety requirements for existing Buildings

Section 4603 of the 2010 California Fire Code is amended as follows:

4603.1 – 4603.6.5 {CFC text not modified}

4603.6.5.1 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 1 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.

4603.6.5.1.1 – 4603.6.5.2.1 {CFC text not modified}

4603.6.6 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 2 stories in height or more than 8 dwelling or sleeping units.

4603.6.7 - 4603.7.5.2 {CFC text not modified}

SECTION 37. FMC §7-1720.4700 ADDED

Section 7-1720.4700 of the Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) is amended to read:

Sec. 7-1720.4700 **Amendment to 2010 CFC Chapter 47** (REFERENCED STANDARDS)

(a) The reference standards in Chapter 47 of the 2010 California Fire Code are amended as provided in this section.

(b) NFPA 13-10 is amended to read:

[2.2 – 8.15.1.2.15 text unchanged]

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 – 8.16.1.5.1 text unchanged]

8.16.1.5.1.1 – Deleted

[8.16.1.5.1.2 – 24.6.1 text unchanged]

(c) NFPA 13D-10 is amended to read:

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.

[6.2.2.1 – 6.2.3 text unchanged]

8.6.4 – Deleted

(c) NFPA 13R-10 Fire Code is unchanged:

(d) NFPA 14-07 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

2. 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.

(e) NFPA 15-07 - 22-03 is unchanged:

(f) NFPA 24 -10 is amended to read:

[4.2.1 – 6.5 1 text unchanged]

6.5.2.1 – deleted

[6.5.2.2 – 10.9.1 text unchanged]

(g) NFPA 25.08 – 70.08 is unchanged:

(h) Section NFPA 72-10 is amended to read:

[10.3.1 – 23.4.2.2(4) text unchanged]

23.8.5.1.2 – Exception deleted

[23.8.5.4.1 – 29.7.5.7.1 unchanged]

(i) NFPA 80-07 – 2001-08 is unchanged:

(j) SFM is amended by adding:

SFM- State Fire Marshal- Solar Photovoltaic Installation Guideline

SECTION 38. FMC §7-1720.4902 ADDED

Section 7-1720.4902 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.4902 Amendment to 2010 CFC Section 4902 (Definitions)

Section 4902 of the 2010 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 Title VII, Chapter 13.

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 Title VII, Chapter 13.

SECTION 39. FMC §7-1720.4903 ADDED

Section 7-1720.4903 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 1720.4903 Amendment to 2010 CFC Section 4903 (Fire Protection Plans)

Section 4903 of the 2010 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.

SECTION 40. FMC §7-1720.4905 ADDED

Section 7-1720.4905 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.4905 Amendment to 2010 CFC Section 4905 (Wildfire Protection Building Construction)

Section 4905 of the 2010 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 Title VII, Chapter 13 for areas outside the State Responsibility areas and within the City of Fremont.

SECTION 41. FMC §7-1720.4907 ADDED

Section 7-1720.4907 is added to Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) to read:

Sec. 7-1720.4907 Amendment to 2010 CFC Section 4907 (Defensible Space)

Section 4907 of the 2010 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, and Appendix Chapter II-A of the 2001 California Fire Code 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.

SECTION 42. FMC §7-1721 - §7-1721.D105 REPEALED

Sections 7-1721, 7-1721.102, 7-1721.105, 7-1721.109, 7-1721.D105 of Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) are repealed:

SECTION 43. FMC §7-1722.II-A REPEALED

Section 7-1722.II-A of Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) is repealed.

SECTION 44. FMC §7-1723 AMENDED

Section 7-1723 of Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) is amended to read:

Sec. 7-1723 Supplemental Fire Protection Standards

The provisions of Fremont Municipal Code Title VII (Building Regulations), Chapter 12

(Automatic Fire Extinguishing Systems Retrofit Requirements for Certain Types of Apartment Buildings) known as the Fremont Central Corridor Retrofit Ordinance amend the 2010 California Building and Fire Codes as adopted by this Chapter.

SECTION 45. FMC §7-1740 AMENDED

Section 7-1740 of the Fremont Municipal Code Title VII (Building Regulations), Chapter 1 (Fremont Building Standards Code), Article 7 (Fremont Fire Code) is amended to read:

Sec. 7-1740 Staffing Standards Not Adopted.

Notwithstanding any other provision of this Article, or any provision contained in the 2010 California Fire Code, the 2009 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 46. Staffing Standards Not Adopted

Notwithstanding any other provision of this Article, or any provision contained in the 2010 California Fire Code, the 2009 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 be reference by this Article pertaining to staffing standards is expressly excluded and not adopted by this Article.

SECTION 47. 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 Council therefore directs that a Notice of Exemption be filed with the Alameda County Clerk in accordance with the CEQA Guidelines.

SECTION 48. Effective date

This ordinance shall take effect and be enforced beginning January 1, 2011.

SECTION 49. 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 50. POSTING AND PUBLICATION

The City Clerk has caused to be published a summary of this ordinance, prepared by the City Attorney under Government Code Section 36933(c), once in *The Tri-City Voice*, a newspaper of general circulation printed and published in Alameda County and circulated in the City of Fremont, at least five days before the date of adoption. 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 to be again published in *The Tri-City Voice* the summary of this ordinance with the names of those City Council members voting for and against the ordinance; and the City Clerk 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, County of Alameda, State of California, at the regular meeting of the City Council, held on the day of ___, 2010 and finally adopted at a regular meeting of the City Council held on the ___ day of ___, 2010 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
Senior Deputy City Attorney