

ORDINANCE NO. 10
BOARD OF DIRECTORS OF THE
WOODSIDE FIRE PROTECTION DISTRICT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

AN ORDINANCE ADOPTING BY REFERENCE, THE 2012 INTERNATIONAL, FIRE CODE WITH THE 2013 CALIFORNIA AMEDMENTS INCLUDING ALL ADOPTED STANDARDS AS SPECIFIED PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION WITHIN THE TERRITORY OF THE WOODSIDE FIRE PROTECTION DISTRICT, ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES.

WHEREAS, Health and Safety Code section 13869 provides that the Woodside Fire Protection District Board of Directors (“Board”) has the authority to adopt a fire prevention code by reference pursuant to applicable governmental code provisions.

WHEREAS, Chapter 56 of the California Fire Code pertains to fireworks and this Board finds that the Woodside Fire Protection District enacted Ordinance No. 3 in 1986, prohibiting the use and sale of fireworks within the entire territory of the Woodside Fire Protection District; and

WHEREAS, Chapter 56 of the California Fire Code pertains to storage of explosives and fireworks where the storage and use is permitted, and this Board finds that it is in the best interest of the District to specify and restrict where such storage and use be permitted in the District.

WHEREAS, Section 108.1 of Chapter 1 of the California Fire Code pertains to the Board of Appeals and this Board hereby determines that the Board of Directors act as a Board of Appeals; and

WHEREAS, Chapter 61 of the California Fire Code does not specify where the storage, use, handling, or dispensing of liquid petroleum gas is permitted, and this Board finds that it is in the best interest of the District to specify where such uses should be permitted in the District; and

WHEREAS, Table B105.1 of Appendix B and Table B105.1 of Appendix BB of the International Fire Code provides specified fire flow requirements for buildings and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Table CC105.1 of Appendix C of the International Fire Code provides specified fire hydrant locations and distribution and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Chapter 1 of the California Fire Code does not specifically authorize audio visual or other recording including photographs to assist with investigations of alleged violations of this Code or fire incidents and this Board finds that use of said technological assistance is in the best interest of the District; and

WHEREAS, In accordance with section 102.9 of the California Fire Code for subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities, Woodside Fire Protection District finds it necessary to maintain a set of design and installation standards as deemed necessary for firefighter safety and suppression activities.

WHEREFORE, this Board does ordain as follows:

SECTION 1. TITLE.

This Ordinance shall be known as the “Fire Code” of the Woodside Fire Protection District and may be cited as such, and will be referred to in this ordinance as the “International Fire Code” or “this Code”.

SECTION 2. ADOPTION OF THE 2012 INTERNATIONAL FIRE CODE/2013 CALIFORNIA FIRE CODE & FIRE CODE STANDARDS.

It is hereby adopted by the Board of Directors for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2012 International Fire Code with the 2013 California Amendments Title 24 Part 9, and the whole thereof, including all Appendices and International Fire Code Standards except for Appendices A and J, as compiled, recommended and published by the International Code Council, save and accept only such portions thereof as are hereinafter expressly deleted, modified or amended by this ordinance; and including such new sections and paragraphs which are hereinafter added to and made a part of the Fire Code and of this ordinance, of which not less than two (2) copies have been and are now filed in the Office of the Fire Chief of the Woodside Fire Protection District and the same are hereby adopted and incorporated, by this reference, as fully as if set forth out at length herein, and from the date on which this ordinance shall take affect, the provisions of same shall be controlling within the Woodside Fire Protection District.

SECTION 3. DEFINITIONS.

- A. Wherever the word “jurisdiction” is used in the International/California Fire Code & Fire Code Standards, it shall mean the Woodside Fire Protection District, except that wherever in the Code, “jurisdiction” is used in a context which implies the ability to exercise governmental powers which the District does not have but which powers are exercised within District’s territorial boundaries by another public

agency, then in that context “jurisdiction” shall mean the particular public agency authorized to and exercising that governmental power.

- B. Whenever the words “Fire Code Official” are used they shall be held to mean “Fire Marshal.”
- C. Wherever the words “Fire Code” are used it shall mean International/California Fire Code & Fire Code Standards.

SECTION 4. ESTABLISHMENT OF BUREAU OF FIRE PREVENTION AND DUTIES OF MEMBERS THEREOF.

A. The Fire Code shall be enforced by the Bureau of Fire Prevention in the Woodside Fire Protection District which is hereby established and which shall be operated under the supervision of the Chief of the Department.

B. The Chief of the Fire Department shall appoint an officer of the Fire Department as Chief of the Bureau of Fire Prevention. The title shall be Fire Marshal. The appointment shall continue during good behavior and satisfactory service, and they shall not be removed from office except for cause in accordance with the rules and regulations of the Woodside Fire Protection District.

C. The Fire Marshal may appoint such members of the fire department as inspectors as shall from time to time be necessary.

D. A report of the Bureau of Fire Prevention shall be made monthly or annually and transmitted to the Board of Directors. It shall contain such statistics as the Chief of the Department or the Board of Directors may wish to include therein. The Chief of the Fire Department shall recommend any amendments to the Code, which, in his judgment, shall be desirable.

SECTION 5. GENERAL CODE PROVISIONS.

Under Section 104.1 of the California Fire Code, Section 104.1A will be added to read as follows:

Section 104.1A Woodside Fire Protection District will maintain a set of design and installation standards that include but are not limited to: Address posting, Bridges, Emergency shut off placards, Turnarounds, Turnouts, Driveways, Knox installations, Solar PV installations, Fuel cells and Fire Sprinkler systems with tanks and pumps.

These standards are necessary for the Woodside Fire Protection District to provide a reasonable degree of fire and life safety for the community and firefighters within the jurisdictional boundaries of the Fire District and is hereby in accordance with section 102.9 of the California Fire Code: For subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities.

Section 102 Amended 102.1A is added to read as follows:

Section 102.1A Applicability When alterations, additions or repairs exceed 50% of an existing building or structure, as determined by the Building Official, such building or structure shall be made in its entirety to conform to the fire code requirements for new buildings or structures.

Within the Woodside Fire Protection District jurisdiction each of the Building Departments may use their specific dollar values and structural formulas to complete the computation of existing and new square footages. The Fire District will accept the computations within the projects jurisdictional boundary. Verification must be attained by the Municipality's Building Official.

Section 106.2A is added to read as follows:

Section 106.2A Inspection Authority The Fire Marshal or other designated representatives shall inspect, buildings and premises, including such other hazards or appliances designated for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire and life safety.

SECTION 6. GENERAL FIRE SAFETY PRECAUTIONS.

Section 307 Amended Section 307 of this code is deleted in its entirety and is replaced by the following section:

Section 307 General: Open burning is prohibited within the jurisdictional boundaries of the Woodside Fire Protection District. Open burning does not include approved exterior fireplaces with permanent spark arrestors or barbeques that are used in a safe manner, and used for cooking or warming purposes only. The Fire Marshal prohibits burning of trash or vegetation, except for fuel reduction purposes and dedicated campfires in County Parks by special permit only.

Exceptions: Gas Fire Pits inspected by the Fire Prevention Bureau.

Section 304.1.2 Amended Section 304.1.2A is added to read as follows:

Section 304.1.2.A Perimeter Property Line Clearance. Section 304.1.2.A Perimeter Property Line Clearance. Persons owning, controlling, or leasing structures and or property are required to remove, a minimum of 30 feet from the perimeter of the property line and 100 feet from any neighboring structure, specifically; flashy fuels consisting of dead weeds and dry annual grasses, as well as dead vegetative material and litter that is capable of being easily ignited and endangering property as determined by the Fire Marshal.

Section 304.1.2.B Section 304.1.2B is added to read as follows:

Section 304.1.2.B Weed Abatement. Due to heavy growth of fuels, unmaintained lots are a hazard to the surrounding properties and the community. Woodside Fire Protection District shall carry out weed abatement program activities throughout the territory of the Woodside Fire Protection District.

SECTION 7. CHAPTER 57 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS ARE PROHIBITED.

The limits referred to in Section 5704.2 and 5704.4.2.4 and Table 5704.4.2 of the California Fire Code in which storage of flammable or combustible liquids in outside above ground tanks is prohibited in areas which are heavily populated or congested commercial areas within the territory of the Woodside Fire Protection District.

SECTION 8. CHAPTER 61 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.

The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted in areas which are heavily populated or congested commercial areas within the territory of the Woodside Fire Protection District.

Section 6104.2 Amended Section 6104.2A is added to read as follows:

Section 6104.2A Where Permitted; Liquefied Petroleum Gas shall not be permitted within the Woodside Fire Protection District where natural gas mains exist. Exception: Installation of Liquefied Petroleum Gas may be permitted in the Woodside Fire Protection District if used as a means of emergency standby supply for industrial operations, residential operations or used for medical, research, testing, or purposes not suited to the use of natural gas. Such installation shall be in accordance with nationally recognized good practices and all provisions of this code.”

SECTION 9. CHAPTER 56 ESTABLISHMENT OF LIMITS IN WHICH STORAGE, OF EXPLOSIVES AND FIREWORKS AGENTS IS TO BE PROHIBITED.

The limits referred to in Section 5608.1.1 and the California Code of Regulations Title 19, Division 1, Chapter 6 in which storage of explosives and fireworks is prohibited, are hereby established to the entire territory of the Woodside Fire Protection District.

SECTION 10. CHAPTER 56: EXPLOSIVES AND FIREWORKS

Section 5608.1.1 Amended Section 5608.1.1A is added to read as follows:

Section 5608.1.1A Safe and Sane Fireworks Prohibited. All non-professional fireworks listed by the California State Fire Marshal as “Safe and Sane” are prohibited within the jurisdictional boundaries of the Woodside Fire Protection District.

5608.1 General All professional pyrotechnical devices used for public display, or special effects, shall be in accordance with the applicable provisions of the State of California Code of Regulations, Title 19 and the applicable section of the California Amended Fire Code. Permits for public display and/or special effects shall be obtained by the Fire Marshal.

SECTION 11. APPENDIX B SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS.

Section B105.1 Amended ONE AND TWO FAMILY DWELLINGS

This section is modified by means of Section B103

SECTION B105.1 of Appendix B of the International Fire Code pertaining to fire-flow requirements for buildings to be amended and at any time due to the rural nature of a water system may be substituted by the following:

SECTION B105.1 FIRE FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and Two-Family Dwellings.

The minimum fire flow shall be 1000 gallons per minute. A water supply for fire protection shall mean a fire hydrant within 500 feet from the building, measured on an approved via an approved roadway, capable of the required fire flow. The fire flow may be reduced by 50% if the building is provided with an approved automatic sprinkler system.

Where a public or private water company is not within 1000 feet of the required fire hydrant location, or the water company can not provide 1000 gallons per minute, NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting 2007 Edition may be adhered to for fire flow requirements as an alternate means.

EXCEPTION: The fire flow may be reduced by 50% if the building is provided with an automatic sprinkler system.

SECTION 12. APPENDIX C FIRE HYDRANT LOCATIONs AND DISTRIBUTION.

Section C105.1 Amended Section C105.1A is added to read as follows:

Section C105.1A Modified Distribution of Fire Hydrants; In rural areas where parcels, with structures, have large road frontages and or long driveways the minimum location of a fire hydrant may be 500 feet to the structure measured via a roadway as approved by the Fire Marshal.

SECTION 13. PROVISIONS OF THE CALIFORNIA FIRE CODE ESTABLISHING A BOARD OF APPEALS.

The following provisions for Appeal per Section 108.1 of the International Fire Code shall be as follows:

Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted the applicant may appeal the decision of the Chief by presenting, within 10 days, a written request to the District Board of Directors for a hearing on and a review of such decision appealed.

The request shall state the reasons therefore, and the District Board of Directors shall, within 30 days of the receipt of same, hold a hearing, and may, if they determine that the circumstances appear to justify such action, modify, vacate, or affirm the decision.

SECTION 14. PROVISIONS ADDED TO INTERNATIONAL FIRE CODE.

The following provisions shall be and are hereby added or amended to said code to read as follows:

Section 104.10 Amended The following is hereby added to Section 104.10 Chapter 1, of the California Fire Code:

Section 104.10 “Authority to Photograph or Otherwise Record Investigations”.

The Chief or his duly authorized representative may make such audio, visual or other recordings including photographs, video tapes, audio tapes, diagrams, drawings, sketches, and the like, in connection with the investigation of any actual or alleged violation of this Code or in connection with the investigation of any incident as authorized by this Code.”

SECTION 15: FEES

The Board of Directors may, by resolution, establish a schedule of fees to be charged and collected for checking plans and specifications, inspection services performed, and for the issuance of permits. Such schedule when adopted shall be incorporated by reference as a part of this code as fully as if set forth at length herein. Two copies of such resolution shall be kept on file in the office of the Fire Chief of the Woodside Fire Protection District and shall be available for public inspection.

SECTION 16. VIOLATIONS.

A. Any person who shall violate any of the provision of the Fire Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with an order made there under, or who shall build in violation of any detailed statement or specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the District Board or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defects within a reasonable time; and when not otherwise specified, each day that any such prohibited conditions are maintained, shall constitute a separate offense.

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

SECTION 17. VALIDITY

The Woodside Fire Protection District Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code of Standards hereby adopted be declared for any reason to be invalid, it is the intent of the Woodside Fire Protection District Board of Directors that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION 18. REPEAL OF CONFLICTING ORDINANCES.

Ordinance No. 9 of the Woodside Fire Protection District shall be and is hereby repealed.

SECTION 19. DATE OF EFFECT.

This ordinance shall be published once in the Country Almanac and shall be effective upon the expiration of 30 days from its adoption.

Regularly passed and adopted this 27th day of January, 2014 by the following vote:

AYES and in favor of said ordinance:

Directors:

Peter Berger

John Gardner

Patrick Cain

NOES against said ordinance:

Directors: