Agenda Item Number: 6

Agenda Report Reviewed by:
City Manager:

CITY OF SEBASTOPOL
CITY COUNCIL
STAFF REPORT

Meeting Date: November 1, 2016

To: Honorable Mayor and Honorable City Councilmembers

From: Glenn Schainblatt Building Official

Subject: Ordinance 1093, An Ordinance to adopt local amendments to the 2016 California Building Codes Code of Regulations T24, rescind municipal code section 15.10

Recommandation: That the City Council Waive the Second Reading and Approve Adoption of Ordinance 1093

Funding: Currently Budgeted: N/A

INTRODUCTION:
This item is to request City Council approval and adoption of Ordinance 1093.

BACKGROUND:
This ordinance will enact local amendments to the 2016 California State Building Codes Municipal Code Sections 15.04 and 15.08 and Rescind Municipal Code Section 15.10 Repair and Reconstruction of Damaged Structures.

DISCUSSION:
On October 18, 2016 the Council introduced an ordinance to the City of Sebastopol municipal code to adopt local amendments to the 2016 California Building Codes Code of Regulations T24 and rescind municipal code section 15.10.

RECOMMENDATION:

That the City Council approve waiving of second reading and approve adoption of Ordinance 1094, An Ordinance to adopt local amendments to the 2016 California Building Codes Code of Regulations T24, rescind municipal code section 15.10

Attachment(s):

Ordinance

ORDINANCE NO. 1093

An Ordinance of the City Council of Sebastopol; providing for the protection of the public health, safety, and welfare: providing for the repeal of Ordinance No. 1066 and adopting by reference the 2016 Edition of the California Building Code parts 1, 2, 2.5, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 as published by the International Code Council, The California Code of Regulations (CCR), Title 24, Parts 1,2,2.5.3,4,5,6,8,9,10, 11 and 12 of the 2016 Edition as published by the International Code Council; The 2015 Edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials; The 2014 Edition of the National Electrical Code as published by the National Fire Protection Association; the 2015 Edition of the Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials; the 2015 edition of the International Property Maintenance Code as published by the International Code Council and the 2015 edition International Swimming Pool and Spa Code as published by the International Code Council. The 2015 Edition of the National Fire Protection Association Fire Codes, providing for the issuance of permits and collection of fees thereof: together with amendments and additions to the various codes; providing penalties for the violation thereof and repealing all ordinances in conflict therewith and adopt by reference The 2015 International Fire Code containing regulations promulgated by the State Fire Marshal (SFM) regarding the prevention of fire and for the protection of life and property against fire and panic in any building including all appendices, errata and supplements thereto, as published by the CBSC applicable to the 2016 California Building Code with amendments, additions and or deletions as promulgated by the Sebastopol City Council. Amending City of Sebastopol Municipal Code Chapter 15 sections 15.04, 15.08, and 15.10

A. Recitals.

(i) Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code § 50020, et.seq. Requires a local agency to take legislative action by ordinance to adopt by reference the most current edition of the California Building Codes & International Codes, and the Uniform Codes.

(ii) Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, § 50022.6 requires that at least one copy of the primary adopted code shall be filed with the office of the city clerk of the legislative body at least 15 days preceding the hearing and shall be kept there for public viewing while the ordinance is in force.

(iii) Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, §50022.3 requires that after the first reading of the title of the adopting ordinance and of the title of the code to be adopted thereby, and of the title of the secondary codes therein adopted by reference, the legislative body shall schedule a public hearing thereon.

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

B. Ordinance.

Now THEREFORE, the City Council of the City of Sebastopol does hereby find, determine and ordain as follows:

SECTION 1. In all aspects, as set forth the Recitals, Part A, of this Ordinance.

SECTION 2. One (1) certified copy of each of the Codes so adopted, along with any Amendment thereto, shall be kept on file for the use and examination by the public and located at the Sonoma County Public Library, Sebastopol Branch in the City of Sebastopol.

SECTION 3. Adoption of California Code Of Regulations Title 24, Part 1: California Administrative Code. 2016 Edition, as published by the International Code Council.

SECTION 4. Adoption of California Code of Regulations Title-24 Part 2 Volume 1 and 2 and the current edition of the International Building Code, the 2015 Edition Volumes 1, and 2 thereof as published by the International Code Council with the following amendments:

California Building Code, Division II, Scope and Administration is amended to amend and add the following:

Section 105.2 Building 1.Shall be revised to read as follows: One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet, (1 1.l5m2). The height of the one story detached accessory building shall not exceed 12 feet at any point or as specified by local zoning ordinance.

Section 105.2 Building 6 Platforms, sidewalks, and driveways not more than 30 inches (762mm) above adjacent grade, not over any basement or story below and are not part of an accessible route.

Section 109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee establish by the building official that shall be in addition to the required permit fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five time the permit fee required by this code. The minimum investigation fee has been set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.7 Re inspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector. For failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table 1 or as set forth in the fee schedule adopted by the jurisdiction.
In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 109.8 Violation penalties. Any persons who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five time the permit fee required by this code. The minimum investigation fee set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

CHAPTER 2 DEFINITIONS

California Building Code, Chapter 2, General Definitions is amended to amend and add the following:

MEMBRANE STRUCTURE. An air-inflated, air-supported, cable or frame-covered structure as defined by this code and not otherwise defined as a tent or umbrella structure.

SUBSTANTIAL ADDITION. An existing building or structure not classified as Group R-3 occupancy, which undergoes any addition of floor area that is greater than twenty-five percent (25%) of the existing gross floor area.

SUBSTANTIAL ADDITION, Group R-3. An existing Group R-3 building or structure, which undergoes any addition of floor area that exceeds fifty percent (50%) of the existing gross floor area.

SUBSTANTIAL REMODEL. An existing building or structure, which undergoes any alteration of floor area that is greater than fifty percent (50%) of the existing gross floor area or meets the definition of a substantial improvement as defined by this code.

TENT. A structure, enclosure, umbrella structure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

UMBRELLA STRUCTURE. A structure, enclosure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole. (See "Membrane Structure" and "Tent")

Chapter 5 General Building heights and Areas
California Building Section 501.2 is amended to amend to read as follows:

501.2 Address identification. New and existing buildings shall be provided with approved illuminated address identification. The address identification shall be legible and placed in apposition that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetic letters. Numbers shall not be spelled out. Character size and stroke shall be in accordance with Section 505.1.1 through 505.1.2. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response in accordance with this code and Section 505.1.3. Where access is by means of a private road and the building cannot be viewed from the public way or when determined by the fire code official, a

monument, pole, or other approved illuminated sign or means shall be used to identify the structure. Address identification shall be maintained.

501.2.1 Numbers for one- and two- family dwellings. Each address identification character shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

501.2.2 Numbers for other than one and two-family dwellings. Each address identification character shall be not less than twelve (12) inches high with a minimum stroke width of one (1) inch. Suite and unit directional numbers shall be not less than six (6) inches high with a minimum stroke width of three-quarter (0.75) inch. Numbers shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

501.3 Complex directory. Where two or more buildings cannot be viewed from the public way or when determined by the fire code official, an approved illuminated complex directory, monument, pole, or other approved sign or means shall be used to identify the structures at the main entrances to the property.

Chapter 9 Fire Protection Systems
California Building Code, Section 902 is amended to add the following

SUBSTANTIAL ADDITION
SUBSTANTIAL ADDITION, Group R-3
SUBSTANTIAL IMPROVEMENT
SUBSTANTIAL REMODEL

Section 903 is amended to read as follows:
California Building Code Section 903.2 is amended to read as follows:
903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.19. Approved automatic sprinkler systems in existing buildings and structures shall be provided in locations described in Section 903.6.

Exceptions:

1. Agricultural buildings as approved by the fire code official.
2. Detached pool houses accessory to Group R-3 not classified as a dwelling unit and not exceeding 1,000 square feet (928m²) in gross floor area within 50 feet of the pool and limited to a single bathroom.
3. Detached non-combustible motor vehicle fuel dispensing canopies.
4. Detached Group U Occupancies not greater than 1,000 square feet (928m²).

California Fire Code Section 903.2.1 is amended to read as follows:
903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings containing a Group A occupancy.

California Building Code Section 903.2.1.1 through 903.2.1.5 are deleted.

California Building Code Section 903.2.1.6 is amended to read as follows:
903.2.1.6 Assembly occupancies on roofs. Where an occupied roof has assembly occupancy with an occupant load exceeding 100 for Group A-2 and 300 for other Group A Occupancies, an automatic sprinkler system shall be provided throughout the building in accordance with Section 903.3.1.1 or 903.3.1.2.

California Building Code Section 903.2.1.7 is deleted.

California Building Code Section 903.2.2 is amended to read as follows:

903.2.2 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout buildings containing an ambulatory care facility.

California Building Code Section 903.2.3 is amended to read as follows:
903.2.3 Group E. An automatic sprinkler system shall be installed throughout buildings containing a Group E occupancy. For public school state-funded construction projects see Section 903.2.19

California Building Code Section 903.2.4 is amended to read as follows:
903.2.4 Group F. An automatic sprinkler system shall be provided throughout buildings containing a Group F occupancy.

California Building Code Section 903.2.4.1 is deleted.

California Building Code Section 903.2.5.3 is amended to read as follows:
903.2.5.3 Pyroxylin plastics. An automatic sprinkler system shall be provided throughout buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

California Building Code Section 903.2.7 is amended to read as follows:
903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy.

California Building Code Section 903.2.8.1 is added to include the exception as follows:
903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the *California Residential Code*. Fire Sprinklers shall be installed in mobile homes, manufactured homes and multi-family manufactured homes with two or more dwellings units in accordance with *Title 25 of the California Code of Regulations.*

California Building Code Section 903.2.9 is amended to read as follow
903.2.9 Group S. An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy.

California Building Code Section 903.2.9.1 through 903.2.9.2 is deleted.

California Building Code Section 903.2.10 is amended to read as follows:
903.2.10 Group B. An automatic sprinkler system shall be provided throughout all buildings containing a Group B occupancy.

California Building Code Section 903.2.10.1 is deleted.

California Building Code Section 903.2.11 is amended to read as follows:
903.2.11 Specific buildings areas and hazards. In all occupancies other than detached Group U occupancies not greater than 1,000 square feet (928m^2), an automatic sprinkler system shall be installed for building design or hazard in the locations set forth in Sections 903.2.11.1 through 903.2.11.8.

California Building Code Section 903.2.11.3 exceptions #1 & #2 are deleted.

California Building Code Section 903.2.11.7 is added to read as follows:
903.2.11.7 Undetermined use design. Automatic sprinkler systems installed in buildings or structures of undetermined use shall be designed and installed to have a minimum density of .33 gallons per minute per square foot over a minimum design area of 3,000 square feet (2,784m^2).

California Building Code Section 903.2.11.8 is added to read as follows:
903.2.11.8 High-piled storage. An automatic sprinkler system shall be provided throughout as required in Chapter 32 in all buildings where storage is in high-pile or rack storage arrays.

California Building Code, Section 903.4.2 is amended to read as follows:
Section 903.4.2 Alarms. *One exterior* approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

California Building Code Section 903.6 is added to read as follows:
903.6 Where required in existing buildings and structures. An automatic sprinkler systems shall be provided throughout existing buildings and structures where required in Sections 903.6.1 through 903.6.3.

California Building Code Section 903.6.1 is added to read as follows:
903.6.1 Substantial remodel. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial remodel or substantial improvement.

> **Exception:** Alterations made solely for the purpose of complying with the *American Disabilities Act.*

California Building Code Section 903.6.2 is added to read as follows:
903.6.2 Substantial addition. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial addition.

California Building Code Section 903.6.3 is added to read as follows:
903.6.3 Substantial alteration. An automatic sprinkler system shall be provided throughout all buildings that undergo any combination of substantial remodel, addition or both that equals fifty percent (50%) of the existing gross floor area.

California Building Code Section 904.12 is amended to read as follows:
904.12 Commercial cooking systems. *Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, NFPA 96, and an automatic fire extinguishing system that is listed and labeled for its intended use as follows:*

1. *Wet chemical extinguishing system, complying with UL 300.*
2. *Carbon dioxide extinguishing system.*
3. *Automatic fire sprinkler systems.*

All existing dry chemical and wet chemical extinguishing systems shall comply with UL 300.

> ***Exception:*** *Public school kitchens, without deep-fat fryers, shall be upgraded to a UL 300 compliant system during state-funded modernization projects that are under the jurisdiction of the Division of the State Architect.*

All systems shall be installed in accordance with the California Mechanical Code, NFPA 96, appropriate adopted standards, their listing and the manufactures' installation instructions.

> **Exception**: Factory-built commercial cooking recirculating systems that are tested, listed, labeled and installed in accordance with UL 710B and the *California Mechanical Code* and NFPA 96.

California Building Code Section 905.3.1 item #2 is amended to read as follows:
905.3.1. *2. Buildings that are three or more stories in height.*

California Building Code Section 905.9 exception #2 is deleted.

California Building Code Section 912.2 is amended to read as follows:
912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of the fire department connections shall be within 100 feet of a fire hydrant or approved by the fire code official *(Also see Section 507.5.1.1).*

CHAPTER 31 SPECIAL CONSTRUCTION
California Building Code, Section 3102.2 is amended to add the following:
MEMBRANE STRUCTURE
TENT
UMBRELLA STRUCTURE

California Building Code, Section 3103.1 is amended to read as follows:
Section 3103.1 General. The provisions of Section 3101.1 through 3103.4 shall apply to structures erected for a period of less than 180 days. Tents, umbrella structures and other membrane structures erected for a period of less than 180 days shall comply with the *California Fire Code.* Those erected for longer period of time shall comply with applicable sections of this code.

CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION

California Building Code, Section 3312.3 is added to read as follows:
Section 3312.3 Detailed requirements. Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

CHAPTER 35 REFERENCED STANDARDS

California Building Code, Chapter 35, NFPA, 13D-16 is Amended Sections as follows:
Section NFPA 13D-16 - Standard for the installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes: as amended*

Revise Section 5.1.1.2 to read as follows:
Section NFPA.13D.5.1.1.2. A supply of at least three sprinklers shall be maintained on the premises so that any sprinklers that have operated of been damaged in any way can be promptly replaced.

Add Sections 5.1.1.2.1 as follows:
Section NFPA.13D.5.1.1.2.1. The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property. The stock sprinklers shall include not less than one sprinkler of all types and ratings installed.

Add Sections 5.1.1.2.2 as follows:
Section NFPA.13D.5.1.1.2.2. The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed the maximum ceiling temperatures specified in Table 5.1.1.6.1 for each of the sprinklers within the cabinet.

Add Sections 5.1.1.2.4 as follows:

Section NFPA.13D.5.1.1.2.4. One sprinkler wrench as specified by the sprinkler manufacture shall be provided in the cabinet for each type of sprinkler installed to be used for the removal and installation of sprinklers in the system.

Revise Section 7.6 to read as follows:
Section NFPA.13D.7.6 A local waterflow alarm shall be provided on all sprinkler systems.

Add Section 8.1.3.1.2.1 to read as follows:
Section NFPA.13D.8.1.2.1 Garages are permitted to be protected by residential sprinklers.

Revise Section 8.3.4 to read as follows:
Section NFPA.13D.8.3.4 Sprinklers shall not be required in detached garages, open attached porches, detached carports, and similar structures unless otherwise required by the *California Building or Fire Codes.*

Add Section 8.3.5.2 to read as follows:
Section NFPA.13D.8.3.5.2 At least one quick-response intermediate temperature residential sprinkler shall be installed above attic access openings.

Revise Section 11.2.1.1 to read as follows:
Section NFPA.13D.11.2.1.1 Where a fire department pumper connection is not provided, the system shall be hydrostatically tested at not less than 200 psi without evidence of leakage.

Appendix Chapter J of the California Building Code, 2016 Edition, is hereby adopted with the following amendments:

A. Insofar as they apply to the permitting of work regulated by this Ordinance, the Organization and Enforcement of this Ordinance shall be as set forth in Section 104 Chapter 1 of the California Building Code, 2016 Edition, with the exception that the City Engineer shall be the designated code enforcement officer and shall have all the powers and duties ascribed to the building official therein.

B.All references in Appendix Chapter J to the Building Official are hereby amended to refer to the City Engineer.

C. Notwithstanding A. and B. above, demolition permits shall remain under the authority of the Building Official.

D. Appendix Chapter J, Section J 103, is hereby amended to include the Grading Permit Application Requirements adopted by a separate resolution of the City Council. In the case of any discrepancies between the provisions of this Ordinance including the Code sections adopted by reference herein, and the Grading Permit Application Requirements, the latter shall supersede.

California Building Code Appendix J 102 is amended to read as follows:

Engineered Grading - Grading in excess of 500 cubic yards (382 cubic meters), and /or grading performed as part of a subdivision, and/or grading performed within two feet (2') of a property line shall be performed in accordance with the approved grading plan prepared by a civil engineer.

Regular Grading - Grading involving less than 500 cubic yards and not meeting either of the other two

conditions listed above. Unless the permittee chooses to have the grading performed as engineered grading, or the City Engineer determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.

In addition to the provisions of Section 104, A grading plan shall be prepared by a registered civil engineer, and shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform with the requirements of this code.

California Building Code Appendix J 103.1 is amended to read as follows:

Appendix Chapter J, Section J 103.1, is hereby amended to include the Grading Permit Application Requirements adopted by a separate resolution of the City Council. In the case of any discrepancies between the provisions of this Ordinance including the Code sections adopted by reference herein, and the Grading Permit Application Requirements, the latter shall supersede.

California Building Code Appendix J 110.1 is amended to include the following:

Erosion control and sediment control plans are required for the following:
(iii) Grading operations performed between October 1st and April 15th.
(iv) Grading along Calder Creek or Zimpher Creek or their tributaries, or on lands that discharge drainage directly to the Laguna de Santa Rosa
(v) Grading on hillsides with a slope of 10% or greater.

Erosion control plans shall reference and be in conformance with the "Erosion and Sediment Control Field Manual" published by the San Francisco Regional Water Quality Control Board, and the State Water Quality Control Board Construction General Permit (WQO 99-08-DWQ or latest adopted order).

With respect to the activities regulated by this Ordinance (i.e., Excavation, Grading and Earthwork Construction, CBC Section 113 (incorporated herein by reference) is hereby amended to include the following language:

The Sebastopol Design Review Board is hereby designated by the City Council as the board of appeals for activities regulated by this Ordinance.

SECTION 5. Adoption of California Code Of Regulations Title 24, Part 2.5: California Residential Building Code. 2016 Edition as published by the International Conference of Building Officials, with the following amendments:

Division II Administration
California Residential Code Section R105.2 exception 1 is amended to read as follows:
R105.2, exception 1. Shall be revised to read as follows:
One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet, (1 1.l5m2). The height of the one story detached accessory building shall not exceed 12 feet at any point or as specified by local zoning ordinance.

California Residential Code Section R105.2 exception 10 is amended to read as follows:
R105.2, exception10. Platforms, and decks not more than 30 inches (762mm) above adjacent grade at

any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4

California Residential Code Section R108.6 is amended to read as follows:
108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee establish by the building official that shall be in addition to the required permit fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five time the permit fee required by this code. The minimum investigation fee set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

California Residential Code Chapter 1 Section R108.7 is amended to read as follows:
108.7 Reinspection. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.
Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector. For failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table 1 or as set forth in the fee schedule adopted by the jurisdiction. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

California Residential Code Section R108.7 is amended to read as follows:
108.8 Violation penalties. Any persons who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five time the permit fee required by this code. The minimum investigation fee set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.
Add new section

California Residential Code, Section R202 General Definitions is amended to amend and the following:

SUBSTANTIAL ADDITION. An existing Group R-3 building or structure, which undergoes any addition of floor area that exceeds fifty percent (50%) of the existing gross floor area.

SUBSTANTIAL REMODEL. An existing building or structure, which undergoes any alteration of floor area that is greater than fifty percent (50%) of the existing gross floor area or meets the definition of a substantial improvement as defined by the *California Building Code.*

Section R313 Automatic Fire Sprinkler Systems
California Residential Code Section R313.1 is amended to read as follows:
R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed throughout all townhouses regardless of square footage in accordance with this code.

Fire Sprinklers shall be installed in all multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Exceptions:

1. Detached Group U occupancies 1,000 sq. ft. or less.
2. Detached pool houses up to 1,000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities.
4. Carports of non-combustible construction.

California Residential Code Section R313.1.2 is added to read as follows:

R313.1.2 Substantial remodel. An automatic sprinkler system shall be provided throughout all townhomes that undergo a substantial remodel or substantial improvement.

> **Exception:** Alterations made solely for the purpose of complying with the American Disabilities Act.

California Residential Code Section R313.1.3 is added to read as follows:

R313.1.3 Substantial addition. An automatic sprinkler system shall be provided throughout all townhomes that undergo a substantial addition.

California Residential Code Section R313.1.4 is added to read as follows:

R313.1.4 Substantial alterations. An automatic sprinkler system shall be provided throughout all townhomes that undergo any combination of substantial remodel, addition or both that equals fifty percent (50%) of the existing gross floor area. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

California Residential Code Section R313.2 is amended to read as follows:

R313.2 One –and- two family dwellings automatic fire sprinkler systems. An automatic sprinkler system shall be installed throughout all one- and two-family dwellings regardless of square footage in accordance with this code. Fire Sprinklers shall be installed in mobile homes, manufactured homes and multi-family manufactured homes with two dwelling units in accordance with *Title 25 of the California Code of Regulations.*

Exceptions:

1. Detached Group U occupancies 1,000 sq. ft. or less.
2. Detached pool houses up to 1,000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities.
4. Carports of non-combustible construction.

California Residential Code Section R313.2.2 is added to read as follows:

R313.2.2 Substantial remodel. An automatic sprinkler system shall be provided throughout all one-and-two-family dwellings that undergo a substantial remodel or substantial improvement.

> **Exception:** Alterations made solely for the purpose of complying with the *American Disabilities Act.*

California Residential Code Section R313.2.3 is added to read as follows:

R313.2.3 Substantial addition. An automatic sprinkler system shall be provided throughout all one-and-two-family dwellings that undergo a substantial addition.

California Residential Code Section R313.2.4 is added to read as follows:
R 313.2.4 Substantial alterations. An automatic sprinkler system shall be provided throughout all one-and-two-family dwellings that undergo any combination of substantial remodel, addition or both that equals fifty percent (50%) of the existing gross floor area. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

CHAPTER 44 REFERENCED STANDARDS

California Residential Building Code, Chapter 44, NFPA, 13D-16 is Amended Sections as follows:
Section NFPA 13D-16 - Standard for the installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes: as amended*

Revise Section 5.1.1.2 to read as follows:
Section NFPA.13D.5.1.1.2. A supply of at least three sprinklers shall be maintained on the premises so that any sprinklers that have operated of been damaged in any way can be promptly replaced.

Add Sections 5.1.1.2.1 as follows:
Section NFPA.13D.5.1.1.2.1. The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property. The stock sprinklers shall include not less than one sprinkler of all types and ratings installed.

Add Sections 5.1.1.2.2 as follows:
Section NFPA.13D.5.1.1.2.2. The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed the maximum ceiling temperatures specified in Table 5.1.1.6.1 for each of the sprinklers within the cabinet.

Add Sections 5.1.1.2.4 as follows:
Section NFPA.13D.5.1.1.2.4. One sprinkler wrench as specified by the sprinkler manufacture shall be provided in the cabinet for each type of sprinkler installed to be used for the removal and installation of sprinklers in the system.

Revise Section 7.6 to read as follows:
Section NFPA.13D.7.6 A local waterflow alarm shall be provided on all sprinkler systems.

Add Section 8.1.3.1.2.1 to read as follows:
Section NFPA.13D.8.1.2.1 Garages are permitted to be protected by residential sprinklers.

Revise Section 8.3.4 to read as follows:
Section NFPA.13D.8.3.4 Sprinklers shall not be required in detached garages, open attached porches, detached carports, and similar structures unless otherwise required by the *California Building or Fire Codes.*

Add Section 8.3.5.2 to read as follows:
Section NFPA.13D.8.3.5.2 At least one quick-response intermediate temperature residential sprinkler shall be installed above attic access openings.

Revise Section 11.2.1.1 to read as follows:
Section NFPA.13D.11.2.1.1 Where a fire department pumper connection is not provided, the system shall be hydrostatically tested at not less than 200 psi without evidence of leakage.

SECTION 6. Adoption of the California Code of Regulations Title 24, Part 3: The California Electrical Code, 2016 Edition, as published by National Fire Protection Association.

SECTION 7. Adoption of the California Code of Regulations Title 24, Part 4: The California Mechanical Code, 2016 Edition, and appendices thereof as published by the International Association of Plumbing & Mechanical Officials.

SECTION 8. Adoption of California Code of Regulations Title 24, Part 5: The California Plumbing Code, 2016 Edition and appendices thereof as published by the International Association of Plumbing & Mechanical Officials.

SECTION 9 . Adoption of California Code Of Regulations Title 24, Part 6: California Energy Code. 2016 Edition, as published by the International Code Council.

SECTION 10. Adoption of California Code Of Regulations Title 24, Part 8: California Historical Building Code. 2016 Edition, as published by the International Code Council.

SECTION 11. Adoption of the California Code of Regulations Title 24, Part 9
2016 California Fire Code as published by the International Code Council including Appendix Chapters 4, B, C, D, E, F, G, H, and N with the following amendments.

Chapter 1 ADMINISTRATION

California Fire Code, Section 101.1 is amended to read as follows:
Section 101.1 Title Shall be revised to read: These regulations shall be known as the *Fire Code of the City of Sebastopol,* hereinafter referred to as "this code"

California Fire Code, Section 104.2.1 is added to read as follows:
Section 104.2.1 Application for Permit Fees: All applications for a permit required by this Code shall be made to the Bureau of Fire Prevention in such form and detail, as it shall prescribe. Applications for permits shall be accompanied such plans as are required by the Bureau. The City Council may establish fees by resolution for permit applications.

California Fire Code, Section 105.6 is amended to read as follows:
105.6 Required Operational permits. The fire code official is authorized to issue operational permits for operations set forth in Sections 105.6.1 through 105.6.50.

California Fire Code, Section 105.6.50 is added to read as follows:
105.6.50 Local permits. *In addition to the permits required by section 105.6, the following permits shall be obtained from the Bureau of Fire Prevention prior to engaging in the following activities, operations, practices or functions:*

1. ***Apartment, hotel, or motel.*** *An operational permit is required to operate an apartment house, hotel or motel.*
2. ***Care Facilities.*** *An operational permits are required to operate a care facility as listed:*

3. *Day care with an occupant load greater than eight (8) persons.*
4. *Residential or commercial institutional care facility, occupancies complying with Health and Safety Code Section 13235 are exempt.*
5. ***Emergency Responder Radio System.*** *An operational permit is required to operate an*
6. *Emergency Responder Radio System.*
7. ***High-rise occupancy.*** *An operational permit is required to operate a high-rise building as defined in Title 24, Part 2, California Code of Regulations.*
8. ***Live Entertainment.*** *An operational permit is required to operate a business where alcohol is served, while providing live entertainment to the public.*
9. ***Medical cannabis.*** *Operational permits are required to operate a medical cannabis facility or operation listed below:*
    I. *Cultivation*
    II. *Distribution*
    III. *Manufacturing (non-volatile)*
    IV. *Testing/lab*
10. ***Model rockets rental, sale or operation.*** *An operational permit is required to operate, manufacture, import, export, possess, store, rent or sell model rockets as defined by Health and Safety Code Section 12519.*

California Fire Code, Section 109.4 is amended to read as follows:
109.4 Violation penalties. In accordance with the provisions of this code, any persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certification used under provisions of this code, or any person operating or maintaining any occupancy, premises, or vehicle subject to this code, fire and life safety provisions of the California Building Code, or allow any fire hazard to exist on premises under their control or who shall fail to take immediate action to abate a fire hazard when ordered or notified to do so by the fire code official or authorized designee shall be guilty of a misdemeanor, and shall severally for each and every violation and noncompliance respectively, be punishable by a fine of not more than $1,000 or by imprisonment not exceeding six months, or both such fine and imprisonment.

The imposition of one penalty of any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

California Fire Code, Section 109.5 is added to read as follows:
109.5 Authority to issue citations. The Chief is authorized to issue a citation to persons operating or maintaining an occupancy, premise, or vehicle subject to this code, who allows a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises, or vehicle when ordered or notified to do so.

California Fire Code, Section 113.2.1 is added to read as follows:
113.2.1 Section Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector. For failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished

for that purpose and pay the reinspection fee in accordance with the fee schedule adopted by the jurisdiction.
In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

California Fire Code, Section 111.4 is amended to read as follows:
111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalty provisions of Section 109 of the Sebastopol Fire Code or state law.

California Fire Code, Section 113.6 is added to read as follows:
113.6 Cost recovery. Fire suppression, investigation or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1, as may be amended from time to time. Additionally, any person(s) who negligently, intentionally or in violation of law causes an emergency response, including, but not limited to, a traffic accident, spill of toxic or flammable or combustible fluids or chemicals is liable for the costs of securing such emergency, including those costs pursuant to Government Code Section 53150, et seq, as may be amended from time to time. Any expense incurred by the Sebastopol Fire Department for securing such emergency shall constitute a debt of such person(s) and shall be collectable by the Sebastopol Fire Department in the same manner as in the case of an obligation under contract, expressed or implied.

Chapter 2 DEFINITIONS
California Fire Code, Section 201.5, Definitions is added to read the following:

Section 201.5 Wherever the word "jurisdiction" is used in the 2016 California Fire Code and 2015 International Fire Code, it shall be understand to mean that the City of Sebastopol is the local fire authority having jurisdiction (AHJ).
California Fire Code, Section 202, General Definitions is amended to amend and add the following:
Section 202 Where the party responsible for the enforcement of the 2016 California Fire Code and 2015 International Fire Code is given the title of "fire marshal." Add the following:

California Fire Code, Section 202, Definitions is amended to amend and add the following:
FIRE MARSHAL is the chief of the bureau of fire prevention.

MEMBRANE STRUCTURE. An air-inflated, air-supported, cable or frame-covered structure as defined by the *California Building Code* and not otherwise defined as a tent or umbrella structure. See Chapter 31 of the *California Building Code.*

SUBSTANTIAL ADDITION. An existing building or structure not classified as Group R-3 occupancy, which undergoes any addition of floor area that is greater than twenty-five percent (25%) of the existing gross floor area.

SUBSTANTIAL ADDITION, Group R-3. An existing Group R-3 buildings or structures, which undergoes any addition of floor area that exceeds fifty percent (50%) of the existing gross floor area.

SUBSTANTIAL REMODEL. An existing building or structure, which undergoes any alteration of floor area that is greater than fifty percent (50%) of the existing gross floor area or meets the definition of a substantial improvement as defined by the *California Building Code.*

TENT. A structure, enclosure, umbrella structure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

UMBRELLA STRUCTURE. A structure, enclosure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole. (See "Membrane Structure" and "Tent")

UNWARRANTED ALARM. The giving, signaling or transition of an alarm notification to a public fire station or emergency communication center when such alarm is the result of a defective condition of an alarm system, system servicing testing, construction activities, ordinary household activities, false alarm or other cause when no such danger exists.

Amend Chapter 3 General Precautions to read:

California Fire Code, Section 304.1.2.1 is added to read as follows:
304.1.2.1 Vegetation non developed parcel. Any parcel that is next to a developed parcel and is a threat to a structure shall be required to maintain a minimum 20 feet of clearance on the property line adjacent to the structure.

Exemptions: When approved by the Fire Code Official or if a hazard does not exist.

California Fire Code, Section 307.1.2 is added to read as follows:
Section 307.1.2 is added to read Open Burning. Open burning within the City limits of Sebastopol, including incinerators of all types, is prohibited, except for agricultural burning permitted by the Bay Area Air Quality Management District.

EXCEPTION: Barbecues used for cooking purposes, provided the barbecues shall not be used for burning rubbish, paper, boxes, grass, brush or other combustible items, except charcoal, natural gas or other materials commonly used in barbecues for cooking purposes.

CHAPTER 4 EMERGENCY PLANNING AND PREPARDNESS

California Fire Code, Section 402.1 is amended to add the following:
UNWARRANTED ALARM

California Fire Code, Section 401.3.2.1 is added to read as follows:
401.3.2.1 Unwarranted alarm notification. Notification of emergency responders based on an unwarranted alarm may be punishable by a fine in accordance with the adopted fee schedule. In addition, the responsible party may be liable for the operational and administrative costs, incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.

CHAPTER 5 FIRE SERVICE FEATURES

California Fire Code, Section 503.3 is amended to read as follows:
503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE in accordance with the *California Vehicle Code*, shall be provided for fire apparatus access roads to identify such roads or

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

California Fire Code, Section 505.1.1 is amended to read as follows:
505.1 Address identification. New and existing buildings shall be provided with approved illuminated address identification. The address identification shall be legible and placed in apposition that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetic letters. Numbers shall not be spelled out. Character size and stroke shall be in accordance with Section 505.1.1 through 505.1.2. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response in accordance with this code and Section 505.1.3. Where access is by means of a private road and the building cannot be viewed from the public way or when determined by the fire code official, a monument, pole, or other approved illuminated sign or means shall be used to identify the structure. Address identification shall be maintained.

California Fire Code, Section 505.1.1 is added to read as follows:
505.1.1 Numbers for one- and two- family dwellings. Each address identification character shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

California Fire Code, Section 505.1.2 is added to read as follows:
505.1.2 Numbers for other than one and two-family dwellings. Each address identification character shall be not less than twelve (12) inches high with a minimum stroke width of one (1) inch. Suite and unit directional numbers shall be not less than six (6) inches high with a minimum stroke width of three-quarter (0.75) inch. Numbers shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

California Fire Code, Section 505.1.3 is added to read as follows:
505.1.3 Complex directory. Where two or more buildings cannot be viewed from the public way or when determined by the fire code official, an approved illuminated complex directory, monument, pole, or other approved sign or means shall be used to identify the structures at the main entrances to the property.

California Fire Code, Section 507.5.1.1 is amended to read as follows:
507.5.1.1 Hydrant for fire department connections. Buildings equipped with a water-based fire protection system installed in accordance with Section 903 through 905 shall have a fire hydrant within 100 feet of the fire department connections, or as approved by the fire code official. *(Also see Section 912.2).*

Chapter 9 Fire Protection Systems

California Fire Code, Section 902.1 is amended to add the following:
SUBSTANTIAL ADDITION
SUBSTANTIAL ADDITION, Group R-3
SUBSTANTIAL IMPROVEMENT
SUBSTANTIAL REMODEL

California Fire Code Section 903.2 is amended to read as follows:
903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.19. Approved automatic sprinkler systems in existing buildings and structures shall be provided in locations described in Section 903.6.

Exceptions:

5. Agricultural buildings as approved by the fire code official.
6. Detached pool houses accessory to Group R-3 not classified as a dwelling unit and not exceeding 1,000 square feet (928m²) in gross floor area within 50 feet of the pool and limited to a single bathroom.
7. Detached non-combustible motor vehicle fuel dispensing canopies.
8. Detached Group U Occupancies not greater than 1,000 square feet (928m²).

California Fire Code Section 903.2.1 is amended to read as follows:
903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings containing a Group A occupancy.

California Fire Code Section 903.2.1.1 through 903.2.1.5 are deleted.

California Fire Code Section 903.2.1.6 is amended to read as follows:
903.2.1.6 Assembly occupancies on roofs. Where an occupied roof has an assembly occupancy with an occupant load exceeding 100 for Group A-2 and 300 for other Group A Occupancies, an automatic sprinkler system shall be provided throughout the building in accordance with Section 903.3.1.1 or 903.3.1.2.

California Fire Code Section 903.2.1.7 is deleted.

California Fire Code Section 903.2.2 is amended to read as follows:
903.2.2 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout buildings containing an ambulatory care facility.

California Fire Code Section 903.2.3 is amended to read as follows:
903.2.3 Group E. An automatic sprinkler system shall be installed throughout buildings containing a Group E occupancy.

California Fire Code Section 903.2.4 is amended to read as follows:
903.2.4 Group F. An automatic sprinkler system shall be provided throughout buildings containing a Group F occupancy.

California Fire Code Section 903.2.4.1 is deleted.

California Fire Code Section 903.2.5.3 is amended to read as follows:
903.2.5.3 Pyroxylin plastics. An automatic sprinkler system shall be provided throughout buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

California Fire Code Section 903.2.7 is amended to read as follows:
903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy.

California Fire Code Section 903.2.8.1 is amended to include the exception as follows:
903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the *California Residential Code*. Fire Sprinklers shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with *Title 25 of the California Code of Regulations.*

California Fire Code Section 903.2.9 is amended to read as follow
903.2.9 Group S. An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy.

California Fire Code Section 903.2.9.1 through 903.2.9.2 is deleted.

California Fire Code Section 903.2.10 is amended to read as follows:
903.2.10 Group B. An automatic sprinkler system shall be provided throughout all buildings containing a Group B occupancy.

California Fire Code Section 903.2.10.1 is deleted.

California Fire Code Section 903.2.11 is amended to read as follows:
903.2.11 Specific buildings areas and hazards. In all occupancies other than detached Group U occupancies not greater than 1,000 square feet (928m^2), an automatic sprinkler system shall be installed for building design or hazard in the locations set forth in Sections 903.2.11.1 through 903.2.11.8.

California Fire Code Section 903.2.11.3 exceptions #1 & #2 are deleted.

California Fire Code Section 903.2.11.7 is added to read as follows:
903.2.11.7 Undetermined use design. Automatic sprinkler systems installed in buildings or structures of undetermined use shall be designed and installed to have a minimum density of .33 gallons per minute per square foot over a minimum design area of 3,000 square feet (2,784m^2).

California Fire Code Section 903.2.11.8 is added to read as follows:
903.2.11.8 High-piled storage. An automatic sprinkler system shall be provided throughout as required in Chapter 32 in all buildings where storage is in high-pile or rack storage arrays.

California Fire Code Section 903.6 is amended to read as follows:
903.6 Where required in existing buildings and structures. An automatic sprinkler systems shall be provided throughout existing buildings and structures where required in Sections 903.6.1 through 903.6.3.

California Fire Code Section 903.6.1 is added to read as follows:
903.6.1 Substantial remodel. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial remodel or substantial improvement.

> **Exception:** Alterations made solely for the purpose of complying with the *American Disabilities Act.*

California Fire Code Section 903.6.2 is added to read as follows:
903.6.2 Substantial addition. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial addition.

California Fire Code Section 903.6.3 is added to read as follows:
903.6.3 Substantial alterations. An automatic sprinkler system shall be provided throughout all buildings that undergo any combination of substantial remodel, addition or both that equals fifty percent (50%) of the existing gross floor area. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

California Fire Code Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. *One exterior* approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

California Fire Code Section 904.12 is amended to read as follows:
904.12 Commercial cooking systems. *Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, NFPA 96, and an automatic fire extinguishing system that is listed and labeled for its intended use as follows:*

4. *Wet chemical extinguishing system, complying with UL 300.*
5. *Carbon dioxide extinguishing system.*
6. *Automatic fire sprinkler systems.*

All existing dry chemical and wet chemical extinguishing systems shall comply with UL 300.

> **Exception:** Public school kitchens, without deep-fat fryers, shall be upgraded to a UL 300 compliant system during state-funded modernization projects that are under the jurisdiction of the Division of the State Architect.

All systems shall be installed in accordance with the California Mechanical Code, NFPA 96, appropriate adopted standards, their listing and the manufactures' installation instructions.

> **Exception**: Factory-built commercial cooking recirculating systems that are tested, listed, labeled and installed in accordance with UL 710B and the *California Mechanical Code* and NFPA 96.

California Fire Code Section 905.3.1 item #2 is amended to read as follows:
905.3.1. *2. Buildings that are three or more stories in height.*

California Fire Code Section 905.9 exception #2 is deleted.

California Fire Code Section 912.2 is amended to read as follows:
912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of the fire department connections shall be within 100 feet of a fire hydrant or approved by the fire code official *(Also see Section 507.5.1.1).*

CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

California Fire Code Section 1103.1 is amended to read as follows:
1103.1 Required construction. Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2, 1103.6, 1103.7, 1103.8 through 1103.8.5.3, 1103.9, and 1103.10.

The provisions of this chapter shall not be constructed to allow the elimination of fire protection systems or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

> **Exceptions:**
>
> 1. Where a change in fire-resistance rating has been approved in accordance with Section 803.6 of the *California Existing Building Code.*
> 2. Group U occupancies.

California Fire Code Sections 1103.2 Item #1 is deleted.

California Fire Code Sections 1103.3 through 1103.5.4 are deleted.

California Fire Code Sections 1104 and 1105 are deleted.

CHAPTER 31 TENTS AND OTHER MEMBRANE STRUCTURES

California Fire Code, Section 3102.1 is amended to amend and add the following:
MEMBRANE STRUCTURE
TENT
UMBRELLA STRUCTURE

California Fire Code Section 3101.1 is amended to read as follows:
3101.1 Scope. Tents, umbrella structures, temporary stage canopies and membrane structures shall comply with this chapter. The provisions of Section 3103 are applicable only to temporary tents, umbrella structures, and membrane structures. The provisions of Section 3104 are applicable to temporary and permanent tents, umbrella structures, and membrane structures. Other temporary structures shall comply with the *California Building Code*.

> *These building standards govern the use of tents, umbrella structures, awnings or other fabric enclosures, including membrane (air-supported and air-inflated) structures and places of assemblage, in or under which 10 or more persons may gather for any lawful purpose.*
>
> ***Exceptions:***
>
> 1. *Tents, umbrella structures, awnings or other fabric enclosures used to cover or enclose private swimming pools and similar facilities on the premises of private one- and two-family dwellings.*
> 2. *Tents used to conduct committal services on the grounds of a cemetery.*
> 3. *Tents, umbrella structures, awnings or other fabric enclosures erected and used within a sound stage, or other similar structural enclosure which is equipped with an overhead automatic sprinkler system.*
> 4. *Tensioned membrane roof materials supported by ridged frames or installed on a mast and cable system provided such structures conform to the requirements of one of the types of construction as described in these regulations.*
> 5. *Fabric structures which are part of mobile homes, recreational vehicles, or commercial coaches governed by the provisions of Division 13, Part 2, Health and Safety Code (Department of Housing and Community Development).*

CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION

California Fire Code Section 3314.3 is added to read as follows:
3314.3 Where required. In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding 40 feet (12,192 mm) in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

California Fire Code Section 3314.4 is added to read as follows:
3314.4 Buildings being demolished. Where a building is being demolished and a automatic sprinkler system is existing within such a building, such automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system

shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

California Fire Code, Section 3314.3 is added to read as follows:
Section 18-44.3314.5 Detailed requirements. Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

CHAPTER 56 EXPOLSIVES AND FIREWORKS

California Fire Code Section 5601.1.6 is added to read as follows:
5601.1.6 Sale, use or discharge of fireworks prohibited – exception. Except for firework displays authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks.

Any person or group desiring to perform a fireworks display shall first make written application for a permit to the fire code official. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the fire code official or authorized designee pursuant to *Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations.* Any permit for a fireworks display may be suspended or revoked at any time by the Fire code official or authorized designee.

California Fire Code Section 5601.2.5 is added to read as follows:
5601.2.5 The limits referred to in Section 5604.1 in which the storage of explosives and blasting caps or agents, is prohibited, are established as being all areas except "M" zones, Industrial Districts, as defined in the Sebastopol Zoning Ordinance,

California Fire Code Section 5601.2.6 is added to read as follows:
5601.2.6 During the period beginning at noon on June 28th and ending at midnight July 4th, fireworks classified as "Safe and Sane" by the California State Fire Marshal's Office, may be possessed and discharged within the City Limits of Sebastopol in compliance with all applicable State and Local regulations, including Council Resolution #3082.

Chapter 57 Flammable and Combustible Liquids

California Fire Code Section 5706.2.4.4 is added to read as follows:
5706.2.4.4 is amended as follows: The limits referred to in section 3406.2.4.4, in which the storage of flammable or combustible liquids in outside above ground storage tanks is prohibited in all zones except "M" Zones, Industrial Districts, as identified in the Sebastopol Zoning Ordinance.

Chapter 61 Liquefied Petroleum Gases

California Fire Code Section 6104.2 is added to read as follows:
6104.2 Maximum capacity within established limits. Within the city limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 500 gallons and are prohibited in all zones except "M" Zones, Industrial Districts, as identified in the Sebastopol Zoning Ordinance.

CHAPTER 80 REFERENCED STANDARD

NFPA 13D-16 - Standard for the installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes: as amended*...

Revise Section 5.1.1.2 to read as follows:
NFPA.13D.5.1.1.2. A supply of at least three sprinklers shall be maintained on the premises so that any sprinklers that have operated of been damaged in any way can be promptly replaced.

Add Sections 5.1.1.2.1 as follows:
NFPA.13D.5.1.1.2.1. The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property. The stock sprinklers shall include not less than one sprinkler of all types and ratings installed.

Add Sections 5.1.1.2.2 as follows:
NFPA.13D.5.1.1.2.2. The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed the maximum ceiling temperatures specified in Table 5.1.1.6.1 for each of the sprinklers within the cabinet.

Add Sections 5.1.1.2.4 as follows:
NFPA.13D.5.1.1.2.4. One sprinkler wrench as specified by the sprinkler manufacture shall be provided in the cabinet for each type of sprinkler installed to be used for the removal and installation of sprinklers in the system.

Revise Section 7.6 to read as follows:
NFPA.13D.7.6 A local waterflow alarms shall be provided on all sprinkler systems.

Add Section 8.1.3.1.2.1 to read as follows:
NFPA.13D.8.1.2.1 Garages are permitted to be protected by residential sprinklers.

Revise Section 8.3.4 to read as follows:
NFPA.13D.8.3.4 Sprinklers shall not be required in open attached porches, detached garages and detached carports, unless otherwise required by the California Building or Fire Codes.

Add Section 8.3.5.2 to read as follows:
NFPA.13D.8.3.5.2 At least one quick-response intermediate temperature residential sprinkler shall be installed above attic access openings.

Revise Section 11.2.1.1 to read as follows:
NFPA.13D.11.2.1.1 Where a fire department pumper connection is not provided, the system shall be hydrostatically tested at not less than 200 psi without evidence of leakage.

SECTION 12. Adoption of the California Code of Regulations Title 24 Part 10 California Existing Building Code 2016 Edition as published by the International Code Conference International Existing Building Code.

SECTION 13. Adoption of California Code of Regulations Title-24 Part 11 California Green Building Standards Code 2016 edition as published by the International Code Conference with the following amendments Appendix Chapters A4 Tier 1 and Appendix Chapter A5 Tier 1.

Chapter 2 Definitions

California Green Building Standards Code Section 202 is amended to read as follows:
Newly Constructed (or New Construction) A newly constructed building (or new construction) includes additions of over 500 square feet for residential construction or 1800 square feet for non residential construction, alterations or repairs of 50 percent or greater to any existing building.

California Green Building Standards Code Appendix A4 Section A4.601.1is added to read as follows:
A4.601.1 The Tier 1 measures contained in this appendix, Division A4.1, A4.3, A4.4, A4.5 and A4.6 are adopted as mandatory provisions

California Green Building Standards Code Appendix A4 Section A5.601.1is added to read as follows:
A5.601.1 The Tier 1 measures contained in this appendix, DivisionA5.1, A5.3, A5.4, A5.5 and A5.6 are adopted as mandatory provisions.

SECTION 14. Adoption of California Code Of Regulations Title 24, Part 12: California Reference Standards Code. 2016 Edition, published by the International Code Council.

SECTION15. Adoption of the **International Property Management Code**
The International Existing Building Code 2015 Edition as published by the International Code Council

SECTION16. Adoption of the **International Swimming Pool and Spa Code**
The 2015 International Swimming Pool and Spa Code 2015 Edition as published by the International Code Council

SECTION 17. Adoption of the current edition of the National Fire Code as published by the National Fire Protection Association.

SECTION 18. Adoption of Codes by reference. For the purpose of establishing proper regulations for building construction, installations of plumbing systems, mechanical systems and electrical systems and establishing minimum standards for the health, safety and welfare of the general public the 2015 International Property Maintenance Code and the 2015 International Swimming Pool and Spa Code, together with any amendments, as hereinafter set forth in this chapter, are adopted and made part of this chapter.

SECTION 19. Repeal of Repair and Reconstruction of Damaged Buildings Municipal Code Section 15.10. Adoption of the California Code of Regulations Title 24 Part 10 California Existing Building Code supersedes the provisions of the Repair and Reconstruction of Damaged Buildings and resolves any conflicts with the previous code regulations.

SECTION 20. **Fire Department** The 2016 California Fire Code and 2015 International Fire Code as adopted and amended herein shall be enforced by the bureau of fire prevention (or other designated agency) in the fire department of the City of Sebastopol.

SECTION 21. Building and Safety Division. There is hereby established a Building and Safety Division of the City of Sebastopol, pursuant to the provisions of the respective Codes adopted by this Ordinance.

SECTION 22. Non-Liability of City of Sebastopol. This Ordinance shall not be construed as imposing upon the City of Sebastopol (or any official or employee thereof) any liability or responsibility for damages to any property or injuries to any person resulting from defects in building construction, defective plumbing, or drainage systems (or installations thereof), electrical or gas installations, or by installations of containers for the use of flammable products, nor shall the City of Sebastopol (or any official or employee thereof) be held as assuming any such liability or responsibility for property damage from any cause whatsoever which may have been caused by a gas leakage, fire or explosion of any gas appliance or house gas piping, electrical application or electrical wiring or from the storage or use of flammable and/or hazardous materials.

SECTION 23. Violations and Penalties. Any person violating any of the provisions of this Ordinance shall be deemed guilty of an infraction and any person violating the same section or a portion of an Ordinance on a second or subsequent occasion shall thereafter be deemed guilty of a misdemeanor and upon conviction of either an infraction or a misdemeanor shall be punishable by law.

SECTION 24. **Repeal of Conflicting Ordinances**.

All other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 25. Fees.

The City Council of the City of Sebastopol may establish permit fees as set forth by resolution.

SECTION 26. Findings of Fact.
Pursuant to Health and Safety Code Section 17958.7, the Finding of Fact, as submitted in Exhibit A and B of this Ordinance, are made in connection with the adoption of revisions or additions to the 2016 editions of the California Code of Regulations T-24 Part 1,2,2.5,3,4,5,6,8,9,10,11&12.

SECTION. 25. Effective Date. This Ordinance shall become effective January 1, 2017.

IN COUNCIL DULY APPROVED FOR INTRODUCTION AND FIRST READING on the 18th day of October, 2016.

IN COUNCIL DULY APPROVED FOR SECOND READING AND ADOPTION on the 1st day of November, 2016.

APPROVED: _____

Sarah Glade Gurney, Mayor

VOTE:
AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

_____

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:

_____

Larry McLaughlin, City Attorney