



UKIAH VALLEY FIRE DISTRICT Special Meeting AGENDA

(to be held both at the physical and virtual locations below)

Civic Center Council Chambers ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

To participate, go to the following link: <https://us06we.zoom.us/j/97717635120>
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January 9, 2024
6:00 PM

1. **CALL TO ORDER AND ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **ANNOUNCEMENTS**

4. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

If you wish to speak on a matter that is not on this agenda that is within the subject matter jurisdiction of the Ukiah Valley Fire District Board, you may do so at this time. Please limit your comments to 3 minutes per person and a total of 10 minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

5. **APPROVAL OF MINUTES**

6. **UNFINISHED BUSINESS - DISCUSSION/ACTION**

- 6.a. 2nd Reading and Discussion of Ordinance 2023-01, an Ordinance of the Ukiah Valley Fire District Adopting the 2022 Edition of the CA Fire Code with Amendments, as well as National Fire Protection Agency (NFPA) 1 Chapter 38, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion and for Providing for the Issuance of Permits, Repealing all other Ordinances and Parts of Ordinances of the Ukiah Valley Fire District in Conflict Herewith. Also, the Adoption of Resolution 2024-01, Establishing Findings of Fact and Need for Changes or Modifications to the State Building Standards Code because of Local Conditions.

Recommended Action:

Adopt Ordinance 2023-01, an Ordinance of the Ukiah Valley Fire District Adopting the 2022 Edition of the CA Fire Code with Amendments (Attachment 1 red line 2 clean), as well as National Fire Protection Agency (NFPA) 1 Chapter 38, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion and for Providing for the Issuance of Permits, Repealing all other Ordinances and Parts of Ordinances of the Ukiah Valley Fire District in Conflict Herewith.

Adopt Resolution 2024-01 (Attachment 3 reline and 4 Clean), Establishing Findings of Fact and Need for Changes or Modifications to the State Building Standards Code because of Local Conditions.

Attachments:

1. Attachment 1 Final Redline ORDINANCE NO 2023-1 UVFA
2. Ordinance No. 2023-01 Final-Clean
3. Attachment 3 Resolution 2023 - 2 final Redline
4. Resolution 2024-01- Final - Clean

7. NEW BUSINESS - DISCUSSION/ACTION

8. COMMUNICATIONS RECEIVED AND FILED - INFORMATION

9. DIRECTOR'S REPORT

10. CHIEFS REPORTS

11. ADJOURNMENT

Please be advised that the Ukiah Valley Fire District complies with ADA requirements and needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. Materials related to an item on this Agenda submitted to the Ukiah Valley Fire District after distribution of the Agenda Packet, are available for public inspection at the front counter at the Ukiah Valley Fire District Office, 1500 South State Street, Ukiah, CA 95482, during normal business hours Monday through Friday, 8:00 am to 4:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at the following location: Ukiah Valley Fire District Office - 1500 South State Street; Ukiah, California; and online not less than 72 hours prior to the meeting set forth on this agenda. To view the meeting, click on the name of the meeting at: www.cityofukiah.com/meetings.

Stephanie Abba, Clerk of the Board
Dated: January 5, 2024



AGENDA SUMMARY REPORT

SUBJECT:

2nd Reading and Discussion of Ordinance 2023-01, an Ordinance of the Ukiah Valley Fire District Adopting the 2022 Edition of the CA Fire Code with Amendments, as well as National Fire Protection Agency (NFPA) 1 Chapter 38, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion and for Providing for the Issuance of Permits, Repealing all other Ordinances and Parts of Ordinances of the Ukiah Valley Fire District in Conflict Herewith. Also, the Adoption of Resolution 2024-01, Establishing Findings of Fact and Need for Changes or Modifications to the State Building Standards Code because of Local Conditions.

DEPARTMENT: Fire

PREPARED BY: Matt Keizer, Building Official,
Stephanie Abba, Clerk of the Board

PRESENTER: Matt Keizer, Building Official

ATTACHMENTS:

1. Attachment 1 Final Redline ORDINANCE NO 2023-1 UVFA
2. Ordinance No. 2023-01 Final-Clean
3. Attachment 3 Resolution 2023 - 2 final Redline
4. Resolution 2024-01- Final - Clean

Summary:

The District Board will consider the adoption by ordinance of the 2022 California Fire Code as amended, and adoption of a resolution establishing Findings of Fact and Need for Modifications to the California Fire Code because of local conditions.

Background:

The California Fire Code is part of the California Building Standards Code, and a new edition is published every three years by order of the California State Legislature. These new building and fire standards take effect January 1, 2023, unless otherwise stipulated.

A Fire District may establish more restrictive standards reasonably necessary because of local Climatic, Geological, or Topographical conditions. These findings of local conditions and adopted local standards must be filed with the California Building Standards Commission to become effective. Previous additions and amendments do not apply with appropriate adoption.

Discussion: The IFC and the California Fire Code are updated every three(3) years and were last updated and adopted in 2019. This is a routine update and adoption of the most recent code.

Recommended Action:

Adopt Ordinance 2023-01, an Ordinance of the Ukiah Valley Fire District Adopting the 2022 Edition of the CA Fire Code with Amendments (Attachment 1 red line 2 clean), as well as National Fire Protection Agency (NFPA) 1 Chapter 38, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion and for Providing for

the Issuance of Permits, Repealing all other Ordinances and Parts of Ordinances of the Ukiah Valley Fire District in Conflict Herewith.

Adopt Resolution 2024-01 (Attachment 3 reline and 4 Clean), Establishing Findings of Fact and Need for Changes or Modifications to the State Building Standards Code because of Local Conditions.

BUDGET AMENDMENT REQUIRED: NA

CURRENT BUDGET AMOUNT: NA

PROPOSED BUDGET AMOUNT: NA

FINANCING SOURCE: NA

PREVIOUS CONTRACT/PURCHASE ORDER NO.: NA

COORDINATED WITH:

Approved:

Approved:



Doug Hutchison, Fire Chief

Doug Hutchison, Fire Chief

ORDINANCE NO. ~~2023-120-1~~

AN ORDINANCE OF THE UKIAH VALLEY FIRE DISTRICT ADOPTING THE 20~~22~~19 EDITION OF THE CALIFORNIA FIRE CODE WITH AMENDMENTS, AS WELL AS National Fire Protection Association (NFPA) 1 CHAPTER 38, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION AND FOR PROVIDING FOR THE ISSUANCE OF PERMITS, REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES OF THE UKIAH VALLEY FIRE DISTRICT IN CONFLICT HEREWITH.

The Board of Directors of the Ukiah Valley Fire District does ordain as follows:

Part 1. That the California Fire Code, 20~~22~~19 edition, including Appendix Chapter 4 and Appendices B, BB, C, CC, D, E, F, G, H, I, K, N, and O as published by the International Code Council, as well as National Fire Protection Association (NFPA) 1 Chapter 38, be and is hereby adopted as the Fire Code of the Ukiah Valley Fire District in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Ukiah Valley Fire District are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Part 2 of this Ordinance. ~~Further, the regulations known as the “SRA Fire Safe Regulations” as set forth within Title 14, Division 1.5, Chapter 7, Subchapter 2 of the California Board of Forestry applicable to the State Responsibility Area (“SRA”) are hereby incorporated, adopted verbatim and made a part hereof, and such SRA Fire Safe Regulations shall be enforced and implemented within the applicable SRA service area.~~

Part 2. That the following sections of the 20~~22~~19~~3~~ edition of the California Fire Code are hereby amended and changed in the following respects:

Section 101.1 Title of Chapter 1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the Ukiah Valley Fire District, hereinafter referred to as “this code.”

Section 105.1 General of Chapter 1 is amended to read as follows:

105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.~~6.247.25~~ or other provisions of this code as required by the Ukiah Valley Fire District.

Section ~~111.19~~109.1 Board of Appeals Established of Chapter 1 is amended to read as follows:

~~111.19~~109.1 Board of Appeals Established. In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the Board of Directors of the Ukiah Valley Fire District or a sub-committee as appointed by the Board of Directors of the Ukiah Valley Fire District. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the Appellant with a duplicate copy to the fire code official.

Section ~~111.3~~109.3 Qualifications of Chapter 1 is deleted.

Section ~~109.3.111.54~~ Appeals Process of Chapter 1 is added to read as follows:

~~11109.35~~ Appeals Process. The appeals process for appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code shall be defined by sections ~~108111.4.15.1~~ through ~~108111.4.55.5~~.

Section ~~109.3.1111.54.1~~ Initiating Appeal of Chapter 1 is added to read as follows:

Section ~~109.3.1111.54.1~~ Initiating Appeal. Any beneficially interested party has the right to appeal the order served by the fire code official by filing a written “NOTICE OF APPEAL” with the office of the fire code official within ten days after service of such order and upon payment of the sum of \$150. In the event the order of the fire code official is overturned following the appeal, the fee shall be returned. The notice shall state the order appealed from, the identity and mailing address of the Appellant, and the specific grounds upon which the appeal is made.

Section ~~109.3.2111.54.2~~ Stay of Order of Chapter 1 is added to read as follows:

Section ~~109.3.2111.54.2~~ Stay of Order. The timely filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from until the final decision of the appeal. Failure to file a timely notice of appeal waives any right to further challenge the order of the fire code official. “File” means delivered to the office of the fire code official at ~~1500 South State Street~~300 Seminary Ln, Ukiah, California ~~95482.-~~.

Exception: Orders affecting acts or conditions which in the opinion of the fire code official, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion, or release are enforceable when made and are not stayed by the filing of a notice of appeal.

Section ~~109.3.3111.54.3~~ Hearing of Appeal of Chapter 1 is added to read as follows:

Section ~~109.3.3111.54.3~~ Hearing of Appeal. Following is the process for establishing and hearing appeals:

The Board of Appeals, or the secretary thereof, shall set the matter to be heard at a date within thirty (30) days of receipt of such notice of appeal. Written notice of the time and place set for hearing shall be served on the Appellant by first class mail to the mailing address given in the notice of appeal. A hearing may not be conducted less than 20 days after notice is given to the applicant. The Board of Appeals may adopt rules governing the conduct of its hearings. Those rules shall include, at least, the following:

1. The fire code official shall submit evidence at the hearing substantiating his/her decision. Such evidence may include testimony, fire district, police or other reports of the incident, witness statements, and other documents. Not less than 10 days prior to the scheduled hearing, the fire code official must notify the Appellant of the name, address, and phone number of any witness to the violation and furnish the Appellant with a copy of any document the fire code official intends to submit at the hearing. Not less than seven (7) days prior to the hearing, the Appellant may request the fire code official to produce at the hearing any witness he/she intends to rely upon to substantiate the violation. The written request must name the witness or witnesses who are requested to attend the hearing. The fire code official may not rely on the testimony of any witness (including such testimony contained in reports or written witness statements) whose appearance at the hearing is required by this subsection; if that witness fails to appear.

2. Not less than 10 days prior to the hearing, the Appellant must notify the fire code official in writing of the name, address, and phone number of any witness the Appellant intends to call as a witness at the hearing, provide a brief description of the proposed testimony, and furnish the fire code official with a copy of any document the Appellant intends to offer as evidence at the hearing. The Appellant may not call any witness to

testify at the hearing who was not identified as required by this subsection or offer any document as evidence at the hearing that was not provided to the fire code official as required by this subsection.

3. At the hearing, the Appellant may be represented by an attorney, at the Appellant's expense. Both the fire code official and the Appellant shall have the right to examine and cross-examine any witness produced at the hearing. The rules of evidence that normally apply in court shall not apply in a hearing before the Board of Appeals, but it shall only consider evidence which-that would be relied upon by reasonable people making an important decision, and shall disregard evidence which-that by its nature is unreliable or not credible.

4. The entire hearing shall be electronically or steno-graphically~~steno-graphically~~ recorded. The Board of Appeals shall base its decision exclusively on the evidence presented at the hearing and shall issue a written decision, which includes a statement of the relevant facts which-that it finds to be true and explains how the facts support its decision. The record of the hearing shall be preserved for not less than six (6) months after the decision is served on the Appellant.

Section ~~109.3.4111.54.4~~ Hearing Decision of Chapter 1 is added to read as follows:

Section ~~109.3.4111.54.4~~ Hearing Decision. The chairperson of the Board of Appeals shall issue the written decision required by subsection 4 of Section ~~109111.4.3~~ Hearing of appeal. The Board of Appeals may issue a decision affirming, modifying, or vacating the order of the fire code official. The decision shall be in writing and shall be served upon the Appellant by first class mail to the mailing address given in the notice of appeal. The hearing decision shall include notice of the Appellant's right to seek review of the decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

Section ~~111109.54.5~~ Finality of the Decision of the Board of Appeals of Chapter 1 is added to read as follows:

Section ~~109111.54.5~~ Finality of the Decision of the Board of Appeals. The decision of the Board of Appeals shall be the final decision for the District. The Board of Appeals shall have the power to continue any hearing and may, in-at its discretion, take the appeal under submission. The Board of Appeals shall render a decision not later than the seventh (7th) day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

Section ~~111109.54.6~~ Appeal to Superior Court of Chapter 1 is added to read as follows:

Section ~~109111.54.6~~ Appeal to Superior Court. Judicial review of the decision of the Board of Appeals shall be governed by the Code of Civil Procedure Sections 1094.5 and 1094.6.

Section ~~109111.54.7~~ Enforcement of Decision of Chapter 1 is added to read as follows:

Section ~~109111.54.7~~ Enforcement of Decision. Unless stayed by a court, any final decision of the Board of Appeals is effective immediately and may be implemented and enforced by the District. The remedies provided by this code are cumulative and in addition to any other remedies available at law or in equity.

1. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this ordinance shall constitute a violation.

2. Violations of this code are hereby declared to be public nuisances.

3. A violation of this code constitutes a misdemeanor/infraction punishable by a fine of \$1,000 or by imprisonment in the County jail for six months, or both.

4. In addition to other remedies provided by this ordinance or by other law, any violation of this ordinance may be remedied by a civil action brought by the District, including, for example, administrative or judicial nuisance abatement proceedings, other legally authorized enforcement proceedings, and suits for injunctive relief.

Section 11~~20~~.4 Violation Penalties of Chapter 1 is amended to read as follows:

Section 11~~20~~.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor/infraction. The first citation within a 12-month period, for violations of the Fire Code and any amendments adopted herein, shall be treated as a Civil Penalty payable directly to the Ukiah Valley Fire District and is set at \$250.00 plus the actual costs of all inspections required to gain compliance at the current rate set by the Ukiah Valley Fire District, per hour with a ~~1-hour~~1-hour minimum. Said civil penalties shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided in this section. Upon failure to pay the civil penalty when due, the responsible person shall be liable in a civil action brought by the Ukiah Valley Fire District for such penalty and costs of the litigation, including reasonable attorney's fees.

Any subsequent citations within a twenty-four (24) month period for any violations of the Fire Code and any amendments adopted herein shall be misdemeanors/infractions, and shall be subject to the penalties set forth herein, or a civil penalty shall be assessed in the sum of \$500.00 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Ukiah Valley Fire District. The imposition of a 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 violations or defects within a reasonable time. When not otherwise specified, each day that a violation occurs or continues, after a final notice has been delivered shall constitute a separate offense. The application of both penalties shall be held to prevent the enforced correction of the prohibited condition. Nothing contained in this Section shall be construed or interpreted to prevent the Ukiah Valley Fire District from recovering all costs associated with a Fire District response as described in Ordinance 2004-1 or subsequent cost recovery ordinances.

Any violation of any provision of this Chapter shall constitute a public nuisance and shall entitle the Ukiah Valley Fire District to collect the costs of abatement and related administrative costs by a nuisance abatement lien as more particularly set forth in Government Code Section 38773.1, and by special assessment to be collected by the County Tax Collector as more particularly set forth in Government Code Section 38773.5. At least thirty (30) days prior to recordation of the lien, or submission of the report to the Tax Collector for collection of this special assessment, the record owner shall receive notice from the Chief of the Ukiah Valley Fire District of the intent to charge the property owner for all administrative costs associated with enforcement of this Ordinance and abatement of the nuisance. The notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance. The property owner may appeal the Chief's decision to the Board of Directors of the Ukiah Valley Fire District within fifteen (15) days of the date of the notice and request a public hearing prior to recordation of the lien or submission of the report to the County Tax Collector for collection of the special assessment. In addition to the foregoing, the Ukiah Valley Fire District is authorized to prosecute a civil action to collect such abatement costs from the property owner or other person in possession or control of the affected property, and shall be entitled to recover such abatement costs, together with the cost of litigation, including reasonable attorney's fees.

Any person receiving a citation for a civil penalty pursuant to Section ~~109~~112.3, Violation Penalties of Chapter 1, may file an appeal per Section ~~108~~111.~~54~~ through ~~108~~111.~~54~~.7 of this code against the imposition of the civil penalty or response costs and expense.

Section 1132.4 Failure to Comply of Chapter 1 is amended to read as follows:

Section 1132.4 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 conditions, shall be liable to a fine payable directly to the Ukiah Valley Fire District set at not less than \$250.00 or more than \$1000.00 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Ukiah Valley Fire District. This civil penalty shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided for in Section 108.4.

Section 315.8 Lithium battery storage and handling, of Chapter 3, is hereby added to read as follows:

315.8 **Lithium battery storage and handling.** The storage and handling of lithium-ion and lithium metal batteries or cells in quantities exceeding 1,000 pounds (4086 kg) shall comply with Sections 315.8.1 through 315.8.10, and Chapter 32 where applicable.

315.8.1 **Permits.** Permits shall be required as set forth in Section 105.6.27.

315.8.2 **Maximum quantity in a fire area.** The aggregate amount of lithium batteries stored and handled in a single fire area shall not exceed 9,000 pounds (4086 kg).

315.8.3 **Construction requirements.** Fire areas shall be separated from each other by fire barriers having not less than a 2-hour fire-resistance rating constructed in accordance with Section 707 of the Building Code and horizontal assemblies constructed in accordance with Section 711 of the Building Code.

315.8.4 **Number of fire areas.** The maximum number of fire areas within a building shall be four.

315.8.5 **Group H, Division 2 occupancy.** Storage and handling of more than 9,000 pounds of lithium batteries per fire area shall be in an approved Group H, Division 2 occupancy constructed in accordance with the Building Code and provided throughout with approved automatic smoke detection and radiant-energy detection systems.

315.8.6 **Automatic sprinkler system.** Buildings containing fire areas used for lithium battery storage or handling shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The design of the sprinkler system within each fire area shall not be less than that required for Extra Hazard Group 2 with a minimum design area of 2,500 square feet. Where the storage arrangement is required by other provisions of this code to be provided with a higher level of sprinkler system protection, the higher level of sprinkler system protection shall be provided.

315.8.6 **Automatic smoke detection system.** An approved automatic smoke detection system that activates an approved occupant notification system shall be provided throughout each fire area in accordance with Section 907.

315.8.7 **Radiant energy detection.** An approved radiant-energy detection system that activates an approved occupant notification system shall be installed throughout each fire area in accordance with Section 907.

315.8.8 **Collection containers.** Containers used to collect or store lithium batteries shall be:

noncombustible and shall not have an individual capacity exceeding 30 gallons (113.6 L); or be approved for transportation in accordance with the Department of Transportation (DOT).

315.8.9 Storage configuration. Lithium batteries shall be considered a high-hazard commodity in accordance with Chapter 32 and where applicable, lithium battery storage shall comply with Chapter 32 in addition to Section 315.8.

Section 503.4.2, Roadway Design Features, of Chapter 5 is hereby added to read as follows:

Section 503.3.1 Fire Lane Designation of Chapter 5 is hereby added to read as follows:

Section 503.3.1 Fire Lane Designation. Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code section 22500.1 (public) or 22658(a) (private).

~~Section 503.4.2 Roadway Design Features of Chapter 5 is hereby added to read as follows:~~

~~Section 503.4.2 Roadway Design Features. Roadway design features (speed bumps, speed humps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed on fire access roadways, unless they meet design criteria approved by the fire code official.~~

Section 505.1 Address Identification of Chapter 5 is hereby amended to read as follows:

Section 505.1 Address Identification. Approved numbers and/or addresses shall be placed and maintained on all new and existing buildings and at appropriate additional locations so as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background and shall meet the minimum standards as to size: 4" high with a 0.5" stroke for residential buildings, 6" high with a 0.5" stroke for commercial and multi-residential buildings, and 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may establish different minimum sizes for numbers for various categories of projects.

Section 505.3 Easement Address Signs of Chapter 5 is hereby added to read as follows:

Section 505.3 Easement Address Signs. All easements, which are not named differently from the roadway from which they originate, shall have an address sign installed and maintained, listing all street numbers occurring on that easement, located where the easement intersects the named roadway. ~~Minimum~~ The minimum size of numbers on that sign shall be 4" in height with a minimum stroke of 0.5" and shall contrast with the background.

Section 505.4 Map Directories of Chapter 5 is hereby added to read as follows:

Section 505.4 Map Directories. A lighted directory map, meeting current ~~F~~ire ~~District department~~ standards, shall be installed at each driveway entrance to multiple unit residential projects and mobile home parks, where the numbers of units in such projects exceed 15.

Section 505.5 Response Map Updates of Chapter 5 is hereby added to read as follows:

Section 505.5 Response Map Updates. Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways, or similar features, shall be required to provide map updates in a format (PDF and/or CAD format as approved by the fire code official) or compatible with current ~~District department~~ mapping services, and shall be charged a reasonable fee for updating all response maps.

Section 506.3 Emergency Electrical Disconnects of Chapter 5 is hereby added as follows:

Section 506.3 Emergency Electrical Disconnects. Where access to main electrical control panels requires entry to, and passage through, portions of a structure ~~which~~that may be involved with fire, smoke, gasses, hazardous materials, or which otherwise present unsafe conditions to emergency personnel, the fire code official may require that a means of remotely disconnecting electrical service to the structure be provided. This means of remotely disconnecting electrical service shall be by a secured key switch mechanism approved by the Fire District.

Section ~~604.3.1.1~~1201.4 Alternate Power Sources of Chapter ~~126~~ is hereby added to read as follows:

Section ~~604.3.1.1~~1201.4 Alternate Power Sources. All permanent installations of electrical generators, wind generators, or other power sources shall be approved by the building code official. All applicable provisions of the ~~National-California~~ Electrical Code, the ~~Uniform-Fuel-Gas~~California Plumbing Code, the California Building Code, California Residential Code, and this Code shall be followed for any such installation. Permanent engraved and affixed signage, red in color, reading "WARNING – This premise is provided with an Alternate Power source, Disconnection of commercial power may not disable the electric power source". Lettering shall be a minimum of ½" tall and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

~~that~~

Section 903.2 Where required of Chapter 9 is hereby amended to read as herein provided. This Section shall not amend the portion commencing and following Section 903.2.1

Section 903.2 Where required. Approved automatic sprinkler systems in new, additions to existing, remodeled, added to or altered buildings and structures shall be provided in the locations described in this section.

- A. Approved automatic sprinkler systems shall be provided in new buildings and structures requiring a fire flow of ~~2,000~~ 2,000-2,000,750 gallons per minute (GPM) or greater as determined by Appendix B of this code.
- B. Approved automatic sprinkler systems shall be provided in additions to existing structures where the new total building area would require a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.
- ~~C. Approved automatic sprinkler systems shall be provided in existing structures where improvements occur during any three (3) year period which meet the definition of a "substantial remodel" and requiring a fire flow of 2,000 1,750 gallons per minute (GPM) or greater as determined by Appendix B of this code.~~
~~Approved automatic sprinkler systems shall be provided in existing structures which are remodeled, added to or altered, except for ordinary maintenance and repair not involving structural alterations, requiring a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code, and when the cost of such remodels, additions, or alterations within any 36 month period exceeds \$60,000.~~
~~**Exception:** Projects which are solely complying with statutory regulations (examples may be Health and Safety Codes, earthquake/seismic, American Disabilities Act (ADA), or façade improvements) will not trigger this requirement.~~
- ~~C. Approved automatic sprinkler systems shall be provided in new structures exceeding 30 feet in height above the lowest grade level.~~
- ~~D. Approved automatic sprinkler systems shall be provided in those new, additions to existing, remodeled, added to or altered buildings and structures which require a fire flow, as determined by Appendix B of this code, in excess of the capability of the available water supply.~~

E. For purposes of this Section, “substantial remodel” shall mean the alteration of any structure which combined with any additions to the structure, performed within any three (3) year period, affects an area of work that exceeds fifty percent (50%) of the existing floor area of the structure. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the area of work for all rooms affected by such changes shall be included in computing floor areas for purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings or exterior wall finishes.

Definition: Area of work: (For the purpose of determining the square footage affected by a construction permit.) An area, where work activity takes place for which a permit is required plus 5 feet in all directions and does not include adjacent spaces where no work requiring a permit is being done.

Example: A 10 foot walls are moved that will take two spaces and turn them into one. The only area of work would be the wall plus five feet on either side. Total square footage 100 square foot assuming there is no other work being done that would require a permit in the same space.

Section 33143.1 Where required of Chapter 33 is hereby amended to read as follows:

Section 33143.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed during construction for each story above or below the ~~first floor~~first-floor grade. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3311.1. Such standpipes shall be extended to the floor of the highest point of construction having secured decking or flooring.

Section-Table B105.2 Buildings other than one- and two-family dwellings of Appendix B is hereby amended as follows:

~~**Exceptions:** 1. A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.~~

<u>AUTOMATIC SPRINKLER SYSTEM</u> <u>(Design Standard)</u>	<u>MINIMUM FIRE FLOW</u> <u>(gallons per minute)</u>	<u>FLOW DURATION</u> <u>(hours)</u>
<u>No automatic sprinkler system</u>	<u>Value in Table B105.1(2)</u>	<u>Duration in Table B105.1(2)</u>
<u>Section 903.3.1.1 of the California Fire Code</u>	<u>50% of the value in Table B105.1(2)^a</u>	<u>Duration in Table B105.1(2) at the reduced flow rate</u>
<u>Section 903.3.1.2 of the California Fire Code</u>	<u>50% of the value in Table B105.1(2)^{be}</u>	<u>Duration in Table B105.1(2) at the reduced flow rate</u>

Section BB105.1 Fire-Flow requirements for buildings of Appendix BB is hereby amended as follows:

Section BB105.1 *The minimum fire flow and flow duration for school buildings shall be specified in Table BB105.1.*

Exception: *A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system.*

§5201 DEFINITIONS

In the California Fire Code, herein adopted, the terms used therein shall comply with the common construction given to and usage of them in the City and as hereinafter defined.

§5202 ENFORCEMENT

A. The California Fire Code (CFC) herein adopted shall be enforced by the Chief of the Fire Department of the City Ukiah Valley Fire District who is hereby appointed to supervise the Bureau of Fire Prevention and such regularly employed members of said District in accordance with the applicable provisions of the California Fire Code.

B. Section 104.3 of the California Fire Code is amended by adding subsection 104.3.2 thereto as follows:

For the purpose of providing and maintaining functions necessary for the prevention of fire and for the protection of life and property from fire and panic, there is hereby established a "self-inspection program" assuring that certain California building code (CBC) group B, F, H, L, M, and S occupancies within the city are inspected on an annual basis for fire safety.

The Ukiah Fire department-District shall deliver, by hand or by mail, "self-inspection worksheet" and "business and emergency record" forms as established from time to time by said department District to certain CBC group B, F, H, L, M, & S occupancies within the city on an annual basis, or as may be initiated through the business license application process.

The owner or manager of said occupancy or person in highest authority in said occupancy shall be allowed thirty (30) days from issue date, as noted on the self-inspection worksheet, in which to conduct an inspection for fire safety, correct any deficiencies, complete said forms, and return completed forms to the Ukiah Valley Fire District Ukiah fire department as directed by the fire chief or his designee.

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Part 3. That the geographic limits referred to in certain sections of the 20~~22~~19 edition of the California Fire Code are hereby established as follows:

Section 5704.2.9.6.1 The geographic limits referred to in Section 5704.2.9.6.1 of the 20~~22~~19 edition of the California Fire Code in which storage of Class I, Class II, and liquids in outside aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino, and agricultural land of less than two (2) acres.

~~**Section 5706.2.4.4** The geographic limits referred to in Section 5706.2.4.4. of the 2019 edition of the California Fire Code in which storage of Class I, Class II, and liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino, and agricultural land of less than two (2) acres.~~

~~**Section 5806.2** — The geographic limits referred to in the 2019 edition of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: in all residential areas and in heavily populated or congested commercial areas, as established by the County of Mendocino.~~
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Section 6104.2 The geographic limits referred to in Section 6104.2 of the 20~~22~~19 edition of the California Fire Code in which storage of liquefied petroleum gas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 liters), is restricted, are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino.

Part 4. Upon its effective date, this Ordinance shall supersede any and all previous ordinances adopting earlier versions of the California Fire Code, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Part 5. That if any part, subpart, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors of the Ukiah Valley Fire District hereby declares that it would have passed this Ordinance, and each part, subpart, clause, or phrase thereof, irrespective of the fact that any one or more parts, subparts, sentences, clauses, and phrases be declared unconstitutional.

Part 6. That nothing in this Ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Part 4 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Part 7. That the Fire Chief of the Ukiah Valley Fire District is hereby ordered and directed to cause a notice of this Ordinance to be published in a newspaper in general circulation in accordance with Section 6066 of the California Government Code. Within fifteen (15) days after adoption, the Fire Chief of the Ukiah Valley Fire District shall also post in the office of the Ukiah Valley Fire District, a certified copy of the full text of this Ordinance along with the names of those Board of Directors members voting for and against this Ordinance.

Part 8. That this Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force upon ratification by the County of Mendocino pursuant to Health and Safety Code Section 13869.7(c). This Ordinance shall remain in full force and effect until a subsequent superseding ordinance becomes effective.

Part 9. The Fire Chief, Chief Officers, Deputy Fire Marshal, Fire Code Official, and Fire Inspectors shall have the authority to arrest or to cite any person who violates any provision of this Ordinance involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal, in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended. It is the intent of the Board of Directors of the Ukiah Valley Fire District that the immunities provided in Penal Code Section 836.5 be applicable to the aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Ordinance.

Part 10. The Board of Directors of the Ukiah Valley Fire District finds adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under the California Code of Regulation, Title 14, Chapter 3, Article 5, § 15061(b)(3).

~~The~~The foregoing Ordinance 20~~23~~20-1 was read and introduced at a regular meeting of the Board of Directors of the Ukiah Valley Fire District held on ~~October 9, 2013xxxxxx~~. A second reading occurred at a regular meeting of the Board held on ~~November 13, 2013xxxxxx~~. A public hearing

was held at a regular meeting of the Board on ~~December 11, 2013~~xxxxxxx, and finally adopted and ordered passed to print by the following vote, to wit:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
BOARD MEMBER BAZZANI			
BOARD MEMBER BUSHBY			
BOARD MEMBER CHERRY <u>BANKS</u>			
BOARD MEMBER GRAHAM			
BOARD MEMBER HA <u>ASS</u>			

, President

ATTEST: _____
, Secretary

ORDINANCE NO. 2023-1

AN ORDINANCE OF THE UKIAH VALLEY FIRE DISTRICT ADOPTING THE 2022 EDITION OF THE CALIFORNIA FIRE CODE WITH AMENDMENTS, AS WELL AS NATIONAL FIRE PROTECTION AGENCY (NFPA) 1 CHAPTER 38, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION AND FOR PROVIDING FOR THE ISSUANCE OF PERMITS, REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES OF THE UKIAH VALLEY FIRE DISTRICT IN CONFLICT HERewith.

The Board of Directors of the Ukiah Valley Fire District does ordain as follows:

Part 1. That the California Fire Code, 2022 edition, including Appendix Chapter 4 and Appendices B, BB, C, CC, D, E, F, G, H, I, K, N, and O as published by the International Code Council, as well as **National Fire Protection Association (NFPA) 1 Chapter 38**, be and is hereby adopted as the Fire Code of the Ukiah Valley Fire District in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Ukiah Valley Fire District are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Part 2 of this Ordinance.

Part 2. That the following sections of the 2022 edition of the California Fire Code are hereby amended and changed in the following respects:

Section 101.1 Title of Chapter 1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the Ukiah Valley Fire District, hereinafter referred to as "this code."

Section 105.1 General of Chapter 1 is amended to read as follows:

105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.6.24 or other provisions of this code as required by the Ukiah Valley Fire District.

Section 111.1 Board of Appeals Established of Chapter 1 is amended to read as follows:

111.1 Board of Appeals Established. In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the Board of Directors of the Ukiah Valley Fire District or a sub-committee as appointed by the Board of Directors of the Ukiah Valley Fire District. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the Appellant with a duplicate copy to the fire code official.

Section 111.3 Qualifications of Chapter 1 is deleted.

Section 111.5 Appeals Process of Chapter 1 is added to read as follows:

111.5 Appeals Process. The appeals process for appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code shall be defined by sections 111.5.1 through 111.5.5.

Section 111.5.1 Initiating Appeal of Chapter 1 is added to read as follows:

Section 111.5.1 Initiating Appeal. Any beneficially interested party has the right to appeal the order served by the fire code official by filing a written "NOTICE OF APPEAL" with the office of the fire code official within ten days after service of such order and upon payment of the sum of \$150. In the event the order of the fire code official is overturned following the appeal, the fee shall be returned. The notice shall state the order appealed from, the identity and mailing address of the Appellant, and the specific grounds upon which the appeal is made.

Section 111.5.2 Stay of Order of Chapter 1 is added to read as follows:

Section 111.5.2 Stay of Order. The timely filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from until the final decision of the appeal. Failure to file a timely notice of appeal waives any right to further challenge the order of the fire code official. "File" means delivered to the office of the fire code official at 300 Seminary Ln, Ukiah, California 95482.

Exception: Orders affecting acts or conditions which in the opinion of the fire code official, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion, or release are enforceable when made and are not stayed by the filing of a notice of appeal.

Section 111.5.3 Hearing of Appeal of Chapter 1 is added to read as follows:

Section 111.5.3 Hearing of Appeal. Following is the process for establishing and hearing appeals:

The Board of Appeals, or the secretary thereof, shall set the matter to be heard at a date within thirty (30) days of receipt of such notice of appeal. Written notice of the time and place set for hearing shall be served on the Appellant by first class mail to the mailing address given in the notice of appeal. A hearing may not be conducted less than 20 days after notice is given to the applicant. The Board of Appeals may adopt rules governing the conduct of its hearings. Those rules shall include, at least, the following:

1. The fire code official shall submit evidence at the hearing substantiating his/her decision. Such evidence may include testimony, fire district, police or other reports of the incident, witness statements, and other documents. Not less than 10 days prior to the scheduled hearing, the fire code official must notify the Appellant of the name, address, and phone number of any witness to the violation and furnish the Appellant with a copy of any document the fire code official intends to submit at the hearing. Not less than seven (7) days prior to the hearing, the Appellant may request the fire code official to produce at the hearing any witness he/she intends to rely upon to substantiate the violation. The written request must name the witness or witnesses who are requested to attend the hearing. The fire code official may not rely on the testimony of any witness (including such testimony contained in reports or written witness statements) whose appearance at the hearing is required by this subsection if that witness fails to appear.

2. Not less than 10 days prior to the hearing, the Appellant must notify the fire code official in writing of the name, address, and phone number of any witness the Appellant intends to call as a witness at the hearing, provide a brief description of the proposed testimony, and furnish the fire code official with a copy of any document the Appellant intends to offer as evidence at the hearing. The Appellant may not call any witness to testify at the hearing who was not identified as required by this subsection or offer any document as evidence at the hearing that was not provided to the fire code official as required by this subsection.

3. At the hearing, the Appellant may be represented by an attorney, at the Appellant's expense. Both the fire code official and the Appellant shall have the right to examine and cross-examine any witness produced at the hearing. The rules of evidence that normally apply in court shall not apply in a hearing before the Board of Appeals, but it shall only consider evidence that would be relied upon by reasonable people making an important decision and shall disregard evidence that by its nature is unreliable or not credible.

4. The entire hearing shall be electronically or steno graphically recorded. The Board of Appeals shall base its decision exclusively on the evidence presented at the hearing and shall issue a written decision, which includes a statement of the relevant facts that it finds to be true and explains how the facts support its decision. The record of the hearing shall be preserved for not less than six (6) months after the decision is served on the Appellant.

Section 111.5.4 Hearing Decision of Chapter 1 is added to read as follows:

Section 111.5.4 Hearing Decision. The chairperson of the Board of Appeals shall issue the written decision required by subsection 4 of Section 111.4.3 Hearing of appeal. The Board of Appeals may issue a decision affirming, modifying, or vacating the order of the fire code official. The decision shall be in writing and shall be served upon the Appellant by first class mail to the mailing address given in the notice of appeal. The hearing decision shall include notice of the Appellant's right to seek review of the decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

Section 111.5.5 Finality of the Decision of the Board of Appeals of Chapter 1 is added to read as follows:

Section 111.5.5 Finality of the Decision of the Board of Appeals. The decision of the Board of Appeals shall be the final decision for the District. The Board of Appeals shall have the power to continue any hearing and may, at its discretion, take the appeal under submission. The Board of Appeals shall render a decision not later than the seventh (7th) day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

Section 111.5.6 Appeal to Superior Court of Chapter 1 is added to read as follows:

Section 111.5.6 Appeal to Superior Court. Judicial review of the decision of the Board of Appeals shall be governed by the Code of Civil Procedure Sections 1094.5 and 1094.6.

Section 111.5.7 Enforcement of Decision of Chapter 1 is added to read as follows:

Section 111.5.7 Enforcement of Decision. Unless stayed by a court, any final decision of the Board of Appeals is effective immediately and may be implemented and enforced by the District. The remedies provided by this code are cumulative and in addition to any other remedies available at law or in equity.

1. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this ordinance shall constitute a violation.
2. Violations of this code are hereby declared to be public nuisances.
3. A violation of this code constitutes a misdemeanor/infracton punishable by a fine of \$1,000 or by imprisonment in the County jail for six months, or both.
4. In addition to other remedies provided by this ordinance or by other law, any violation of this ordinance may be remedied by a civil action brought by the District, including, for example, administrative or judicial nuisance abatement proceedings, other legally authorized enforcement proceedings, and suits for injunctive relief.

Section 112.4 Violation Penalties of Chapter 1 is amended to read as follows:

Section 112.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor/infracton. The first citation within a 12-month period, for violations of the Fire Code and any amendments adopted herein, shall be treated as a Civil Penalty payable directly to the Ukiah Valley Fire District and is set at \$250.00 plus the actual costs of all inspections required to gain compliance at the current rate set by the Ukiah Valley Fire District, per hour with a 1-hour minimum. Said civil penalties shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided in this section. Upon failure to pay the civil penalty when due, the responsible person shall be liable in a civil action brought by the Ukiah Valley Fire District for such penalty and costs of the litigation, including reasonable attorney's fees.

Any subsequent citations within a twenty-four (24) month period for any violations of the Fire Code and any amendments adopted herein shall be misdemeanors/infractons, and shall be subject to the penalties set forth herein, or a civil penalty shall be assessed in the sum of \$500.00 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Ukiah Valley Fire District. The imposition of a 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 violations or defects within a reasonable time. When not otherwise specified, each day that a violation occurs or continues after a final notice has been delivered shall constitute a separate offense. The application of both penalties shall be held to prevent the enforced correction of the prohibited condition. Nothing contained in this Section shall be construed or interpreted to prevent the Ukiah Valley Fire District from recovering all costs associated with a Fire District response as described in Ordinance 2004-1 or subsequent cost recovery ordinances.

Any violation of any provision of this Chapter shall constitute a public nuisance and shall entitle the Ukiah Valley Fire District to collect the costs of abatement and related administrative costs by a nuisance abatement lien as more particularly set forth in Government Code Section 38773.1, and by special assessment to be collected by the County Tax Collector as more particularly set forth in Government Code Section 38773.5.

At least thirty (30) days prior to recordation of the lien, or submission of the report to the Tax Collector for collection of this special assessment, the record owner shall receive notice from the Chief of the Ukiah Valley Fire District of the intent to charge the property owner for all administrative costs associated with enforcement of this Ordinance and abatement of the nuisance. The notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance. The property owner may appeal the Chief's decision to the Board of Directors of the Ukiah Valley Fire District within fifteen (15) days of the date of the notice and request a public hearing prior to recordation of the lien or submission of the report to the County Tax Collector for collection of the special assessment. In addition to the foregoing, the Ukiah Valley Fire District is authorized to prosecute a civil action to collect such abatement costs from the property owner or other person in possession or control of the affected property and shall be entitled to recover such abatement costs, together with the cost of litigation, including reasonable attorney's fees.

Any person receiving a citation for a civil penalty pursuant to Section 112.3, Violation Penalties of Chapter 1, may file an appeal per Section 111.5 through 111.5.7 of this code against the imposition of the civil penalty or response costs and expense.

Section 113.4 Failure to Comply of Chapter 1 is amended to read as follows:

Section 113.4 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 conditions, shall be liable to a fine payable directly to the Ukiah Valley Fire District set at not less than \$250.00 or more than \$1000.00 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Ukiah Valley Fire District. This civil penalty shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided for in Section 108.4.

Section 315.8 Lithium battery storage and handling, of Chapter 3, is hereby added to read as follows:

315.8 Lithium battery storage and handling. The storage and handling of lithium-ion and lithium metal batteries or cells in quantities exceeding 1,000 pounds (4086 kg) shall comply with Sections 315.8.1 through 315.8.10, and Chapter 32 where applicable.

315.8.1 Permits. Permits shall be required as set forth in Section 105.6.27.

315.8.2 Maximum quantity in a fire area. The aggregate amount of lithium batteries stored and handled in a single fire area shall not exceed 9,000 pounds (4086 kg).

315.8.3 Construction requirements. Fire areas shall be separated from each other by fire barriers having not less than a 2-hour fire-resistance rating constructed in accordance with Section 707 of the Building Code and horizontal assemblies constructed in accordance with Section 711 of the Building Code.

315.8.4 Number of fire areas. The maximum number of fire areas within a building shall be four.

315.8.5 Group H, Division 2 occupancy. Storage and handling of more than 9,000 pounds of lithium batteries per fire area shall be in an approved Group H, Division 2

occupancy constructed in accordance with the Building Code and provided throughout with approved automatic smoke detection and radiant-energy detection systems.

315.8.6 Automatic sprinkler system. Buildings containing fire areas used for lithium battery storage or handling shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The design of the sprinkler system within each fire area shall not be less than that required for Extra Hazard Group 2 with a minimum design area of 2,500 square feet. Where the storage arrangement is required by other provisions of this code to be provided with a higher level of sprinkler system protection, the higher level of sprinkler system protection shall be provided.

315.8.7 Automatic smoke detection system. An approved automatic smoke detection system that activates an approved occupant notification system shall be provided throughout each fire area in accordance with Section 907.

315.8.8 Radiant energy detection. An approved radiant-energy detection system that activates an approved occupant notification system shall be installed throughout each fire area in accordance with Section 907.

315.8.9 Collection containers. Containers used to collect or store lithium batteries shall be: noncombustible and shall not have an individual capacity exceeding 30 gallons (113.6 L); or be approved for transportation in accordance with the Department of Transportation (DOT).

315.8.10 Storage configuration. Lithium batteries shall be considered a high-hazard commodity in accordance with Chapter 32 and where applicable, lithium battery storage shall comply with Chapter 32 in addition to Section 315.8.

Section 503.4.2, Roadway Design Features, of Chapter 5 is hereby added to read as follows:

Section 503.3.1 Fire Lane Designation of Chapter 5 is hereby added to read as follows:

Section 503.3.1 Fire Lane Designation. Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code section 22500.1 (public) or 22658(a) (private).

Section 505.1 Address Identification of Chapter 5 is hereby amended to read as follows:

Section 505.1 Address Identification. Approved numbers and/or addresses shall be placed and maintained on all new and existing buildings and at appropriate additional locations so as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background and shall meet the minimum standards as to size: 4" high with a 0.5" stroke for residential buildings, 6" high with a 0.5" stroke for commercial and multi-residential buildings, and 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may establish different minimum sizes for numbers for various categories of projects.

Section 505.3 Easement Address Signs of Chapter 5 is hereby added to read as follows:

Section 505.3 Easement Address Signs. All easements, which are not named differently from the roadway from which they originate, shall have an address sign installed and maintained, listing all street numbers occurring on that easement, located where the easement intersects the named roadway. The minimum size of numbers on that sign shall be 4" in height with a minimum stroke of 0.5" and shall contrast with the background.

Section 505.4 Map Directories of Chapter 5 is hereby added to read as follows:

Section 505.4 Map Directories. A lighted directory map, meeting current Fire District standards, shall be installed at each driveway entrance to multiple unit residential projects and mobile home parks, where the numbers of units in such projects exceed 15.

Section 505.5 Response Map Updates of Chapter 5 is hereby added to read as follows:

Section 505.5 Response Map Updates. Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways, or similar features, shall be required to provide map updates in a format (PDF and/or CAD format as approved by the fire code official) or compatible with current District mapping services and shall be charged a reasonable fee for updating all response maps.

Section 506.3 Emergency Electrical Disconnects of Chapter 5 is hereby added as follows:

Section 506.3 Emergency Electrical Disconnects. Where access to main electrical control panels requires entry to, and passage through, portions of a structure that may be involved with fire, smoke, gasses, hazardous materials, or which otherwise present unsafe conditions to emergency personnel, the fire code official may require that a means of remotely disconnecting electrical service to the structure be provided. This means of remotely disconnecting electrical service shall be by a secured key switch mechanism approved by the Fire District.

Section 1201.4 Alternate Power Sources of Chapter 12 is hereby added to read as follows:

Section 1201.4 Alternate Power Sources. All permanent installations of electrical generators, wind generators, or other power sources shall be approved by the building code official. All applicable provisions of the California Electrical Code, the California Plumbing Code, the California Building Code, California Residential Code, and this Code shall be followed for any such installation. Permanent engraved and affixed signage, red in color, reading "WARNING – This premise is provided with an Alternate Power source, Disconnection of commercial power may not disable the electric power source". Lettering shall be a minimum of ½" tall and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

Section 903.2 Where required of Chapter 9 is hereby amended to read as herein provided. This Section shall not amend the portion commencing and following Section 903.2.1

Section 903.2 Where required. Approved automatic sprinkler systems in new, additions to existing, remodeled, added to or altered buildings and structures shall be provided in the locations described in this section.

- A. Approved automatic sprinkler systems shall be provided in new buildings and structures requiring a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.

- B. Approved automatic sprinkler systems shall be provided in additions to existing structures where the new total building area would require a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.
- C. Approved automatic sprinkler systems shall be provided in existing structures where improvements occur during any three (3) year period which meet the definition of a “substantial remodel” and requiring a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.
Exception: Projects which are solely complying with statutory regulations (examples may be Health and Safety Codes, earthquake/seismic, American Disabilities Act (ADA), or façade improvements) will not trigger this requirement.
- D. Approved automatic sprinkler systems shall be provided in new structures exceeding 30 feet in height above the lowest grade level.
- E. Approved automatic sprinkler systems shall be provided in those new, additions to existing, remodeled, added to or altered buildings and structures which require a fire flow, as determined by Appendix B of this code, in excess of the capability of the available water supply.
- F. Approved automatic sprinkler systems shall be installed per 903.3.1.3 in new mobile homes, and manufactured homes.
- G. For purposes of this Section, “substantial remodel” shall mean the alteration of any structure which combined with any additions to the structure, performed within any three (3) year period, affects an area of work that exceeds fifty percent (50%) of the existing floor area of the structure. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the area of work for all rooms affected by such changes shall be included in computing floor areas for purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings or exterior wall finishes.

Definition: Area of work: (For the purpose of determining the square footage affected by a construction permit.) An area, where work activity takes place for which a permit is required plus 5 feet in all directions and does not include adjacent spaces where no work requiring a permit is being done.

Example: A 10-foot walls are moved that will take two spaces and turn them into one. The only area of work would be the wall plus five feet on either side. Total square footage 100 square foot assuming there is no other work being done that would require a permit in the same space.

Section 3314.1 Where required of Chapter 33 is hereby amended to read as follows:

Section 3314.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed during construction for each story above or below the first-floor grade. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3311.1. Such standpipes shall be extended to the floor of the highest point of construction having secured decking or flooring.

Table B105.2 Buildings other than one- and two-family dwellings of Appendix B is hereby amended as follows:

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^b	Duration in Table B105.1(2) at the reduced flow rate

Section BB105.1 Fire-Flow requirements for buildings of Appendix BB is hereby amended as follows:

Section BB105.1 *The minimum fire flow and flow duration for school buildings shall be specified in Table BB105.1.*

Exception: *A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system.*

§5201 DEFINITIONS

In the California Fire Code, herein adopted, the terms used therein shall comply with the common construction given to and usage of them in the City and as hereinafter defined.

§5202 ENFORCEMENT

A. The California Fire Code (CFC) herein adopted shall be enforced by the Chief of the Valley Fire District who is hereby appointed to supervise the Bureau of Fire Prevention and such regularly employed members of said district in accordance with the applicable provisions of the California Fire Code.

B. Section 104.3 of the California Fire Code is amended by adding subsection 104.3.2 thereto as follows:

For the purpose of providing and maintaining functions necessary for the prevention of fire and for the protection of life and property from fire and panic, there is hereby established a "self-inspection program" assuring that certain California building code (CBC) group B, F, H, L, M, and S occupancies within the city are inspected on an annual basis for fire safety.

The Ukiah Fire District shall deliver, by hand or by mail, "self-inspection worksheet" and "business and emergency record" forms as established from time to time by said District to certain CBC group B, F, H, L, M, & S occupancies within the city on an annual basis, or as may be initiated through the business license application process.

The owner or manager of said occupancy or person in highest authority in said occupancy shall be allowed thirty (30) days from issue date, as noted on the self-inspection worksheet, in which to conduct an inspection for fire safety, correct any deficiencies, complete said forms, and return completed forms to the Ukiah Valley Fire District as directed by the fire chief or his designee.

Any person who fails to comply with the requirements to return said forms duly completed and to correct the deficiencies noted in said occupancies within thirty (30) days of the issuance of said forms shall be guilty of an infraction, punishable by a fine of \$100 for a first offense, \$500 for a second offense and \$1,000 for a third or subsequent offense.

Part 3. That the geographic limits referred to in certain sections of the 2022 edition of the California Fire Code are hereby established as follows:

Section 5704.2.9.6.1 The geographic limits referred to in Section 5704.2.9.6.1 of the 2022 edition of the California Fire Code in which storage of Class I, Class II, and liquids in outside aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino, and agricultural land of less than two (2) acres.

Section 5706.2.4.4 The geographic limits referred to in Section 5706.2.4.4. of the 2022 edition of the California Fire Code in which storage of Class I, Class II, and liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino, and agricultural land of less than two (2) acres.

Section 5806.2 The geographic limits referred to in the 2022 edition of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited are hereby established as follows: in all residential areas and in heavily populated or congested commercial areas, as established by the County of Mendocino.

Section 6104.2 The geographic limits referred to in Section 6104.2 of the 2022 edition of the California Fire Code in which storage of liquefied petroleum gas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 liters), is restricted, are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino.

Part 4. Upon its effective date, this Ordinance shall supersede any and all previous ordinances adopting earlier versions of the California Fire Code, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Part 5. That if any part, subpart, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors of the Ukiah Valley Fire District hereby declares that it would have passed this Ordinance, and each part, subpart, clause, or phrase thereof, irrespective of the fact that any one or more parts, subparts, sentences, clauses, and phrases be declared unconstitutional.

Part 6. That nothing in this Ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Part 4 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Part 7. That the Fire Chief of the Ukiah Valley Fire District is hereby ordered and directed to cause a notice of this Ordinance to be published in a newspaper in general circulation in accordance with Section 6066 of the California Government Code. Within fifteen (15) days after adoption, the Fire Chief of the Ukiah Valley Fire District shall also post in the office of the Ukiah Valley Fire District, a certified copy of the full text of this Ordinance along with the names of those Board of Directors members voting for and against this Ordinance.

Part 8. That this Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force upon ratification by the County of Mendocino pursuant to Health and Safety Code Section 13869.7(c). This Ordinance shall remain in full force and effect until a subsequent superseding ordinance becomes effective.

Part 9. The Fire Chief, Chief Officers, Deputy Fire Marshal, Fire Code Official, and Fire Inspectors shall have the authority to arrest or to cite any person who violates any provision of this Ordinance involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal, in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended. It is the intent of the Board of Directors of the Ukiah Valley Fire District that the immunities provided in Penal Code Section 836.5 be applicable to the aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Ordinance.

Part 10. The Board of Directors of the Ukiah Valley Fire District finds adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under the California Code of Regulation, Title 14, Chapter 3, Article 5, § 15061(b)(3).

The foregoing Ordinance 2023-1 was read and introduced at a regular meeting of the Board of Directors of the Ukiah Valley Fire District held on 12/12/23. A second reading occurred at a regular meeting of the Board held on TBD . A public hearing was held at a regular meeting of the Board on TBD.

PASSED AND ADOPTED, by the Board of Directors of the Ukiah Valley Fire District, County of Mendocino, State of California on January 9, 2024, by the following roll call vote:

AYES:

NAYS:

ABESNT:

ABSTAIN:

David B. Hass, President

ATTEST:

Stephanie Abba, Clerk of the Board

RESOLUTION ~~2013-3~~ 2023 – 2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE UKIAH VALLEY FIRE DISTRICT ESTABLISHING FINDINGS OF FACT AND NEED FOR CHANGES OR MODIFICATIONS TO THE STATE BUILDING STANDARDS CODE BECAUSE OF LOCAL CONDITIONS

CHANGES OR MODIFICATIONS: Pursuant to Section 13869.7, 17958.5, 17958.7, 17922 and 18941.5 of the State of California Health and Safety Code, the Board of the Ukiah Valley Fire District in its ordinance adopting and amending the 2013 Edition of the California Fire Code with reference to the 2012 Edition of the International Fire Code, changes or modifies certain provisions of the 2013 California Building Standards Code (Title 24, Part 9) as it pertains to the regulation of buildings used for human habitation. A copy of the text of such changes or modifications is attached.

Findings: Pursuant to Sections 17958.5, 17958.7, 17922 and 18941.5 of the State of California Health and Safety Code, the Board of the Ukiah Valley Fire District has determined and finds that the attached changes or modifications to the 2013 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic, and topographic conditions.

Local Conditions: Local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications to the 2013 California Fire Code, 2012 International Fire Code and the 2013 California Building Standards Code in order to provide a reasonable degree of property security and fire and life safety in this Fire District.

Below are listed adverse local climatic (see No. 1), geographic and topographic (see No. 2) conditions.

1. Climatic

- a. **Precipitation.** Precipitation ranges from 13 to 71 inches per year with an average of approximately 37 inches per year. Approximately eighty-nine percent (89%) falls during the months of November through April, and eleven (11%) from May through October.
- b. **Relative Humidity.** Humidity generally ranges from 35% during daytime to 85% at night. The humidity can drop to 12% or lower during the summer months.
- c. **Temperatures.** Temperatures have been recorded as high as 115 degrees F. Average summer highs are in the 86 to 91 degree range.

- d. **Winds.** Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 3 – 18 mph range, gusting to 33 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.
- e. **Summary.** These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to the ignition of structure fires which have the potential to burn into the vegetation (wildland), and vice versa. The winds experienced in this area can have a tremendous impact upon structure fires in buildings of close proximity to one another, commonly found in the residential neighborhoods throughout the Ukiah Valley. During structure, or wildland fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into the building and create a blowtorch effect, in addition to preventing “natural” ventilation and cross-ventilation efforts.

2. **Geographic and Topographic**

- a. The fire environment of a community is primarily a combination of two factors: the area’s physical geographic characteristics and the historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments, which ultimately determines the area’s fire protection needs.

The basic geographical boundaries of the District include Nelson Ranch Road to the south, Cleland Mountain to the west, Gold Gulch to the north and Cow Mountain to the east.

Because of the size of the Ukiah Valley Fire District (98.84 square miles), the characteristics of the fire environment changes from one location to the next. Therefore, the District has not one, but a number of fire environments, each of which has its individual fire protection needs.

The service area of the Ukiah Valley Fire District has a varied topography and vegetative cover. A conglomeration of valley floor, mountainous slopes, and ridges make up the terrain. Development has occurred on the flat lands in the central portion of the District. However, over the last thirty years, development has spread onto the surrounding mountainous slopes.

- b. **Seismic Location.** The relatively young geological processes that have created the San Francisco Bay Area are still active today. The District sits on the Maacama fault between the San Andreas fault to the west and the Bartlett Springs fault to the east.

- c. **Size and Population.** The Ukiah Valley Fire District covers ~~9884~~ square miles including a population estimated at ~~315,000~~. Ukiah Valley Fire has the largest number of dispatches of any fire district in Mendocino County. Within the Fire Protection District are two (~~42~~) fire stations and a total of ~~347~~ Fire District personnel. The Fire Protection District handles diverse responsibilities including wildland, urban, freeway, and medical.
- d. **Roads and Streets.** The 2005 Regional Transportation Plan states that the mountainous nature of Mendocino County tends to minimize ground transportation options throughout the region. As a result, lengthy cul-de-sacs, dead-end roads, and looped road systems generally service many of the existing and new developments. Some planned unit developments are served by private roads, which create access problems (i.e., narrow paved widths and on-street parking).

The roadway systems on the flat lands within the Ukiah Valley Fire District are for the most part a grid or loop system. Many of the roads servicing residential areas on the east and west foothills of the District are narrow and winding affording difficult ingress to emergency apparatus. Ingress and egress into the foothill areas will be made extremely difficult by large-scale emergencies such as earthquake and wildland fire.

- e. **Topography.** The District's service area is a conglomeration of valley floor, mountainous slopes, and ridges. The flatter lands are found in the central portion of the District. Most of the existing urban and suburbanized areas are on relatively flat lands (0 – 5% slope).

Correspondingly, there is much diversity in slope percentages to the east and west of the valley floor. Slopes on the northeast side of the valley floor average 26% and range from 8-80%. Slopes on the southeast side of the valley floor average 35% and range from 9-80%. Slopes on the northwest side of the valley floor average 32% and range from 13-80%. Slopes on the southwest side of the valley floor average 48% and range from 6-80%. Slope is an important factor in fire spread. As a basic rule of thumb, the rate of spread will double as the slope percentage doubles, all other factors remaining the same.

Elevations are varied in the District with the most southwest turn on Ruddick Cunningham Road listed as 566 feet above sea level. Average elevation of the valley floor within the District is 585 feet above sea level. The highest elevation is located above Willow Creek on the eastside of the District at 2600 feet above sea level.

- f. **Vegetation.** The Ukiah Valley's semi-arid Mediterranean-type climate produces vegetation similar to that of most of Mendocino County, with specific growth locale a result of topography and prevailing wind. The south facing exposures are primarily annual grass with occasional clumps of Oak trees. The east, north, west facing slopes are heavily wooded from lower elevations to ridge with Oak, Madrone, Douglas-fir, Redwood, and minor shrubs of the general Chaparral class.

Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation compounding the fire problem from a conflagration point of view.

- g. **Hydrology.** The Ukiah Valley Fire District contains Lake Mendocino, the Russian River, Mill Creek, Robinson Creek and multiple ephemeral streams. Annual precipitation at or above the annual average of 37 inches can result in flooding along the Russian River and its tributaries. These flooding events lead to increased emergency response times for apparatus responding through or around the flooded roadways.

- h. **Summary.** The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems, and fire hazards presented to the Ukiah Valley Fire District.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The majority of the Ukiah Valley's industrial/commercial complexes are located in close proximity to the Maacama fault. This fault zone also contains the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. The District's resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single-dwelling or structure fires.

Other variables may tend to intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to bridge and/or freeway overpass collapse;
- 3) The extent of roadway damage and/or amount of debris blocking the roadways;
- 4) Climatic conditions (hot, dry weather with high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
- 6) The availability of timely mutual aid or military assistance;

Conclusion: Local climatic, geographic, and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity and size of fire involving buildings in this community. Further, they affect potential damage to all structures from earthquake, or flood, and subsequent fire. Therefore it is found to be reasonably necessary that the California Fire Code and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Section 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the Ukiah Valley Fire District finds that the following table provides code sections that have been modified pursuant to **Ordinance 2013-1** which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geological and topographical reasons.

<u>Section Number</u>	<u>Local climatic, geological and topographical conditions</u>
<u>315.8</u>	<u>1e,2h</u>
<u>315.8.1</u>	<u>1e,2h</u>
<u>315.8.2</u>	<u>1e,2h</u>
<u>315.8.3</u>	<u>1e,2h</u>
<u>315.8.4</u>	<u>1e,2h</u>
<u>315.8.5</u>	<u>1e,2h</u>
<u>315.8.6</u>	<u>1e,2h</u>
<u>315.8.7</u>	<u>1e,2h</u>
<u>315.8.8</u>	<u>1e,2h</u>
<u>315.8.9</u>	<u>1e,2h</u>
<u>315.8.10</u>	<u>1e,2h</u>
503.3.1	1e, 2a, 2d, 2e, 2f
503.4.2	1e, 2a, 2d, 2e, 2f
505.1	1e, 2h
505.3	1e, 2h
505.4	1e, 2c
505.5	1e, 2h
506.3	1e, 2h
605.3.1.1 <u>1201.4</u>	1e, 2h
903.2	1e, 2h
<u>3314.1</u>	<u>1e,2h</u>
<u>Table B105.2</u>	1e, 2h
BB105.1	1e, 2h
<u>5704.2.9.6.1</u>	<u>1e, 2h</u>
<u>5706.2.4.4</u>	<u>1e, 2h</u>
<u>5806.2</u>	<u>1e, 2h</u>
<u>6104.2</u>	<u>1e, 2h</u>

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Fire Chief of the Ukiah Valley Fire District shall provide a copy of the change or modification together with a copy of this resolution to the County of Mendocino pursuant to California Health and Safety Code Section 13869.7(b)

PASSED AND ADOPTED, by the Board of Directors of the Ukiah Valley Fire District, County of Mendocino, State of California on November 13, 2013, by the following vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
BOARD MEMBER SIMMONS <u>HASS</u>			
BOARD MEMBER BUZZARD <u>BUSHBY</u>			
BOARD MEMBER CARPENTER <u>GRAHAM</u>			
BOARD MEMBER DEFATTE <u>JENNINGS</u>			
BOARD MEMBER HALSTAD			

David B. Hass ~~Jerry Buzzard~~, President

ATTEST: _____
~~Peter Halstad, Secretary~~ Stephanie Abba, Clerk

RESOLUTION 2024-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE UKIAH VALLEY FIRE DISTRICT ESTABLISHING FINDINGS OF FACT AND NEED FOR CHANGES OR MODIFICATIONS TO THE STATE BUILDING STANDARDS CODE BECAUSE OF LOCAL CONDITIONS

CHANGES OR MODIFICATIONS: Pursuant to Section 13869.7, 17958.5, 17958.7, 17922 and 18941.5 of the State of California Health and Safety Code, the Board of the Ukiah Valley Fire District in its ordinance adopting and amending the 2013 Edition of the California Fire Code with reference to the 2012 Edition of the International Fire Code, changes or modifies certain provisions of the 2013 California Building Standards Code (Title 24, Part 9) as it pertains to the regulation of buildings used for human habitation. A copy of the text of such changes or modifications is attached.

Findings: Pursuant to Sections 17958.5, 17958.7, 17922 and 18941.5 of the State of California Health and Safety Code, the Board of the Ukiah Valley Fire District has determined and finds that the attached changes or modifications to the 2013 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic, and topographic conditions.

Local Conditions: Local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications to the 2013 California Fire Code, 2012 International Fire Code and the 2013 California Building Standards Code in order to provide a reasonable degree of property security and fire and life safety in this Fire District.

Below are listed adverse local climatic (see No. 1), geographic and topographic (see No. 2) conditions.

1. **Climatic**

- a. **Precipitation.** Precipitation ranges from 13 to 71 inches per year with an average of approximately 37 inches per year. Approximately eighty-nine percent (89%) falls during the months of November through April, and eleven (11%) from May through October.
- b. **Relative Humidity.** Humidity generally ranges from 35% during daytime to 85% at night. The humidity can drop to 12% or lower during the summer months.
- c. **Temperatures.** Temperatures have been recorded as high as 115 degrees F. Average summer highs are in the 86 to 91 degree range.
- d. **Winds.** Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another.

Velocities are generally in the 3 – 18 mph range, gusting to 33 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

- e. **Summary.** These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to the ignition of structure fires which have the potential to burn into the vegetation (wildland), and vice versa. The winds experienced in this area can have a tremendous impact upon structure fires in buildings of close proximity to one another, commonly found in the residential neighborhoods throughout the Ukiah Valley. During structure, or wildland fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fire back into the building and create a blowtorch effect, in addition to preventing “natural” ventilation and cross-ventilation efforts.

2. **Geographic and Topographic**

- a. The fire environment of a community is primarily a combination of two factors: the area’s physical geographic characteristics and the historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments, which ultimately determines the area’s fire protection needs.

The basic geographical boundaries of the District include Nelson Ranch Road to the south, Cleland Mountain to the west, Gold Gulch to the north and Cow Mountain to the east.

Because of the size of the Ukiah Valley Fire District (98 square miles), the characteristics of the fire environment changes from one location to the next. Therefore, the District has not one, but a number of fire environments, each of which has its individual fire protection needs.

The service area of the Ukiah Valley Fire District has a varied topography and vegetative cover. A conglomeration of valley floor, mountainous slopes, and ridges make up the terrain. Development has occurred on the flat lands in the central portion of the District. However, over the last thirty years, development has spread onto the surrounding mountainous slopes.

- b. **Seismic Location.** The relatively young geological processes that have created the San Francisco Bay Area are still active today. The District sits on the Maacama fault between the San Andreas fault to the west and the Bartlett Springs fault to the east.

- c. **Size and Population.** The Ukiah Valley Fire District covers 98 square miles including a population estimated at 35,000. Ukiah Valley Fire has the largest number of dispatches of any fire district in Mendocino County. Within the Fire Protection District are two (4) fire stations and a total of 34 Fire District personnel. The Fire Protection District handles diverse responsibilities including wildland, urban, freeway, and medical.
- d. **Roads and Streets.** The 2005 Regional Transportation Plan states that the mountainous nature of Mendocino County tends to minimize ground transportation options throughout the region. As a result, lengthy cul-de-sacs, dead-end roads, and looped road systems generally service many of the existing and new developments. Some planned unit developments are served by private roads, which create access problems (i.e., narrow paved widths and on-street parking).

The roadway systems on the flat lands within the Ukiah Valley Fire District are for the most part a grid or loop system. Many of the roads servicing residential areas on the east and west foothills of the District are narrow and winding affording difficult ingress to emergency apparatus. Ingress and egress into the foothill areas will be made extremely difficult by large-scale emergencies such as earthquake and wildland fire.

- e. **Topography.** The District's service area is a conglomeration of valley floor, mountainous slopes, and ridges. The flatter lands are found in the central portion of the District. Most of the existing urban and suburbanized areas are on relatively flat lands (0 – 5% slope).

Correspondingly, there is much diversity in slope percentages to the east and west of the valley floor. Slopes on the northeast side of the valley floor average 26% and range from 8-80%. Slopes on the southeast side of the valley floor average 35% and range from 9-80%. Slopes on the northwest side of the valley floor average 32% and range from 13-80%. Slopes on the southwest side of the valley floor average 48% and range from 6-80%. Slope is an important factor in fire spread. As a basic rule of thumb, the rate of spread will double as the slope percentage doubles, all other factors remaining the same.

Elevations are varied in the District with the most southwest turn on Ruddick Cunningham Road listed as 566 feet above sea level. Average elevation of the valley floor within the District is 585 feet above sea level. The highest elevation is located above Willow Creek on the eastside of the District at 2600 feet above sea level.

- f. **Vegetation.** The Ukiah Valley's semi-arid Mediterranean-type climate produces vegetation similar to that of most of Mendocino County, with

specific growth locale a result of topography and prevailing wind. The south facing exposures are primarily annual grass with occasional clumps of Oak trees. The east, north, west facing slopes are heavily wooded from lower elevations to ridge with Oak, Madrone, Douglas-fir, Redwood, and minor shrubs of the general Chaparral class.

Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation compounding the fire problem from a conflagration point of view.

- g. **Hydrology.** The Ukiah Valley Fire District contains Lake Mendocino, the Russian River, Mill Creek, Robinson Creek and multiple ephemeral streams. Annual precipitation at or above the annual average of 37 inches can result in flooding along the Russian River and its tributaries. These flooding events lead to increased emergency response times for apparatus responding through or around the flooded roadways.
- h. **Summary.** The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems, and fire hazards presented to the Ukiah Valley Fire District.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The majority of the Ukiah Valley's industrial/commercial complexes are located in close proximity to the Maacama fault. This fault zone also contains the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. The District's resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single-dwelling or structure fires.

Other variables may tend to intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to bridge and/or freeway overpass collapse;
- 3) The extent of roadway damage and/or amount of debris blocking the roadways;
- 4) Climatic conditions (hot, dry weather with high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
- 6) The availability of timely mutual aid or military assistance;

Conclusion: Local climatic, geographic, and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity and size of fire involving buildings in this community. Further, they affect potential damage to all structures from earthquake, or flood, and subsequent fire. Therefore it is found to be reasonably necessary that the California Fire Code and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Section 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the Ukiah Valley Fire District finds that the following table provides code sections that have been modified pursuant to **Ordinance 2013-1** which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geological and topographical reasons.

<u>Section Number</u>	<u>Local climatic, geological and topographical conditions</u>
315.8	1e,2h
315.8.1	1e,2h
315.8.2	1e,2h
315.8.3	1e,2h
315.8.4	1e,2h
315.8.5	1e,2h
315.8.6	1e,2h
315.8.7	1e,2h
315.8.8	1e,2h
315.8.9	1e,2h
315.8.10	1e,2h
503.3.1	1e, 2a, 2d, 2e, 2f
503.4.2	1e, 2a, 2d, 2e, 2f
505.1	1e, 2h
505.3	1e, 2h
505.4	1e, 2c
505.5	1e, 2h
506.3	1e, 2h
1201.4	1e, 2h
903.2	1e, 2h
3314.1	1e,2h
Table B105.2	1e, 2h
BB105.1	1e, 2h
5704.2.9.6.1	1e, 2h
5706.2.4.4	1e, 2h
5806.2	1e, 2h
6104.2	1e, 2h

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Fire Chief of the Ukiah Valley Fire District shall provide a copy of the change or modification together with a copy of this resolution to the County of Mendocino pursuant to California Health and Safety Code Section 13869.7(b)

PASSED AND ADOPTED, by the Board of Directors of the Ukiah Valley Fire District, County of Mendocino, State of California on January 9, 2024, by the following vote:

AYE:

NAY:

ABSENT:

ABSTAIN:

David B. Hass, President

ATTEST:

Stephanie Abba, Clerk of the Board