

ORDINANCE NO. 9044 (NEW SERIES)

AN ORDINANCE REPEALING AND REENACTING  
THE COUNTY FIRE CODE

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Chapter 3 of Division 5 of Title 3 of the San Diego County Code of Regulatory Ordinances is hereby repealed and reenacted to read as follows:

TITLE 3

PUBLIC SAFETY, MORALS, AND WELFARE

DIVISION 5

FIRE PROTECTION AND EXPLOSIVES

CHAPTER 3

COUNTY FIRE CODE

ADOPTION OF COUNTY AMENDMENTS TO THE FIRE CODE PORTION OF  
THE CALIFORNIA BUILDING STANDARDS CODE

GENERAL PROVISIONS, DEFINITIONS

**Sec. 35.300.001. ADOPTION OF FIRE CODE.**

Sec. 35.300.001. ADOPTION OF COUNTY AMENDMENTS TO THE FIRE CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE. Pursuant to Section 17958 of the California Health and Safety Code, the provisions of the California Building Standards Code become effective as to the County 180 days after publication by the California Building Standards Commission. The following amendments to the California Building Standards Code are hereby adopted by the County of San Diego pursuant to the Health and Safety Code Sections 17958.5 and 17958.7 and are made by specific reference to corresponding section numbers of the Fire Code portion of the California Building Standards Code in the provisions of this Division.

The Fire Code portion of the California Building Standards Code, including Divisions I-A through VI-G inclusive, except Appendix III-B; the Uniform Fire Code (1997 edition) and the Uniform Fire Code Standards (1997 Edition) published by the Western Fire Chiefs Association and the International

Conference of Building Officials, and the National Fire Protection Association Standards 13 & 13-D, 1996 Edition, and 13-R, 1996 Edition, together with the County of San Diego Amendments shall be the County Fire Code, for the purpose of prescribing regulations in the unincorporated territory of the County of San Diego for the protection of the public health and safety, requiring a permit and inspection for the installation or alteration of systems, defining certain terms, and establishing minimum regulations for the installation, alteration or repair of new and existing fire protection systems and the inspection thereof, and providing penalties for the violation thereof.

The provisions of this Code shall apply to all new construction, and to any alterations, repairs, or reconstruction, except as provided for otherwise in this Code.

**Sec. 35.300.002. ENFORCEMENT.** The Fire Code portion of the California Building Standards Code, except for Articles 77 and 78, shall be enforced by the Department of Planning and Land Use and shall be operated under the supervision of the County Chief Fire Inspector, also known as County Fire Marshal. The Sheriff of San Diego County shall enforce articles 77 and 78 and references in said Articles 77 and 78 to Chief shall mean the Sheriff of San Diego County.

**Sec. 35.300.003. DEFINITIONS.** Whenever the word "jurisdiction" is used in the Fire Code portion of the California Building Standards Code, it shall mean all unincorporated territory, which is not within any independent special district that provides fire protection services.

Whenever the term "Response Time" is used in the Fire Code portion of the California Building Standards Code, it shall mean the time the original incident alarm was received by dispatch to when the first fire unit arrives on scene.

**Sec. 35.300.004. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.** The following deletions, revisions and additions are hereby made to the Fire Code portion of the California Building Standards Code. To provide ready reference to such changes, the digits following the first three digits of the section numbers in this Chapter refer to the affected section of the Fire Code portion of the California Building Standards Code: e.g., Section 35.30103.1.4 refers to revisions of Section 103.1.4 of the Fire Code portion of the California Building Standards Code.

**Sec. 35.30103.1.4. Section 103.1.4. BOARD OF APPEALS,** of the Fire Code portion of the California Building Standards Code, is hereby revised to read as follows:

## **BOARD OF APPEALS**

**Sec. 103.1.4. BUILDING CONSTRUCTION APPEALS ADVISORY BOARD.** The Building Construction Appeals Advisory Board shall be the Board established by Section 51.0105 of the San Diego County Code. Upon the filing of an appeal or when requested by the Director of the Department of Planning and Land Use, the Building Construction Appeals Advisory Board shall investigate and advise as to the suitability of alternate materials and types of construction and shall recommend reasonable interpretation of the provisions of this Code, except that the requirements of this Code relating to access by physically handicapped persons will not be subject to appeal.

**Sec. 35.30103.2.2.2. Section 103.2.2.2. FIRE PREVENTION ENGINEER OR FIRE MARSHAL** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

### **FIRE PREVENTION ENGINEER OR FIRE MARSHAL**

**Sec. 103.2.2.2. The Fire Marshal shall be one of the following:**

- a. In a fire protection district, any person designated by the Chief to exercise the powers and perform the duties of the fire prevention engineer as set forth in this Code.
- b. In the unincorporated areas outside of a fire protection district, a person designated by the Chief Administrative Officer of San Diego County or his authorized representative to exercise the powers and perform the duties of the fire prevention engineer as set forth in this Code.

**Sec. 35.30103.5. Section 103.5. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 103.5. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.** The County Chief Fire Inspector or his designee or designees shall determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the code. Such lists shall be posted in a conspicuous place in the Department of Planning and Land Use, Building Division and copies may be distributed to interested parties.

**Sec. 35.30103.6. Section 103.6. VIOLATIONS AND PENALTIES** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 103.6. VIOLATIONS, PENALTIES, AND RESPONSIBILITY FOR COMPLIANCE WITH THE COUNTY FIRE CODE.** It shall be unlawful for any person, firm or corporation to use any property or erect, construct, enlarge, alter, repair, move, remove, improve, convert, demolish, equip, use, occupy or maintain any building or structure, or cause the same to be done, contrary to or in violation of any of the provisions of this ordinance. Any violation of this ordinance shall be a misdemeanor unless, in the discretion of the prosecutor, it is charged as an infraction.

(1) Each day or portion of a day that any person violates or continues to violate this ordinance constitutes a separate offense and may be charged and punished separately without awaiting conviction on any prior offense.

(2) Any person convicted of a misdemeanor under this ordinance shall be punished by imprisonment in the County jail not exceeding six (6) months, or by a fine not exceeding \$1,000, or by both.

(3) Any person convicted of an infraction under this ordinance shall be punished by a fine not exceeding \$100 for the first violation; by a fine not exceeding \$200 for a second violation of the same ordinance within one (1) year; and by a fine not exceeding \$500 for each additional violation of the same provision of this ordinance committed by that person on the same site within one (1) year.

(4) Paying a fine or serving a jail sentence shall not relieve any person from responsibility for correcting any condition, which violates any provisions of this ordinance.

(5) The application of the above penalties shall not prevent the enforced removal of prohibited conditions.

A property owner shall be considered to have allowed any use or improvement of property occupied by, or under the dominion and control of, the owner, and shall be responsible for the discontinuance and removal of any violation of the County Fire Code. Said responsibility shall include property leased to other parties. A property owner shall also be responsible for the discontinuance and removal of any violation of the County Fire Code that existed on the property prior to the current owner's purchase of the property.

**Sec. 35.30103.7. Section 103.7** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 103.7. REPEAL OF CONFLICTING ORDINANCES, RESOLUTIONS OR MOTIONS.** All former ordinances, resolutions or

motions, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance or of the Code or standards hereby adopted are hereby repealed.

**Sec. 35.30103.8. Section 103.8** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 103.8. VALIDITY.** The Board of Supervisors of the County of San Diego hereby declares that should any section, paragraph, sentence or word of this Ordinance or of the Code or standards hereby adopted be declared for any reason to be invalid, it is the intent of this Board that it would have passed all other portions of this Ordinance and would have adopted all other portions of the Code or standards independent of the elimination's therefrom of any such portion as may be declared invalid.

**Sec. 35.30105.2. Section 105.2. CONDITIONS OF PERMITS** of the Fire Code portion of the California Building Standards Code is hereby revised by adding:

**Sec. 105.2.4. EXPENSE RECOVERY.** When deemed necessary, the chief may impose a fee for recovery of expenses incurred as a result of activities undertaken pursuant to enforcing the fire prevention provisions of this Code.

**Sec. 35.30105.8. Section 105.8 PERMIT REQUIRED** of the Fire Code portion of the California Building Standards Code is hereby revised by adding the following subsections to read as follows:

**Sec. 105.8 (c.10.). CHRISTMAS TREE LOTS.** To operate a Christmas tree lot with or without flameproofing services.

**Sec. 35.30204. The definition of CHIEF OR CHIEF OF THE BUREAU OF FIRE PREVENTION** as found in Section 204 of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 204. CHIEF OR CHIEF OF THE BUREAU OF FIRE PREVENTION** is one of the following:

- (a) The Chief Officer of a Fire Protection District; or
- (b) The Sheriff of San Diego County for Articles 77 and 78 within the unincorporated areas outside of Fire Protection Districts; or
- (c) A person designated by the Chief Administrative Officer of San Diego County or his authorized representative for all Articles other than

Articles 77 and 78, for the unincorporated areas outside of a Fire Protection District.

**Sec. 35.30207. The definition of FIRE DEPARTMENT** as found in Section 207 of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 207. FIRE DEPARTMENT** is any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San Diego, or fire company regularly charged with the responsibility of providing fire protection to the jurisdiction.

**Sec. 35.30213. Section 213** of the Fire Code portion of the California Building Standards Code is hereby revised by adding:

**Sec. 213. LIFE SAFETY SPRINKLER SYSTEM** shall meet National Fire Protection Association Standards 13-D or 13-R, as appropriate.

**Sec. 35.30217. Section 217** of the Fire Code portion of the California Building Standards Code is hereby revised by adding:

**Sec. 217. PROPERTY PROTECTION SPRINKLER SYSTEM** shall meet Uniform Building Code Standard 9-1.

**Sec. 35.30901.2.2.1. Section 901.2.2.1** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 901.2.2.1. Fire Apparatus Access.** Plans for fire apparatus access roads or for their modification shall be submitted to the fire department for review and approval prior to construction or modification.

**Sec. 35.30901.4.2. Section 901.4.2** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

## **MARKING**

**Sec. 901.4.2.** When required, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

All new public roads, all private roads within major subdivisions, and all private road easements serving four or more parcels shall be named. Road name signs shall comply with County of San Diego Department of Public Works Design Standard #DS-13. The Chief may require the posting of a

fire access roadway where parking has obstructed or could obstruct the required width.

**Sec. 35.30901.4.2.1. Section 901.4.2.1** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**FIRE LANE DESIGNATION**

**Sec. 901.4.2.1.** The Chief may designate existing roadways as fire access roadways consistent with California Vehicle Code Section 22500.1, where he determines that such designation is necessary to ensure adequate fire access.

**Sec. 35.30901.4.4.** Section 901.4.4 of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**PREMISES IDENTIFICATION**

**Sec. 901.4.4.1. STREET NUMBERS.** Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations 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 following minimum standards as to size: 4" high with a 3/8" stroke for residential buildings, 6" high with a 1/2" stroke for commercial and multi-residential buildings, 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers. The Fire Chief may establish different minimum sizes for numbers for various categories of projects.

**Sec. 901.4.4.2. 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 size of numbers on that sign shall be four inches in height with a minimum stroke of 3/8", and shall contrast with the background.

**Sec. 901.4.4.3. MAP/DIRECTORY.** A lighted directory map, meeting current fire department standards, shall be installed at each driveway entrance to multiple unit residential projects and mobilehome parks, where the number of units in such projects exceed 15.

**Sec. 35.30902.1. Section 902.1** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

## GENERAL

**Sec. 902.1.1.** Fire apparatus access roads, including private residential driveways more than 150 feet in length, shall be provided and maintained in accordance with the provisions of this section and the most recent edition, and any amendments thereto, of public and private road standards as adopted by the County of San Diego (San Diego County Standards for Private Streets and Public Road Standards, San Diego County Department of Public Works). When determined by the Chief, more or less stringent requirements may be required than those provisions set forth in this section or those stipulated in County standards in order to provide equivalent access.

**Sec. 902.1.2.** Fire apparatus access roads, including private residential driveways, shall be required for every building hereafter constructed when any portion of an exterior wall of the first story is located more than 150 feet from the closest point of fire department vehicle access.

**Sec. 35.30902.2.2 Section 902.2** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

### **902.2 FIRE APPARATUS ACCESS ROADS.**

**Sec. 902.2.1 REQUIRED ACCESS.** Fire access roads shall be provided in accordance with Section 901 and 902.2 for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet (45,720 mm) from the apparatus access as measured by the approved route around the exterior of the building or facility. See also Section 902.3 for personnel access to buildings.

EXCEPTIONS: 1. When buildings are completely protected with an approved automatic fire sprinkler system, the provisions of Section 902.2.1 and 902.2.2 may be modified by the chief.

2. When access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades or other similar conditions, the chief is authorized to require additional fire protection as specified in Section 1001.9.

3. When there are more than two Group R, Division 3, or Group U Occupancies, the requirements of Section 902.2.1 and 902.2.2 may be modified by the chief.

More than one fire apparatus road shall be provided when it is determined by the chief that access by a single road might be impaired by vehicle congestion, conditions of terrain, climatic condition or other factors that could limit access

For high-piled combustible storage, see Section 8102.6.1.

For required access during construction, alteration or demolition of a building, see Section 8704.2.

## **902.2.2 SPECIFICATIONS**

**Sec. 902.2.2.1. DIMENSIONS.** Fire apparatus access roads shall have an unobstructed improved width of not less than 24 feet, except for single-family residential driveways; serving no more than two single-family dwellings, shall have a minimum of 16 feet of unobstructed improved width. All fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches. Vertical clearances or width shall be increased when, in the opinion of the Chief, vertical clearances or widths are not adequate to provide fire apparatus access.

EXCEPTION: Upon approval by the Chief, vertical clearances or width may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance.

### **Sec. 902.2.2.2. SURFACE.**

**902.2.2.2.1** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (not less than 40,000 lbs.) and shall be provided with an approved surface so as to provide all-weather driving capabilities.

**Sec. 902.2.2.2.2** For driveways serving individual single family dwellings the minimum surfacing materials required shall vary with the slope of the fire apparatus access road as follows:

0-5% Slope
4" Decomposed Granite
6-15% Slope
2" Asphaltic Concrete
15-20% Slope
3" Asphaltic Concrete

The paving and sub-base shall be installed to the standards specified in Section I-M of the County of San Diego Off-street Parking Design Manual.

A residential driveway constructed of 3½" Portland cement concrete may be installed on any slope up to 20% provided slopes over 14% have a deep broom finish perpendicular to the direction of travel.

### **Sec. 902.2.2.3. TURNING RADIUS.**

The turning radius of a fire apparatus access road shall be approved by the Chief.

**Sec. 902.2.2.4. DEAD ENDS.**

All dead-end fire access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of emergency apparatus. A cul-de-sac shall be provided in residential areas where the access roadway serves more than 2 structures. Minimum unobstructed paved radius width for a cul-de-sac shall be 36 feet in residential areas. The Fire Chief shall establish a policy identifying acceptable turnarounds for various project types.

**Sec. 902.2.2.5. BRIDGES.**

When a bridge is required to be used as part of a fire apparatus access road, it shall be constructed and maintained in accordance with nationally recognized standards. See Article 90, Standard a.1.1 The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Bridges shall comply with American Association of State Highway and Transportation Officials (AASHTO) HS15-44.

Vehicle load limits shall be posted at both entrances to bridges when required by the chief.

**Sec. 902.2.2.6. GRADE.**

The gradient for a fire apparatus access roadway shall not exceed 20.0%. Grades exceeding 15.0% (incline or decline) shall not be permitted without mitigation. Minimal mitigation shall be the installation of fire sprinkler systems appropriate to the structures and uses served. The Chief may require additional mitigation measures where he deems appropriate. The angle of departure and angle of approach of a fire access roadway shall not exceed seven percent or as approved by the Chief.

**Sec. 902.2.2.7. 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 Chief.

**Sec. 902.2.2.8. SECONDARY ACCESS.**

The Chief may require one or more secondary means of fire apparatus access to a project: development or area where he deems that such access is necessary for emergency operations and/or evacuation. The maximum length of a dead-end road, including all dead-end roads accessed from that

dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcels zoned for less than 1 acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1,320 feet
Parcels zoned for 5 acres to 19.99 acres	2,640 feet
Parcels zoned for 20 acres or larger	5,280 feet

These requirements may be modified when in the opinion of the Chief condition warrant.

All lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply.

Secondary access must be remote from the primary access, and must meet all provisions of this Section.

**Section 902.2.3 MARKING.** See Section 901.4

### **Section 902.2.4 OBSTRUCTION AND CONTROL OF FIRE APPARATUS ACCESS**

**Sec. 902.2.4.1 GENERAL.** The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under Section 902.2.2.1 shall be maintained at all times.

Entrances to roads, trails, or other accessways which have not been closed with gates and barriers in accordance with Section 902.2.4.2 shall not be obstructed by parked vehicles.

#### **Sec. 902.2.4.2. CLOSURE OF ACCESSWAYS.**

Vehicles shall not be parked in a manner, which obstructs the full width of the entrance to roads, trails, or other accessways, which have been closed and obstructed in the manner prescribed by this Section. No other obstructions may be placed or allowed to remain in such locations.

**Sec. 35.30902.2.4.3. Section 902.2.4.3** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 902.2.4.3. GATES.**

All gates or other structures or devices which could obstruct fire access roadways or otherwise hinder emergency operations are prohibited unless they meet standards approved by the Chief, and receive Specific Plan approval.

All automatic gates across fire access roadways and driveways shall be equipped with approved emergency key-operated switches overriding all command functions and opening the gate(s). Gates accessing more than four residences or residential lots, or gates accessing hazardous institutional, educational or assembly occupancy group structures, shall also be equipped with approved emergency traffic control-activating strobe light sensor(s), or other devices approved by the Chief, which will activate the gate on the approach of emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure.

All automatic gates must meet fire department policies deemed necessary by the Chief for rapid, reliable access.

Automatic gates serving more than one dwelling or residential lot in existence at the time of adoption of this Ordinance are required to install an approved emergency key-operated switch, or other mechanism approved by the Chief, at an approved location, which overrides all command functions and opens the gate(s). Property owners must comply with this requirement within 90 days of written notice to comply.

Where this Section requires an approved key-operated switch, it shall be dual keyed or dual switches provided to facilitate access by law enforcement personnel.

**Sec. 35.30902.4. Section 902.4** of the Fire Code portion of the California Building Standards Code is hereby revised by labeling the existing paragraph as Section 902.4.1, and adding Section 902.4.2:

**Sec. 902.4.1.KEY BOXES**

When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, the Chief is authorized to require a key box to be installed in an accessible location. The key box shall be a type approved by the chief and shall contain keys to gain necessary access as required by the chief.

### **Sec. 902.4.2. EMERGENCY KEY ACCESS**

All central station-monitored fire detection systems and fire sprinkler systems shall have an approved emergency key access box on site in an approved location. The owner or occupant shall provide and maintain current keys for the structure(s) for fire department placement in the box, and shall notify the fire department in writing when the building is re-keyed.

**Sec. 35.30902.5. Section 902.5.** Is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

### **Sec. 902.5. 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 compatible with current department mapping services, and shall be charged a reasonable fee for updating all response maps.

**Sec 35.30903.3. Section 903.3.** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

### **Sec. 903.3.1.TYPE OF WATER SUPPLY**

Water supply may consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems, as approved by the Fire Chief, capable of providing the required fire flow in a reliable manner. In setting the requirements for fire flow, the Chief may be guided by Section 903.4.2.2. and by Appendix III-A of this Code, or by the standard published by the Insurance Services Office, "Guide for Determination of Required Fire Flow".

### **Sec. 903.3.2.WATER STORAGE TANKS**

Water storage tanks, when permitted by the Chief, shall comply with Table No. 903.3.2.

<b>TABLE NO. 903.3.2.</b>			
<b>Building Square Feet</b>	<b>Gallons Per Minute Water Flow</b>	<b>Capacity Gallons</b>	<b>Duration Minutes</b>
Up to 500 Ft	250	1,500	6
501 - 1,500 Ft	250	3,000	12
1,501 - 3,000 Ft	250	5,000	20
3,001 - 4,500 Ft	250	7,500	30
Over 4,500 Ft	250	10,000	40

When exposure distance is one hundred feet (100') or less from adjacent property, the following minimum fire flow shall be adhered to. Increase in water storage may be required by the Chief, depending on the square footage of the exposed structure. When protecting exposures within 100 feet or less, the minimum flow duration shall not be less than two (2) hours unless otherwise approved by the Chief.

<b>EXPOSURE DISTANCE</b>	<b>MINIMUM FIRE FLOW</b>
over 100 Ft	250 Gallons Per Minute
31 Ft - 100 Ft	500 - 750 Gallons Per Minute
11 Ft - 30 Ft	750 - 1000 Gallons Per Minute
10 Ft or less	1000 - 1500 Gallons Per Minute

1. Tank elevation shall be equal to or higher than the fire department connection on the premises. Regardless of domestic use, all tanks shall be equipped with a device that will ensure that the tank contains the designated amount of water for fire flow duration as determined by the fire department. Tank size may be increased to serve multiple structures on a single parcel.

2. Supply outlet shall be at least 4 inches in diameter from the base of the tank to the point of outlet at the fire department connection. The fire department connection shall be at least one 4-inch National Standard Thread (male), reduce to one 2 ½ inch National Standard Thread (Male). Additional outlets may be required.

3. Location of fire department outlet to be determined on the plot plan when submitted to the fire department. Consideration will be given to topography, elevations, and distance from structures, driveway access, prevailing winds, etc.

4. The outlet shall be located along an access roadway and shall not be closer than 50 feet nor further than 150 feet from the structure.

5. All exposed tank supply pipes shall be of an alloy or other material listed for above ground use. Adequate support shall be provided.

6. Water storage tanks shall be constructed from materials approved by the Fire Marshal and installed per manufacturer recommendations.

7. The Chief may require any necessary information to be submitted on a plot plan for approval.

8. Vessels previously used for products other than water shall not be permitted.

**Sec. 35.30903.4.2. Section 903.4.2** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

## **FIRE HYDRANTS**

### **Sec. 903.4.2.REQUIRED INSTALLATIONS**

Sec. 903.4.2.1 The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved by the chief. Fire hydrants shall be accessible to the fire department apparatus by roads meeting the requirements of Section 902.2.

For fire safety during construction, alteration or demolition of a building, see Section 8704.3.

### **Sec. 903.4.2.2. FIRE HYDRANT LOCATIONS**

Fire hydrants shall be installed as required by the Chief, using the following criteria and taking into consideration departmental operational needs. Hydrants shall be located at intersections, at the beginning radius of cul-de-sacs and at intervals identified in the following table and criteria. Hydrants located across heavily traveled roadways shall be not considered as serving the subject property.

**Sec. 903.4.2.2.1** In zones other than industrial, commercial and multi-family fire hydrants shall be installed in accordance with Table No. 903.4.2-A.

<b>TABLE 903.4.2-A</b>
Single Family Dwellings Without Automatic Fire Sprinklers
Parcels 2-½ acres and larger: Every 1,000 feet
Parcels ½ to 2-½ acres: Every 500 feet
Parcels less than ½ acre: Every 350 feet

In projects zoned for single-family residential, and where all structures on the access roadway are equipped with fire sprinkler systems meeting appropriate standards of this Ordinance, the Chief may require hydrants to be installed in accordance with Table No. 903.4.2-B.

<b>TABLE 903.4.2-B</b>
Single Family Dwellings With Automatic Fire Sprinklers
Parcels 2-½ acres and larger: Every 1,300 feet
Parcels ½ to 2-½ acres: Every 850 feet
Parcels less than ½ acre: Every 650 feet

**Sec. 903.4.2.2.2.**

In multi-family zones and in commercial and industrial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs, and every 300 feet of fire access roadways, regardless of parcel size.

**EXCEPTION:** When improved methods of fire protection are provided, beyond those required by the Code, and accepted by the Chief, adjusted spacing of fire hydrants from those set forth above may be considered.

**Sec. 903.4.2.2.3.**

All fire hydrants shall be of bronze construction, including all internal parts except seats. Alternate materials may be used if approved by the Fire Marshal and the local water district having jurisdiction. The stems shall be designed and installed in a manner that will ensure that they will not be projected outward from the main body by internal water pressure due to disassembly 903.4.2.3. The number and size of fire hydrant outlets shall be as follows:

1. One 4 inch and one 2-½ inch NST outlet. (4", 2-½")

2. One 4 inch and two 2-½ inch NST outlets. (4", 2-½", 2-½")

In some instances the Chief may require the fire hydrant(s) to have any other combination of 4 inch and 2-½ inch outlets.

**Sec. 35.30903.4.2.1. Sec. 903.4.2.1** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

### **WATERLINE EXTENSIONS**

#### **Sec. 903.4.2.1. WATERLINE EXTENSIONS**

The Chief may require a waterline extension for the purpose of installing a fire hydrant if the water main is 1,500 feet or less from the property line.

**Sec. 35.30903.4.2.2. Sec. 903.4.2.2** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

#### **Sec. 903.4.2.2. FIRE FLOW REQUIREMENTS**

Fire flows shall be based on Appendix III-A. Consideration should be given to increasing the gallons per minute set forth in Appendix III-A to protect structures of extremely large square footage and for such reasons as: poor access roads; grade and canyon rims; hazardous brush; and response times greater than five minutes by a recognized fire department or fire suppression company.

In hazardous fire areas as defined in Appendix II-A, the main capacity for new subdivisions shall not be less than 2,500 gallons per minute, unless otherwise approved by the chief.

If fire flow increases are not feasible, the Chief may require alternative design standards such as: alternative types of construction providing a higher level of fire resistance; fuelbreak requirements which could include required irrigation; modified access road requirements; specified setback distances for building sites addressing canyon rim developments and hazardous brush areas; and other requirements authorized by this Code and as specified by the Chief.

**Sec. 35.301001.1.2. Section 1001.1.2** of the Fire Code portion of the California Building Standards Code is hereby revised by adding:

### **GENERAL**

#### **Sec. 1001.1.2 TYPE REQUIRED.**

The Chief shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises in the

jurisdiction. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. Such appliances shall be of a type suitable for the probable class of fire associated with such building or premises and shall have approval of the Chief.

**Sec. 35.301001.6.2.** Section 1001.6.2 of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 1001.6.2 FIRE HYDRANTS AND FIRE APPLIANCES**

Commercial fire sprinkler system control valves shall not be shut off after activation of the sprinkler system, whether in response to a fire or for unknown reasons, until such shut off is authorized by responding fire personnel.

Fire detection systems activated by fire, smoke, heat or by unknown causes shall not be reset until authorized by responding fire personnel.

**Sec. 35.301003.1.** Section 1003.1 of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**GENERAL PROVISIONS FOR FIRE-EXTINGUISHING SYSTEMS**

**Sec. 1003.1.1 GENERAL**

Fire-extinguishing systems shall be installed in accordance with the County Building Code and this Code.

Fire hose threads used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the fire department.

The location of fire department hose connections and control valves shall be approved by the Chief.

In buildings used for high-piled combustible stock, fire protection shall be in accordance with Article 81.

**Sec. 1003.1.2 STANDARDS**

Fire-extinguishing systems shall comply with the County Building Code or National Fire Protection Association Standards 13, 13-D and 13-R, 1996 Editions, as approved by the Chief.

**EXCEPTIONS:** 1. Automatic fire-extinguishing systems not covered by the County Building Code shall be approved and installed in accordance with approved standards.

2. Automatic sprinkler systems may be connected to the domestic water supply main when approved by the Chief, provided

the domestic water supply is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements. In such case, the sprinkler system connection shall be made between the public water main or meter and the building shutoff valve. The fire department connection may be omitted when approved by the fire department.

3. Where automatic fire sprinkler systems are installed to Uniform Building Code Standard 9-3, or National Fire Protection Association Standards 13-D or 13-R, exceptions or reductions to the County Building Code based on the installation of an automatic fire extinguishing system are not allowed, unless specifically authorized by the County Building Code.

**Sec. 35.301003.2. Section 1003.2. REQUIRED INSTALLATIONS OF AUTOMATIC FIRE-EXTINGUISHING SYSTEMS** of the Fire Code portion of the California Building Standards Code is hereby revised by adding the following:

**Sec. 1003.2.10 BUILDINGS EXCEEDING FIRE FLOW CAPABILITY.**

In addition to the above requirements, the Chief may require an automatic sprinkler system in all buildings hereinafter constructed, including single-family residential occupancy buildings or manufactured homes and mobilehomes as defined in the Building Code portion of the California Building Standards Code when the required fire flow exceeds 1,500 Gallons Per Minute as determined by the provisions in Appendix III-A of this code, or when calculated according to the standard published by the Insurance Services Office. "Guide for Determination of Required Fire Flow."

The automatic fire sprinkler system must be designed, constructed and installed in accordance with the National Fire Protection Association Standards contained in Pamphlet 13, 13R, or 13D as determined by the Chief.

**Sec. 1003.2.11 RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM FOR DWELLINGS.**

The Chief may require an automatic fire sprinkler system to be installed in dwellings and other structures (Group R-3 and U including accessory buildings), where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade and canyon rims, hazardous brush and response times greater than 10 minutes by a recognized fire department or fire suppression company.

The automatic fire sprinkler system must be designed, constructed and installed in accordance with the National Fire Protection Association

Standards contained in pamphlet 13D and local standards as approved by the Fire Chief.

**Sec. 35.301003.3.1. Section 1003.3.1** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 1003.3.1. SPRINKLER SYSTEM SUPERVISION ALARMS**

All commercial fire sprinkler systems meeting Uniform Building Code Standard 9-1 or National Fire Protection Association 13 shall have central station monitoring for water flow meeting fire department standards. All control valves shall be locked by approved high security padlocks keyed to fire department specifications, or be monitored by approved central stations to meet specific policy requirements established by the Chief, and locked with the owner's high security padlock. Keys for the padlocks shall be provided in the site emergency access key box.

All monitored sprinkler systems shall have approved emergency access key boxes on site at locations approved by the fire department. Keys shall be maintained per Section 902.4.

**Sec. 35.301004.2. Section 1004.2** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 1004.2. WHERE REQUIRED.**

Standpipe systems shall be provided as set forth in Table No. 1004-A. The Chief may require standpipes or other fixed systems for buildings three (3) or more stories in height.

**Sec. 35.301007.2.12.2. Section 1007.2.12.2** of the Fire Code portion of the California Building Standards Code is hereby amended by adding the following:

**Section 1007.2.12.2 High-rise Buildings.**

**Scope.** In addition to other applicable requirements of these regulations, the provisions of this section shall apply to every new building of any type of construction or occupancy located more than 55 feet (16,764mm) above the lowest level of fire department access.

**Sec. 35.301007.2.12.2.1. Section 1007.2.12.2.1** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Section 1007.2.12.2.1 General.** Group B office buildings and Group R, Division 1 Occupancies, each having a floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access, shall be provided with an automatic fire alarm

system and communications system in accordance with Section 1007.2.12.2.

**Sec. 35.31008. Section 1008** of the Fire Code portion of the California Building Standards Code is hereby added to read as follows:

## **Sec. 1008. SMOKE DETECTORS**

### **Sec. 1008.1 GENERAL**

Dwelling units, congregate residences and hotel or lodging quest rooms that are used for sleeping purposes shall be provided with smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

### **Sec. 1008.2 Additions, Alterations or Repairs to Group R Occupancies.**

When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds \$1,000 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies, smoke detectors shall be installed in accordance with Subsections 3, 4 and 5 of this Section.

### **Sec. 1008.3 POWER SOURCE.**

In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detectors may be solely battery operated when installed in existing buildings; or in buildings without commercial power; or in buildings, which undergo alterations, repairs or additions regulated by Subsection 2 of this Section.

### **Sec. 1008.4 LOCATION WITHIN DWELLING UNITS.**

In dwelling units, a detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

### **Sec. 1008.5 LOCATION IN EFFICIENCY DWELLING UNITS, CONGREGATE RESIDENCES AND HOTELS.**

In efficiency dwelling units, hotel suites and in hotel and congregate residence sleeping rooms, detectors shall be located on the ceiling or wall of the main room or each sleeping room. When sleeping rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated, the detector shall sound an alarm audible within the sleeping area of the dwelling unit, hotel suite or sleeping room in which it is located.

**Sec. 35.31110. Section 1110** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 1110. MAINTENANCE OF VACANT BUILDINGS AND PROPERTIES**

**Sec. 1110.1. MAINTENANCE**

Vacant buildings and properties shall be maintained free of accumulations of combustible or hazardous material. Vacant buildings shall be maintained, securely locked or barricaded to prevent entry by unauthorized persons.

**Sec. 1110.2. ENFORCEMENT**

Vacant buildings which are not secured and maintained secured after two Notices of Violation directed to the owner of record, may be secured by the fire department, and the cost thereof recovered by the process cited in the California Health and Safety Code, Part 5, Chapter 4.

**Sec. 35.302503.2. Section 2503.2.** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 2503.2. GROUND SEATS**

Where more than 299 loose chairs are used in connection with athletic events, or outdoor events, chairs shall be fastened together in-groups of not less than three and shall be tied or staked to the ground.

**Sec. 35.302504.21. Section 2504.21** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Sec. 2504.2.1 Outdoor Carnivals and Fairs**

Grounds consisting of a vacant field shall be scraped free of combustible vegetation to bare earth or mowed to the satisfaction of the authority having jurisdiction.

**Sec. 353077.101. Section 77.101** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

(a) This article shall apply to the manufacture, possession, storage, sale, transportation and use of explosives and blasting agents.

(b) This article as amended shall apply to any blasting operation unless the blast is determined to be a minor blast, in which case the inspection requirements of this amended article shall not apply. The Sheriff shall determine if the blast is minor. Persons conducting major blasting shall comply with all the requirements of this article as amended.

**Sec. 35.3077.102. Sec. 77.102** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

(a) For **DEFINITIONS** of **BLASTING AGENT**, **BULLET RESISTANT**, **CHIEF**, **INHABITED BUILDING**, **EXPLOSIVES**, **GUNPOWDER**, **SPECIAL INDUSTRIAL EXPLOSIVE DEVICE**, **SPECIAL INDUSTRIAL HIGH-EXPLOSIVE MATERIAL** and **TEST BLASTING CAP NO. 8**, see Article 9.

(b) **APPROVED BLASTER** means a blaster who has been approved by the Sheriff to conduct blasting operations and who has been placed on the list of approved blasters. Such listing shall be valid for a period of one (1) year unless revoked by the Sheriff.

(c) **BLASTING OPERATION** means the use of an explosive device or explosive material to destroy, modify, obliterate, or remove any obstruction of any kind.

(d) **BLASTING PERMIT**, for the purpose of this article, means a permit issued by the Sheriff or by the Chief Officer of the fire department serving the jurisdiction, pursuant to Article 77 of the Uniform Fire Code, and shall apply to a specific site. This permit shall be valid for a period not to exceed one (1) year.

(e) **BLAST SITE** means a geographically defined area where blasting may occur. It shall be shown on a project map or plot plan. Major blasting operations shall be conducted only within such defined areas. Distances for inspection and notification purposes shall be measured from all specific blast locations on a project site.

(f) **EXPLOSIVES PERMIT**, for the purpose of this article, means a permit issued by the Sheriff pursuant to Section 12000, et seq. of the California Health and Safety Code and Article 77 of the Uniform Fire Code. An explosives permit shall be valid for a period not to exceed one (1) year, as designated by the Sheriff, and may impose conditions on the permittee and his operations up to the point of actual use. In addition to this permit, a blasting permit is also required for the actual act of blasting.

(g) **INSPECTOR** means any private person acting on behalf of an approved blaster who has been approved by the Sheriff to conduct pre- and post-blast inspections in conjunction with blasting operations in the unincorporated areas of the County of San Diego, and who has been placed on the list of approved inspectors.

(h) **MAJOR BLASTING** means a blasting operation not qualifying as minor blasting.

(i) **MINOR BLASTING** means a blasting operation that meets all of the following criteria: quantity of rock to be blasted does not exceed one hundred (100) cubic yards per shot, bore hole diameter does not exceed two inches (2"), hole depth does not exceed twelve feet (12'), maximum charge weight does not exceed eight (8) pounds of explosives per delay, and the initiation of each charge will be separated by at least 10 milliseconds. The maximum charge weight shall not exceed the Scaled Distance as shown below:

<b>Distance from Blast Site</b>	<b>Scale-Distance</b>	<b>(In Feet)</b>
		<b>Factor</b>
	0 - 300.....	Mandatory Seismic Monitoring
301 -	5,000.....	55
	5,000+.....	65

(j) **SHERIFF'S AUTHORIZED REPRESENTATIVE** means the Chief fire officer serving the jurisdiction.

**Sec. 35.3077.103. Sec. 77.103** of the Fire Code portion of the California Building Standards Code is hereby revised by adding subparagraphs (f), (g), (h) and (i) as follows:

(f) Prior to the issuance of a Blasting permit, the Chief, or his authorized representative, shall approve fire safety requirements and shall review the application for conformance to the requirements, as they relate to blasting operations, of the following permits when blasting is anticipated.

1. Building permit;
2. Grading permit;
3. All use permits;

4. Encroachment permits; and

5. Other entitlements to use property, including zoning requirements and any determination under The Zoning Ordinance of nonconforming status.

The applicant shall be responsible for notifying and obtaining all necessary approvals from the Chief or his authorized representative.

(g) This article as amended shall apply to blasting and explosives permits issued on or after the effective date of this amendment. Permits issued prior to that date shall be subject only to such regulations as were in effect at the time the permit was issued.

(h) Blasters are required to comply with blasting regulations of neighboring jurisdictions, for any blasting operations outside of the unincorporated area of the County, but conducted in conjunction with projects within the unincorporated areas of the County of San Diego.

(i) The Sheriff, or his authorized representative, may impose conditions and procedures as are deemed reasonably necessary to protect the public health and safety based upon the peculiar and individual facts and circumstances of a particular blasting operation. The Sheriff, or his authorized representative, shall provide the blaster with the additional conditions or procedures in writing and the blaster shall comply with them until the blasting permit expires or the Sheriff, or his authorized representative, is satisfied they are no longer required and cancels the additional requirements.

**Sec. 35.3077.104. Section 77.104** of the Fire Code portion of the California Building Standards Code is hereby amended to read as follows:

**Sec. 77.104. INSURANCE AND INDEMNIFICATION REQUIRED**

Before a blasting permit is issued, as required by Subsection (a)3 of Section 77.103, the blaster shall submit: (1) a certificate of insurance evidencing that the blaster has obtained a general liability insurance policy which includes coverage for explosion, collapse and underground property damage from a generally recognized insurer, in effect for the period covered by the permit, written on an "occurrence" basis, in an amount of not less than five hundred thousand dollars each occurrence, naming the county as an additional insured, and providing that the policy will not be canceled or terminated without 30 days prior written notice to the County; and (2) an agreement signed by the blaster agreeing to defend, indemnify and hold the County and its agents, officers and employees harmless from any claims or actions arising out of the issuance of the permit or the blasting activity."

**Sec. 35.3077.301. Section 77.301(a)** of the Fire Code portion of the California Building Standards Code is hereby amended to read as follows:

**Sec. 77.301(a)**

Blasting shall only be permitted between the hours of 7:00 a.m. and 6:00 p.m. or one-half (1/2) hour before sunset whichever occurs first, Monday through Saturday, unless special circumstances warrant another time or day and special approval is granted by the Sheriff.

**Sec. 35.3077.301. Section 77.301** of the Fire Code portion of the California Building Standards Code is hereby amended by adding subparagraphs (n),(o) and (p) as follows:

(n) The owner shall give, or cause to be given a one-time, reasonable notice in writing for ongoing operations to all residences (including mobilehomes) and businesses within six hundred feet (600') of any potential major blast location, or three hundred feet (300') feet from any minor blast location. The notice shall be given promptly upon issuance of any building permit, grading permit, use permit, encroachment permit or other entitlement to use the property, including a determination under The Zoning Ordinance of nonconforming status.

(o) In addition to the notice given under Section 77.301(n), a notice by the blaster shall be given or cause to be given to the residences within six hundred feet (600') of a major blast site and three hundred feet (300') from a minor blast site, not less than twenty-four (24) hours nor more than one (1) week before blasting operations and shall be in a form approved by the Sheriff. The minimum 24-hour notice requirement may be reduced to a lesser period but not less than one hour if the Sheriff determines that special circumstances warrant such reduction in time.

(p) Adequate precautions shall be taken to reasonably safeguard persons and property before, during and after blasting operations. These precautions shall include:

1. The blaster shall cause an approved inspector to inspect all structures (including mobilehomes) within three hundred feet (300') of the blast site before blasting operations, unless inspection is waived by the owner and/or occupant. The inspector shall obtain permission of the owner and/or occupant before conducting the inspection. The inspection shall be only for the purpose of determining the existence of any visible or reasonably recognizable preexisting defects or damages in any structure. Waiver of inspection shall be in writing signed by the owner and/or occupant. Additionally, refusal to allow inspection shall constitute an automatic waiver, which shall be reported as such to the owner and/or occupant, and the fact of refusal shall be included in the summary report filed with the Sheriff (see Section 77.301.(o).2). The blaster shall cause an approved inspector to conduct post blast inspections upon receipt of a written complaint of property damage either by notice or knowledge of damage, providing

damage is reported within sixty (60) days of the completion of blasting operations.

2. Complete pre-blast inspection reports identifying all findings and inspection waivers shall be signed by the inspector. Such inspection reports shall be retained by the blaster and upon a complaint of alleged damage the blaster shall cause a copy of the report to be immediately filed with the Sheriff. A copy shall also be sent to any individual who is directly involved in the complaint upon their request.

If there is a change in the blasting contractor after blasting has commenced on a project, a re-inspection shall be conducted in accordance with the preceding paragraph (p)1 of Section 77.301 before the new blasting contractor undertakes any additional blasting.

3. The blaster shall cause an approved inspector to conduct a post-blast inspection of all structures for which written complaints alleging blast damage have been received. A written report of such inspection shall be immediately filed with the Sheriff and delivered or sent to individuals directly involved in any alleged damage within sixty (60) days of receipt of a complaint.

4. The blaster shall permit fire protection district and Sheriff's Department personnel to inspect the blast site and blast materials or explosives at any reasonable time.

5. If a fire protection district or Sheriff's Department witness is desired by the blaster on areas of the property upon which blasting shall occur, arrangements shall be made at least twelve (12) hours prior to the blast. Confirmation shall be made to the fire protection district or Sheriff no less than one (1) hour prior to the blast. The witnessing department(s) may then assign a department member to be present and observe the blast at their discretion. Costs, if any, must be paid by the blaster and owner.

6. The blaster shall notify the Sheriff and the appropriate fire protection district, if any, on the day of a scheduled blasting operation not less than one (1) hour before blasting.

7. All major blasting operations shall be monitored by an approved seismograph located at the nearest structure within six hundred feet (600'). All daily seismograph reports shall be maintained by the blaster.

8. **CONFISCATION:** Any explosives which are illegally manufactured, sold, given away, delivered, stored, used, possessed, or transported shall be subject to immediate seizure by any Chief, issuing authority, or peace officer. The Sheriff shall be notified immediately upon any such seizure.

When a blasting permit has been revoked or has expired and is not immediately renewed, any explosives are subject to immediate seizure.

**Sec. 35.3077.306. Section 77.306** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 77.306.**

(a) The Chief may seize, take, remove or cause to be removed at the expense of the owner all explosives, ammunition or blasting agents offered or exposed for sale, stored, possessed or transported in violation of this article.

(b) Any person violating or causing the violation of any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$1,000.00 or by imprisonment in the County jail for six (6) months, or by both fine and imprisonment.

(c) It shall be unlawful and a violation of this ordinance for any person to provide false or misleading information or documentation to the County of San Diego or any of its officers or employees or to any jurisdiction having authority during any phase of the explosives or blasting permit process or blasting operations.

(d) In addition to the penalties provided in Paragraph (b) of this Section, any conditions caused or permitted to exist in violation of the provisions of this ordinance or in violation of the conditions of an explosives or blasting permit shall be deemed a public nuisance, and may be abated by the County as such or remedied in court in any manner provided by law.

**Sec. 35.3077.307. Section 77.307** is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 77.307. FEE STRUCTURE**

A blaster and inspector shall pay a fee to the Sheriff upon being designated an approved blaster or inspector. Fees shall also be charged for issuance of a blasting permit to conduct blasting operations. The amount of said fees shall be determined by the Sheriff on the basis of the full costs involved in processing said permits.

**Sec. 35.307904.2.5.1. Section 7904.2.5.1** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**PERMANENT AND TEMPORARY TANKS FOR STORAGE AND USE**

**Sec. 7904.2.5.1. GENERAL.**

With the Chief's approval, Class I and II liquids may be stored above ground outside of buildings in specially designed, approved and listed containers which have features incorporated into their design which

mitigate concerns for exposure to heat (two hour fire resistance), ignition sources and mechanical damage. Containers must be installed and used in accordance with their listing, and the provisions of Appendix II-F. The Chief may disapprove the installation of such containers when in his opinion, their use presents a risk to life or property.

Temporary above ground Class II tanks may be installed for a maximum of 90 days under specific restrictions, with a maximum capacity of 10,000 gallons, on isolated, secured sites approved by the Chief.

**Sec. 35.307904.2.5.5. Section 7904.2.5.5** of the Fire Code portion of the California Building Standards Code is hereby revised to read:

**Sec. 7904.2.5.5. TANKS FOR GRAVITY DISCHARGE.**

Gravity dispensing of Class I and II liquids is prohibited. Dispensing devices for flammable and combustible liquids shall be of an approved type. Approved pumps taking suction from the top of the tank shall be used. Flammable or combustible liquids shall not be dispensed by a device that operates through pressure within a storage tank. Air or oxygen shall not be used to pressurize an above ground tank.

**Sec. 35.37904.2.8.3. Subsection 7904.2.8.3** is hereby added to Section 7904 of the Fire Code portion of the California Building Standards Code to read as follows:

**Sec. 7904.2.8.3. USE AS SUBSTITUTE FOR PERMANENT TANK PROHIBITED.**

The use of tank vehicles in a stationary manner as a substitute for approved above or below ground fuel tanks is prohibited.

**Sec. 35.39100.020. Section 1.1 of Appendix I-A** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

Sec. 35.39100.020

Appendix I-A. Section 1. General 1.1 Purpose is revised to read:

**Sec. 1. GENERAL**

**Sec. 1.1 PURPOSE**

The purpose of this Appendix is to provide a reasonable degree of safety to persons occupying existing buildings by providing for alterations to such existing buildings that do not conform with the minimum requirements of this Code.

**EXCEPTION:** Group U and high-rise occupancies.

**Section 1 of Appendix I-B** of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

**Section 1 SCOPE.**

These provisions apply to existing high-rise buildings constructed prior to the adoption of Appendix I-B and which house Group B offices or Group R, Division 1 Occupancies, each having floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

**Sec. 35.39100.030. Appendix II-A** of the Fire Code portion of the California Building Standards Code is hereby revised by adding Section 30 to read as follows:

Appendix II-A is revised by adding:

**30. STATE FIRE PREVENTION GUIDES.** This Code hereby adopts the most recent edition of the following fire safety guides for industrial, commercial and/or residential development in, upon, or adjoining any mountainous area or forest-covered lands, brush-covered lands or grass-covered lands or any lands covered with flammable material:

- (a) Fire Safe Guides for Residential Development in California, California Department of Forestry;
- (b) Industrial Operations Fire Prevention Field Guide, United States Forest Service.

Wherever a conflict exists between the State Fire Prevention Guides referenced in this section and the County Fire Code, the requirements of the County Fire Code shall apply.

The State Fire Prevention Guides referenced in this Section are intended for use as supplemental regulations, when determined necessary by the Chief, where desired regulations contained within the above referenced fire safety guides are not specifically addressed by the requirements of the Uniform Fire Code. The State Fire Prevention Guides referenced in this Section are adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions should be applicable as provided in this Section within all unincorporated territory which is not within any fire protection district or within any municipal water district which has fire protection responsibility.

**Sec. 35.39100.060. Section 1 of Appendix II-E** of the Fire Code portion of the California Building Standards Code is hereby revised by adding the following paragraph:

**Sec. 35.39100.060**

**Appendix II-E. Section 1.** Scope is revised by adding a final paragraph:

Hazardous Materials reporting forms currently adopted by San Diego County Health Department Hazardous Materials Management Unit which cover the same areas as forms contained in this Appendix are adopted by reference and take precedence over this Appendix.

Section 2. Effective date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

Section 3. Operative Date. This ordinance shall be operative on July 1, 1999.

PASSED, APPROVED AND ADOPTED this 18th day of May 1999.

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Chairwoman of the Board of Supervisors  
of the County of San Diego,  
State of California