

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA REPEALING SANTA BARBARA MUNICIPAL CODE CHAPTER 8.04 AND ADOPTING A NEW CHAPTER 8.04 ADOPTING BY REFERENCE THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING APPENDIX CHAPTER 4 AND APPENDICES B, BB, C, CC AND H OF THAT CODE, AND THE 2016 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS TO BOTH CODES.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

**SECTION 1. Findings**

Climatic Conditions

A. The City of Santa Barbara is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry winds, (“Sundowners”) which may reach speeds of 60 m.p.h. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. In addition, the high winds generated often cause road obstructions such as fallen trees. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires. In addition to directly damaging or destroying buildings, these fires also disrupt utility services throughout the area. The City of Santa Barbara and adjacent front country have a history of such fires, including the 1990 Painted Cave Fire and the 1977 Sycamore Canyon Fire. In 2007, the City was impacted by the back country Zaca Fire and by the Gap fire in 2008. The Tea Fire destroyed over 150 homes within the City in November of 2008 and the Jesusita Fire destroyed homes and property in much of the Santa Barbara front country in May of 2009.

B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Fire Department’s ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the City.

C. Water demand in this area challenges the quantity supplied by natural precipitation and, although the population continues to grow, the already-taxed water supply does not. The estimated population of California in 2006 was more than 36 million people. The state is projected to increase in population by nearly 10 million by the year 2030, with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water

allocation may not be fully dependable in many areas of the state. The city's core area continues to become more concentrated, with new multi-storied mixed-use structures whose occupants, along with the structures themselves, could be vulnerable to uncontrolled fires due to lack of available water. This necessitates the need for additional and on-site fire protection features.

D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems also reduce the use of water for firefighting by extinguishing fires at an early stage. Climatic conditions also necessitate the implementation of additional measures to control the threat of overgrown vegetation in the wildland urban interface areas, commonly referred to as the high fire hazard areas of the city.

#### Topographical conditions:

A. Natural slopes of 15 percent or greater generally occur throughout the foothills of Santa Barbara, especially in the High Fire Hazard areas such as the Foothill and Extreme Foothill zones. With much of the populated lower elevation areas already built upon, future residential growth is and will continue to occur on steeper slopes and in areas with greater constraints in terrain such as the Foothill and Extreme Foothill zones. Geographic and land-use constraints throughout the city have resulted in greater density along with a large number of mixed use projects, combining residential with commercial occupancies.

B. Traffic and circulation congestion is an ongoing problem throughout the region. Traffic flow in and through Santa Barbara is limited by the transverse Santa Ynez Mountains, which provide limited passage to the north, and the Pacific Ocean to the south. The narrow corridor that Highway 101 occupies is subject to traffic delays under normal conditions and emergency events can render the highway impassable. This has the double effect of preventing traffic from leaving the city and potentially preventing emergency workers, who often live out of town, from entering. This condition existed for several days during the La Conchita slide in 2005 and it disrupted the return of city workers who live in the Ventura area. At various times in the city's history, Highway 101 has also been closed north of the city due to mudslides, fires and flooding, most recently near Gaviota Pass, where a fire also temporarily closed the rail access.

In addition, roads in the foothills are narrow, often steep and vulnerable to emergency conditions. Some of the older roadways are below current access standards and pose challenges to responding emergency vehicles, especially fire engines. These challenges are exacerbated in the event of an evacuation, particularly in the Foothill and Extreme Foothill zones.

C. These topographical conditions combine to create a situation which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

Geological conditions:

The City of Santa Barbara region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge and the 1971 Sylmar earthquakes. Known faults in the city include the Lavigia, North Channel Slope, Mesa and Mission Ridge-More Ranch faults. Additional faults near the city would also be capable of disruption of services, including fire protection. The Southern California Earthquake Center predicts that there is an 80-90% probability of a magnitude 7.0 earthquake somewhere in Southern California before the year 2024. Regional planning for reoccurrence of earthquakes is recommended by the State of California, Department of Conservation.

A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Loma Prieta earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. In addition to gas mains, individual gas and electric service connections to residences may provide both fuel and ignition sources during a seismic event. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants.

B. Road circulation features located throughout Santa Barbara also make amendments reasonably necessary. There are major roadways, highways and flood control channels that create barriers and slow response times. Hills, particularly in the Foothill and Extreme Foothill zones, slopes, street and storm drain design accompanied by occasional heavy rainfall, cause roadway flooding and landslides and at times may make an emergency access route impassable. Much of Sycamore Canyon lies in an area subject to geologic activity, as witnessed by the recent closure of the road due to the slide potential.

The climatic, topographical, and geological conditions described above make it prudent to rely upon automatic fire sprinkler systems and other fire protection measures to mitigate extended fire department response times. Automatic sprinklers, mixed use notification signs, fire alarms and other measures specified in this ordinance are intended to lessen life safety hazards and keep fires manageable with potentially reduced fire flow (water) requirements for a given structure. Additional fire protection is also justified to

match the current resources of firefighting equipment and personnel within the Santa Barbara City Fire Department.

SECTION 2. Section 8.04.010 of the Santa Barbara Municipal Code is adopted to read as follows:

#### **8.04.010 Adoption of International Code by Reference**

Subject to the amendments specified in Section 8.04.020 of this Code, The International Fire Code, as published by the International Code Council (2015 Edition), including Appendix Chapter 4 and Appendices B, BB, C, CC and H; The 2016 California Fire Code (Title 24, Part 9 of the California Code of Regulations); and all standards and secondary codes referenced in said codes are adopted by reference and shall be known as the City of Santa Barbara Fire Code.

Said codes and any standards and secondary codes adopted by reference and the amendments therein, are on file and available for public inspection in the office of the City Clerk.

SECTION 3. Section 8.04.020 of the Santa Barbara Municipal Code is adopted to read as follows:

#### **8.04.020 Amendments to International Fire Code**

In response to local climatic, geological and topographical conditions, The 2015 International Fire Code and The 2016 California Fire Code, as adopted by reference by in Section 8.04.010, are amended as follows:

A. Section 103 is hereby renamed: **Fire Prevention Bureau** and is amended as follows:

**[A] 103.1 General.** The Fire Prevention Bureau is established in the jurisdiction under the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this code.

**[A]103.3.1 Fire prevention bureau personnel and police.** The fire code official and members of the fire prevention bureau shall have the powers of a police officer in performing their duties under this code. When requested to do so by the fire chief, the chief of police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

B. Section 104.10 "Fire investigations" is amended to read as follows:

**[A] 104.10 Fire investigations.** The fire code official is authorized to investigate promptly the cause, origin and circumstances of every fire, explosion or other hazardous condition occurring in the jurisdiction. In addition, the fire code official is authorized to investigate the cause, origin and circumstances of unauthorized releases

of hazardous materials in the jurisdiction. If it appears to fire code official that such incidents are of suspicious origin, the fire code official is authorized to take immediate charge of all physical evidence relating to the cause of the fire, explosion, hazardous condition, or release and is authorized to pursue the investigation to its conclusion.

[A]104.10.1 **Assistance from other agencies.** Police and other enforcement agencies are authorized to assist in the investigation of fires when requested to do so by the fire code official.

C. Section 108 “Board of Appeals” is deleted in its entirety without replacement.

D. Section [A]109.4 “Violation penalties” is amended to read as follows:

**[A] Section 109.4 Violation penalties.** Persons who 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. Penalties shall be as prescribed by state law and local ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. Chapter 1, Division II of the International Fire Code is amended by adding Section 114 “Building and Fire Code Board of Appeals” to read as follows:

#### **Section 114. Building and Fire Code Board of Appeals**

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official or Building Official relative to the application and interpretations of the technical codes, there shall be and is hereby created a Building and Fire Code Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The Fire Code Official or Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Building and Fire Code Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. 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 or Building Official.

**114.1.1 Alternatives.** The Board may consider any alternate provided that it finds that the proposed design, material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in accessibility, suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation.

**114.1.2 Appointments.** *The City Council shall appoint qualified individuals to an eligibility list. Appeals shall be scheduled before five members selected from the eligibility list by the Community Development Director or the Fire Code Official as may be appropriate based on the subject matter.*

**114.1.3 Quorum.** *For other than appeals and ratifications relative to Chapter 11, it shall take a quorum of three members to hear an appeal and majority vote of the Board convened to sustain an appeal. Appeals and ratifications relative to the enforcement of Chapter 11, at least 2 of the Board members hearing the item must be disabled. (ref: State Health & Safety Code, Section 19957.5)*

**114.1.4 Chairperson.** The chairperson shall be selected by the convened Board. The chairperson shall maintain order and conduct the meeting in accordance with Section 114.1.7 and 114.1.8.

**114.1.5 Meetings.** The Board shall meet when needed to hear an appeal or when needed to transact business of the Board. Either the Chief Building Official or the Fire Code Official or their designee shall act as Secretary of the Board.

**114.1.6 Board Decisions.** The decision of the Building and Fire Code Board of Appeals shall be final on all matters of appeals and shall become an order to the Appellant, Building Official or Fire Code Official as may be appropriate.

**114.1.7 Procedural Rules.** *Appeal hearings shall be conducted substantially in accordance with the following format:*

1. *All appeals of decisions of the Building Official or Fire Marshal shall be made on the City "Request for Appeals Hearing" form and physically received by the Building Official or Fire Marshal within 20-days of the initial issuance of their decision.*
2. *Any fees charge by the City for conducting the appeals board hearing must be received and accounted for by the City at least 1-working day before the date of the hearing.*
3. *All appeals should be heard not least than 10-days and not more than 60-days from the Building Official of Fire Marshal's receipt of the appeals request form.*
4. *The filing of a timely appeal with the City Building Official or Fire Marshal shall place a stay on further enforcement of the specific matter appealed, except for instances of immediate danger to life or property.*
5. *The Chairperson shall call the meeting to order.*
6. *The Chairperson shall note the Board members present for the minutes.*
7. *The Chairperson shall recognize the Chief Building Official or Fire Code Official for presentation of the appeal. The Chief Building Official or the Fire Code Official shall read his/her recommendation to the Board.*

8. *The Chairperson shall recognize the Appellant for presentation of rebuttals.*
9. *All witnesses must be called by either the Appellant or the Chief Building Official or the Fire Code Official and may be questioned.*
10. *After a motion to amend, accept, or deny the standing motion has been made and seconded, the Board may entertain comments from the public. Decisions shall include a statement of the decision appealed, the decision of the Board and the findings made by the Board in reaching their decision.*
11. *The Board shall vote on the standing or amended motion. Decisions of the Board are final and without further City appeal rights.*
12. *The Chairperson shall adjourn the meeting at the end of business.*
13. *The Secretary shall prepare minutes for the record and shall serve as custodian of case records and said minutes.*

*This Board shall serve as the appeals boards defined in Section 108.1*

F. **Chapter 3** of the International Fire Code is amended as follows:

1. **307.1.2 Prohibited open burning.** *Opening burning* that is offensive or objectionable because of smoke emissions or when atmospheric or local circumstances make such fires hazardous shall be prohibited.
2. **Section 308.1.4** is deleted without replacement.
3. **Section 308.1.4.1** is amended to read as follows:

**Section 308.1.4.1 Liquefied-petroleum gas fueled cooking devices.** LP gas burners having an LP gas container with a water capacity greater than 25 pounds (5 Gallon) shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.

**Exception:** One and two-family dwellings.

4. **.317.1.1 Rooftop Gardens and Landscaped Roofs.** Rooftop gardens and landscaped roofs, also known as vegetated roofs, are prohibited in the High Fire Hazard areas.

G. Chapter 4 of the International Fire Code is deleted in its entirety without replacement.

H. Section 503 "Fire Apparatus Access Roads" is deleted in its entirety and readopted to read as follows:

**503.1 Where Required.** Fire Department access roads shall be provided and maintained in accordance with Sections 503.1.1 and 503.1.3

**503.1.1 Buildings and Facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus roads shall comply with the requirements of this section and shall extend to within 150 feet of (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus Roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternate means of fire protection is provided.

**503.1.2 Additional Access.** The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of the terrain, climatic conditions or other factors that could limit access.

**503.1.3 High Piled Storage.** Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23.

**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches. If a fire apparatus access road serves three or fewer single-family residential units, the required width may be reduced to not less than 16 feet (4879 mm) upon the approval of the fire code official.

**503.2.2 Authority.** The fire code official is authorized to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Such fire apparatus access roads shall be capable of supporting 60,000 pounds and shall be constructed of approved materials.

**503.2.4 Turning radius.** The turning radius of roadways shall be no less than 70 feet in diameter measured from outer edge to outer edge.

**503.2.5 Dead ends** Dead-end fire apparatus access roads in excess of 300 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

**503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

**503.2.7 Grade.** The gradient for a fire apparatus access road shall not exceed a 16 % grade.

**503.2..7.1 Cross-slope.** The cross-slope gradient shall not exceed 6%.

**503.2.8. Angle of Approach and Departure.** The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

**503.3 Marking.** Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. The minimum required widths and clearances established in Section 503.2.1 shall be maintained at all times.

**503.5 Required gates or barricades.**

**503.5.1 Secured gates and barricades.** When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

**503.5.1.1 Vehicle obstruction.** Entrances to roads, trails, or other access ways that have been closed with gates and barriers in accordance with Section 503.5 shall not be obstructed by parked vehicles, except for public officers acting within their scope of duty.

**503.5.1.2 Closure of access ways.** Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals which have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with or otherwise molested in any manner except when authorized by the fire code official or by public officers acting within their scope of duty.

**503.5.2 Fences and Gates.** School grounds may be fenced and gates therein may be equipped with locks, provided that safe dispersal areas based on 3 square feet (0.28m<sup>2</sup>) per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet (15240 mm) from school buildings. Every public and private school shall conform to Section 32020 of the Education Code.

I. Section 505 "Premises Identification" is amended to add Sections 505.1.1 and 505.3 to read as follows:

**505.1.1 Mixed Use Occupancy Identification.** Mixed use occupancy notifications signs shall be provided according to Municipal Code 8.04.030 (B).

**505.3 Directory.** For complexes and large buildings, an approved directory or premise map may be required at a location determined by the fire code official.

J. Section 507 "Fire Protection Water Supplies" is deleted in its entirety and readopted to read as follows:

**507.1 Required Water Supply.** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Prior to development of a project, the fire code official may require the flow testing of fire hydrants adjacent to the proposed development in order to determine adequacy of fire flow.

**507.2 Type of Water Supply.** A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required flow.

**507.2.1 Private fire service mains.** Private fire service mains and appurtenance shall be installed in accordance with NFPA 24.

**507.2.2 Water tanks.** Water tanks for private fire protection shall be installed in accordance with NFPA 22.

**507.3 Fire Flow.** Fire Flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method *or Appendix B*. For the purposes of this section, an "approved water supply" shall mean the following:

1. Residential Requirement. All residential buildings containing ten (10) or less dwelling units shall be served by a fire flow of 750 gpm at a residual pressure of 20 psi when flowing. Fire-flow requirements may be modified downward by the fire code official

for isolated buildings or the installation of approved fire protection devices, but in no case shall the fire flow be less than 500 gpm at a residual pressure of 20 psi. Residential buildings containing eleven (11) or more dwelling units shall be served by fire flows in compliance with the commercial requirements below.

2. Commercial Requirement. A fire flow of 1,250 gpm at a residual pressure of 20 psi when flowing will be required.

**507.4 Water Supply Test.** The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

**507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.1 through 507.5.6 or Appendix C of the International Fire Code.

**507.5.1 Where Required, Commercial.** A commercial hydrant to Santa Barbara City standards must be located within 300 feet of all portions of a facility or building as measure by an approved route around the exterior of the facility or building. Where a portion of the facility or building is hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, the fire code official may require on-site hydrants or another approved mitigation method.

**507.5.1.1 Where Required, Residential.** For Group R-3, Group U and Group R-2 occupancies containing ten (10) or less dwelling units, a residential hydrant to Santa Barbara City standards must be located within 500 feet of all portions of a facility or building as measure by an approved route around the exterior of the facility or building. Where a portion of the facility or building is hereafter constructed or moved into or within the jurisdiction is more than 500 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, the fire code official may require on-site hydrants or another approved mitigation method.

**507.5.2 Inspection, Testing and maintenance.** Fire hydrant systems shall be subject to such periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall be in accordance with approved standards.

**507.5.3 Private fire service mains and water tanks.** Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with *Title 19 California Code of Regulations Chapter 5*.

**507.5.4 Obstruction.** Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall

not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

**507.5.5 Clear space around hydrants.** A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

**507.5.6 Physical protection.** Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

K. Section 903.2 “Where required” is amended to add Section 903.2.19 to read as follows:

**903.2.20 Local Requirements.** Approved automatic sprinkler systems shall be installed throughout buildings and structures as specified elsewhere in this Section 903.2 or as specified in this Section 903.2.20, whichever is more protective.

**903.2.20 .1 New Buildings, Generally.** The construction of a new building containing any of the following occupancies: A, B, E, F, H, I, L, M, R, S or U.

Exceptions: A new building containing a Group U occupancy that is constructed in the City’s designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area. A new building containing a U occupancy that is constructed outside the City’s designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 5000 square feet of floor area.

**903.2.20..2 New Buildings in the High Fire Hazard Area.** The construction of any new building within the City’s designated High Fire Hazard Area.

Exception: A new building containing a Group U occupancy that is constructed in the City’s designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area.

**903.2.20.3 Additions to Buildings Other than Single Family Residences.** The addition of floor area to an existing building that contains any occupancy other than Group R, Division 3.

Exception: For buildings that have had no additions since September 11, 2009, a single addition of not more than 250 square feet, provided the addition does not change the use to a more hazardous occupancy, shall not trigger the requirement to install an automatic fire sprinkler system. However, the square footage of the single addition allowed under this exception will be included in the cumulative total of modifications and alterations for purposes of Section 903.2.20.4.

**903.2.20.4 Remodels of Buildings Other than Single Family Residences.** The remodel or alteration of the interior of an existing building that contains any occupancy other than Group R, Division 3, where the floor area of the portion of the building that is modified or altered exceeds 50% of the existing floor area of the building. For purposes of this section, all modifications or alterations to an existing building that occur after September 11, 2009 shall be counted in the aggregate toward the 50% threshold measured against the floor area of the building. It shall be the responsibility of the building owner to install the sprinkler system throughout the building when the threshold has been exceeded.

**Exception:** Nothing in this section shall prevent the building owner from negotiating a written agreement with the tenant or tenants for allocating the cost of the sprinkler system in any proportion.

**903.2.20.5 Change of Occupancy to a Higher Hazard Classification.** Any change of occupancy in an existing building where the occupancy changes to a higher hazard classification

**903.2.20.6 Computation of Square Footage.** For the purposes of this Section 903.2.19, the floor area of buildings shall be computed in accordance with the definition of "Floor area, Gross" provided in Section 1002.1 of the California Building Code.

**903.2.20.7 Existing use.** Any existing building not classified as Group R, Division 3, in existence at the time of the effective date of this code may have their use continued if such use was legal at the time. Additions to existing buildings shall require an automatic fire sprinkler system installed throughout, including areas not previously protected.

**Exception:** For buildings that have had no additions since September 11, 2009, a single addition of not more than 250 square feet, provided the addition does not change the use to a more hazardous occupancy, shall not trigger the requirement to install an automatic fire sprinkler system. However, the square footage of the single addition will be included in the cumulative total of modifications and alterations for purposes of Section 903.2.20.4.

**907.2.20.8 Exceptions and Modifications.** Where hardship or substantial difficulty make strict compliance with a sprinkler section impractical, the Fire Code Official is authorized to grant exceptions or modifications on an individual basis, pursuant to Section 104.8

L. Section 907 "Fire Alarm and Detection Systems" is amended to add Section 907.2.27 to read as follows:

**907.2.30 Mixed Use Occupancies.** Where residential occupancies are combined with commercial occupancies, a fire alarm system shall be installed which notifies all occupants in the event of a fire. The system shall include automatic smoke detection throughout the commercial and common areas. In addition, a notification system shall be installed in a manner and location approved by the fire code official that indicates the

presence of residential dwelling units in accordance with Municipal Code Section 8.04.030 B.

M. Section 4901 “General” is amended to read as follows:

**Section 4901.1 Scope.** The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with this chapter. In addition, this section is intended to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in Urban Wildland Interface Areas as defined by the City of Santa Barbara Wildland Fire Plan.

**Section 4901.2 Purpose.** The purpose of this code is to provide minimum standards to increase the ability of a building to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in conflagration losses through the use of performance and prescriptive requirements. In addition, the purpose of this code is to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in Urban Wildland Interface Areas.

**Section 4901.3 Policy.** The policy direction for the City of Santa Barbara Wildland Urban Interface Area is established by the City of Santa Barbara Wildland Fire Plan, approved by City Council in January of 2004.

N. **Section 4902 “Definitions”** is amended to add the definitions of “Spark Arrester”, “Tracer”, and “Tracer Charge” and to amend the definition of “Wildland-Urban Interface Fire Area” to read as follows:

**Spark Arrester** is defined as a device constructed of non-flammable materials specifically for removing and retaining carbon and other flammable particles over 0.0232 inches in size from the exhaust flow of an internal combustion engine operated by hydrocarbons.

**Tracer** is any bullet or projectile incorporating a feature which marks or traces the flight of said bullet or projectile by flame, smoke or other means which result in fire or heat.

**Tracer Charge** is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which result in fire or heat and shall include any incendiary bullets and projectiles.

**Wildland-Urban Interface Fire Area** is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. See Article

86B for the applicable referenced Sections of the Government Code and the Public Resources Code. The City of Santa Barbara Wildland Fire Plan, approved by City Council in January of 2004 and adopted as the Community Wildfire Protection Plan in 2011, outlines the Wildland Urban Interface Areas within the City of Santa Barbara's local jurisdiction. For purposes of this code, Wildland Urban Interface Areas and High Fire Hazard Areas are interchangeable.

O. Section 4903 "Plans" is amended to read as follows:

**4903.1 General.** When required by the fire code official, a fire protection plan shall be prepared for parcels within Urban Wildland Interface Areas.

**4903.2 Content.** The plan shall be based on site specific wildfire hazard and risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building construction and fire-resistance factors, fire protection systems and equipment, evacuation, defensible space and vegetation management. The plan shall also address any off site factors listed above that affect the project area.

**4903.3 Cost.** The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

**4903.4 Plan retention.** The fire protection plan shall be retained by the fire code official.

P. Section 4904 "Fire Hazard Severity Zones" is amended to add Section 4904.1.1 to read as follows:

**4904.1.1 Local Land Classification.** Lands in the local jurisdiction are classified by the Fire Code Official in accordance with the City of Santa Barbara Wildland Fire Plan (May 2004).

Q. Section 4906 "Hazardous Vegetation and Fuel Management" is amended to add Section 4906.1.1 to read as follows:

**4906.1.1 General.** The City of Santa Barbara Wildland Fire Plan identifies vegetation management areas that pose an increased threat to the community during a wildland fire. Within these areas the fire code official has the authority to work with property owners to reduce the amount of flammable vegetation outside the defensible space areas. These areas include both City and Private lands. Standards for vegetation management are specified in the City of Santa Barbara Wildland Fire Plan.

**4906.1.2 Flammable Vegetation.** Vegetation installed without an approved landscape plan shall be removed if in the opinion of the fire code official, it is capable of being ignited and endangering property

R. Section 4907 “Defensible Space” is amended by adding the following:

**4907.1.1 General.** Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall follow defensible space requirements outlined in 4907.1 through 4907.9. For purposes of this section, defensible space requirements shall apply to persons owning, leasing or controlling land with hazardous vegetation that is within the defensible space of structures on adjacent properties.

**4907.2 Distance Requirements:** Maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 30 to 150 feet of such buildings or structures as outlined in the following zones;

1. Coastal Interior 30 to 50 feet brush clearance from structures
2. Coastal 50 to 70 feet brush clearance from structures
3. Foothill 100 feet brush clearance from structures
4. Extreme Foothill 150 feet brush clearance from structures

**Exceptions:**

1. Single specimens of trees, ornamental shrubbery or similar plants used as ground covers do not have to be removed, provided they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

**4907.3 Chimney Clearance.** Remove portions of trees which extend within 10 feet (3048 mm) of the outlet of a chimney,

**4907.4 Overhanging Trees.** Maintain trees adjacent to or overhanging a building free of deadwood,

**4907.5 Vines and Climbing Ornamental Plants:** Existing vines and climbing plants attached to structures must be maintained in a well-watered condition, free of excessive dead material and trimmed to minimize fire propagation.

**4907.6 Roof Debris.** Maintain the roof of a structure free of leaves, needles or other dead vegetative growth

**4907.7 Additional Clearance Requirements.** Within any high fire hazard zone additional brush clearance may be required on slopes greater than 30%. Slopes ranging between 30 and 40 % slope may require 200 feet clearance. Slopes ranging from 41 to 60% may require 250 to 300 foot clearance.

**4907.8 High Fire Hazard Area Fire Safe Landscaping.** All parcels in the Wildland Urban Interface Areas must meet defensible space requirements as outline in 4707.1. Defensible Space requirements can be met though fire safe landscaping in accordance with Wildland Fire Plan, Appendix E (High Fire Hazard Landscape Guidelines). Fire safe landscaping requirements shall be utilized on all parcels within the Wildland Urban Interface Areas.

**4907.8.1 New Development.** New developments in the wildland urban interface area must submit Landscape Plans for review by the Fire Code Official. Landscaping shall meet the Defensible Space distances as outlined in the Wildland Fire Plan, Appendix E (High Fire Hazard Defensible Space Requirements). All landscape plant species must be fire resistant as described in the Wildland Fire Plan, Appendix E (High Fire Hazard Landscape Guidelines).

**4907.8 Vegetation Road Clearance.** The owner, occupant or other person in control of any real property (vacant or developed) in, upon, or adjoining hazardous fire areas, and the owner, occupant or other person in control of real property adjacent to such property shall:

1. Maintain an area cleared of flammable vegetation and other combustible growth for a distance of 10 feet on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic.

**Exception:** Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided they do not form a means of readily transmitting fire.

2. Maintain an area cleared of all overhanging vegetation for a vertical clearance of not less than 13 feet 6 inches within the full portion of highways and private streets which are improved, roadway and one foot (1 foot) on each side from the edge of the drivable roadway.

**4907.9 Unusual Circumstances.** If the fire code official determines that difficult terrain, danger or erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 4907 undesirable or impractical, enforcement thereof may be suspended and approved alternative measures shall be provided.

S. Section 4908 "Trespassing On Posted Property" is added to Chapter 49 to read as follows:

**4908.1 General.** When the fire code official determines that a specific area within a wildland urban interface area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provides.

**4908.2. Signs.** Approved signs prohibiting entry by unauthorized persons and referring to Section 4908.1 shall be placed on every closed area pursuant to this section.

**4908.3 Trespassing.** Entering and remaining within areas closed and posted is prohibited.

**Exception:** Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

**4908.4 Tampering With Fire Department Locks, Barricades And Signs** Locks, barricades, seals, cables, signs and markers installed within wildland urban interface areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed. Gates, doors, barriers and locks installed by or under the control of the fire code official shall not be unlocked.

T. Section 4909 "Ignition Sources" is added to Chapter 49 to read as follows:

**4909.1 General.** Control of ignition sources in wildland urban interface areas shall be in accordance with 4909.1 through 4909.12.

**4909.2 Smoking.** Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildland urban interface areas is prohibited.

**Exception:** Places of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official.

**4909.3 Spark Arresters.** Chimney's used in conjunction with fire places, barbeques or heating appliances in which solid or liquid fuels is used, upon buildings, structures or premises located within 200 feet of wildland urban interface areas, shall be provided with a spark arrestor constructed with heavy wire mesh or other non-combustible material with openings not to exceed 1/2 inch.

**4909.4 Suppression Equipment for Gasoline-Fueled Internal Combustion Engines- Off Road Vehicles.** No person shall use or operate any internal combustion engine which operates on hydrocarbon fuels on any forest, brush, or grass covered land without providing, and maintaining in good working order, a spark arrester attached to the exhaust system, except for motorcycles, vehicles equipped with a muffler as defined by the California Vehicle Code, such as motor trucks, truck tractors, buses, and passenger vehicles are not subject to the provisions of this section. Spark arresters affixed to the exhaust of engines shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

**4909.5 Suppression Equipment For Gasoline-Fueled Internal Combustion Engines- Tools.** No person shall use or operate any portable saw, auger, drill, tamper or other portable tool powered by a gasoline-fueled internal combustion engine on or near any forest, brush, grass covered land, within 25 feet from any flammable material without

providing at the immediate location a round point shovel or a 2A 10 BC fire extinguisher. The above tools shall at no time be farther than 25 feet, with unrestricted access, from the operator to the point of operation.

**4909.6 Tracer Bullets, Tracer Charges, Rockets And Model Aircraft.** Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildland urban interface areas. Rockets, model airplanes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildland urban interface areas.

**4909.7 Apiaries.** Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildland urban interface areas except by permit from the fire code official.

**4909.8 Open Flame Devices.** Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildland urban interface areas, except by permit from the fire code official.

**Exception:** Use within habited premises or designated campsites which are a minimum of 30 feet from grass, grain, brush or forested areas.

**4909.9 Outdoor Fires.** Outdoor fires shall not be built, ignited or maintained in or upon wildland urban interface areas, except by permit from the fire code official. Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon wildland urban interface areas under the following conditions:

1. When high winds are blowing
2. When a person age 17 or over is not present at all times to watch and tend fire, or
3. When the fire code official declares a Red Flag Fire Warning

**Exception:** Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbeque, portable barbeque, outdoor fireplace or grill and are a minimum of 30 feet from grass, grain, brush or forested areas.

**4909.10 Outdoor Fireplaces and Barbeques.** Permanent barbeques, portable barbeques, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash, or combustible waste material. Permanent barbeques outdoor fireplaces, portable barbeques and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrester, screen, or door.

**Exception:** When approved, unprotected openings in barbeques and grills necessary for proper functioning.

**4909.11 Dumping.** Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon wildland urban interface areas or in, upon or along trails, roadways or highways in wildland urban interface areas.

**Exception:** Approved public and private dumping areas.

**4909.12 Disposal Of Ashes.** Ashes and coals shall not be placed, deposited or dumped in or upon wildland urban interface areas.

**Exception:** (1) In the hearth of an established fire pit, camp stove or fireplace, (2) In a noncombustible container with a tight fitting lid, which is kept or maintained in a safe location not less than 10 feet from combustible vegetation or structures, (3) Where such ashes or coals are buried and covered with 1 foot of mineral earth not less than 25 feet from combustible vegetation or structures.

**4909.13 Use Of Fire Roads And Firebreaks.** Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

**Exception:** Public officers acting within their scope of duty.

U. Section 5601 "General" is amended to add Sections 5601.2, 5601.3, and 5601.4 to read as follows:

**Section 5601.2 Explosives and Blasting Agents.** Storage of explosives and blasting agents is restricted to the A-I (Airport Industrial) zone.

**Section 5601.1.3 Fireworks Prohibition.** The manufacturing, possession, storage, sale, use and handling of fireworks are prohibited in the City of Santa Barbara.

**Exceptions:**

1. Storage and Handling of Fireworks as allowed in Section 5604
2. Manufacture, testing and assembly of fireworks as allowed in Section 5605 and *Health and Safety Code Division 11.*
3. The use of Fireworks for Fireworks displays, *pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.* ~~Commercial, theatrical and group entertainment productions as permitted by the fire code official and in accordance with Title 19, California Code of Regulations, Chapter 6. Fireworks.~~

**Section 56017 Seizure:** The fire code official is authorized to remove or caused to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive materials or fireworks offered or exposed for sale, stored, possessed or used in violation of this ordinance and Chapter 56.

SECTION 4. Section 8.04.030 of the Santa Barbara Municipal Code is adopted to read as follows:

#### **8.04.030 Fire Prevention Development Standards**

A. **Fire Zone 2.** Buildings or portions of buildings constructed within the boundaries of Fire Zone 2, as designated by the fire code official and shown on a map on file with the City Clerk and the Community Development Department, shall provide a ten thousand (10,000) gallon water tank to be used for fire protection purposes only, designed, installed and maintained in a manner approved by the fire code official, incorporating each of the following additional features in its construction:

1. All fire department access complies with the requirements of Section 503 of the International Fire Code (2009 Edition) as amended by this Chapter; and
2. All plantings used for landscaping within one hundred–fifty feet (150') of any structure must be fire resistant; and
3. All native brush, shrubs and grasses are kept cleared to within one hundred–fifty feet (150') of any structure; and
4. Residential fire sprinklers are installed in any building used for sleeping or cooking according to National Fire Protection Association Residential Standards.

B. **Mixed Use Occupancy Notification System.** Signs shall be installed in a manner and in locations approved by the fire code official indicating the presence of residential dwelling units in buildings of mixed-use occupancy. Required signs shall be clearly visible from the front of the building and conform to the following criteria:

1. All signs shall begin with the letter **R** followed by a hyphen.
2. **R** - shall be followed by cardinal numbers denoting the floors containing dwelling units. Example: **R-2** denotes dwelling units on the 2nd floor; **R-2-3** denotes dwelling units on the 2nd and 3rd floors.
3. Letters shall have a minimum of 4" high with a 1/2" wide stroke.

4. Letters shall contrast to their background.
5. Letters on glass shall be in reflective tape.
6. In the event that dwelling units are added or removed from floors, the required sign shall be updated prior to the occupancy of the altered floor space.

Example:

**R-2**

SECTION 5. Ordinance Number 5638 is repealed upon the effective date of this ordinance.

SECTION 6. The provisions of this ordinance shall go into effect on January 1, 2017 at 12:01 a.m.