



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** November 8, 2016

**TO:** Mayor and Councilmembers

**FROM:** Fire Prevention Bureau, Fire Department

**SUBJECT:** 2016 Fire Code Adoption

### **RECOMMENDATION:**

That Council waive the second reading, conduct a public hearing, and adopt by reading of title only, 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.

### **DISCUSSION:**

In 2007 the State of California and local jurisdictions within the state adopted the International Fire Code, with state and local amendments. The International Fire Code is part of a greater series of model codes that includes the International Building Code, also published by the International Code Council (ICC). Both were adopted by the State under Title 24 of the California Code of Regulations, Part 9 and Part 2, respectively. In 2007 and 2010, Council adopted the California Fire Code, which was further amended based on local conditions as the Santa Barbara Fire Code under Municipal Code Chapter 8.04. In 2013, the City revised the California versions of the international codes and readopted them under Ordinances 5638 and 5639.

The codes are on a three-year revision cycle. The new California Codes will go into effect January 1, 2017. The State of California has completed amendments to the codes as of July 1, 2016 and local jurisdictions have 180 days to further amend them before they become law.

As in the past, local amendments to the code are kept to a minimum and are designed to address situations based on local conditions. Staff proposes a coordinated adoption of this code together with the City Building and Safety Division's proposal to adopt companion codes such as the California Building Code and California Residential Code. Our coordinated approach and jointly adopted sections make the City codes consistent

and easily understood by stakeholders. Areas of common interest such as the Board of Appeals protocols, Fire Protection Systems and High Fire Hazard Area construction requirements are finalized between the affected city divisions before incorporation into the respective ordinances. In this way we attempt to eliminate ambiguous or contradictory language and other potential conflicts. The attached Summary of Amendments summarizes the recommended amendments to the Santa Barbara Municipal Code.

On October 11, 2016 staff presented a draft of the ordinance to the Ordinance Committee along with the draft ordinance adopting local amendments to the state building codes. Fire Department staff provided a summary of local amendments. Four members of the public spoke at the Ordinance Committee meeting regarding customer service generally and specifically about the City's requirements for fire sprinklers. The Ordinance Committee asked staff to conduct additional outreach with interested members of the public regarding the code requirements. Following the public comment and committee discussion, the Ordinance Committee voted unanimously to send the ordinance to the full City Council for introduction. The ordinance was introduced at the October 25, 2016 City Council meeting.

Subsequent to the Ordinance Committee meeting, staff from the Fire Department and the Building and Safety Division of the Community Development Department met with interested members of the public to discuss the City's fire sprinkler requirements. Based on this discussion, staff agreed to recommend a revision to Section 903.2.20.3 of the City's local amendments to the California Building Code and the California Fire Code. This amendment will allow an addition of up to 250 square feet to any existing building without requiring the installation of fire sprinklers. Staff continued meeting with stakeholders on October 18, 2016 and as a result added a new section, 903.2.20.8, which authorizes the code official to grant exceptions or modifications due to hardship or impracticality in complying with sprinkler requirements. The section was added to address stakeholder concerns and raise public awareness that reasonable accommodations will be made where appropriate.

Staff recommends that Council introduce and adopt the ordinance by reading of title only. If the Council does so, the ordinance would be effective as of January 1, 2017, when the state codes go into effect.

#### **Environmental Review:**

It has been determined that proposed ordinance is exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guideline Section 15061(b)(3).

**ATTACHMENT:** Summary of Amendments, California Fire Code

**PREPARED BY:** Joseph Poiré, Fire Marshal

**SUBMITTED BY:** Patrick McElroy, Fire Chief

**APPROVED BY:** City Administrator's Office

## Santa Barbara City Fire Department

### 2015 International Fire Code / 2016 California Fire Code Adoption Summary of Amendments

November 8, 2016

**MC = Municipal Code, CFC = International or California Fire Codes**

#	Chapter/Section	Title	Concept	Type( <u>new, existing CFC / MC deleted or revised</u> )	Findings
1.	Chapter 1 Division II / Sec 103 & 103.1	Fire Prevention Bureau	Updates International Code language referring to "Prevention Department"; replaces with "Fire Prevention Bureau".	Existing, updated CFC / MC	Na, Administrative
2	Chapter 1, Division II / Sec. 103.3.1	Fire Prevention Bureau Personnel and Police	Part of the organization of the Fire Prevention Bureau, carried over from the existing code, citing authority of fire code officials.	Existing, CFC / MC	Na, Administrative
3	Chapter 1 Div II Sec. 104.10	Fire Investigations	Existing language from the 2013 California Fire Code, with minor word changes for clarity, citing authority to investigate.	Existing, CFC / MC	Na, Administrative
4	Chapter 1/ Division II Sec.108	Board of Appeals	Base code appeal sections, deleted to allow for local appeals sections below.	Deleted	Na, Administrative
5	Chapter 1/ Division II. Sec 109.4	Violation Penalties	Completes the IFC section 109 by describing violations of the code as a misdemeanor, consistent with current language. Minor section number change.	Existing, CFC / MC	Na, Administrative
6	Chapter 1/ Division II Sec. 114.1.1 through 114.1.8	Building and Fire Code Board of Appeals	Readopts existing local provisions for a joint Building and Fire Code Board of appeals. Companion section to California Building Code Section 113.1.	Existing, CFC / MC,	Na, Administrative
7	Chapter 3 / 307.1.2	Prohibited Open Burning	Returned a previously deleted section authorizing the Fire Code Official to prohibit open burning when atmospheric or local	NA	NA, Chapter 3 Not building standards and not adopted by the State of California.

			conditions make such fire hazardous when smoke emissions become offensive or objectionable.		
8	Chapter 3 / Section 308.1.4	Open Flame cooking devices	Deleted and new sections added below as in the 2013 adoption,	Existing, MC	NA, Chapter 3 Not building standards and not adopted by the State of California.
8	Chapter 3 / Section 308.1.4.1	Open Flame cooking Devices	Existing section in the local code, again amending the CFC. IFC 308.1.4, which prohibited charcoal barbeques on most apartment patio's and decks within 10 feet of any combustible element, a section that is unenforceable. Not adopted by the state.	MC / Existing	NA, Chapter 3 Not building standards and not adopted by the State of California.
9	Chapter 3 / Section 308.1.4.1	Liquefied- petroleum gas fueled cooking devices.	Amends the section to allow standard sized (5 gallon) propane barbeques on apartment decks / balconies.	MC / Existing	NA, Chapter 3 Not building standards and not adopted by the State of California.
10	Chapter 3/ Section 317.1.1	Rooftop Gardens and Landscaped Roofs	Moves the Fire Department standard prohibiting vegetated roofs in the High Fire Hazard areas to Chapter 3,	Existing	NA, Chapter 3 Not building standards and not adopted by the State of California.
11	Chapter 4	Emergency Planning and Preparedness	As in 2013, this chapter not adopted either locally or at the state level. Chapter 4 conflicts with or duplicates state regulations (Title 19) in several sections; has additional requirements in conflict with or not desirable under local conditions.	Deleted	NA, Chapter 4 Not building standards and not adopted by the State of California or by this jurisdiction.
12	Chapter 5 / Section 503.1 through 503.5.2	Fire Apparatus Access Roads	Amends the access sections to meet existing local requirements of 20 feet in width for commercial and 16 feet in width for residential to within 150 feet of exterior walls. Minor changes to the exceptions allowed for the 150 foot requirement, adding language to #1 that maintains current local standards for grade, cross slope turning radius and dead ends.	Existing, CFC / MC, minor revisions	This section is reasonably necessary to accommodate fire apparatus in both the existing environment and new construction, in conformance with Climatic finding A and Topographical findings A, B and C.
13	Chapter 5 / 503.5.1.1 and 503.5.1.2	Secured Gates and barricades	One section amended, one added to the access roadways, dealing with the closure of certain roadways due to fire danger. Minor revisions to the "tampering" with locked gates section and the new section prohibits parking vehicles in a manner that blocks closed gates.	Existing MC	This section is reasonably necessary to accommodate fire apparatus in both the existing environment and new construction, in conformance with Climatic finding A and Topographical findings A, B and C.

14	Chapter 5 / Section 505.1.1	Premise Identification, Mixed use occupancy	Refers to local municipal code section 8.04.030 regarding mixed use occupancy signs to clarify that they are required in both existing and new construction.	Existing MC	This section is reasonably necessary due to the potential for increased response times outlined in Geological conditions A and B, potential response issues outlined in Topographical Conditions A and B, and the need to quickly identify and render aid to trapped or injured victims in residential occupancies that are not immediately apparent.
15	Chapter 5 / Section 505.3	Directory	Maintains the existing requirement for a project directory when required by the fire code official. Minor wording changes.	Existing MC	This section is reasonably necessary due to the potential for increased response times outlined in Geological conditions A and B, potential response issue outlined in Topographical conditions outlined in Topographical Conditions A and B, and the need to quickly identify and render aid to trapped or injured victims in residential occupancies that are not immediately apparent.
16	Chapter 5 / Section 507.through 507.5.6	Required Water Supply	The basic fire flow requirements of Chapter 5 were adopted by the state, along with Appendix B of the International; Code. The state then leaves local jurisdictions to either use Appendix B or any "approved method" without further definition. These sections outline the locally approved method and are a readoption of our existing fire-flow requirements for new construction.	Existing MC	This section is reasonably necessary due to the potential for water supply challenges based on Climatic Conditions A, B and C, and Geological conditions A and B.
17	Chapter 9 / Section 903.2.20	Automatic Fire Sprinkler Systems	The California Fire Code provisions in Chapter 9 are less stringent than our existing requirements, in some cases allowing for assembly occupancies up to 12,000 square feet without sprinklers. Changes in Chapter 9 are similar to changes we made in 2007 when	Existing and <i>New</i> * MC, CFC, CBC & Cal. Residential Code	This section is reasonably necessary to ensure that incipient fires are initially controlled where possible throughout the city on the event that seismic activity overwhelms

			<p>we amended to code with local sprinkler requirements, both commercial and later, residential.</p> <p><u>* A change in this commercial sprinkler provisions came after discussions with stakeholders and input received during the Ordinance Committee hearing. The section now reads that additions of 250 square feet or less to any commercial structure, which includes apartment buildings of three or more units, will not require trigger sprinkler requirements.</u></p> <p>Once again this year the state divided sprinkler requirements and assigned residential sprinklers to the 2016 California Residential Code. We therefore moved our own residential sprinkler requirements to that code, under Section R313. Our commercial requirements remain in this chapter of both the Fire and Building Codes. Additional changes this year include a minor date reference to the original sprinkler ordinance adoption date of September 11, 2009, and clarifying language 903.2.20.4 regarding responsibility and apportionment of sprinkler costs in commercial development.</p>		<p>existing suppression resources or impacts response times. Experience has shown that sprinkler systems have the capacity to control or extinguish fires at an early stage, often eliminating the threat. This can be critical where later utility disruptions further delay first responders. This section therefore applies to Climatic Conditions B C and D and Geological Conditions A and B.</p>
18	Chapter 9 / Section 907.2.20.8	Exceptions and Modifications	<p><i>Based on stakeholder input at meetings following Ordinance Committee; allows the fire code official to grant exceptions and modifications Where hardship or substantial difficulty make strict compliance with a sprinkler section impractical.</i></p>	New	<p><i>This section allows the fire code official to modify previous sections based on findings and as such is not subject to the findings themselves.</i></p>
19	Chapter 9 / Section 907.2.30	Fire Alarm Detection Systems	<p>This section is a minor revision of our existing requirement for an automatic detection fire alarm in mixed use occupancies. We first authored this section in response to the proliferation of residential units above commercial occupancies throughout the city. The concept is to alert the residents in the</p>	Existing, MC, CFC	<p>This section is reasonably necessary due to the potential for increased response times outlined in Geological conditions A and B, potential response issue outlined in Topographical conditions outlined in</p>

			event of a fire condition in the business occupancies below, especially at night when the business is closed.		Topographical Conditions A and B, and the need to quickly identify and render aid to trapped or injured victims in residential occupancies that are not immediately apparent.
20	Chapter 49 / Sections 4901 through 4909.13	Requirements for Wildland Interface Areas	These sections were adopted in 2007 as Chapter 47, which was later changed to Chapter 49. Local sections have been renumbered to match and supplement the state's adopted version of the code and are unchanged from 2013. Also added is a reference to the adoption of the 2004 Wildland Fire Plan as the City of Santa Barbara Community Wildfire Protection Plan (CWPP) in 2011.	Existing MC	Chapter 49, The Wildland Interface Amendments are reasonably necessary to respond to the wildland urban interface threat in the city and surrounding areas, based on Climatic Conditions A, B D, and C and Topographic conditions A, B and C.
21	Chapter 49/ Section 4906.1.2	Flammable Vegetation	Clarifies language about landscape plants installed without a permit and cause for removal in the HFH areas.	existing	Chapter 49, The Wildland Interface Amendments are reasonably necessary to respond to the wildland urban interface threat in the city and surrounding areas, based on Climatic Conditions A, B D, and C and Topographic conditions A, B and C.
22	Chapter 49 Section 4907.5	Vines and Climbing ornamentals	Addresses the maintenance of existing vines and climbing plants attached to structures in the HFH areas.	existing	Chapter 49, The Wildland Interface Amendments are reasonably necessary to respond to the wildland urban interface threat in the city and surrounding areas, based on Climatic Conditions A, B D, and C and Topographic conditions A, B and C.
23	Chapter 56 / 5601.2	Explosives and Blasting Agents	Expanded Chapter 56 by the state required some minor renumbering of existing sections at 5601.1.3, maintain Santa Barbara's prohibition of all fireworks. Limits storage by Zone, excludes most of the city. Storage is limited to the industrial zone near the airport, by permit only.	Existing MC	Chapter 56 Explosives and fireworks amendments are reasonably necessary to minimize a conflagration that has the potential to overwhelm resources, in conformance with Climatic Conditions A through

					D, Topographical Conditions A through C and Geological Conditions A and B.
24	5601.3 and 5601.4	Fireworks, Prohibition	State law allows for “safe and sane” fireworks. Maintains the current prohibition on all fireworks within the city limits, including safe and sane. Provides for confiscation.	Existing MC	Chapter 56 Explosives and fireworks amendments are reasonably necessary to minimize a conflagration that has the potential to overwhelm resources, in conformance with Climatic Conditions A through D, Topographical Conditions A through C and Geological Conditions A and B.
25	Municipal Code Section 8.04.030 A and B	Fire Prevention Development Standards	A) Fire Zone 2 allows for on-site water and other requirements in areas where there is no municipal water supply. B) Requires the mixed use occupancy sign, which identifies the presence of dwelling units for first responders when a new building combines residential and commercial occupancies. No Changes.	Existing MC	The amendments to Municipal Code sections 8.04.030 pertaining to on site water are reasonably necessary to ensure an adequate supply of firefighting water in Wildland areas pursuant to Climatic conditions A, B, C and D; The mixed use occupancy sign standard to ensure that first responders have adequate signage to locate potential victims pursuant to our amendment to CFC 505.1.1 (above) and in response to the potential for increased response times outlined in Geological conditions A and B; potential response issues outlined in Topographical Conditions A and B, and the need to quickly identify and render aid to trapped or injured victims in residential occupancies that are not immediately apparent.