

**EFFECTIVE DATE  
OF ORDINANCE**

Month DD, YYYY

**ORDINANCE NO. \_\_\_\_\_ N.C.S.**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA REPEALING AND REPLACING SECTIONS 17.20.010, 17.20.040, 17.20.050, 17.20.060 and 17.20.070 OF THE PETALUMA MUNICIPAL CODE TO ADOPT THE 2022 CALIFORNIA FIRE CODE, CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, PART 9, BASED ON THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING LOCAL AMENDMENTS TO SPECIFIED PROVISIONS OF THE CALIFORNIA BUILDING STANDARDS CODE**

**WHEREAS**, every three years, the City of Petaluma adopts local amendments to the State Building Standards Code, Residential, and Fire Codes, and

**WHEREAS**, the State-adopted 2022 California Building Standards Code become effective on January 1, 2023; and

**WHEREAS**, the City seeks to amend its Municipal Code to adopt the 2022 California Building Standards Code, and the 2021 International Property Maintenance Code by reference; and

**WHEREAS**, pursuant to California Health and Safety Code Sections 17958.7; 17958.5, and 17958.7 require the local governing body of a city before making any modifications or changes to the California Building Standards Code, to make express findings that such modifications or changes are reasonably necessary because of local climactic, geological, or topographical conditions; and

**WHEREAS**, on January 1, 2023, state law mandates that the Building Standards Code become the law, with or without the incorporation of local judication amendments; and

**WHEREAS**, without this urgency ordinance, the state code would become the default, which would not include important, relevant local amendments specific to the City of Petaluma; and

**WHEREAS**, for the immediate preservation of the public peace, health, and safety, this ordinance is being presented as an urgency ordinance and shall take effect immediately in accordance with Gov. Code, § 36937; and

**WHEREAS**, the City of Petaluma believes that a departure from the California Building Standards Code is reasonably necessary due to local climactic, geological, or topographical conditions.

**NOW, THEREFORE**, be it ordained by the Council of the City of Petaluma as follows:

**Section 1. REPEAL OF OLD FIRE CODES** Sections 17.20.010, .040, .050, and .060 of the Petaluma Municipal Code, entitled “Fire Code” is hereby repealed in its entirety.

**Section 2. FINDINGS** The City Council of the City of Petaluma finds that in order to best protect the health, safety and welfare of the citizens of the City of Petaluma, the standards of building within the City must conform with state law except where local climatic, geological, and topographic conditions warrant more restrictive regulations. Therefore, the City Council should adopt the current state fire codes, contained in California Building Standards Code Title 24, and other state codes governing the construction and regulation of buildings and

structures with the modifications and amendments contained herein.

Pursuant to California Health and Safety Code Section 17958.7, the City Council makes the factual findings set forth in “Exhibit A” attached hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the California Building Standards Code Title 24, Part 9 is reasonably necessary because of the local climatic, geological or topographical conditions described in Exhibit A.

### **Section 3. CURRENT FIRE CODES ADOPTED**

Chapter 17.20 of the Petaluma Municipal Code, entitled “Fire Code” is hereby added to read as follows:

17.20.010: Adoption of California Building Standards Code, Title 24, Part 9, 2022 California Fire Code, incorporating the 2021 Edition of the International Fire Code

17.20.040: Establishment of fire hazard severity zone(s) (FHSZs)

17.20.050 Amendments made in the California Fire Code

17.20.060 New Materials, processes or occupancies which may require permits

Pursuant to Section 50022.2 of the California Government Code, the following codes are adopted by reference, including the amendments listed in this chapter which are made pursuant to the findings of fact set forth in the adopting ordinance.

A. Part 9—2022 California Fire Code;

#### **CHAPTER 17.20 FIRE CODE**

##### **17.20.010 Adoption of California Building Standards Code, Title 24, Part 9, 2022 California Fire Code, incorporating the 2021 Edition of the International Fire Code.**

There is hereby adopted by the city of Petaluma for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion that certain code and standards known as the California Code of Regulations Title 24, Part 9, 2022 California Fire Code (CFC), incorporating the 2021 Edition of the International Fire Code, including appendices, Chapter 4, A, B, BB, C, CC, D, E, F, G, H, I, N, and O published by the International Code Council and the California Building Standards Commission, being particularly the 2022 Edition California Fire Code (CFC) and the whole thereof, save and except such portions as are hereinafter deleted, added or amended by this chapter. Not less than one copy of said code has been and is now filed in the office of the clerk of the city and the same is adopted and incorporated as fully as if set out at length herein and the provisions thereof shall be controlling within the limits of the city.

##### **17.20.040 Establishment of fire hazard severity zone(s) (FHSZs).**

A. *Limits Related to Chapter 49 of the California Fire Code Requirements for Wildland-Urban Interface Fire Areas as Amended and Adopted by City of Petaluma.* Chapter 49 shall apply to all real property with newly constructed buildings within the city of Petaluma located within the FHSZ as designated by the chief and the fire resources assessment program (FRAP) map published by Cal Fire and as amended by the chief. A map of such areas is maintained in the office of the fire prevention bureau.

##### **17.20.050 Amendments made in the California Fire Code.**

Chapter 1—Scope and Administration

Section 101.1 is amended to read as follows:

**101.1 Title.** This chapter shall be known as the "2022 California Fire Code," including the appendices and may be cited and referred to as such.

California Fire Code, Section 101.6 is added to read as follows:

**101.6 Policy manual.** Petaluma Fire Department Fire prevention Policy Manual shall serve as a supplemental instruction and interpretation manual for this code and is hereby adopted by reference. The fire code official is responsible to amend this manual as necessary to maintain current instruction and interpretations. The information contained in the policy manual shall not be construed to make new code requirements not authorized by this ordinance.

Section 102.3 is amended to read as follows:

**102.3 Change of Use or Occupancy.** No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code, the California Building Code as adopted by the City of Petaluma city council (city council). Subject to the approval of the Fire Code Official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code, the California Building Code as adopted by the city council for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Section 102.7.3 is added to read as follows:

**102.7.3 Supplemental Rules, Regulations and Standards.** The Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations and to develop Fire Prevention Standards to carry out the application and intent of its provisions.

Section 103.1.1 is added to read as follows:

**103.1.1 General.** Where this code refers to the Department of Fire Prevention, the Fire Prevention Bureau will be inserted. Where this code refers to the Fire Marshal, the Fire Code Official will be inserted.

Section 104.3 is amended to read as follows:

**104.3 Right of Entry.**

- (a) The fire chief, or his/her authorized representative in the performance of duties herein prescribed, shall have the right to enter upon and into any and all premises under his/her jurisdiction, at all reasonable hours for the purpose of inspecting the same to determine whether or not the provisions of this code and all applicable laws or Ordinances pertaining to the protection of persons and property from fire, explosion or exposure to hazardous materials are observed therein. Provided, however, that an inspection warrant, issued pursuant to Title 13, Part 3 of the Code of Civil Procedure be first secured where entry is refused, except in an emergency situation. No owner, occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided to promptly permit entry therein by the Chief or his/her authorized representative for the purpose of inspection and examination pursuant to this code.
- (b) The fire chief, and his/her duly authorized representative, shall have the authority to enter any building, or premises for the purpose of extinguishing or controlling any fire, performing rescue operation,

investigating the existence of suspected or reported fires, gas leaks or other hazardous conditions or taking any other action necessary in the reasonable performance of their duty.

Section 104.11.4 is added to read as follows:

**104.11.4 Charges.** The expense of securing any emergency that is within the responsibility for enforcement of the fire chief as given in Section 104.11 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person to the City and shall be collectable by the fire chief for proper distribution in the same manner as in the case of an obligation under an expressed or implied contract. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation and clean up the site.

Section 105.1.1.1 is added to read as follows:

**105.1.1.1 New Materials and Permits.** The Fire Chief and the Fire Code Official may act as a committee to determine and specify any new regulated materials, and shall establish processes or occupancies requiring permits in addition to those enumerated in this code. The fire chief or designee shall post such list in a conspicuous place in the office, and distribute copies thereof to interested persons. Permits under this section shall be administered in accordance with Section 105.

Section 105.5.9 (Table 105.5.9) is amended to read as follows:

Type of Gas	Amount (cubic feet at NTP)
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**Table 105. Permit Amounts for  
Compressed Gases**

Inert and simple asphyxiate	2,000
Oxidizing (including Oxygen)	200

Section 105.5.54 is added to read:

**105.5.54 Local Permits.** In addition to the permits required by section 105.6, the following permits shall be obtained from the Fire Prevention Bureau prior to engaging in the following activities, operations, practices or functions:

**1. Apartment, Hotel, or Motel.** An operational permit is required to operate an apartment house, hotel, or motel.

**2. Care Facilities.** An operational permit is required to operate a care facility as listed:

2.1. Day care with an occupant load greater than six (6) persons.

2.2. Residential or commercial institutional care facility, occupancies complying with Health and Safety Code Section 13235 are exempt.

**5. High-rise occupancy.** An operational permit is required to operate a high-rise building as defined in Title 24, Part 2, California Code of Regulations.

**6. Cannabis.** Operational permits are required to operate a cannabis facility or operation listed below:

- a. Cultivation.
- b. Distribution.
- c. Manufacturing.
- d. d. Testing/lab.

**7. Emergency responder radio system.** An operational permit is required to operate an Emergency Responder Radio System.

Section 105.6.1 is added to read as follows:

**105.6.1 Fixed Extinguishing System.** A construction permit is required for the installation of or modification to fixed extinguishing systems including but not limited to protection of cooking equipment, protection of computers or other high value items or systems other than fire sprinklers.

Section 105.6.10 is added to read as follows:

**105.6.10 Medical Gas Systems.** A construction permit is required to install a medical gas system.

Section 105.6.18 is amended to read as follows:

**105.6.18 Private Fire Hydrants and Underground Fire Main Installations.** A construction permit is required for the installation of any private fire hydrants and/or underground fire mains to supply fire hydrant(s) and/or fire sprinklers. Emergency repairs shall comply with 105.1.4.

Section 107.7 is amended to read as follows:

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

Section 111.1 is amended to read as follows:

## **Section 111.1 Appeals**

- (a) Appeals. Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief to the board of appeals, which is designated to be the board of building review as heretofore established and appointed according to Chapter 17.08 of the Petaluma Municipal Code, within thirty (30) days from the date of the decision appealed. The fire chief shall act as secretary of the board when it is hearing appeals concerned with the Fire Code.

Section 112.4 is amended as follows:

#### **112.4 Violation Penalties**

- (a) Any violation of the provisions of this section shall be a misdemeanor. Notwithstanding the preceding sentence, a violation of the provisions of this section may be charged and prosecuted as an infraction at the discretion of the city attorney's office or other enforcing authority.
  - (b) A person is guilty of a separate offense for each day during which he/she commits, or continues or permits a violation of this chapter, or each time he/she disobeys a valid order of an enforcement officer.
  - (c) Because of the serious threat of fire or injury posed by the use of "Dangerous Fireworks" that can result from persistent or repeated failures to comply with the provisions of this code and the effect of such conditions or activities on the safety and the use and enjoyment of surrounding properties and to the public health, safety and welfare, this Article imposes liability upon the owners of residential real property for all violations of this code existing on their residential real property. Each contiguous use, display and/or possession shall constitute a separate violation and shall be subject to a separate administrative fine.
  - (d) Nothing in this section shall prohibit a court from imposing restitution upon any person convicted of a violation of the provisions of this section.
  - (e) In addition to any other remedies available to the City under any applicable state or federal statute or pursuant to any other lawful power the city may possess, any violation of this chapter may be prosecuted or enforced as a nuisance and enforced by a civil court action as provided in Chapter 1.13 of the Petaluma Municipal Code or via administrative enforcement as a nuisance as provided in Chapter 1.14 of the Petaluma Municipal Code as Chapters 1.13 and 1.14 may be amended from time to time.
  - (f) Administrative Citation pursuant to Petaluma Municipal Code Chapter 1.16. In addition to any other remedies available to the city under any applicable state or federal statute or pursuant to any other lawful power the city may possess, any violation of this Chapter may be enforced by administrative citation pursuant to Chapter 1.16 of the Petaluma Municipal Code as Chapter 1.16 may be amended from time to time.
  - (g) Administrative Citation pursuant to Health & Safety Code Section 12557. In addition to any other remedies available to the city under any applicable state or federal statute or pursuant to any other lawful power the city may possess, any violation of this Chapter may be enforced by administrative citation pursuant to Health & Safety Code Section 12557 when a violation relates to the possession, use, storage, sale and/or display of those fireworks classified as dangerous fireworks as defined herein and/or the use of state-approved fireworks as defined herein on or at dates, times and/or locations other than those permitted by this Ordinance.
1. The imposition of fines related to dangerous fireworks under this section 110.4(g) shall be limited to persons who possess, sell, use and/or display, or to the seizure of less than 25 pounds (gross weight) of such dangerous fireworks.
  2. Fines collected pursuant to this section 110.4(g) shall not be subject to Health & Safety Code section 12706, which provides that certain fines collected by a court of the state be deposited with, and disbursed by, the County Treasurer. However, the City shall provide cost reimbursement to the State

Fire Marshal pursuant to regulations as adopted, or as may be adopted by the State Fire Marshal addressing the State Fire Marshal's cost for the transportation and disposal of dangerous fireworks seized by the City, which costs will be part of any administrative fine imposed. Unless and until such regulations have been adopted by the State of California, the City shall hold in trust \$250 or 25% of any fine collected, whichever is greater, to cover the cost of reimbursement to the State Fire Marshal for the cost of transportation and disposal of any dangerous fireworks seized by the City.

3. Other than as expressly modified herein, enforcement of violations by administrative citation pursuant to Health & Safety Code Section 12557 shall be subject to the provisions of Petaluma Municipal Code Chapter 1.16.

Section 112.5 is added to read as follows:

**Section 112.5 Authority to Issue Citations.** The Fire Chief and members of the Fire Prevention Bureau who have the discretionary duty to enforce a statute or Ordinance may, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, arrest a person without a warrant whenever the Fire Chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the Fire Chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code.

Section 113 is amended to read as follows:

**113 Order/Authority.** Whenever the Fire Code Official finds any work regulated by this code, the Petaluma Municipal Code or the Zoning Ordinance being performed in a manner contrary to the provisions of this code, without a permit, beyond the scope of the issued permit, in violation of this code, the Petaluma Municipal Code or Zoning Ordinance, or deemed as dangerous or unsafe, the Fire Code Official is authorized to issue a stop work order.

Section 113.2 is amended to read as follows:

**113.2 Issuance.** The stop work order shall be in writing and shall be posted in a visible location near the location where the work is being conducted. If the owner or owner's agent is not on site at the time of posting, a notice advising the reasons for the stop work order issuance shall be hand delivered or mailed first-class to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, the conditions under which the cited work will be permitted to resume, and the name and contact information of the official or agency issuing the order.

Section 113.3 is amended to read as follows:

**113.3 Emergencies/Unlawful Continuance.** Where an emergency exists, the Fire Code Official shall not be required to give written notice prior to stopping work. Any person who continues to engage in any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.

Section 113.4 is amended to read as follows:

**113.4 Failure to Comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalty provisions of the city of Petaluma Municipal Codes or state law.

Section 112.4.1 is added to read as follows:

**112.4.1 Removal of Posted Stop Work Order.** Any person who removes a posted stop work order without written consent of the Fire Code Official shall be guilty of a misdemeanor.

Section 112.4.2 is added to read as follows:

**112.4.2 Response Required.** Violators receiving a stop work order are required to respond to the Fire Prevention Bureau within two (2) business days of the issued notice to receive instructions on how to rescind the order.

Section 112.4.3 is added to read as follows:

**112.4.3 Permit Application Required.** A fire permit application must be submitted for approval within fifteen (15) working days following response to the Fire Prevention Bureau. Plans will be reviewed and correction letters issued or permit application approved within fifteen (15) working days of receipt by the Fire Prevention Bureau. A response to any correction letter must be submitted within fifteen (15) working days of the date of the correction letter. Five working days will be required to review this second submission and a permit approved for issuance. Permits ready for issuance must be issued within five (5) working days thereafter. All construction must be inspected as work progresses and signed off by all (affected) departments within sixty (60) days of permit issuance.

Section 112.4.4 is added to read as follows:

**112.4.4 Stop Work Order Penalty.** The Fire Code Official may impose Stop Work Order Penalties in accordance with Section 1.14.050 of this code and/or other applicable law.

Chapter 2—Definitions.

Section 202, General Definitions is amended to amend and add the following:

**Fire Apparatus Access Road.** A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway. Public streets may be defined by the standards of the local agency having jurisdiction over the project.

**Occupancy Classification** is modified to include:

**Factory Industrial F-1 Moderate-hazard occupancy** is amended to add to the list of Moderate-hazard factory industrial groups the following:

Agricultural crop production including cultivation, drying, processing and/or storage.

**Substantial Improvement.** Any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure that is any of the following:

- (1) An existing building or structure not classified as Group R-3 occupancy that undergoes any addition of floor area that is equal to or exceeds 10 percent of the existing gross floor area of the building or structure.
- (2) An existing building or structure classified as a Group R-3 occupancy that undergoes any addition of floor area that is equal to or exceeds 50 percent of the existing gross floor area of the building or structure.



- (3) An existing building or structure that undergoes any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement to floor area of the building or structure that is equal to or exceeds 50 percent of the existing gross floor area of the building or structure.
- (4) If in the determination of the Building Official a building or structure has sustained substantial damage, as defined by Section 202 of the California Building Code as amended hereby, any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement are considered substantial improvement regardless of the actual work performed.

The Code Official shall aggregate any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvements to a building or structure within a three (3) year period, and if the combined affected gross floor area of the building or structure is equal to or exceeds 50% of gross floor area of the building or structure, the aggregated work shall constitute substantial improvement and the building shall be subject to the fire sprinkler requirement.

**Nuisance Alarm.** An unwarranted alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, system servicing testing, construction activities, ordinary household activities, false alarm, other cause when no such danger exists, or an alarm activated by a cause that cannot be determined.

**Wildland-Urban Interface Fire Area (WUI).** [SFM] (See California Building Code Chapter 7A, Section 702A and Chapter 49, Section 4902 of this code for defined term.)

## Chapter 3—General Precautions Against Fire

Section 304.1.2.1 is added to read as follows:

**304.1.2.1 Defensible Space—Neighboring Property.** Persons owning, leasing or controlling property within areas requiring defensible spaces are responsible for maintaining a defensible space on the property owned, leased or controlled by said person, of not less than thirty feet (30') (9.144 m) around any building or structure. Distances may be modified by the Fire Code Official because of a site-specific analysis based on local conditions.

Section 307.2.1.1 is added to read as follows:

**307.1.2 Use of Outdoor BBQs, Fireplaces and Fire Pits.** The use of outdoor BBQs, fireplaces and fire pits shall meet the requirements set forth in the Petaluma Fire Department's policies.

## 319 Mobile Food Preparation Vehicles

Section 319 is deleted.

## Chapter 4 Emergency Planning and Preparedness

### 401.3.2.1 Nuisance alarm notification.

Section 401.3.2.1 is added to read as follows:

**401.3.2.1 Nuisance alarm notification.** Notification of emergency responders based on a nuisance alarm may be punishable by a fine in accordance with the adopted fee schedule or requirements. In addition, the responsible party may be liable for the operational and administrative costs, incurred from the emergency response or mitigation procedures resulting from a nuisance alarm notification.

#### **401.3.2.2 Multiple nuisance alarm activations.**

Section 401.3.2.2 is added to read as follows:

**401.3.2.2 Multiple nuisance alarm activations.** Any occupancy that has more than three nuisance alarms, causing emergency response within a 12-month period may be required to modify, repair, upgrade or replace their system and/or monitoring station as determined by the fire code official.

#### **402.1 Definitions.**

Section 402.1 is amended to add the following:

##### **Nuisance Alarm**

##### **Chapter 5—Fire Service Features**

Section 501.1 is amended to read as follows:

**501.1 Scope.** Fire service features for buildings, structures and premises shall comply with this chapter. This section applies to residential and commercial developments.

**Floor Area.** The floor area used for calculating the required fire flow shall be the total floor area of all floor levels within the exterior walls of a structure that are under the horizontal projection of the roof, except as modified in Appendix Section B104 of the 2013 California Fire Code.

Section 503.2.6 is amended to read as follows:

**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 the American Association of State Highway and Transportation Officials (AASHTO) Standard Specifications. 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.

Section 503.2.6.1 is added to read:

**503.2.6.1 Evaluation.** All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer for the purposes of safety and weight rating and the vehicle load limits shall be posted at both entrances to bridges. These evaluations shall be performed at the direction of the Fire Code Official.

Section 503.2.6.2 is added to read:

**503.2.6.2 Bridge Maintenance.** All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," First Edition, 2008, published by the American Association of State Highway and Transportation Officials; or other approved standard.

Section 503.2.7.1 is added to read as follows:

**503.2.7.1 Grade Angles.** The maximum allowable grade for driveways and roadways used for fire apparatus access is twelve percent (12%). Special allowances up to a maximum of eighteen percent (18%) may be granted with the approval of the Fire Code Official and City Engineer.

### 503.3 Marking.

Section 503.3 is amended to read as follows:

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

Section 505.1 is amended to read as follows:

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

Section 505.1.1 is added to read as follows:

**505.1.1 One- and Two-Family Dwellings.** Numbers for one- and two-family dwellings shall be not less than four inches (4") (101.6 mm) high with a minimum stroke width of 0.5 inches (12.7 mm).

Section 505.1.2 is added to read as follows:

**505.1.2 Numbers for Other Than One- and Two-Family Dwellings.** Each address identification character shall not be less than twelve inches (12") high with a minimum stroke width of one inch (1"). Suite and unit directional numbers shall be not less than six inches (6") in height with a minimum stroke width of three-quarter inch (0.75"). Individual unit numbers shall not be less than four inches (4") in height with a minimum stroke width of one-half inch (½").

Section 505.1.3 is added to read as follows:

**505.1.3 Complex Directory.** Where two (2) or more buildings cannot be viewed from the public way or when determined by the Fire Code Official, an approved illuminated complex directory, monument pole, or other approved sign or means shall be used to identify the structures at the main entrances to the property.

Section 506.1 is amended to read as follows:

**Section 506.1 Key Boxes.** When access to or within a structure or area is determined by the Fire Code Official to be unduly difficult because of secured openings (doors or gates) or due to the presence of hazardous materials

or fire protection systems, a key box shall be required to be installed at an accessible location. The key box shall be an approved type and contain those keys necessary to gain access.

Section 507.5 is amended to read as follows:

**507.5 Fire Hydrant Systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C as amended.

Section 507.5.1 is amended to read as follows:

**507.5.1 Where Required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45.179 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code Official.

Section 507.5.1: the exception is deleted.

Section 507.5.1.2 is added to read as follows:

**507.5.1.2 Additional Requirements.**

- (a) Upon review of site conditions by the Fire Department, fire hydrant spacing requirements may be reduced or modified. Fire hydrants shall be placed along all adjoining public and private streets and Fire Department access drives.
- (b) Divided streets shall have hydrants located as required by the Fire Code Official on both sides of the street and they shall be staggered to prevent a hydrant being placed directly across the divided street from another hydrant.
- (c) Types of Hydrants: Hydrants shall conform to the City of Petaluma Sewer and Water Design and Construction Standards.

**510.1 Emergency responder radio coverage in new buildings.**

Section 510.1 exception #1 is deleted.

**510.3 Permits required.**

Section 510.3 is amended to read as follows:

**510.3 Permits required.** Permits shall be required as set forth in Sections 105.6 and 105.7. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

**Chapter 7—Fire Resistance-Rated Construction**

Section 709 is added to read as follows:

**709 Repair of Breaches of Non-Rated Walls/Ceilings in Fire Zone 1.** Breaches, openings, holes or other broken wall and ceiling areas in buildings in "Fire Zone 1" (generally defined as the Downtown Business District) as defined in Section 17.22 of the Petaluma Municipal Code shall be repaired, restored or replaced when damaged, altered, breached, penetrated, removed or improperly installed. Openings/breaches can be repaired with like material such as lath and plaster, sheetrock, plywood or other reasonable barrier. The intent of this Section is to close openings/breaches to limit the spread of fire and products of combustion in the downtown business district buildings.

901.7.6.1 is added to read as follows:

**901.7.6.1 Problematic and Unreliable Fire Alarms.** The Fire Code Official may determine a fire alarm to be unreliable upon receipt of three (3) nuisance alarms within a twelve-month period. Upon making such a finding, the Fire Code Official may order the following:

- (a) For any nuisance alarm where the system is not restored, the system owner must provide Fire Watch Personnel in accordance with 403.12 or take such other measures as the Fire Code Official deems appropriate. Such measures shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the Fire Code Official that the alarm system has been restored to a reliable condition. The Fire Code Official may require such tests as he/she deems necessary to demonstrate the adequacy of the system.
- (b) Require the owner to pay mitigation fees pursuant to the City of Petaluma fee schedule.

## **902.1 Definitions.**

Section 902.1 is amended to add the following:

### **Substantial Improvement**

Section 903.2 is amended to read as follows:

**903.2 Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12 and Sections 903.2.14 through 903.2.21 . Approved automatic sprinkler systems in existing buildings and structures shall be provided in locations described in Section 903.6.

### **Exceptions:**

1. Agricultural buildings as approved by the fire code official.
2. Detached accessory structures to Group R-3 not classified as a dwelling unit and not exceeding 1,000 square feet in gross floor area located at least 50 feet from applicable building.
3. Detached noncombustible motor vehicle fuel dispensing canopies.
4. Detached Group U Occupancies not greater than 1,000 square feet.
5. Special occupancy aircraft hangar shade structures as approved by the fire code official, unless required in NFPA 409.

## **903.2.1 Group A.**

Section 903.2.1 is amended to read as follows:

**903.2.1 Group A.** An automatic sprinkler system shall be provided throughout buildings containing a Group A occupancy.

### **903.2.1.1 through 903.2.1.5.**

Sections 903.2.1.1 through 903.2.1.5 are deleted.

### **903.2.1.6 Assembly occupancies on roofs.**

Section 903.2.1.6 is amended to read as follows, with deletion of the exception:

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**903.2.1.6 Assembly occupancies on roofs.** Where an occupied roof has an assembly occupancy an automatic sprinkler system shall be provided throughout the building in accordance with Section 903.3.1.1 or 903.3.1.2.

**903.2.1.7 Multiple fire areas.**

Section 903.2.1.7 is deleted.

**903.2.2 Ambulatory care facilities.**

Section 903.2.2 is amended to read as follows:

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

**903.2.3 Group E.**

Section 903.2.3 is amended to read as follows:

**903.2.3 Group E.** An automatic sprinkler system shall be provided throughout buildings containing Group E occupancies. For public school state-funded construction projects or for public school campuses, Kindergarten through 12th grade, see Section 903.2.19 through 903.2.20.

**903.2.4 Group F.**

Section 903.2.4 is amended to read as follows:

**903.2.4 Group F.** An automatic sprinkler system shall be provided throughout buildings containing a Group F occupancy.

**903.2.4.1 Woodworking operations.**

Section 903.2.4.1 is deleted.

**903.2.5.1 Group H.**

Section 903.2.5.1 is amended to read as follows:

**903.2.5.1 Group H.** An automatic sprinkler system shall be installed throughout buildings containing Group H occupancies.

**903.2.6.1 Group I-2**

Section 903.2.6.1 is deleted.

**903.2.6.2 Group I-3**

Section 903.2.6.2 is amended to read as follows:

**903.2.6.2 Group I-3.** Every building where inmates or persons are in custody or restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electronically supervised so that at least an

audible and visible alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

### **903.2.7 Group M.**

Section 903.2.7 is amended to read as follows:

**903.2.7 Group M.** An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where the gross floor area exceeds 500 square feet.

### **903.2.8.1 Group R-3.**

Section 903.2.8.1 is amended to read as follows:

**903.2.8.1 Group R-3.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies and shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the California Residential Code. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

### **903.2.9 Group S.**

Section 903.2.9 is amended to read as follows:

**903.2.9 Group S.** An automatic sprinkler system shall be provided throughout buildings containing a Group S occupancy.

### **903.2.9.1 through 903.2.9.2.**

Sections 903.2.9.1 through 903.2.9.2 are deleted.

### **903.2.10 Group B.**

Section 903.2.10 is amended to read as follows:

**903.2.10 Group B.** An automatic sprinkler system shall be provided throughout buildings containing a Group B occupancy where the gross floor area exceeds 500 square feet.

### **903.2.10.1 Commercial parking garage.**

Section 903.2.10.1 is deleted.

### **903.2.11 Specific buildings areas and hazards.**

Section 903.2.11 is amended to read as follows:

**903.2.11 Specific buildings areas and hazards.** In all occupancies other than detached Group U occupancies not greater than 1,000 square feet, an automatic sprinkler system shall be installed for building design or hazard in the locations set forth in Sections 903.2.11.1 through 903.2.11.8.

### **903.2.11.3 exceptions #1 & #2 deleted.**

Section 903.2.11.3 exceptions #1 & #2 are deleted.

### **903.2.11.7 High-piled storage.**

Section 903.2.11.7 is added to read as follows:

**903.2.11.7 High-piled storage.** An automatic sprinkler system shall be provided throughout buildings containing high-pile combustible storage.

### **903.2.11.8 Undetermined use design**

Section 903.2.11.8 is added to read as follows:

**903.2.11.8 Undetermined use design.** Automatic sprinkler systems installed in buildings or structures of undetermined use shall be designed and installed to have a minimum density of .33 gallons per minute per square foot over a minimum design area of 3,000 square feet.

### **903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.**

Section 903.2.18 is amended to read with the exception being deleted:

**903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.** Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with R313 of The California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/ft<sup>2</sup> over the most hydraulically demanding area of the structure, but not to exceed two sprinklers for hydraulic calculations purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Section 903.3 is amended as follows:

**903.3 Installation Requirements.** Sprinkler systems shall be designed and installed in accordance with NFPA-13, NFPA-13R (if approved by the Fire Code Official) and NFPA-13D. Pursuant to Section 102.7.1 and Section 105.1.4, the Fire Code Official may require additional sprinkler coverage to mitigate certain conditions such as access or water supply issues.

Section 903.3.1 is amended to read:

**903.3.1 Design Criteria.** Fire sprinkler systems installed in buildings of undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of three thousand square feet (3,000' sq.). Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owners' responsibility to upgrade the system to the required density and meet any additional requirements of the Fire Code at the time of such change.

Section 903.3.7 is amended to read as follows:

**903.3.7 Fire Department Connections.** The location of fire department connections (FDCs) shall be within fifty feet (50') of a fire hydrant or as approved by the Fire Code Official. Approved locking caps shall be provided on any existing FDCs found to be vandalized and on new FDCs when determined by the Fire Code Official to be necessary because of site specific conditions or hazards.



Section 903.3.9 is amended to read as follows:

### **903.3.9 Floor control valve**

**903.3.9 Floor control valve.** Floor control valve and waterflow detection assemblies shall be installed at each floor where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department access.
2. Buildings that are three or more stories in height.
3. Buildings that are two or more stories below the highest level of fire department access.

Exception: Group R-3 and R-3.1 occupancies floor control valves and waterflow detection assemblies shall not be required.

903.4 is amended to read as follows:

**903.4 Sprinkler System Monitoring and Alarms.** Except for Group R, Division 3 Occupancies, all valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, temperatures, critical air pressure and water flow switches shall be electronically supervised. Valves when used for standpipes are excluded from this provision unless required by the Fire Code Official.

Section 903.4.2 is amended to read as follows:

**903.4.2 Alarms.** One (1) exterior approved audible device shall be connected to every automatic fire sprinkler system in an approved location. The Fire Code Official may require one (1) exterior audible and visual device connected to an automatic fire sprinkler system in an approved location based on site specific conditions. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic fire sprinkler system shall actuate the building fire alarm system.

### **903.6 Where required in existing buildings and structures.**

Section 903.6 is amended to read as follows:

**903.6 Where required in existing buildings and structures.** An automatic sprinkler system shall be provided throughout existing buildings and structures where required in Chapter 11 and as required in this section.

**Exception:** Alterations made solely for the purpose of providing barrier removal pursuant to the requirements of the Americans with Disabilities Act (ADA) as contained in exception #4 of Section CBC 11B-204.2.

903.6.1 Buildings that undergo a substantial improvement.

**903.6.2 Changes of Occupancy.** When any change of occupancy occurs where the proposed new occupancy classification is more hazardous based on fire and life safety risks as determined by the Fire Code Official including, but not limited to, the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

**903.6.3 Residential Conversions.** Fire sprinkler systems shall be installed in all single-family dwellings that are converted to duplexes and/or multi-family dwellings, bed and breakfasts, inns, lodging houses or similar uses. Fire sprinkler systems shall be installed in all conversions of a detached garage into living space or sleeping space.

**903.6.4 Elevation of Existing Buildings.** An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to three (3) or more stories or more than thirty-five feet (35') in height, from grade to the exposed roof.

**Exceptions:** An automatic fire-extinguishing system need not be provided when the area above thirty-five feet (35') is provided for aesthetic purposes only and is a non-habitable space.

**903.6.5 Installation of Automatic Fire Sprinklers in Pre-Existing Buildings (Historic Downtown Business District).**

1. Geographic Boundary—Historic Downtown Business District: For the purposes of this section, the Historic Downtown Business District shall include all buildings located inside the geographic area generally formed by Kentucky Street to the west, Washington Street to the north, the Petaluma River to the east and B Street to the south. Also included in this section is 201 Washington Street (Phoenix Theater) and 132 Keller Street, as more particularly described in Figure 1003.2.12.



**Figure 1003.2.12**

2. Installation Requirements: An automatic sprinkler system conforming to the Standard for the Installation of Sprinkler Systems (NFPA-13) shall be installed in all existing buildings in the Historic Downtown Business District in accordance with the following criteria:

2.1. Kentucky Street and Western Avenue:

2.1.1. In any building wherein a change of occupancy occurs.

2.1.2. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.6 of this Ordinance.

2.1.3. All buildings with basements or space below street grade used for storage, business or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas no later than December 31, 2010.

2.1.4. All buildings not meeting the criteria of 2.1.1 or 2.1.2 above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinkler Systems (NFPA-13) by no later than December 31, 2016.

2.2. Petaluma Boulevard North: An appropriately sized water main and laterals were installed by the City of Petaluma on August 9, 2017. Automatic fire sprinkler requirements became effective and are required to be installed by the dates listed in the sections below. Notice has been sent by the City of such installation requirement. An automatic sprinkler system conforming to the Standard for the Installation of Sprinkler Systems (NFPA-13) shall be installed according to the following criteria:

2.2.1. In any building wherein a change of occupancy occurs.

2.2.2. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.6 of this Ordinance.

2.2.3. All buildings with basements or space below street grade used for storage, business or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas, no later than December 31, 2023.

2.2.4. All buildings not meeting the criteria of 2.2.1 or 2.2.2 above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinklers (NFPA-13), no later than December 31, 2029.

2.3. Property Owner's Responsibility for System Installation:

2.3.1. The Property Owner shall be responsible for installation of the lateral service from the curb line into the building. This also includes isolation, check or other valves or devices, as applicable.

2.3.2. The Property Owner shall be responsible for the installation of the automatic fire sprinkler system according to the Standard for the Installation of Sprinkler Systems (NFPA-13).

2.4. Plans and Specifications: Plans and Calculations (NFPA-13, Chapter 8) for the service lateral and fire sprinkler system shall be submitted to and approved by the Fire Prevention Bureau prior to installation of equipment and materials.

2.4.1. For the Kentucky Street installations that are required on or before December 31, 2010, or December 31, 2016, all Plans and Calculations for service lateral and sprinkler systems shall be submitted no later than June 30, 2010, or June 30, 2016, respectively, with installation and approval of work to occur prior to December 31, 2010, or December 31, 2016, respectively.

2.4.2. For Petaluma Boulevard North installations that are required on or before December 31, 2023, or December 31, 2029, all Plans and Calculations for service lateral and sprinkler systems shall be submitted no later than June 30, 2023, or June 30, 2029, respectively, with installation and approval of work to occur prior to December 31, 2023, or December 31, 2029, respectively.

Section 905.3.1 is amended to read as follows:

**905.3.1 Building Height.** Class I standpipes shall be installed in buildings three stories or over in height and/or if, in the opinion of the Fire Chief, a hazard or condition exists in which the installation of standpipes would improve firefighting operations. Standpipes will be provided with approved outlets provided on each floor level, including the roof when roof access is provided.

Section 905.9: exception 2 is deleted.

Section 907.8.5.1 is added to read as follows:

**907.8.5.1 Fire Alarm Service Stickers/Tags.** Upon completion of each annual fire alarm service, the fire alarm contractor providing the service shall affix a sticker or tag to the main fire alarm panel which indicates the name of the fire alarm company and the date of the service.

## Chapter 11—Construction Requirements For Existing Buildings

### **1103.1 Required construction.**

Section 1103.1 is amended to read as follows:

**1103.1 Required construction.** Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2, 1103.7 through 1103.8.5.3, 1103.9.1, and 1103.10.

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

#### **Exceptions:**

1. Where a change in fire-resistance rating has been approved in accordance with Section 501.2 or 803.6 of the California Existing Building Code.
2. Group U occupancies.

### **Sections 1103.3 through 1103.5.4.**

Sections 1103.3 through 1103.5.4 are deleted.

Section 1103.5.1 is amended to read:

An automatic sprinkler system shall be provided in existing buildings in accordance with sections 1103.5.1 through 1103.5.4. An automatic sprinkler system shall be installed in accordance with section 903.6.5 2.2.3, 2.2.4 and 2.4.2.

### **Sections 1104 and 1105**

Sections 1104 and 1105 are deleted.

## Chapter 33—Fire Safety During Construction

### **3313.3 Detailed requirements.**

Section 3313.3 is amended to read as follows:

**3313.3 Detailed requirements.** Standpipes shall be installed in accordance with the provisions of Section 905.

**Exception:** When approved by the fire code official standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes comply with the requirements of Section 905 as to capacity, outlets and materials.

#### **3314.1 Where required.**

Section 3314.1 is added to read as follows:

**3314.1 Where required.** In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding 40 feet in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

#### **3314.2 Buildings being demolished.**

Section 3314.2 is added to read as follows:

**3314.2 Buildings being demolished.** Where a building is being demolished and an automatic sprinkler system is existing within such a building, such automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

#### **3314.3 Detailed requirements.**

Section 3314.3 is added to read as follows:

**3314.3 Detailed requirements.** Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

### **Chapter 39—Plant Processing and Extraction Facilities**

#### **3901.1.1 Marijuana growing, processing, or extraction facilities.**

Section 3901.1.1 is added to read as follows:

**3901.1.1 Marijuana growing, processing, or extraction facilities.** Marijuana growing, processing and extraction facilities shall be designed and constructed in accordance with this chapter and NFPA 1, Chapter 38, as amended in Chapter 80.

### **Chapter 49—Requirements for Wildland-Urban Interface Fire Areas**

Section 4902.1. The following definition is amended to read as follows:

**Wildland-Urban Interface Fire Area.** The geographical area located within any Moderate, High or Very High Fire Hazard Severity Zone as recommended by the Cal Fire Director pursuant to Public Resource Code Sections 4201–4204 and Government Code Sections 51175–51189 or in a High Fire Hazard Severity Zone as identified by the Petaluma Fire and Resource Assessment Program (FRAP).

Section 4906.2 is amended to read as follows:

**4906.2 Applicability.** New buildings for which a building permit is submitted on or after January 1, 2011, that are located within any Moderate, High or Very High Fire Hazard Severity Zone as designated by the Director of Cal Fire or in any Moderate, High or Very High Fire Hazard Severity Zone as identified by the Fire Hazard Security Zone (FHSZ) map as defined in Section 17.20.020 of the Petaluma Municipal Fire Code shall comply with the following sections:

- (a) Section 4907.1 2022 California Fire Code Defensible Space (moderate, high, very high);
- (b) Section 705A, 2022 California Building Code—Roofing (moderate, high, very high);
- (c) Section 706A, 2022 California Building Code—Vents (moderate, high, very high);
- (d) Section 707A 2022 California Building Code—Exterior Covering (moderate, high, very high);
- (e) Section 708A 2022 California Building Code—Exterior Windows and Doors (high, very high);
- (f) Section 709A 2022 California Building Code—Decking (high, very high); and
- (g) Section 710A 2022 California Building Code—Accessory Structures (high, very high).

Section 4907.1 is amended to read as follows:

**4907.1 Defensible Space.** The area within the perimeter of a parcel or development where Fire Hazard Severity Zones (FHSZ) is implemented, providing a key point of defense from any approaching fire. These areas are characterized (but not limited to) establishment and maintenance of emergency vehicle access, emergency water supplies, street names, building identification, and fuel modification measures.

Provisions for annual weed and brush abatement of the wildland-urban interface fire area and the developed area shall be the responsibility of the developer or property owner. A plan may be required that outlines the provisions for weed abatement and shall be prepared by the property owner and/or developer. When required, the plan shall include, but not be limited to, the following elements:

- (a) A defensible space of thirty feet (30') to one hundred feet (100'), depending on grade and other factors around all structures, either manmade or natural, in which material capable of allowing fire to spread unchecked must be cleared, treated or modified to slow the rate and intensity of an approaching wildfire.
- (b) A ten-foot (10') firebreak on each side of hillside roads or driveways used for emergency access; such firebreaks may be landscaped with fire resistive vegetation.
- (c) Where required, fire breaks and/or disked trails up to thirty feet (30') wide shall be identified on the plan and maintained throughout the fire season; the location of such breaks/trails shall be approved by the Fire Code Official.
- (d) Other fire protection measures based on best management practices for wildfire exposure protection as required by the Fire Code Official.

Section 4907.2 is added to read as follows:

**4907.2 Ancillary Buildings and Structures.** When required by the enforcing agency, ancillary buildings and structures and detached accessory structures shall comply with the provisions of this chapter.

## Chapter 50—Hazardous Materials

Section 5001.5.3 is added to read as follows:

**5001.5.3 Electronic Reporting.** All Hazardous Material Management Plans (HMMP) and Hazardous Material Inventory Statements (HMIS) shall be submitted electronically in the California Environmental Reporting

System (CERS) annually as required by the Fire Code Official. All updates to HMMP and HMIS must be made in CERS.

## Chapter 56—Explosives and Fireworks

All local fireworks amendments are within Petaluma Municipal Code Section 17.20.070.

## Chapter 53—Compressed Gases

### **5307.2 Ventilation.**

Section 5307.2 is amended to delete exception #1.

#### **5307.2.1 Gas detection system.**

Section 5307.3.2 is amended to read as follows:

**5307.2.1 Gas detection system.** Indoor storage and use areas and storage buildings shall be provided with a gas detection system complying with Section 916.

#### **5307.3.2 Gas detection systems.**

Section 5307.3.2 is amended to read as follows:

**5307.3.2 Gas detection systems.** Where ventilation is not provided in accordance with Section 5307.3.1, a gas detection system shall be provided in rooms or indoor areas and in below-grade outdoor locations with insulated carbon dioxide systems. Carbon dioxide sensors shall be provided within 12 inches of the floor in the area where the gas is expected to accumulate or other approved locations. The system shall be designed as follows:

1. Activates all audible and visible supervisory alarm at a normally attended location upon detection of a carbon dioxide concentration of 5,000 ppm.
2. Activates an audible and visible alarm within the room or immediate area where the system is installed upon detection of a carbon dioxide concentration of 10,000 ppm.

## Chapter 57—Flammable and Combustible Liquids

### **5704.2.9.6.1 Locations where above-ground tanks are prohibited.**

Section 5704.2.9.6.1 is amended to read as follows:

**5704.2.9.6.1 Locations where above-ground tanks are prohibited.** Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is prohibited in any area as established by applicable land-use and zoning standards.

### **5706.2.4.4 Locations where above-ground tanks are prohibited.**

Section 5706.2.4.4 is amended to read as follows:

**5706.2.4.4 Locations where above-ground tanks are prohibited.** Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is prohibited in any area as established by applicable land-use and zoning standards.

## **5707 On-Demand Mobile Fueling Operations**

Section 5707 is deleted.

## **Chapter 58—Flammable Gases and Flammable Cryogenic Fluids**

### **5806.2 Limitations.**

Section 5806.2 is amended to read as follows:

**5806.2 Limitations.** Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is prohibited in any area as established by applicable land-use and zoning standards.

## **Chapter 61—Liquid Petroleum Gases**

### **6104.2 Maximum capacity within established limits.**

Section 6104.2 is amended to read as follows:

**6104.2 Maximum capacity within established limits.** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons in any area as established by applicable land-use and zoning standards.

**Exception:** In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

## **Chapter 80—Referenced Standards**

**NFPA 01-18: Fire Code, Chapter 38, Marijuana Growing, Processing, or Extraction Facilities** as amended\*

3901.1.1

**\*NFPA 1, Chapter 38, is added in its entirety with amended sections as follows:**

Add new Section 38.1.1.1 as follows:

**38.1.1.1** Where NFPA 1, Chapter 38, references "this code", it is amended to reference the applicable provisions or requirements of the California Fire Code. Where NFPA 1, Chapter 38, references "the building code", it is amended to reference the applicable provisions of the California Building Code.

Revise Section 38.1.2 as follows:

**38.1.2** The use, storage and handling of hazardous materials shall comply with this chapter, and other applicable provisions of the California Building and Fire Codes.

Delete language to Sections 38.1.5 through 38.4 and reserve section numbers.



Revise Section 38.5.4.1 as follows:

**38.5.4.1** Interior finish, including the use of any plastic, mylar, or other thin film sheeting to enclose rooms or cover any walls or ceilings shall be in accordance with the California Building Code.

Revise Section 38.6.1.1.2 as follows:

**38.6.1.1.2** For other than CO<sub>2</sub> and nonhazardous extraction process, the marijuana extraction equipment and process shall be located in a room or enclosure of noncombustible construction dedicated to the extraction process and the room or enclosure shall not be used for any other purpose.

Delete language to Sections 38.6.1.1.3 and reserve section number.

Revise Section 38.6.1.5.1.3 as follows:

**38.6.1.5.1.3** In addition to the requirements in 38.6.1.5, systems, equipment, and processes shall also comply with Chapter 50 of the California Fire Code, the California Building Code, and NFPA 90A.

Revise Section 38.6.1.5.2.2 as follows:

**38.6.1.5.2.2** Refrigerators, freezers, and other cooling equipment used to store or cool flammable liquids shall be listed for the storage of flammable/combustible liquids or be listed for Class I Division I locations, as described in Article 501 of the California Electrical Code.

Revise Section 38.6.1.5.2.3 as follows:

**38.6.1.5.2.3** LPG tanks shall comply with Chapter 61 of the California Fire Code.

Delete language to Sections 38.6.1.5.3 through 38.6.1.5.6 and reserve section numbers.

Revise Section 38.6.2.3.5 as follows:

**38.6.2.3.5** An automatic emergency power system shall be provided for the following items, when installed:

- (1) Extraction room lighting
- (2) Extraction room ventilation system
- (3) Solvent gas detection system

**Exception:** Extraction room ventilation systems in existing facilities are not required to have a secondary power source, such as emergency power or standby power until such time that the medium of extraction or solvent is changed.

Delete language to Sections 38.6.3.2.1 through 38.6.3.2.2 and reserve section numbers.

Revise Section 38.6.3.3 as follows:

**38.6.3.3 Storage and Handling.** The storage, use, and handling of flammable liquids shall be in compliance with this chapter and the California Fire Code.

Delete language to Sections 38.6.4.3.1 through 38.6.4.3.3 and reserve section numbers.

Delete language to Section 38.7 and reserve section number.

## **13-21? : Standard for the installation of Sprinkler Systems as amended\*\***

### **\*\*NFPA 13, additional amended sections as follows:**

Revise Section 25.5.1 as follows:

**25.5.1** The installing contractor shall identify a hydraulically designed sprinkler system with permanently raised, stamped or etched marked weatherproof metal or ridged plastic sign secured with corrosion resistant wire, chain, or other approved means. Such signs shall be placed at the alarm valve, dry pipe valve, preaction valve, or deluge valve supplying the corresponding hydraulically designed area. Pipe schedule systems shall be provided with a sign indicating that the system was designed and installed as a pipe schedule system and the hazard classification(s) included in the design.

Chapter 80, NFPA, 13D-16 is amended as follows:

**NFPA 13D-16**—Standard for the installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes NFPA 13D, Amended additional Sections as follows:

Revise Section 5.1.1.2 to read as follows:

**NFPA 13D.5.1.1.2.** A supply of at least three sprinklers shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

Add Section 5.1.1.2.1 as follows:

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

Add Section 5.1.1.2.2 as follows:

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

Add Section 5.1.1.2.3 as follows:

**NFPA 13D.5.1.1.2.3.** One sprinkler wrench as specified by the sprinkler manufacturer shall be provided in the cabinet for each type of sprinkler installed to be used for the removal and installation of sprinklers in the system.

### **NFPA 13D 6.2.1**

Revise Section 6.2.1 as follows:

**6.2.1** Where a pump is the source of pressure for the water supply for a fire sprinkler system but is not a portion of the domestic water system, the following shall be met:

- (1) A test connection shall be provided downstream of the pump that creates a flow of water equal to the smallest sprinkler K-factor on the system.
- (2) Pump motors using ac power shall be rated for 240 V and wired in accordance with the NEC (NFPA 70).

- (3) Any disconnecting means for the pump shall be approved.
- (4) The pump shall be located not less than 1 ½ inch off the floor.
- (5) Exterior pumps shall be installed in a well ventilated, weather protected area or shelter.

## **NFPA 13D 6.2.2**

Revise Section 6.2.2 as follows:

6.2.2 Where a well, pump, tank or combination thereof is the source of supply for a fire sprinkler system, the configuration for the system shall be one of the following:

- (1) The water supply shall serve both domestic and fire sprinkler systems.
  - (a) A test connection shall be provided downstream of the pump that creates a flow of water equal to the smallest sprinkler on the system. The connection shall return water to the tank.
  - (b) Any disconnecting means for the pump shall be approved.
  - (c) A method for refilling the tank shall be piped to the tank.
  - (d) A method of seeing the water level in the tank shall be provided without having to open the tank.
  - (e) The pump shall be located not less than 1 ½ inch off the floor.
  - (f) Exterior pumps shall be installed in a well ventilated, weather protected area or shelter.
- (2) A stand-alone fire sprinkler system is permitted if the following conditions are met:
  - (a) The pump shall be connected to a 220-volt circuit breaker shared with a common household appliance (e.g., range, oven, dryer), or have a power failure alarm installed acceptable to the Authority Having Jurisdiction that provides an audible and visual signal within the residence at an approved location. The alarm and components shall be listed by an approved agency.
  - (b) The pump shall be a stainless steel 240-volt pump,
  - (c) A valve shall be provided to exercise the pump. The discharge of the exercise valve shall drain to the tank, and
  - (d) A sign shall be provided stating: "Valve must be opened monthly for 5 minutes."
  - (e) A means for automatically refilling the tank level, so that the tank capacity will meet the required water supply duration in minutes, shall be provided.
  - (f) A test connection shall be provided downstream of the pump that creates a flow of water equal to the smallest sprinkler on the system. The connection shall return water to the tank.
  - (g) Any disconnecting means for the pump shall be approved.
  - (h) A method for refilling the tank shall be piped to the tank.
  - (i) A method of seeing the water level in the tank shall be provided without having to open the tank.
  - (j) The pump shall be located not less than 1 ½ inch off the floor.
  - (k) Exterior pumps shall be installed in a well ventilated, weather protected area or shelter.

Revise Section 7.6 to read as follows:

**NFPA.13D.7.6A** local water flow alarm shall be provided on all sprinkler systems on the exterior of the home within 10 feet of the riser location, or as approved by the fire code official.

Revise Section 8.3.4 to read as follows:

**NFPA 13R-21? —Standard for the installation of Sprinkler Systems in Residential Occupancies up to and including Four Stories in Height**

NFPA 13R, Amended additional sections as follows:

**NFPA.72-16—National Fire Alarm and Signaling Code**

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NFPA 72, Amended additional sections as follows:

#### **NFPA 72-7.5.6.1**

Revise Section 7.5.6.1 as follows:

**7.5.6.1** The record of completion shall be documented in accordance with 7.5.6 using the record of completion forms, Figure 7.8.2(a) through Figure 7.8.2(f).

#### **NFPA 72-7.6.6**

Revise Section 7.6.6 as follows:

**7.6.6** The record of all inspection, testing and maintenance as required by 14.6.2.4 shall be documented using the record of inspection and testing forms, Figure 7.8.2(g) through Figure 7.8.2(l).

#### **NFPA 72 14.7**

Add Section 14.7 as follows:

##### **14.7 Labels and Tags.**

**14.7.1** Labels or tags shall be used on fire alarm systems and shall be placed on the outside of the fire alarm control unit.

**14.7.2** Tags shall be of the hanging or self-adhesive type used on fire alarm systems.

**14.7.3** The following information shall be printed on the labels and tags approved by the fire code official:

1. The words "DO NOT REMOVE BY ORDER OF THE FIRE CODE OFFICIAL".
2. Concern Name/Company Name.
3. Concern Physical Address.
4. Concern Phone Number.
5. License Number (State of California Contractor State License Board License).
6. Date of service or testing and maintenance.
7. Space or line for signature of person performing or supervising the servicing shall be placed on the tag or label.

**14.7.4** When service or testing and maintenance is performed, the initial date of service or testing and maintenance, the printed name and signature of the person performing or supervising the service shall be placed on the tag or label.

**14.7.5** No person shall remove a tag or label from or place a tag or label on a fire alarm system except when servicing or testing and maintenance is performed.

**14.7.6** No person shall deface, modify, or alter any tag or label attached to or required to be attached to any fire alarm system.

**14.7.7** The Label or tag conforming to this section shall be securely attached to each fire alarm system at the time of servicing or testing and maintenance.

**14.7.8** The label or tag approved by the fire code official shall be affixed to a system only after all deficiencies have been corrected.

**14.7.9** Adhesive labels and tags shall be manufactured in accordance with ANSI/UL 969, Standard for Marking and Labeling Systems, 4th edition, 1995, which is hereby incorporated by reference.

## Appendix B—Fire-Flow Requirements For Buildings

Section B105.1 is amended to read as follows:

### Table B105.1(1)

Appendix B Table B105.1(1) is amended to read as follows:

<b>Fire-Flow Calculation Area (square feet)</b>	<b>Automatic Sprinkler System (Design Standard)</b>	<b>Minimum Fire-Flow (gallons per minute)</b>	<b>Flow Duration (hours)</b>
<b>Table B105.1(1). Required Fire-Flow for One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses</b>			
0-3,600	No automatic sprinkler system	1,500	2
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code	1,500	2
3,601 and greater	Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code	½ value in Table B105.1(2) <sup>a</sup>	Duration in Table B105.1(2) at the required fire-flow rate

For SI: 1 gallon per minute = 3.785 L/m.

**a.** The reduced fire-flow shall be not less than 1,000 gallons per minute.

Section B105.2 is amended to read as follows:

## Table B105.2

Appendix B Table B105.2 is amended to read as follows:

Automatic Sprinkler System (Design Standard)	Minimum Fire- Flow (gallons per minute)	Flow Duration (hours)
<b>Table B105.2. Required Fire-Flow for Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses</b>		
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) <sup>a</sup>	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) <sup>a</sup>	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

**a.** The reduced fire-flow shall be not less than 1,500 gallons per minute.

## Appendix C—Fire Hydrant Locations and Distribution

Section C103.1 is amended to read as follows:

**C103.1 Hydrant Spacing.** The average spacing between fire hydrants shall not exceed that listed in Table C103.1.

**Exceptions:** The fire chief is authorized to allow deviations from this section where existing fire hydrants provide all or a portion of the required fire hydrant service.

Table C103.1 of Appendix C: Footnotes (i) and (j) are added to read as follows:

(i) For commercial, industrial and multifamily residential dwellings, average spacing shall be no greater than three hundred feet (300').

(j) A fire hydrant shall be located within fifty feet (50') of the FDC, or as approved by the Fire Code Official.

## Appendix D—Fire Apparatus Access Roads

Section D103.2 is amended to read as follows:

**D103.2 Grade.** The grade of fire apparatus access roads shall be in accordance with the city of Petaluma standards for public streets or as approved by the fire chief.

Section D103.3 is hereby amended to read as follows:

**D103.3 Turning Radius.** The minimum turning radius shall be determined by the Fire Code Official or as approved by local standards.

Section D103.4 is amended to read as follows:

**D103.4 Dead Ends.** Dead-end fire apparatus access roads in excess of one hundred fifty feet (150') (45.720 m) shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by local standards.

Table D103.4 is deleted in its entirety.

Section D103.6 is amended to read as follows:

**D103.6 Signs.** Where required by the Fire Code Official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with the California Vehicle Code and fire department standards.

Section D104.2 is amended to delete the exception and read as follows:

**D104.2 Buildings Exceeding 62,000 Square Feet in Area.** Buildings or facilities having a gross building area of more than 62,000 square feet (5,760 m<sup>2</sup>) shall be provided with two (2) separate and approved fire apparatus access roads.

Section D106.1 is amended to delete the exception and read as follows:

**D106.1 Projects Having More Than Fifty (50) Dwelling Units.** Multiple-family residential projects having more than fifty (50) dwelling units shall be provided with two (2) separate and approved fire apparatus access roads.

Section D106.2 is hereby deleted.

Section D107.1 is amended to delete exceptions 1 and 2 and read as follows:

**D107.1 One- or Two-Family Dwelling Residential Developments.** Appendix D, Section D107.1 exceptions #1 and #2 are deleted.

#### **17.20.060 New materials, processes or occupancies which may require permits.**

The city manager, the fire chief and the fire code official shall act as a committee to 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 this code. The fire code official shall post such list in a conspicuous place at the fire prevention bureau and distribute copies thereof to interested persons. (Ord. 2709 NCS §§1, 3 (part), 2020.)

#### **17.20.070 Adoption of Fire Code Chapter 56—Explosives and Fireworks.**

Pursuant to Section 50022.2 of the California Government Code, the following codes are adopted by reference, including the amendments listed in this chapter which are made pursuant to the findings of fact set forth in the ordinance codified in this section:

A. Part 9—2022 California Fire Code Chapter 56—Explosives and Fireworks.

Section 5608.1.2 is added to read as follows:

**5608.1.2 Permit required.** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to the performance of any firework display. Application for such approval shall be made in writing no less than twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the fire code official or authorized designee pursuant to this Chapter and Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations. Any permit for a fireworks display may be suspended or revoked at any time by the Fire code official or authorized designee.

Section 5608.2 is added to read as follows:

**5608.2 Limitations.** Possession, storage, offer or expose for sale, sale at retail, gift or give away, use, explosion, discharge, or in any manner disposal of fireworks is prohibited within the City of Petaluma.

**Exception:** Pyrotechnic displays authorized pursuant to section 5608.1 for which a permit has been issued.

## EXHIBIT A

### FINDINGS OF FACT AND NEED FOR CHANGES OR MODIFICATIONS TO THE CALIFORNIA FIRE CODE, 2022 EDITION WITH CALIFORNIA AMENDMENTS, DUE TO LOCAL CONDITIONS

CHANGES OR MODIFICATIONS: Pursuant to Section 17958 of the State of California Health and Safety Code, the governing body of the City of Petaluma in its Ordinance adopting and amending the 2022 Edition of the California Fire Code, changes or modifies certain provisions of the California Building Standards Code as it pertains to the regulation of buildings used for human habitation. A copy of the text of such changes or modifications is attached.

FINDINGS: Pursuant to Sections 17958.5 and 17958.7(a) of the State of California Health and Safety Code, the governing body of the City of Petaluma has determined and finds that all the attached changes or modifications are needed and are reasonably necessary because of local climatic, geological and topographic conditions as discussed below.

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

Below are adverse local climatic, geological and topographic conditions that necessitate the modifications to the California Fire Code and California Building Standards Code.

#### CLIMATIC (a)

Precipitation: Precipitation ranges from twenty inches (20") to approximately twenty-five inches (25") per year. Approximately ninety percent (90%) falls during the months of November through April and ten percent (10%)



from May through October. Severe flooding occurred during the months of January and March, 1995 and in 1998 and 2006.

Relative Humidity: Humidity generally ranges from fifty percent (50%) during daytime and eighty-six percent (86%) at night. It drops to twenty percent (20%) during the summer months and occasionally drops lower during the months of September through November.

Temperatures: Temperatures have been recorded as high as 104 degrees Fahrenheit. Average summer highs are in the 78-85 degree range.

Winds: Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-15 mph range, gusting to 7.4-30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

Summary: These local climatic conditions affect the acceleration, intensity, and size of fires in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area also adversely impact structure fires in buildings in close proximity to one another. Winds can carry sparks and burning branches to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fires back into the building and create a blowtorch effect, in addition to preventing natural ventilation and cross-ventilation efforts. Petaluma's downtown and surrounding areas contain numerous historic and older buildings that are located very close together, which exacerbates the fire danger from dry conditions, wind, and shake/shingle roofs.

## **TOPOGRAPHIC (b)**

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

The basic geographical boundaries of the City include hills to the south and west, and valley floor in the central area and to the north and east. The Petaluma River bisects the City through the central area. The City of Petaluma covers thirteen (13) square miles and contains an urban population estimated at 58,000. The City's service area is a conglomeration of bay, plains, hills, valleys, and ridges. Currently, within the City, are three (3) fire stations and fifty-three (53) fire personnel (58 when fully staffed). Because of the size of the City of Petaluma, the characteristics of the fire environment changes from one location to the next. For example, the central downtown area contains older buildings situated close together, which increases the ability of fire to spread from one building to the next. In contrast, some of the properties on the outlying hills are far apart, but contain large grassy acreages that promote quickly-spreading wildfires during the long dry season.

The City's development pattern also contributes to its unique fire protection needs. Development has traditionally occurred on the flat lands (0 – 5% slope) in the central and eastern portions of the City. However, over the last ten (10) years, development has spread into the hills and the smaller valleys and canyons. This development has significantly increased the service area for the City's fire department and has added complicated logistical challenges for getting fire equipment to remote fires or fires on steep hillsides. The majority of the hillsides in these areas have slopes ranging from 15 - 30%. As a basic rule of thumb, the rate of spread will double as the slope percentage doubles, all other factors remaining the same.

The local vegetation further contributes to fire dangers in the City. Petaluma's semi-arid Mediterranean-type climate produces vegetation similar to that of most of Sonoma County. In the long periods of the year with little or no rain (April through October), this vegetation provides ready fuel for fast-spreading wildfires.

Moreover, some of the structures in the City have combustible wood-shingle or shake roofs. This very flammable material is susceptible to ignition by embers from a wild land fire, furthering the spread of fire to adjacent buildings.

### **GEOLOGICAL (c)**

The above local topographic conditions enhance the magnitude, exposure, accessibility problems, and fire hazards presented to the City of Petaluma. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

The relatively young geological processes that have created the San Francisco Bay Area are still active today. Two (2) active earthquake faults (San Andreas and Hayward-Rodgers Creek) affect the Petaluma area. Approximately fifty percent (50%) of the City's land surface is in the high-to-moderate seismic hazard zones.

The majority of the City's industrial complexes are located in the highest seismic risk zones. The highest seismic risk zone also contains the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number people, should a significant seismic event occur. The City's resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for fires in smaller single-dwellings and structures.

Other variables that may intensify the fire danger after a major seismic event include:

- The extent of damage to the water system;
- The extent of isolation due to bridge and/or freeway overpass collapse;
- The extent of roadway damage and/or amount of debris blocking the roadways;
- Climatic conditions (hot, dry weather with high winds);
- Time of day, which will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
- The availability of timely mutual aid or assistance from neighboring departments, which will likely have similar emergencies at the same time; and
- The large portion of dwellings with wood shingle roof coverings, which will increase the likelihood of conflagrations.

### **CONCLUSION**

Local climatic, geological and topographic conditions impact fire protection efforts, and the frequency, spread, acceleration, intensity and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is reasonably necessary that the California Fire Code be changed or modified to mitigate the effects of the above conditions. These local climatic and geological conditions have necessitated these minor modifications to the Title 24, Part 9, California Fire Code.

**Section 4. SEVERABILITY** If any part of this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this Ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this Ordinance and each of its provisions irrespective of any part being held invalid.

**Section 5. CEQA** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15060(c)(2) of the CEQA Guidelines because the activity has no potential for resulting in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) of the CEQA Guidelines because the activity is not a project as defined in Section 15378) of the CEQA Guidelines.

If the Ordinance was a “project” pursuant to CEQA it would be exempt pursuant to CEQA Section 15061(b)(3) (common sense exemption) since This action involves updates and revisions to existing regulations consistent with State law and will not result in any direct or indirect physical changes to the environment The proposed amendments are also exempt from CEQA in accordance with Section 15307 of the CEQA Guidelines as an action taken by the City as authorized by state law to assure the maintenance, restoration or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment, in accordance with the findings in the attached ordinance. The proposed amendments are also exempt from CEQA in accordance with Section 15308 of the CEQA Guidelines as an action taken by the City as authorized by state law to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment in accordance with the findings in the attached ordinance.

Additionally, most of the regulatory standards imposed by this ordinance apply to interior modifications. Proposed modifications to the interior of a home do not constitute a project subject to CEQA because such changes are not visible or perceptible outside the home. (*Martin v. City and County of San Francisco* (2005) 135 Cal. App. 4th 392.)

**Section 6. EFFECTIVE DATE/REFERENDUM PERIOD** This Ordinance will become effective immediately upon its adoption, if passed by a four fifths vote of the Petaluma City Council; however, the provisions of this Ordinance will not become operative until January 1, 2023, at the same time that the 2022 Edition of the California Building Standards Code takes effect. This ordinance is hereby declared to be necessary for the immediate preservation of the public peace, health and safety of the City of Petaluma and its citizens, and shall take effect and be in force from and after its final passage by unanimous vote of the members of the City council present at the time of its adoption in accordance with Section 76A of the Petaluma City Charter. The reason for the urgency is so that state law mandates that the 2022 California Building Standards Code take effect on January 1, 2023, regardless of whether or not an agency had adopted the Building Standards Code and therefore any local amendments would not be incorporated and be enforced by the agency. Here, the City’s local amendments were necessary and enacted for the preservation of its citizens due to the topographical, climatic, and geographical conditions of the City. Without the urgency ordinance the City would not be able to mandate its local amendments.

**Section 7. POSTING/PUBLISHING OF NOTICE** The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter. The City Clerk is also hereby directed to file a Notice of Exemption concerning this ordinance with the Office of the Sonoma County Clerk in accordance with Section 15062 of the CEQA Guidelines. In accordance with California Health and Safety Code Section 17958.7, the City Clerk is hereby authorized and directed to file this Ordinance and the attached findings of fact with the California Building Standards Commission, the Housing and Community Development, the State Fire Marshal, and the State Historical Building Safety Board prior to the effective date of this Ordinance specified above.

**Section 8. EXPIRATION AND REPEAL** Unless amended to extend its term or to otherwise remain in effect, this ordinance shall expire, cease to be in effect and be automatically repealed without further action of the City Council upon the effectiveness and implementation of Ordinance \_\_\_\_ N.C.S.

**INTRODUCED** and ordered published and posted this 5<sup>th</sup> day of December 2022.

**ADOPTED** this DD day of Month YYYY by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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Teresa Barrett, Mayor

ATTEST:

APPROVED AS TO FORM:

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Kendall Sawyer, CMC, City Clerk

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Eric Danly, City Attorney