

## SECOND READING AND ADOPTION

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

ORDINANCE OF THE CITY OF CHULA VISTA  
AMENDING CHAPTER 15.36 OF THE CHULA  
VISTA MUNICIPAL CODE ADOPTING THE  
CALIFORNIA FIRE CODE, 2016 EDITION

The City Council of the City of Chula Vista does ordain as follows:

**Section I.** That Chapter 15.36 of the Chula Vista Municipal Code is hereby amended to read as follows:

**Chapter 15.36  
FIRE CODE**

Sections:

- 15.36.010 California Fire Code, 2016 Edition, adopted by reference.
- 15.36.015 Definitions.
- 15.36.020 Construction documents.
- 15.36.025 Re-inspection.
- 15.36.030 Violation penalties.
- 15.36.035 Failure to comply.
- 15.36.040 Emergency Planning and Preparedness.
- 15.36.045 Response map updates.
- 15.36.050 NFPA 13-D meter size.
- 15.36.055 TABLE B105.1(1).
- 15.36.060 TABLE B105.2.
- 15.36.065 TABLE C102.1.

**15.36.010 California Fire Code, 2016 Edition, adopted by reference.**

There is hereby adopted and incorporated by reference as if fully set forth herein, the California Fire Code, 2016 Edition, known as the California Code of Regulations, Title 24 part 9, including Appendix B and C as copyrighted by the International Code Council, and the California Building Standards Commission, which code and associated appendices prescribe the regulations governing conditions hazardous to life and property from fire or explosion, as the Fire Code of the City of Chula Vista, excepting such portions as are hereinafter deleted, modified or amended as set forth in this chapter for the purpose of regulation and enforcement within the City of Chula Vista.

**15.36.015 Definitions.**

Chapter 2 Definitions - Section 202 of the Fire Code Portion of the California Building Standards Code is hereby revised to include the following definitions:

“Fire Department” means any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San

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Diego, or Fire Company regularly charged with the responsibility of providing fire protection to the jurisdiction.

“Fire Authority Having Jurisdiction (FAHJ)” means the designated entity providing enforcement of fire regulations as they relate to planning, construction and development.

“Fire Hazard” means anything that increases or could cause an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or any thing or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of occupants in the event of fire.

“Fire Service Features” is a general term inclusive of all other terms such as driveway, fire lane, public street, private street, parking lot, lane, access roadway and other similar facilities.

This Section 15.36.015 amends Section 202 of the Fire Code Portion of the California Building Standards Code only by adding those definitions specifically identified in herein. No other changes to Section 202 of the Fire Code Portion of the California Building Standards Code are contemplated or intended, and the balance of the definitions therein shall remain unchanged and continue in full force and effect.

### **15.36.020 Construction documents.**

Chapter 1 Scope and Administration - Subsection 105.4 Construction documents of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

Subsection 105.4 Construction documents. Construction documents, plans, submittals and other documents associated with building or remodeling a structure shall be in accordance with Sections 105.4.1 through 105.4.6 and the Chula Vista Fire Department’s Fire Safety Engineering Standard Details.

### **15.36.025 Inspection frequency.**

Chapter 1 Administrative Provisions - Subsection 106.2.3 Re-inspection is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

Subsection 106.2.3 Re-inspection. Following an inspection, whether initial, annual or other, during which it is determined that a violation exists, fire code re-inspections may be conducted ~~performed~~ at the discretion of the Fire Department until such violations have been corrected.

### **15.36.030 Violation penalties.**

Chapter 1 Scope and Administration - Subsection 109.4 Violation penalties of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

Subsection 109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than the

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greater of \$1,000 dollars or as established by the City of Chula Vista Policy and Procedures Manual for Civil Penalties or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

### **15.36.035 Failure to comply.**

Chapter 1 Scope and Administration - Subsection 111.4 Failure to comply of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

111.4 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 a fine of not less than \$250.00 dollars or more than \$1,000 dollars.

### **15.36.040 Emergency Planning and Preparedness.**

Chapter 4 Emergency Planning and Preparedness – Chapter 4 of the Fire Code portion of the California Building Standards Code is hereby adopted as per the California State Fire Marshal Matrix Adoption Table. The specific sections adopted within this Chapter are as follows:

Chapter 4 Emergency Planning and Preparedness adopted sections:

401, 401.3.4, 401.9, 402, 403.2, 404.5 through 404.6.6, 407, Title 19 3.13 (a)(1), Title 19 3.13 (c)(1), Title 19 3.10, Title 193.13 (a)(2), Title 19 (b), and Title 19 3.13 (c)(2 & 3).

### **15.36.045 Response map updates.**

Chapter 5 Premises Identification - Subsection 505.3 Response map updates is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

Subsection 505.3 Response map updates. Any new development, which necessitates updating of emergency response map by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format compatible with current department mapping services (PDF and/or CAD format as approved by the FAHJ).

### **15.36.050 NFPA 13-D meter size.**

Chapter 9 Fire Protection Systems - Subsection 903.2.8.1.1 NFPA 13-D meter size is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

Subsection 903.2.8.1.1 NFPA 13-D meter size. The minimum water meter size serving NFPA 13-D (dwelling) fire sprinkler systems shall be no less than one (1) inch in diameter.

*Exceptions:*

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1. *Minimum meter size can be dependent upon hydraulic analysis, including safety factors, for second dwelling units and accessory structures to group R3 occupancies.*

### **15.36.055 TABLE B105.1(1).**

TABLE B105.1(1) REQUIRED FIRE FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES of the Fire Code portion of the California Building Standards Code is revised to read as follows:

#### **TABLE B105.1(1).**

TABLE B105.1(1) REQUIRED FIRE FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

<b>Fire-Flow Calculation Area (sqf)</b>	<b>Automatic Sprinkler Systems (design-standard)</b>	<b>Minimum Fire-Flow (gallons per minute)</b>	<b>Flow Duration (hours)</b>
0-3,600	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
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	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
3,601 and greater	Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate

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

### **15.36.060 TABLE B105.2.**

TABLE B105.2 REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES of the Fire Code portion of the California Building Standards Code is revised to read as follows:

#### **TABLE B105.2.**

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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>Automatic Sprinkler Systems (design-standard)</b>	<b>Minimum Fire-Flow (gallons per minute)</b>	<b>Flow Duration (hours)</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	75% of the value in Table B105.1(2) <sup>a</sup>	Duration in Table B105.1(2) at the original flow rate
Section 903.3.1.2 of the California Fire Code	75% of the value in Table B105.1(2) <sup>a</sup>	Duration in Table B105.1(2) at the original flow rate

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

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

### **15.36.065 TABLE C102.1.**

TABLE C102.1 REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS of the Fire Code portion of the California Building Standards Code is adopted without footnotes A through G.

#### **Section II. Findings and Declaration**

The City Council of the City of Chula Vista specifically and expressly finds and declares that each of the additions and amendments noted above to the 2016 Edition of the California Fire Code is necessary due to local climatic, geological and topographical conditions.

#### **Section III. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

#### **Section IV. Construction**

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The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**Section V. Effective Date**

This ordinance will take effect and be in force thirty days after final passage but not before January 1, 2017.

**Section VI. Publication**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Submitted by:

Approved as to form by:

\_\_\_\_\_  
James S. Geering  
Fire Chief

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Glen R. Googins  
City Attorney