

ORDINANCE NO. 10173 (N.S.)

AN ORDINANCE AMENDING CHAPTER 1 OF DIVISION 6 OF TITLE 9 OF THE SAN DIEGO COUNTY CODE RELATING TO THE COUNTY FIRE CODE

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

Section 1. The Board of Supervisors finds and determines that this ordinance will fix typographical errors and make minor revisions to Title 9, Division 6, Chapter 1 related to the County Fire Code.

Section 2. Amend section 96.1.104.8 to read as follows:

**Sec. 104.8 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have the authority to grant modifications for individual cases, provided the fire code official shall first find that special individual reasons make the strict letter of this code impracticable and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The applicant's request for a modification shall state the specific sections(s) for which a modification is requested, material facts supporting the contention of the applicant, the details of the modification or mitigating measure proposed, and if applicable, a map showing the proposed location and siting of the modification or mitigation measure. The details of action granting modifications shall be recorded and entered into the files of the department of fire prevention.

Section 3. Amend section 96.1.202 by adding the following definition:

**DISTANCE MEASUREMENT.** All specified or referenced distances are measured along the ground, unless otherwise stated.

Section 4. Amend section 96.1.202 by revising the following definition:

**FIRE CODE OFFICIAL.** In the unincorporated areas of the County and not within a fire protection district, a person appointed by the Fire Warden of the San Diego County Fire Authority to administer and enforce this chapter. In a fire protection district, the fire chief or any person appointed by the chief to administer and enforce this chapter.

Section 5. Add section 96.1.305.5 to read as follows:

**SEC. 96.1.305.5. ROCKETS, MODEL AIRCRAFT AND SIMILAR DEVICES.**

Section 305.5 is added to the California Fire Code to read:

**Sec. 305.5 Rockets, model aircraft and similar devices.** Rockets, model airplanes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause a fire shall not be projected into or across hazardous fire areas without prior approval of the fire code official.

Section 6. Amend section 96.1.503.1 to read as follows:

**Sec. 503.1 General.** Fire apparatus access roads, including private residential driveways, shall be required for every building hereafter constructed when any portion of an exterior wall of the first story is located more than 150 feet from the closest point of fire department vehicle access.

Fire apparatus access roads, except private residential driveways, shall be provided and maintained for purposes of rapid and reliable fire apparatus access and for unobstructed traffic circulation for evacuation or relocation of civilians during a wildfire or other emergency.

Fire apparatus access roads shall be provided and maintained in compliance with this section and the most recent edition and any amendments thereto, of public and private road standards as adopted by the County of San Diego (San Diego County Standards for Private Roads and Public Roads, San Diego County Department of Public Works). The fire code official may modify the requirements of this section if the modification provides equivalent access.

Section 7. Amend section 96.1.503.1.1 to read as follows:

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

**Exceptions:** The fire code official may increase the 150 foot minimum where:

1. Fire apparatus access roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
2. There are no more than two Group R-3 or Group U occupancies.

Section 8. Amend section 96.1.503.2.4 to read as follows:

**Sec. 503.2.4 Roadway radius.** The horizontal inside radius of a fire apparatus access road shall comply with the County public and private road standards approved by the Board of Supervisors. The horizontal inside radius for a private residential driveway shall be a minimum of 28 feet, as measured on the inside edge of the improvement width or as approved by the fire code official. The length of vertical curves of fire apparatus access roads shall not be less than 100 feet, or as approved by the fire code official.

Section 9. Amend section 96.1.503.2.5 to read as follows:

**Sec. 503.2.5 Dead ends.** All dead-end fire access roads in excess of 150 feet in length shall be provided with approved provisions for turning around emergency apparatus. A cul-de-sac shall be provided in residential areas where the access roadway serves more than 2 structures. The minimum unobstructed radius width for a cul-de-sac in a residential area shall be 36 feet paved, 40 feet graded, or as approved by the fire code official. The fire code official shall establish a policy identifying acceptable turnarounds for various project types.

Section 10. Amend section 96.1.503.2.7 to read as follows:

**Sec. 503.2.7 Grade.** The gradient for a fire apparatus access roadway shall not exceed 15.0%. The fire code official may allow roadway grades up to 20.0% provided that the roadway surface conforms to section 503.2.3. The fire code official may require additional mitigation measures where he deems appropriate. The angle of departure and angle of approach of a fire access roadway shall not exceed 7 degrees (12 percent) or as approved by the fire code official.

Section 11. Amend section 96.1.503.6 item 5 to read as follows:

5. When required by the fire code official, an automatic gate in existence at the time of adoption of this chapter is required to install an approved emergency key-operated switch or other mechanism approved by the fire code official, at an approved location, which overrides all command functions and opens the gate. A property owner shall comply with this requirement within 90 days of receiving written notice to comply.

Section 12. Amend section 96.1.505.3 to read as follows:

**Sec. 505.3 Easement address signs.** A road easement which is not named differently from the roadway from which it originates shall have an address sign installed and maintained listing all street numbers occurring on that easement. The sign shall be located where the easement intersects the named roadway. The numbers on the sign shall

contrast with the background and have a minimum height of 4" and a minimum stroke of 1/2".

Section 13. Amend section 96.1.507.5.1.1.2 to read as follows:

**Sec. 507.5.1.1.2 Requirements for multi-family, commercial and industrial zones.** In multi-family, commercial and industrial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs and every 300 feet of fire apparatus access roadways, regardless of parcel size.

Section 14. Add section 96.1.507.5.7 to read as follows:

**SEC. 96.1.507.5.7. FIRE HYDRANT AND FIRE VALVE LOCATION.**

Section 507.5.7 is added to the California Fire Code to read:

**Sec. 507.5.7 Fire hydrant and fire valve location.** The fire hydrant or fire valve shall be between 14 to 24 inches above grade, no closer than 4 feet nor further than 12 feet from the roadway, and 8 feet from combustible vegetation.

**Sec. 507.5.7.1 Signing of water sources and fire department connections.** The fire code official may require fire hydrants and fire department connections to be identified. Fire hydrants may be identified by a reflectorized blue marker and fire department connections may be identified by a reflectorized green marker, with a minimum dimension of 3 inches, in the center of the travel lane adjacent the water source, or by other methods approved by the fire code official.

Section 15. Amend section 96.1.605.11.3.2 to read as follows:

**Sec. 605.11.3.2 Residential systems for one- and two-family residential dwellings and accessory structures.** Access shall be provided in accordance with sections 605.11.3.2.1 through 605.11.3.2.4.

Exception: Residential systems where the solar photovoltaic array does not occupy more than 50 percent of the roof surface and the array is less than 5,000 square feet.

Section 16. Amend section 96.1.605.11.3.2.1 to read as follows:

**Sec 605.11.3.2.1 Buildings with hip roof layouts.** Modules shall be located in a manner that provides a 3 foot wide clear access pathway from the eave to the ridge on each roof slope where modules are located. The access pathway shall be located at a

structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

Section 17. Amend section 96.1.605.11.3.2.2 to read as follows:

**Sec. 605.11.3.2.2 Buildings with a single ridge.** Modules shall be located in a manner that provides two 3 foot wide access pathways from the eave to the ridge on each roof slope where the modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

Section 18. Amend section 96.1.605.11.4.2 to read as follows:

**Sec. 605.11.4.2 Fuel modification.** Combustible vegetation within the array and to a distance of 30 feet from the array and associated equipment shall be reduced to a height of no more than 6 inches. The fuel modification zone may be increased when required by the fire code official or as recommend by a fire protection plan.

**Exception:** For private residential and agricultural systems less than 10 acres in size and where the energy generated is used primarily on-site, the required fuel modification zone may be reduced to 10 feet from the array and associated equipment.

Operation/maintenance buildings shall be provided with fuel modification zones that comply with section 4907.2.

Section 19. Amend section 96.1.903.2.2 to read as follows:

**903.2.2 Remodels or reconstructions.** The fire code official may require an automatic sprinkler to be installed throughout structures if a remodel or reconstruction includes significant modification to the interior or roof of the building and the cost of the installation of an automatic sprinkler system does not exceed 15 percent of the construction costs of the remodel or reconstruction, or require vacancy of the building. The fire code official may require that other protective measures be taken based on existing conditions and/or potential hazards.

Section 20. Amend section 96.1.3301.2.1 by revising the following definition:

**EXPLOSIVES PERMIT.** A permit to possess or use explosives, issued by the Issuing Officer, pursuant to California Health and Safety Code sections 12000 et seq. and Chapter 33 of this code. An explosives permit shall be valid for a period not to exceed one year, as provided in the permit conditions.

Section 21. Amend section 96.1.3301.2.3 to read as follows:

**Sec. 3301.2.3 Permit requirements.** No person shall conduct blasting in the unincorporated area of the County without an explosives permit issued under this chapter. A person applying for an explosives permit shall, in addition to demonstrating compliance with fire safety requirements, shall also comply with all County requirements for any building permits, grading permits, use permits, encroachment permits and all other entitlements to use property, including zoning requirements and any determination under the Zoning Ordinance of nonconforming status. The applicant shall be responsible for providing proof of all necessary approvals when requested by the Issuing Officer.

Section 22. Amend section 96.1.3301.2.5 to read as follows:

**Sec. 3301.2.5 Insurance and indemnification required.** As an additional condition for obtain an explosives permit the applicant shall submit: (1) a certificate of insurance evidencing that the blaster has obtained a general liability insurance policy which includes coverage for explosion, collapse and underground property damage from an insurer satisfactory to the Issuing Officer, that is in effect for the period covered by the permit, written on an "occurrence" basis, in an amount of not less than \$500,000 per each occurrence, naming the County as an additional insured and providing that the policy will not be canceled or terminated without 30 days prior written notice to the County and (2) an agreement signed by the blaster agreeing to defend, indemnify and hold the County and its agents, officers and employees harmless from any claims or actions arising from the issuance of the permit or any blasting activity conducted under the permit.

Section 23. Amend section 96.1.3301.2.10 to read as follows:

**Sec. 3301.2.10 Fees.** A person applying to the Sheriff to be approved as a blaster or inspector, as defined in this section, shall pay an application fee to the Sheriff. A person applying for an explosives permit under this section shall pay the fee established by the Sheriff with the application. The amount of any fee required by this chapter shall be determined by the Sheriff on the basis of the full costs involved in processing an application.

Section 24. Amend section 96.1.4902.1 by revising the following definition:

**DEFENSIBLE SPACE** is an area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur. Distance measurements for defensible space shall be measured on a horizontal plane.

Section 25. Amend section 96.1.4910 to read as follows:

**SEC. 96.1.4905. WILDFIRE PROTECTION BUILDING CONSTRUCTION.**

Section 4905 of the California Fire Code is revised to read:

**SECTION 4905  
WILDFIRE PROTECTION BUILDING CONSTRUCTION**

**Sec. 4905.1 Construction methods for exterior wildfire exposure.** The construction methods for exterior wildfire exposure in a wildland-urban interface fire area shall be as provided in Chapter 7A of the County Building Code.

Section 26. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 28<sup>th</sup> day of September, 2011.

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL  
BY  
William A. Johnson, Senior Deputy County Counsel