

ORDINANCE NO. 9915 (N.S.)

AN ORDINANCE AMENDING THE COUNTY BUILDING, ELECTRICAL, PLUMBING AND MECHANICAL CODES AND THE COUNTY FIRE CODE

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

Section 1. The Board of Supervisors finds and determines that every three years the State of California repeals and adopts administrative regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. Pursuant to Health and Safety Code sections 17598, 17598.5 and 17598.7 the County may adopt changes and modifications to the amendments to the California Building Standards Code that it determines are reasonably necessary because of local climatic, geological and topographical conditions. This ordinance will repeal the following sections of County of San Diego Code of Regulatory Ordinances (County Code): sections 51.001-51.3404, containing the County Building Code, sections 52.101-52.902, containing the County Electrical Code, sections 53.101-53.206, containing the County Plumbing Code, sections 58.101-58.203, containing the County Mechanical Code and sections 35.300.001-35.39100.060, containing the County Fire Code. This ordinance will adopt a new Title 9 to the County Code entitled "Construction Codes and Fire Code" and contains Division 1, Chapter 1, entitled "Administration of County Building, Electrical, Plumbing and Mechanical Codes," Division 2, Chapter 1, entitled, "County Building Code," Division 3, Chapter 1, entitled "County Electrical Code," Division 4, Chapter 1, entitled "County Plumbing Code," Division 5, Chapter 1, entitled "County Mechanical Code," and Division 6, Chapter 1, entitled "County Fire Code."

Section 2. The Board of Supervisors further finds and determines that the 2007 California Building Standards Code were published on July 1, 2007 and went into effect on January 1, 2008. Until the County adopts its changes and modifications, the California Building Standards Codes will be applicable to the County without the more stringent regulations that are reasonably necessary because of local climatic, geological and topographical conditions, to protect life and property in the County of San Diego. This ordinance is being adopted as an urgency ordinance for the immediate preservation of public safety in the unincorporated area of the County so that more stringent regulations concerning ignition resistant construction materials and techniques and vegetation management in the wildland-urban interface areas may go into effect immediately.

Section 3. Repeal County of San Diego Code of Regulatory Ordinance sections 51.001-51.3404, sections 52.101-52.902, sections 53.101-53.206, sections 58.101-58.203 and sections 35.300.001-35.39100.060, containing the County Fire Code.

Section 4. Adopt Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

TITLE 9

CONSTRUCTION CODES AND FIRE CODE

DIVISION 1. ADMINISTRATION OF COUNTY BUILDING, ELECTRICAL, PLUMBING AND MECHANICAL CODES

CHAPTER 1. ADOPTION OF APPENDIX CHAPTER 1, CALIFORNIA BUILDING CODE

SEC. 91.1.001. ADOPTION OF ADMINISTRATION PROVISIONS.

Pursuant to section 17958 of the California Health and Safety Code the California Building Standards Code (CBSC) becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Appendix Chapter 1 of the California Building Code is not part of the CBSC, but may be adopted by a local jurisdiction. The County adopts portions of Appendix Chapter 1 in this chapter and modifies, adds and deletes sections where necessary to carry out the intent and purpose of this chapter. This chapter follows the numbering system used in Appendix Chapter 1 as closely as possible. The adopted portions and the County's modifications, additions and deletions, listed below, shall be used to administer and enforce the County Building, Electrical, Plumbing and Mechanical Codes contained in sections 92.1.001 et seq., 93.1.001 et seq., 94.1.001 et seq. and 95.1.001 et seq. respectively.

SEC. 91.1.101.2. SCOPE.

This chapter shall apply to the construction, alteration, moving, demolition, repair and use of any building or structure and the installation, alteration, repair or replacement of all electrical, plumbing and mechanical systems, within the unincorporated area of the County, unless specifically exempted in this chapter. This chapter shall be a part of and shall apply to the County Building Code, County Electrical Code, County Plumbing Code and County Mechanical Code and those codes are incorporated as part of this chapter. This chapter does not apply to work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated by this chapter and hydraulic flood control structures. This chapter also does not apply to grading, which is regulated in Title 8, Division 7 of this code, but retaining walls and other structures that may be needed in connection with any grading are subject to the requirements of this chapter.

SEC. 91.1.101.3. INTENT.

The purpose of this chapter is to establish a uniform system to administer and enforce the County Building, Electrical, Plumbing and Mechanical Codes.

SEC. 91.1.102. RESOLUTION OF CONFLICTS AND EXISTING CONDITIONS

(a) Where, in any specific case, any of the California Building, Electrical, Plumbing or Mechanical Codes are different from the version the County adopts, the County's shall govern. Where different sections of the County Code provide for different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply. Where there is any disagreement between the building official and any fire department or fire protection district on any land use approval issue, the building official shall have the final authority to resolve the issue.

(b) The legal occupancy of any structure or the use of any electrical, plumbing or mechanical system, existing on the date of adoption of this chapter shall be allowed to continue without change unless the structure or system presents a hazard to life and property.

SEC. 91.1.103. DEPARTMENT OF PLANNING AND LAND USE TO ADMINISTER AND ENFORCE.

The Director of the County Department of Planning and Land Use shall be responsible to administer and enforce this chapter and may appoint members of the Department and hire outside contractors to assist. The Director and any person appointed or hired by the Director to administer and enforce this chapter shall be referred to as the "building official."

SEC. 91.1.104.1. DUTIES AND POWERS OF BUILDING OFFICIAL

The building official shall administer and enforce this chapter. The building official may interpret this chapter and adopt policies and procedures to clarify its application. These policies and procedures shall conform to the intent and purpose of this chapter and shall not waive any requirement of this chapter. The building official duties shall include plan checking, inspections and code enforcement.

SEC. 91.1.104.2. APPLICATIONS AND PERMITS.

The building official shall receive applications, review plans, issue permits, inspect premises for which permits have been issued and enforce compliance with this chapter for:

- (a) The erection, alteration, demolition and moving of buildings and structures.
- (b) The installation of any electrical system, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
- (c) The installation, alteration, repair and replacement of any plumbing system, including equipment, appliances, fixtures, fittings and appurtenances, private sewage disposal system, and where connected to a water or sewage system, all aspects of a medical gas system.
- (d) The installation, alteration, repair and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating and cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems and installation of gas piping from the point of delivery, gas appliances and related accessories.

SEC. 91.1.104.3. NOTICES AND ORDERS.

The building official shall issue all necessary notices or order to ensure compliance with and enforce this chapter.

SEC. 91.1.104.4. INSPECTIONS.

The building official shall make all required inspections, or in the alternative may accept inspection reports from approved agencies or individuals. Inspection reports shall be in writing and be certified by a responsible officer of the approved agency or by the responsible individual. The building official may engage any expert opinion as deemed necessary to report upon an unusual technical issue that may arise.

SEC. 91.1.104.5. IDENTIFICATION.

The building official shall carry proper identification when conducting any inspection under this chapter.

SEC. 91.1.104.6. RIGHT OF ENTRY.

Where it is necessary to make an inspection to enforce this chapter or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code or any other County ordinance or law the County enforces, which makes the structure or premises unsafe, dangerous or hazardous, the building official may enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this chapter. If the

structure or premises is occupied the building official shall present proper identification to the occupant and request entry. If the structure or premises is unoccupied, the building official shall, before entry, make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

SEC. 91.1.104.7. DEPARTMENT RECORDS.

The building official shall keep and maintain records of applications received, permits and certificates issued, fees collected, inspection reports and notices and orders issued. The records shall be retained in the building official's records for the period required for retention of public records.

SEC. 91.1.104.8. IMMUNITIES.

The building official, member of the board of appeals and other person enforcing this chapter shall have all immunities as provided under federal, State and local law.

SEC. 91.1.104.9. APPROVED MATERIALS AND EQUIPMENT.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with the approval.

SEC. 91.1.104.9.1. USED MATERIALS AND EQUIPMENT.

The use of used materials which meet the requirements of this code for new materials is allowed, but used equipment and devices shall not be reused unless approved by the building official.

SEC. 91.1.104.10. MODIFICATIONS.

Wherever there are practical difficulties involved in carrying out the provisions of this chapter the building official may grant modifications for an individual case, upon application of the owner or owner's representative, provided the building official shall first find that a special individual reason makes the strict letter of this chapter impractical and the modification is in compliance with the intent and purpose of this chapter and that the modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the building official's files.

SEC. 91.1.104.11. ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT.

The provisions of this chapter are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that the building official approves the alternative material or method. The building official may approve an alternative material, design or method of construction where the building official finds that the proposed design is satisfactory and conforms to the intent of this code and that the material, method or work offered is, for the purpose intended and at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

SEC. 91.1.104.11.1. RESEARCH REPORTS.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this chapter, shall consist of valid research reports from approved sources.

SEC. 91.1.104.11.2. TESTS.

Whenever there is insufficient evidence of compliance with this chapter, evidence that a material or method does not conform to the requirements of this chapter, or the building official needs to substantiate claims for alternative materials or methods, the building official may require tests as evidence of compliance to be made at no expense to the County. Test methods shall be as specified in this chapter or by other recognized test standards. In the absence of recognized and accepted test methods, acceptance of testing procedures and results shall be at the discretion of the building official. Tests shall be performed by an approved agency or individual. Reports of the tests shall be retained by the building official for the period required for retention of public records.

SEC. 91.1.104.12. FEES ESTABLISHED BY THE BOARD.

Unless this chapter provides otherwise, all fees required or authorized by this chapter shall be as prescribed by the Board of Supervisors.

SEC. 91.1.105. PERMITS.

(a) Except as provided in section 91.1.105.2, no person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish a building or structure regulated by this chapter without a separate permit for each building or structure, issued by the building official. This section shall not be construed to require separate permits for a dwelling and auxiliary buildings or structures on the same property which are

described in a building permit application, plot plan and other drawings.

(b) No person shall construct a residential driveway and no person shall cause or allow a residential driveway to be constructed on property owned or controlled by the person without having obtained a permit as provided in this chapter. A person shall not be required to obtain a separate permit for a residential driveway ancillary or accessory to the construction of a single family dwelling or duplex.

(c) No person shall do any grading, for which a grading permit is required, without a grading permit issued as provided in Title 8, Division 7 of this code. When the grading permit is issued by the building official a building permit shall be obtained to cover all retaining walls, drainage structures and related items (other than standard terrace drains and similar facilities). The building permit fee shall be based on the total valuation of the retaining walls, drainage structures and related items.

(d) No permits shall be issued for construction on a site where a grading permit is required until the rough grading has been inspected and approved, acceptable compaction and other soil reports have been approved and until all plan check fees required under this code have been paid.

(e) No permit shall be issued on a site where grading or public improvements installation work is being performed subject to the approval of the Director of Public Works until the Director of Public Works notifies the Director of Planning and Land Use in writing that the grading or public improvement work has been satisfactorily completed to allow building permits to be issued without endangering the public safety and welfare.

SEC. 91.1.105.2. WORK EXEMPT FROM PERMIT.

(a) A building permit shall not be required for the following:

(1) Patio covers and carports accessory to R-3 occupancies up to 300 square feet of projected roof area and at least 3 feet from property line which comply with all requirements of the County Zoning Ordinance including setback from property line requirements.

(2) Non-habitable recreation and athletic structures and equipment, excluding swimming pools, which comply with the requirements of the County Zoning Ordinance.

(3) One-story detached accessory buildings including sea cargo containers used as non-habitable space such as tool or storage sheds, playhouses, agricultural buildings and similar uses provided the floor area does not exceed 120 square feet and no plumbing, electrical or mechanical permit is required for the structure. These accessory buildings, however, shall be subject to County Zoning Ordinance requirements and limitations.

(4) Fences and free standing masonry walls not over 6 feet high which comply with the fencing and landscaping regulations of the County Zoning Ordinance. A

building permit shall also not be required for open fences up to eight feet high, where allowed by the County Zoning Ordinance, provided the uppermost two feet consists only of barbed or razor wire and necessary support elements placed at an angle to the vertical for security purposes.

(5) Oil derricks.

(6) Moveable cases, counters and partitions not over 5 feet 9 inches high.

(7) Retaining walls not over three feet in height measured from the top of the footing to the top of the wall unless supporting a surcharge or impounding flammable liquids.

(8) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one, or the capacity does not exceed 10,000 gallons and the ratio of height to diameter or width does not exceed one and one-half to one. Water tanks shall comply with the requirements of the County Zoning Ordinance for accessory structures.

(9) Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below.

(10) Painting and papering and similar finish work.

(11) Temporary motion picture, television and theater stage sets and scenery.

(12) Window awnings on Group R or Group 2 occupancies supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.

(13) Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

(14) Single pole television and radio antennas supported on roofs. Dish antennas supported on the ground when they comply with the accessory structure setback regulations of the County Zoning Ordinance.

(15) Public utility towers and poles.

(16) Any portable metal hanger less than 2,000 square feet in size, located on a County-owned airport used only for parking aircraft and bearing evidence of approval by the California Department of Motor Vehicles for movement on any highway. This structure shall, as an integral part of the basic construction, be equipped with a hitch or coupling device for towing. It shall accommodate, without further major structural change, wheel and axle assemblies which will provide this structure with a safe means of portability. No water, sanitary facilities or electrical installation shall be allowed in this structure and it shall be equipped with permanent ventilation as required for any Group S-2 occupancy.

(17) Electric light poles, flag poles and antennas not over 35 feet in height above finished grade when fully extended which comply with the County Zoning Ordinance.

(18) Agricultural shade structures where the shade is provided by a fabric or plastic film material, and agricultural crop protection structures which are constructed with a framework of metal or plastic hoops that are covered with a flexible plastic film,

provided that all these structures comply with all requirements of the County Zoning Ordinance.

(b) Unless otherwise exempted by this code, separate electrical, plumbing and mechanical permits may be required for the above exempted items. It is the responsibility of any person performing the work and any person hiring another person to perform the work to ascertain whether a permit is required from the building official before the work begins.

(c) An electrical permit shall not be required for the following:

(1) Minor repair work such as repairing a snap switch, replacing a fuse, repairing a lamp socket or a receptacle.

(2) Replacing a lamp or connecting a portable appliance to a permanently installed, suitable receptacle.

(3) The installation, alteration or repair of wiring, devices, appliances or equipment for the operation of signals or the transmission of intelligence (not including the control of lighting or appliance circuits) where the wiring, devices, appliances or equipment operate at voltage not exceeding 25 volts between conductors and do not include generating or transforming equipment capable of supplying more than 50 watts of energy.

(4) The installation, alteration or repair of electric wiring, a devices, an appliance or equipment installed by the United States, State of California, a school district, county, city or a "local agency" as defined in California Government Code section 53090, whose facility is exclusively for the production, generation, storage, or transmission of water, wastewater or electrical energy.

(5) Repair, installation or removal of any appliance used for household purposes in a residential building. A permit shall be required, however, for connecting such an appliance to the source of electrical energy, unless the connection is made to a permanently installed receptacle.

(6) Electrical equipment used for radio or television transmission. However, a permit is required for equipment or wiring for a power supply and the installation of a tower or antenna.

(7) The installation of any temporary system required for testing or servicing of electrical equipment and apparatus.

(d) A plumbing permit shall not be required for the following:

(1) Installing a replacement water heater when performed by a California licensed plumbing contractor.

(2) Installing a toilet, bidet, showerhead or faucet inside a building when the installation is limited to repairing or replacing the fixture and is performed by the building owner or a plumbing contractor licensed by the State of California. The work

shall be limited to plumbing on the service side of the fixture's water supply shut-off valve and shall not include work within any floor, ceiling, or wall cavity or include any fixture with a connection to a gas line or electrical service.

(3) Stopping a leak in a drain or water, soil, waste or vent pipe. If, however, a concealed trap, drain pipe, water, soil, waster or vent pipe becomes defective and it becomes necessary to remove and replace the defective material, the work shall be considered new work and require a permit and inspection under this chapter.

(4) Clearing a stoppage or repairing a leak in a pipe, valve or fixture or removing and reinstalling a water closet, as long as the repairs do not involve or require the replacement of or rearrangement of a valve, pipe or fixture.

(e) A mechanical permit shall not be required for the following:

(1) Replacing a faulty control, valve, drier or filter in any heating, ventilation, air conditioning or refrigeration equipment or repairing the equipment, as long as the work does not require removing the equipment from its installed position.

(2) Installing a temperature control, repairing a leak or recharging a refrigeration compressor or system.

(3) Servicing or repairing an ice machine.

(4) Repairing a unit refrigeration system freezer.

(5) Repairing any unit-system refrigeration or refrigerated drinking fountain.

(6) A portable heating appliance, ventilation equipment, cooling unit or evaporate cooler.

(7) A closed system of steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

(8) A self-contained refrigeration system.

(9) Replacing any part that does not alter its approval or make it unsafe.

(f) Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner that violates this chapter or any other County law.

SEC. 91.1.105.3. APPLICATION FOR A PERMIT.

To obtain a permit, the applicant shall file a written application on a form furnished by the building official for that purpose and pay all required fees. The application shall:

(a) Identify and describe the work to be covered by the permit for which application is made.

(b) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

- (c) Indicate the use and occupancy for which the proposed work is intended.
- (d) Be accompanied by construction documents and other information required by section 91.1.106-91.1.106.2.
- (e) State the value of the proposed work.
- (f) Be signed by the applicant or the applicant's authorized agent.
- (g) Provide other data and information required by the building official.

SEC. 91.1.105.3.1. ACTION ON APPLICATION.

The building official shall examine a permit application and any amendment to the application within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of this chapter or other applicable laws, the building official shall reject the application in writing and state the reasons for the rejection. If the building official is satisfied that the proposed work conforms to the requirements of this chapter and other applicable laws the building official shall issue a permit as soon as practicable.

SEC. 91.1.105.4. VALIDITY OF PERMIT.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation this chapter or any other County ordinance. A permit presuming to give authority to violate or cancel the provisions of this chapter or any County ordinance shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure in violation of this chapter or of any other County ordinance.

SEC. 91.1.105.5. PERMIT EXPIRATION.

Every permit issued by the building official pursuant to this chapter shall expire and become null and void if (a) the building or work authorized by the permit is not commenced within one year from the date of the permit, (b) the building or work authorized by the permit is stopped at any time after the work is commenced for a 180 day period, unless the permittee is on active military duty, as described in section 91.1.108.10 or (c) the building or work authorized by the permit has not been completed within three years from the date the permit was issued. Work shall be presumed to have commenced under the permit if the permittee has obtained a required inspection approval

from the building official within one year from the date the permit was issued. Work shall be presumed to have stopped if within any 180 day period after work commenced the permittee has not obtained a required inspection approval from the building official or has not shown substantial progress acceptable to the building official. When a permit expires under this section no building or work shall be done unless the permittee obtains a new permit or a renewal permit, as provided in sections 91.1.105.5.1-91.1.105.5.3.

SEC. 91.1.105.5.1. PERMITS WHERE WORK HAS NOT COMMENCED.

For a permit where work has not commenced in the first year from the date the permit was issued, a permittee may obtain a renewal permit provided:

(a) No changes have been made or will be made in the original plans and specifications for the work.

(b) Three years have not passed from the original issue date.

(c) The same edition of the County Building Code, County Electrical Code, County Plumbing Code and County Mechanical ("County Construction Codes") are in effect as used in the original plan check and no relevant County ordinances, policies, rules or regulations have changed since the expiration of the permit. Where a later edition of the County Construction Codes have been adopted since the original plan check, renewal application shall be considered as a new plan check submittal. Accordingly, plans accompanying the renewal application shall reflect the requirements of the current County Construction Codes and relevant County ordinances, policies, rules or regulations in effect. A full new plan check fee shall be required and paid with the renewal application.

(d) After the plans have been approved, the applicant pays a fee equal to one-half the amount required for a new permit.

(e) A person issued a renewal permit shall be required to show the building official substantial progress in the form of a valid inspection every 180 days as required by section 91.1.105.5. The first 180-day period shall be measured from the date of renewal. A renewal permit issued under this section shall expire three years from the date the original permit was issued.

SEC. 91.1.105.5.2. PERMITS WHERE WORK HAS COMMENCED.

For a permit where the permittee commenced work and stopped work beyond the deadline provided in section 91.1.105, a permittee may obtain a renewal permit as follows:

(a) No changes have been made or will be made in the original plans and specifications for such work.

(b) Three years have not passed from the original issue date.

(c) The applicant pays a fee equal to one-half the amount required for a new permit, except that where construction has progressed and has been approved to the point of requiring only a final inspection, the applicant shall pay a fee equal to one-quarter the amount required for a new permit.

(d) A person issued a renewal permit shall be required to show the building official substantial progress in the form of a valid inspection every 180 days as required by section 91.1.105.5. The first 180-day period shall be measured from the date of renewal. A renewal permit issued under this section shall expire three years from the date the original permit was issued.

SEC. 91.1.105.5.3. WORK AUTHORIZED BY THE PERMIT HAS NOT BEEN COMPLETED WITHIN THREE YEARS.

Where an applicant has not completed the work authorized by a permit within three years from the date the permit was issued, a renewal permit may be obtained as follows:

(a) The applicant has commenced work based on the permit and the building official has approved the work.

(b) No changes have been made or will be made in the original plans and specifications for the work.

(c) The applicant shall pay a fee equal to the full amount required for a new permit, except that where the building official determines that work has progressed to a point that a lesser fee is warranted, the applicant shall pay the lesser fee.

(d) A person issued a renewal permit shall be required to show the building official substantial progress in the form of a valid inspection every 180 days as required by section 91.1.105.5. The first 180-day period shall be measured from the date of renewal. The maximum life of a permit renewal issued under this section shall be one year from the renewal date. The permit may be renewed for each year thereafter provided the applicant meets all requirements of this section at time of each renewal.

SEC. 91.1.105.5.4. EXTENSION OF AN UNEXPIRED PERMIT.

A permittee holding an unexpired permit may apply for an extension of the time within which work pursuant to a permit may be extended on showing good cause why the

work could not be completed with the time required by this chapter. The request for extension shall be in writing. The building official may grant a permittee a one time extension under this section to complete the work for up to six months from the request without the permittee paying an additional fee, as long as the work will be completed within three years from the date the original permit was issued.

SEC. 91.1.105.6. SUSPENSION OR REVOCATION.

The building official may suspend or revoke a permit issued under this chapter wherever the permit was issued in error or on the basis of incorrect, inaccurate or incomplete information or in violation of this chapter or any other ordinance or regulation.

SEC. 91.1.105.7. PLACEMENT OF PERMIT.

The applicant shall keep the original or a copy of the permit on the site of the work until the project is completed.

SEC. 91.1.105.8. SOILS REPORT.

Whenever the building official has good cause to believe that the site upon which a building or structure is to be constructed contains expansive soil, uncompacted fill, or other soil problems which if not corrected would lead to structural defects if the proposed building or structure is constructed as proposed, the building official may require an applicant or a permittee provide a soil investigation and report. As used in this section, "expansive soil" means any soil which swells more than three percent when prepared and tested as provided in the American Society for Testing Materials "Test Method for Expansion Index of Soils" D4829-07 or some other recognized test approved by the building official. The report shall be prepared by a civil engineer or a soils engineer registered in the State of California and shall contain:

- (a) A certification that the engineer has investigated the soil on the property.
- (b) The location where all borings and excavations were made.
- (c) A summary of all field and laboratory tests conducted.
- (d) A statement of the qualities of the soil, its expansive characteristics, relative compaction and any soil problem which if not corrected may lead to structural defects of buildings or structures constructed or to be constructed on the site.
- (e) The engineer's recommended corrective action necessary to prevent structural damage to buildings or structures erected on-site.

The building official shall review the report and determine whether the action the engineer recommended will likely prevent structural damage to buildings or structures constructed or to be constructed on the site. If the building official agrees with the engineer's recommendation the building official shall require the applicant to follow the engineer's recommended corrective action during construction.

SEC. 91.1.105.9. DRIVEWAY PERMIT REQUIRED.

No person shall be issued a permit to erect, install, construct, move or place a commercial, industrial or multi-residential building on any premises unless the applicant obtains a driveway permit from the Department of Public Works for a commercial driveway or provides evidence that no new driveway will be established as a result of the applicant's proposed work.

SEC. 91.1.105.10 FLOOD HAZARD REPORT.

When an application for a permit is filed and it appears to the building official that there may be danger that the building or structure proposed to be erected, installed, constructed, reconstructed, enlarged, placed, altered, repaired, moved, removed, remodeled, improved, converted or equipped will be flooded or that the completion of the work will result in the flooding of other structures or property, the building official may refuse to issue the permit and refer the matter to the Department of Public Works for review. At the time of the referral, the applicant shall pay the established fee to the Department of Public Works for review of the flood hazard. The Building Official shall not issue the building permit until the Department of Public Works reviews the plans, finds that reasonably adequate protection for the buildings and structures in consideration has been provided and approves the plans. As used in this section reasonably adequate protection shall include, but not be limited to:

- (a) Design and anchorage to prevent flotation, collapse or lateral movement of the structure.
- (b) Use of construction materials and utility equipment that are resistant to flood damage.
- (c) Use of construction methods and practices that will minimize flood damage.

SEC. 91.1.105.11. EMERGENCY BUILDING PERMITS.

The building official may establish procedures for issuing a permit to correct an emergency. The building official may verbally authorize work to proceed when there is an emergency, subject to the condition that the applicant for the emergency permit shall

file a standard application for a permit as soon as the emergency has been resolved. The holder of an emergency permit shall proceed without assurance that the work performed under the emergency permit will be approved as constructed. If the work performed pursuant to the emergency permit is unsatisfactory to the building official, the building official may order the work to be corrected or removed.

SEC. 91.1.106. CONSTRUCTION DOCUMENTS.

A permit applicant shall submit construction documents, statements of special inspections and other data required by this chapter with each permit application. The construction documents shall be prepared by a registered design professional when required by State law and this chapter. Where special conditions exist, the building official may require the applicant to submit additional construction documents prepared by a registered design professional. The building official may waive submission of certain documents not mandated by this chapter where the building official determines that the documents are not necessary.

SEC. 91.1.106.1. BUILDING OFFICIAL MAY REQUIRE DESIGN PROFESSIONAL.

The building official may require an applicant to submit plans prepared, signed and sealed by a licensed engineer or licensed architect, when an applicant submits plans, that do not usually require preparation by a licensed professional, but because the applicant's submission is of such poor quality, the building official determines the applicant is unable to submit plans that meet the requirements of this chapter.

SEC. 91.1.106.1.1. INFORMATION ON CONSTRUCTION DOCUMENTS.

Construction documents shall provide dimensions and be drawn on suitable material. The building official may allow electronic media documents to be submitted. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this chapter and other relevant laws, rules and regulations, as determined by the building official.

SEC. 91.1.106.1.1.1. FIRE PROTECTION SYSTEM SHOP DRAWING.

Shop drawings for any fire protection system shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in chapter 9 of the County Fire Code.

SEC. 91.1.106.1.2. MEANS OF EGRESS.

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions in this chapter. In occupancies other than in Groups R-2, R-3 and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces.

SEC. 91.1.106.1.3. EXTERIOR WALL ENVELOPE.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this chapter. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

SEC. 91.1.106.2. SITE PLAN.

Construction documents submitted with a permit application shall be accompanied by a site plan drawn to scale showing the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations. The site plan shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official may waive or modify the requirement for a site plan when the permit application is for alteration or repair or when otherwise warranted.

SEC. 91.1.106.3.1. APPROVAL OF CONSTRUCTION DOCUMENTS.

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp. The building official shall retain one set. The applicant shall maintain a set of documents at the work site and the documents shall be open to inspection by the building official.

SEC. 91.1.106.3.4. RESPONSIBLE DESIGN PROFESSIONAL.

When this chapter or State law requires that certain documents be prepared by a registered design professional, the building official may require the property owner to engage and designate on the building permit application the name of a registered design professional who shall be responsible for the project. The building official may require the owner to designate a substitute responsible, registered design professional who shall be responsible for the project. The owner shall notify the building official in writing if the responsible, registered design professional has changed or is unable to continue to perform the duties.

The responsible, registered design professional shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where the County Building Code requires structural observation the applicant's statement of special inspections shall name the person retained to perform structural observation and shall describe the stages of construction at which structural observation is to occur.

SEC. 91.1.106.3.4.2. DEFERRED SUBMITTALS.

For the purposes of this section, "deferred submittals" are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. The applicant shall obtain the building official's approval for deferred submittal of any item. The responsible, registered design professional shall list the deferred submittals on the construction documents for review by the building official and shall submit the deferred submittals to the building official with a notation indicating that the deferred submittal documents have been reviewed by the design professional and been found to be in general conformance to the design of the building. Deferred submittal items shall not be installed until approved by the building official.

SEC. 91.1.106.4. AMENDED CONSTRUCTION DOCUMENTS.

Work shall be installed in accordance with the approved construction documents and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

SEC. 91.1.106.5. RETENTION OF CONSTRUCTION DOCUMENTS.

The building official shall retain one set of approved construction documents for at least 90 days after the date work is completed pursuant to a permit or longer if required by State or local law.

SEC. 91.1.107. TEMPORARY STRUCTURES AND USES.

The building official may issue a permit for a temporary structure or a temporary use when the structure or use is authorized by this code. A permit issued under this section shall be issued for a maximum of 180 days. The building official may grant an extension on a showing of good cause. This section and sections 91.1.107.2.-91.1.107.4 shall not apply to temporary occupancy of a trailer coach governed by the County Zoning Ordinance.

SEC. 91.1.107.2. CONFORMANCE.

A temporary structure or use shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this chapter that the building official determines are necessary to ensure public health, safety and general welfare.

SEC. 91.1.107.3. TEMPORARY POWER.

The building official may grant a permit for temporary power as part of an electric installation in conjunction with a permit for a temporary structure or a temporary use. The person granted the permit for temporary power shall comply with the requirements specified for temporary lighting, heat and power in the County Electrical Code.

SEC. 91.1.107.4. TERMINATION OF APPROVAL.

The building official may terminate a permit for a temporary structure, a temporary use or temporary power at any time and may order a temporary structure, a temporary use or temporary power be discontinued.

SEC.91.1.108. FEES.

A permit shall not be valid until the fees prescribed by law have been paid and no amendment to a permit shall be released until the additional fee, if any, has been paid.

SEC. 91.1.108.2. PERMIT AND PLAN REVIEW FEES.

The building official shall determine value for the purpose of computing the amount of any permit fee. The value the building official shall use in computing a permit fee and plan review fee shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment.

SEC. 91.1.108.2.1. EXPIRATION OF PLAN REVIEW.

(a) An application for which no permit is issued within one year following the date of application shall expire and plans and other data submitted for review may be returned to the applicant or destroyed by the building official. In order to renew action on an application after expiration the applicant shall resubmit plans and pay a new plan review fee.

(b) Notwithstanding subsection (a) above, if the applicant resubmits the plan and supporting documentation showing circumstances for the requested time extension within six months following the expiration of the plan review period the building official may extend the time for action by the applicant by an additional six months from the original expiration date, as long as neither the plans, the County Construction Codes nor any other relevant County ordinance, policy, rule or regulation has changed since the expiration of the plan review. The applicant shall pay a plan review fee as prescribed in section 91.1.108.2.

(c) Notwithstanding subsections (a) and (b) above, if the applicant is a member of the military described in section 91.1.108.5.10 below and resubmits the plan and supporting documentation showing that a call to military service caused delay in the applicant's ability to proceed with the project, the building official may extend the time for action by the applicant by an additional twelve months from the original expiration date and may subsequently grant additional twelve month time extensions, as long as neither the plans, the County Construction Codes nor any other relevant County ordinance, policy, rule or regulation has changed since the expiration of the plan review. The military applicant shall not be required to pay a plan review fee.

SEC. 91.1.108.3. BUILDING PERMIT VALUE.

An applicant for a permit shall provide an estimated permit value at time of application. Permit value shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the applicant underestimated the permit value on the application, the building official shall deny the permit unless the applicant is able to provide detailed estimates that meet the

building official's approval. The building official shall establish the final building permit value.

SEC. 91.1.108.4. WORK COMMENCING BEFORE PERMIT ISSUANCE.

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits required by this chapter shall, in addition to being subject to any legal action the County may institute, be subject to a fee established by the building official that shall be in addition to the required permit fees.

SEC. 91.1.108.4.1. INVESTIGATION FEE.

Whenever a person has commenced any work for which a permit is required by this chapter without a permit, the person performing the work shall pay the County an investigation fee, in addition to any permit fee, whether or not the County issues the person a permit. The investigation fee shall be equal to the amount of the permit fee required by this chapter. The minimum investigation fee shall be the same as the minimum fee for a building permit. Payment of the investigation fee shall not exempt any person from compliance with all other provisions of this chapter nor from any penalty prescribed by law.

SEC. 91.1.108.4.2. NO FEE FOR VIOLATIONS NOT IDENTIFIED BY COUNTY.

Notwithstanding section 91.1.108.4.1, the County shall not impose an investigation fee for work performed without a permit which the County has not identified as a violation and for which a permit is voluntarily obtained.

SEC. 91.1.108.5. RELATED FEES.

Payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

SEC. 91.1.108.5.1. COMPLIANCE SURVEY FEE.

When the property owner requests the building official perform a compliance survey of an existing structure the owner shall pay the County a fee for the survey.

SEC. 91.1.108.5.2. DRIVEWAY PERMIT FEE.

An applicant for a building permit shall pay a separate permit fee for filing an application for the residential driveway permit required by section 91.1.105.1 or an application for a commercial driveway permit required by sections 91.1.105.9.

SEC. 91.1.108.5.3. PARK FEE.

An applicant for a building permit when required by Title 8, Division 10, Chapter 1 of this code, shall dedicate land for park purposes, pay a fee in lieu of the dedication or dedicate land and pay the fee, before the County issues a building permit.

SEC. 91.1.108.5.4. DEMOLITION PERMIT FEE.

A person required to obtain a demolition permit shall pay a separate fee for the permit.

SEC. 91.1.108.5.5 FACTORY-BUILT HOUSING.

The fees established by sections 91.1.108.2 and 91.1.108.2.1 for building permits and for plan checking shall be modified for "factory-built housing" as provided in sections 91.1.108.5.5 through 91.108.5.5.4.

SEC. 108.5.5.1 DEFINITIONS.

For the purposes of chapter the following definitions shall apply:

The term "factory-built housing" has the same meaning as the term "factory-built housing" in Health and Safety Code section 19971.

"Unit" means a single, factory-assembled component of the factory-built housing brought to the job site for connection to the foundation and/or connection to other units of the structure.

SEC. 91.1.1.108.5.5.2. BUILDING PERMIT FEES FOR FACTORY-BUILT HOUSING.

The building permit fee for factory-built housing shall be a percentage of the regular permit fee based on the number of assembled units, using the formula below:

<i>Job Assembled Units</i>	<i>Percent of Established Fee</i>
1 – 4	100% of the fee for Manufactured Homes
5 or more	100% of the fee for a Single-Family Dwelling

SEC. 91.1.1.108.5.5.3. FACTORY-BUILT HOUSING PLAN CHECKING FEES.

An applicant for a building permit for factory-built housing shall pay a plan checking fee at the time of submitting plans and specifications for the proposed work. The plan checking fee shall be 100 percent of the building plan review fee for a single-family dwelling.

SEC. 108.5.5.4. PLANS AND SPECIFICATIONS FOR FACTORY-BUILT HOUSING.

An applicant a building permit for factory-built housing shall submit with the application, two sets of plans and specifications for the work to be performed and such other information the building official requests to allow the building official to determine if the project complies with local and State laws and regulations.

SEC. 91.1.108.5.6. FOUNDATION PERMIT FEE.

When the building official allows issuance of a foundation permit an additional fee for filing an application for a partial permit shall be paid.

SEC. 91.1.108.5.7. BUILDING CONSTRUCTION APPEALS ADVISORY BOARD APPEAL FEE.

A person appealing to the Building Construction Appeals Advisory Board shall pay an appeal fee.

SEC. 91.1.108.5.8. PERMIT RESEARCH FEE.

An applicant for a building permit shall pay a separate fee when the building official determines it is necessary to research other permits known to have been issued to the applicant.

SEC. 91.1.108.5.9. GOVERNMENTAL EXCEPTIONS.

The United States, the State of California, a school district, a county or a city shall not be required to pay any fees for filing an application for a building permit pursuant to this code unless the applicant requests County plan review or building inspection services. If either or both of these services are requested, the regular fee schedules in this chapter shall apply.

SEC. 91.1.108.5.10. FEE WAIVER FOR ACTIVE MILITARY PERSONNEL.

Notwithstanding any other provision of this chapter, the permit fees in section 91.1.105.5.1(d), section 91.1.105.5.2(c), and the renewal permit fee section 91.1.105.5.3(c) and the plan review fee in section 91.1.108.2 may be waived for an applicant who is called to active military duty, including a person who is relocated or deployed or an activated reservist. A person seeking waiver of fees under this section shall provide proof and request a waiver from the building official, who may grant the waiver if satisfied that the applicant qualifies for the waiver under this section.

SEC. 91.1.108.5.11. FEE WAIVER FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the flood hazard report fee in section 91.1.105.10, the permit fee in section 91.1.108.2, the plan review fee in section 91.1.108.2, the compliance survey fee in section 91.1.108.5.1, the residential driveway fee in section 91.1.108.5.2, the demolition permit fee in section 91.1.108.5.4, the energy conservation review fee in section 91.1.108.5.13, the Zoning Ordinance review fee in section 91.1.108.5.14 and the fire code review fee in section 91.1.108.5.15 shall be waived for:

(a) Any farm employee housing or farm labor camp project for which (1) a complete application for an Administrative Permit or a Minor Use Permit was filed: between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.), between April 5, 1991 and October 5, 1991 pursuant to Ordinance No. 7875 (N.S.), between October 31, 1991 and June 30, 1993 pursuant to Ordinance No. 8086 (N.S.), between July 30, 1993 and June 30, 1994 pursuant to Ordinance No. 8271 (N.S.), between September 2, 1994 and June 30, 1995 pursuant to Ordinance No. 8436 (N.S.), between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.), between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.) or between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.) and (2) the County approved the application.

(b) Any farm employee housing or farm labor camp project for which (1) Health and Safety Code sections 17021.5 or 17021.6 applies, (2) the Agricultural Commissioner has issued a certificate of active agricultural enterprise, (3) the housing is not the subject of an active code enforcement action, (4) the applicant has entered into the contract required by Zoning Ordinance section 6156 u. 11 or section 6906 d, and (5) the application was filed: between July 30, 1993 and June 30, 1994 pursuant to Ordinance No. 8271 (N.S.), between September 2, 1994 and June 30, 1995 pursuant to Ordinance No. 8436 (N.S.), between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.), between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.) or between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.).

SEC. 91.1.108.5.12. FEE WAIVER FOR UNREINFORCED MASONRY SEISMIC RETROFITS.

Notwithstanding any other provision of this chapter, the fees in section 91.1.108.2 for a permit shall be waived for any unreinforced masonry building seismic retrofit required by provisions of this code adopted pursuant to Government Code section 8875.2.

SEC. 91.1.108.5.13. ENERGY CONSERVATION REVIEW FEE.

The County shall assess fees against a project to enforce Public Resources Code sections 25401 et seq. for energy conservation standards.

SEC. 91.1.108.5.14. ZONING ORDINANCE REVIEW FEE.

The County shall assess a fee for conducting a review and inspection of a proposed project for compliance with the County Zoning Ordinance.

SEC. 91.1.108.5.15. FIRE CODE REVIEW FEE.

The County shall assess a fee for conducting a review and inspection of a project for compliance with the County Fire Code.

SEC. 91.1.108.5.16. DISABLED ACCESSIBILITY REVIEW FEE.

The County shall assess a fee for conducting a review and inspection of a project for compliance with the disabled accessibility standards provided in Title 24, part 2 of the California Code of Regulations.

SEC. 91.1.108.5.17. PERMIT APPLICATION FEE.

The County shall assess a fee for processing a building permit application.

SEC. 91.1.108.5.18. AGENCY REFERRAL FEE.

The County shall assess a fee for referring an applicant to other agencies as part of the building permit issuance process.

SEC. 91.108.5.19. REINSPECTION FEE.

The building official may assess a fee for each inspection the building official conducts or attempts to conduct when: (a) the permit holder requests an inspection and the building official finds the work inspected is not complete or the building official is

unable to obtain access to the work to inspect it or (b) the building official has ordered the permit holder to correct or remove work and the permit holder has not corrected or removed the work in compliance with the building official's order. The fee authorized by this section shall be considered a reinspection fee.

SEC. 91.1.108.6. FEE. REFUNDS.

(a) The building official may authorize a refund of any fee paid under this chapter which was erroneously paid or collected.

(b) When no work has been done under a permit issued in pursuant to this chapter the building official may refund up to 80 percent of the permit and shall withhold at least 20 percent of the fee paid but not less than \$10 to offset the County's administrative cost.

(c) The Building Official may authorize a refund of up to 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done and shall withhold at least 20 percent of the fee paid but not less than \$10 to offset the County's administrative cost.

(d) The building official shall not authorize a refund of any fee paid except upon written application filed by the original permittee not later than one year after the fee was paid. A refund shall not be authorized if the total refundable amount after deduction of County administrative cost is less than \$10.

SEC. 91.1.109.1. INSPECTION.

Construction of work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of this chapter or of any other County ordinance. Inspections presuming to give authority to violate or cancel the provisions of this chapter or of any other County ordinance shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the County shall be liable for any expense entailed in removing or replacing any material required to allow inspection.

SEC. 91.1.109.2. PRELIMINARY INSPECTION.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

SEC. 91.1.109.3. REQUIRED INSPECTIONS.

The building official, after receiving notification from the applicant that the project is ready for inspection, shall conduct the inspections in sections 91.1.109.3.1 through 91.1.109.3.9.

SEC. 91.1.109.3.1. FOOTING AND FOUNDATION INSPECTION.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel and anchoring hardware are in place, but before concrete is poured. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

SEC. 91.1.109.3.2. CONCRETE SLAB AND UNDER-FLOOR INSPECTION.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

SEC. 91.1.109.3.3. LOWEST FLOOR ELEVATION.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in the County Building Code section 1612.5 shall be submitted to the building official.

SEC. 91.1.109.3.4. FRAME INSPECTION.

Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

SEC. 91.1109.3.5. LATH AND GYPSUM BOARD INSPECTION.

Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

SEC. 91.1.109.3.6. FIRE-RESISTANT PENETRATIONS.

Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

SEC. 91.1.109.3.7. ENERGY EFFICIENCY INSPECTIONS.

The building official shall have the right to conduct inspections to determine compliance with Title 24, Part 6 of the California Code of Regulations dealing with energy efficiency.

SEC. 91.1.109.3.8. OTHER INSPECTIONS.

In addition to the inspections specified above, the building official may conduct or require other inspections of any construction work to ascertain compliance with the provisions of this chapter and other laws that are enforced by the building official.

SEC. 91.1.109.3.8.1. COMPLIANCE SURVEY INSPECTION.

Upon receipt of a written request for a compliance survey from the owner and payment of the fee, the building official may perform a compliance survey on an existing structure to: (a) satisfy a condition established by a County Zoning Permit or (b) inspect a residential building proposed to be moved.

SEC. 91.1.109.3.9. FINAL INSPECTION.

The final inspection shall be made after all work required by the building permit is completed.

SEC. 91.1.109.4. INSPECTION AGENCIES.

The building official may accept reports of approved inspection agencies, provided the agencies satisfy the requirements as to qualifications and reliability.

SEC. 91.1.109.5. INSPECTION REQUESTS.

It shall be the duty of the holder of the building permit or his or her duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of the work required by this chapter.

SEC. 91.109.6. APPROVAL REQUIRED.

Work shall not be done beyond the point indicated in each successive inspection without the building official's approval. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed or notify the permit holder or his or her agent if any work fails to comply with this chapter. Any portions that do not comply shall be corrected and these portions shall not be covered or concealed until approved by the building official.

SEC. 91.1.109.7. ALL WORK TO BE INSPECTED.

All work performed pursuant to a permit issued under this chapter shall be inspected by the building official to ensure compliance with all the requirements of this chapter. It shall be unlawful for any person to fail or refuse to obtain any inspection required by this chapter.

SEC. 91.1.110.1. ILLEGAL TO USE OR OCCUPY WITHOUT CERTIFICATE OF OCCUPANCY.

It shall be unlawful for any person to use, to occupy or to change the existing occupancy classification of a building or structure or portion thereof until the building official has issued a certificate of occupancy as provided in this chapter.

SEC. 91.1.110.2. CERTIFICATE OF OCCUPANCY ISSUED.

When the building official finds after final inspection that a building or structure complies with the provisions of this chapter the building official shall indicate the approval on the inspection record card and the signed inspection record card shall serve as a certificate of occupancy. The approved inspection record card shall be maintained on the premises and shall not be removed except by the building official. If the inspection record card is lost the County's computer records maintained on the County's database shall serve as a replacement for the inspection record card.

SEC. 91.1.110.3. TEMPORARY OCCUPANCY.

If the building official finds that no substantial hazard will result from occupancy of any building or structure or portion thereof before the building is completed, the building official may grant a temporary occupancy permit in writing, for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. The holder of the permit shall provide adequate protection from the remaining construction for the occupants and the public. The building official may issue a temporary occupancy permit for up to 30 days and may extend the permit for good cause.

The building official may revoke a temporary occupancy if the building official determines the person to whom the permit has been issued has not acted diligently to complete a building or structure or if the building official determines that any of the grounds exist for revoking a certificate of occupancy.

SEC. 91.1.110.4. REVOCATION OF CERTIFICATE OF OCCUPANCY.

The building official may suspend or revoke a certificate of occupancy issued under this chapter whenever the certificate is: (a) issued in error, (b) based on incorrect information supplied or (c) when the building official determines that the building or structure or a portion thereof is in violation of this chapter or any other County ordinance or regulation. Whenever the building official suspends or revokes a certificate of occupancy the building official shall provide written notice to the owner and occupant of the building or structure.

SEC. 91.1.110.5. CHANGE IN USE.

Changes to the character or use of a building shall not be made except as provided in section 3406 of the County Building Code.

SEC. 91.1.111.1. CONNECTION OF SERVICE UTILITIES.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this chapter for which a permit is required until authorized by the building official.

SEC. 91.1.111.2. TEMPORARY CONNECTION.

The building official may authorize a temporary connection of a building or system to a utility source of energy, fuel or power.

SEC. 91.1.111.3. AUTHORITY TO DISCONNECT SERVICE UTILITIES.

(a) The building official may authorize disconnection of utility service to a building, structure or system regulated by this chapter in case of emergency where the building official determines it is necessary to eliminate an immediate hazard to life or property.

(b) The building official may also authorize disconnection of utility service to a building, structure or system regulated by this chapter when the building official determines that any connection was made without a permit required by this chapter or that a permit was obtained based upon inaccurate or incomplete information or in violation of this chapter, this code or any other County ordinance or regulation. Any utility installation (1) without a proper permit, (2) with a permit obtained based upon

inaccurate or incomplete information or (3) with a permit issued in violation of this chapter, this code or any other County ordinance or regulation shall be considered hazardous or potentially hazardous to life and property.

(c) The building official may also authorize disconnection of utility service when the building official has previously granted a permit to connect to utility service, but determines there has been an illegal or dangerous use of utility service. The building official may order the person illegally using the utility service to immediately cease using the service on receipt of the notice and not to reconnect until the building official authorizes the connection.

(d) When the building official makes a determination in subsections (a) through (c) of this section and authorizes disconnection, the building official shall notify the serving utility and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking this action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practicable thereafter.

SEC. 91.1.111.4. RECONNECTION OF GAS OR ELECTRIC UTILITY SERVICE.

Whenever a utility provider disconnects gas or electric service to a building, structure or service due to an emergency, the requirements of this code, any other State or local law or any other reason, the utility provider shall not restore the gas or electric service without authorization from the building official.

SEC. 91.1.112.1. APPEALS PROCEDURE FOR THE COUNTY BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES.

A person may appeal an order, decision or determination made by the building official that relates to the application or interpretation of this chapter by filing a written appeal to the Building Construction Advisory Board of Appeals within 30 days of the building official's decision.

SEC. 91.1.112.2. BUILDING CONSTRUCTION ADVISORY BOARD OF APPEALS.

This section establishes a Building Construction Advisory Board of Appeals (BCA Board) consisting of five members. The Building Industry Association of San Diego County shall appoint two members and one alternate, the President of the San Diego Chapter of the International Code Council shall appoint two members and one alternate and the Director of the San Diego County Department of Planning and Land Use shall appoint one member with one alternate. Three members shall constitute a quorum for the

transaction of business and three affirmative votes shall be necessary to render a decision. The San Diego County Department of Planning and Land Use appointee shall act as the secretary of the BCA Board. The BCA Board shall adopt reasonable rules and regulations for conducting its review and shall render decisions and findings in writing to the Director of Planning and Land Use, with a copy to the appellant. The BCA Board's decision shall make a recommendation to the Director of Planning and Land Use, advising whether the decision appealed from should be upheld or modified. The Director of Planning and Land Use shall consider the BCA Board's recommendation and provide a final decision in writing to the appellant, within 15 days of receipt of the BCA Board's recommendation.

SEC. 91.1.113.1. UNLAWFUL TO VIOLATE COUNTY BUILDING CODE, COUNTY ELECTRICAL CODE, COUNTY PLUMBING CODE AND COUNTY MECHANICAL CODE.

It shall be unlawful for any person to use any property or erect, construct, enlarge, alter, repair, move, remove, improve, convert, demolish, equip, use, occupy or maintain any building or structure, or cause the same to be done, contrary to or in violation of any of the provisions of this chapter, the County Building Code, County Electrical Code, County Plumbing Code or County Mechanical Code.

SEC. 91.1.113.2. DUTY TO CORRECT VIOLATION.

Paying a fine or serving a jail sentence shall not relieve any person from the responsibility for correcting any condition which constitutes a violation of section 91.1.113.1. A property owner shall be considered to have allowed any use or improvement of property occupied by, or under the dominion and control of the owner and the owner shall be responsible for the discontinuance and removal of any violation of section 91.1.113.1. The responsibility under this section shall include property leased to another person. A property owner shall also be responsible for the discontinuing and removing any violation of section 91.1.113.1 that existed on the property at the time the current owner purchased the property.

SEC. 91.1.113.3. PUBLIC NUISANCE ABATEMENT.

Because any violation of this code is a public nuisance the County Counsel or District Attorney are authorized when requested by the Board or the building official, to commence proceedings to abate, remove and/or enjoin any such public nuisance in the manner provided by law. Alternatively, the building official may commence abatement proceedings as provided by the Public Nuisance Abatement Procedure in sections 16.201 et seq. of this code or any other procedure allowed by law. Any failure, refusal or neglect to obtain a permit required by this chapter shall be prima facie evidence of the fact that

the person responsible to obtain the permit has committed a violation of section 91.1.113.1 and is causing a public nuisance.

SEC. 91.1.113.4. CITATION AUTHORITY.

Pursuant to Penal Code Section 836.5, the building official may arrest a person without a warrant whenever the building official has reasonable cause to believe that the person arrested has violated this chapter. The person making an arrest under the authority of this section shall follow the citation-release procedures prescribed by the Penal Code or any procedure enacted by the State of California after the effective date of this section. No person shall exercise the power to issue a citation authorized by this section unless the person has completed a course of training that meets the minimum standards prescribed by the Commission on Peace Officer Standards and Training established in Penal Code section 832(a).

SEC. 91.1.113.5. REFUSAL TO ISSUE OR SUSPENSION OF BUILDING PERMIT.

The building official may refuse to issue or suspend any building permit, including a plumbing, electrical, mechanical or structural permit, if the building official determines that there is a violation of this chapter or any other ordinance or regulation involving the property upon which the permit was applied for or was issued. The building official shall provide written notice of the suspension or refusal to issue to the permit holder or applicant, as the case may be. The written notice shall identify any violation being committed and the action necessary to correct each violation. The building official shall rescind the suspension or refusal to issue a permit upon submission of evidence satisfactory to the building official that each violation has been corrected. While a permit is suspended under this section it shall be unlawful to perform any work of any kind on the project. Each day a person continues to work on the project after a permit has been suspended under this section is a separate offense.

SEC. 91.1.113.6. APPROVAL REQUIRED AFTER VIOLATION.

(a) When a person who commences work without a permit in violation of this chapter is issued a permit to correct the violation, the violation is not considered corrected until the building official has inspected and approved the work commenced and issued a certificate of occupancy. If a building or structure was completed before the permit was issued it shall be unlawful to occupy or use the building or structure until all inspections and approvals required by this chapter have been completed.

(b) When the building official issues a permit to a person who commenced work without a permit in violation of this chapter, the building official may impose a deadline within which the applicant is required to correct any violation. The deadline shall be no

more than one year from the date the permit was issued. The building official may grant a one time permit extension under this section for up to one year for good cause. If each violation is not corrected within the deadline, the permit shall expire and the County may abate the nuisance including removing or razing any building or structure.

SEC. 91.1.114.1. STOP WORK ORDER.

Whenever the building official finds any work regulated by this chapter being performed in a manner either contrary to the provisions of this chapter or dangerous or unsafe, the building official may issue a stop work order.

SEC. 91.1.114.2. EFFECT OF STOP WORK ORDER.

The stop work order shall be in writing and shall be given to the owner of the property involved, 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, and the conditions under which the cited work will be allowed to resume.

SEC. 91.1.114.3. UNLAWFUL TO CONTINUANCE AFTER STOP WORK ORDER ISSUED.

It shall be unlawful for any person to continue to work on a project after having been served with a stop work order, except work that the building official directs a person to perform to remove a violation or unsafe condition.

SEC. 91.1.115.1 UNSAFE BUILDINGS OR STRUCTURES.

A building or structure that is or becomes unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant building or structure that is not secured against entry shall be deemed unsafe.

SEC. 91.1.115.2. REPORT OF UNSAFE CONDITION.

When the building official determines a building or structure is unsafe the building official shall prepare a report of the unsafe condition that shall state the occupancy of the building or structure and the nature of the unsafe condition.

SEC. 91.1.115.3. NOTICE OF UNSAFE CONDITION.

When the building official determines that a building or structure is in an unsafe condition the building official shall serve the owner, the owner's agent or the person in control of the building or structure, with a written notice that describes the condition deemed unsafe. The notice shall order the owner, agent or person in control by a specific date to: (a) make specific repairs or improvements to abate the unsafe condition or (b) demolish the unsafe building or structure. The notice shall require the person notified to respond to the building official in writing within 10 days from the date the notice was served and advise the building official whether the recipient of the notice will comply with the order. If the recipient fails to respond within the 10 days, the building official may treat the failure to respond as a refusal. In the event the person notified refuses to comply with the order, the building official may take pursue any available legal remedy.

SEC. 91.1.115.4. SERVICE OF THE NOTICE OF UNSAFE CONDITION.

The building official shall service the notice of unsafe condition on the owner, owner's agent or person in control of the building or structure as provide by section 11.112 of this code. Service of the notice on the owner's agent or the person responsible for the structure shall constitute service of notice on the owner.

SEC. 91.1.115.5. RESTORATION OF THE BUILDING OR STRUCTURE.

When a building or structure the building official determined to be unsafe is capable of being restored, the building official may allow it to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, the repairs, alterations, additions or change of occupancy shall comply with the requirements this chapter and Chapter 34 of the County Building Code.

Section 5. Adopt Title 9, Division 2, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 2. COUNTY BUILDING CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA BUILDING CODE WITH COUNTY AMENDMENTS

SEC. 92.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE BUILDING CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Building Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code

section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Building Code, for the unincorporated area of the County, the 2006 International Building Code (IBC), 2007 California Building Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2006 IBC and the 2006 IBC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2006 IBC and 2007 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Building Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 92.1.002. CALIFORNIA BUILDING CODE.

As used in this chapter the "California Building Code" means Title 24, Part 2 of the California Code of Regulations which incorporates, by adoption, the 2006 edition of the IBC with California Amendments.

SEC. 92.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Building Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Building Code: e.g., SEC. 92.1.1505.1 refers to section 1505.1 of the California Building Code.

SEC. 92.1.701A. SCOPE, PURPOSE AND APPLICATION.

Section 701A.1 of the California Building Code is revised to read:

Sec. 701A.1 Scope. This chapter applies to building materials, systems and or/ assemblies used in the exterior design and construction of new and remodeled buildings located within a wildland-urban interface fire area as defined in section 702A.

Exception:

1. Greenhouses enclosed with translucent plastic or glass or free standing open sided shade covers, sheds, gazebos, and similar accessory structures less than 250 square feet and 30 feet or more from the main building are not subject to the requirements of this chapter.

SEC. 92.1.702A. DEFINITIONS.

Sec. 702A of the California Building Code is revised to read:

SECTION 702A DEFINITIONS

For the purposes of this chapter, certain terms are defined below:

CDF DIRECTOR means the Director of the California Department of Forestry and Fire Protection.

FIRE HAZARD SEVERITY ZONES are geographical areas designated pursuant to California Public Resources Codes sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, sections 51175 through 51189. The California Code of Regulations, Title 14, section 1280, entitles the maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

FIRE PROTECTION PLAN (FPP) is a document prepared for a specific project or development proposed for the wildland-urban interface fire area that describes ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system.

FUEL MODIFICATION ZONE is a strip of land where combustible vegetation has been thinned or modified or both and partially or totally replaced with approved fire-resistant and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces the radiant and convective heat on a structure and

provides valuable defensible space for firefighters to make an effective stand against an approaching fire front.

GUIDANCE DOCUMENT is a written expression of the building official's current interpretation of certain building and fire code provisions that the building official prepares after reviewing building industry standards. A guidance document usually provides an alternative method of construction that the building official has determined is likely to be equivalent to a standard established in a building or fire code.

HEAVY TIMBER CONSTRUCTION is a construction style that obtains fire resistance by utilizing larger minimum lumber sizes that are considered more difficult to ignite. This style also avoids sharp projections, rough surfaces and concealed spaces under roofs and floors to bring about a higher degree of fire resistance. Heavy timber construction is considered to provide fire protection equivalent to one-hour fire resistant material in certain applications.

IGNITION-RESISTANT MATERIAL is any fire-retardant-treated wood or noncombustible material as defined in Section 202. The enforcing agency may use other definitions of ignition-resistant material that reflect wildfire exposure to building materials and/or their materials, performance in resisting ignition.

LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE means an area designated by a local agency upon the recommendation of the CDF Director pursuant to Government Code sections 51177(c), 51178 and 5118 that is not a State responsibility area and where a local agency, city, county, city and county, or district is responsible for fire protection.

STATE RESPONSIBILITY AREA means land that is classified by the Board of Forestry pursuant to Public Resources Code section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State.

WILDFIRE is any uncontrolled fire spreading through vegetative fuels that threatens to destroy life, property, or resources as defined in Public Resources Code sections 4103 and 4104.

WILDFIRE EXPOSURE is one or a combination of radiant heat, convective heat, direct flame contact and burning embers being projected by vegetation fire to a structure and its immediate environment.

WILDLAND-URBAN INTERFACE FIRE AREA is a geographical area identified by the State as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code

sections 4201 through 4204 and Government Code sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires.

SEC. 92.1.703A. STANDARDS OF QUALITY.

Section 703A of the California Building Code is revised to read:

SECTION 703A STANDARDS OF QUALITY

Sec. 703A.1 General. Material, systems, and methods of construction used shall be in accordance with this chapter.

Sec. 703A.2 Qualification by testing. Material and material assemblies tested in accordance with the requirements of Section 703A shall be accepted for use when the results and conditions of those tests are met. Testing shall be performed by a testing agency approved by the State Fire Marshal or identified by an ICC-ES report.

Sec. 703A.3 Standards of quality. The State Fire Marshal standards listed below and as referenced in this chapter are located in the 2007 California Referenced Standards Code, Part 12 and Chapter 35 of the County Building Code.

SFM 12-7A-2: Exterior Window.

SFM 12-7A-3: Under Eave

SFM 12-7A-4: Decking.

SEC. 92.1.704A.1. ROOFING.

Section 704A.1 of the California Building Code is revised to read:

Sec. 704A.1 Roofing.

Sec. 704A.1.1 General. Roofs shall comply with the requirements of Chapter 7A and Chapter 15. Roofs shall have a roofing assembly installed in accordance with its listing and the manufacturer's installation instructions.

Sec. 704A.1.2 Roof coverings. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of No. 72 ASTM cap sheet installed over the combustible decking.

Sec. 704A.1.3 Roof valleys. When provided, exposed valley flashings shall be not less than 0.019-inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of No. 72 ASTM cap sheet running the full length of the valley.

Sec. 704A.1.4 Reserved.

Sec. 704A.1.5 Roof gutters. Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter.

SEC. 92.1.704A.1.6. SKYLIGHTS.

Section 704A.1.6 is added to the California Building Code to read:

Sec. 704A.1.6 Skylights. Skylights shall be tempered glass.

SEC. 92.1.704A.2. ATTIC VENTILATION.

Sec. 704A.2 of the California Building Code is revised to read:

Sec. 704A.2 Attic Ventilation.

Sec. 704A.2.1 General. When required by Chapter 15, roof and attic vents shall resist the intrusion of flame and embers into the attic area of the structure, or shall be protected by louvers and corrosion-resistant, noncombustible wire mesh with ¼-inch openings or its equivalent. Turbine attic vents shall be equipped to allow rotation in only one direction.

Sec. 704A.2.2 Eave or cornice vents. Vents shall not be installed in eaves, eave overhangs, soffits, cornices or between rafters at eaves or other similar exterior overhanging areas.

Exceptions:

1. Eave and cornice vents may be used provided they are constructed to resist the intrusion of flames and burning embers into the attic area of the structure.

2. When approved by the building official and the fire official having jurisdiction (as defined in the County Fire Code), enclosed eaves may have strip vents on the underside of the eave closest to the fascia provided the closest edge of the vent opening is at least 12 inches from the exterior wall and the building is protected by a fuel modification zone at least 100 feet wide.

Sec. 704A.2.3 Eave protection. Eaves and soffits shall meet the requirements of SFM 12-7A-3 or shall be protected by ignition resistant materials or noncombustible construction on the exposed underside.

Exceptions:

1. The building official may allow eaves and soffits to be constructed of different materials that provide the same or greater degree of protection against fire, as provided in guidance documents.

2. Eave construction on an addition may match the existing structure provided that the square footage of the addition does not exceed 50% of the existing structure or 2,500 square feet, whichever is less. The vents in these eaves, however, shall comply with sections 704A.2.1-2.2.

SEC. 92.1.704A.3. EXTERIOR WALLS.

Sec. 704A.3 of the California Building Code is revised to read:

Sec. 704A.3 Exterior walls.

Sec. 704A.3.1 General. Exterior walls shall be noncombustible, ignition-resistant material, heavy timber, or log wall construction.

Exceptions:

1. Wood siding of $\frac{3}{8}$ -inch fire-rated gypsum sheathing that is tightly butted or taped and mudded, or other ignition-resistive material approved by the building official.

2. A livestock stable less than 2,000 square feet total floor area and without a restroom is exempt from the non-combustible wall requirement if constructed at least 100 feet from: the property line, any open space easement and any dwelling on the parcel. If an applicant for a building permit proposes to construct a dwelling or an addition to a dwelling closer than 100 feet from a stable constructed under this exemption, the building permit shall not be granted unless the stable is retrofitted with non-combustible exterior wall coverings or is removed.

Sec. 704A.3.1.1 Exterior wall coverings. Exterior wall coverings shall extend from the top of the foundation to the roof and terminate at 2-inch nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves, terminate at the enclosure.

Sec. 704A.3.1.2 Repair/Replacement. Repair or replacement of 50 percent or more of an exterior wall located less than 30 feet from a property line shall require that the entire wall be constructed of materials that meet the requirements of sections

704A.3.1-3.2.3. If less than 50 percent of an existing exterior wall requires repair or replacement, the existing wall may be repaired or replaced in kind unless the wall covering is wood shingle or shake, in which case it shall be repaired or replaced with fire-retardant, pressure-treated wood shingles or shakes.

Sec. 704A.3.2 Exterior wall openings. Exterior wall openings shall comply with sections 704A.3.2.1-3.2.3.

Sec. 704A.3.2.1 Exterior wall vents. Unless otherwise prohibited by other provisions of this code, vent openings in exterior walls and exterior doors shall resist the intrusion of flame and embers into the structure or the vents shall be louvered and screened with a corrosion-resistant, noncombustible wire mesh with ¼-inch openings or its equivalent.

Sec. 704A.3.2.2 Exterior glazing and window walls. Exterior windows, window walls, glazed doors, and glazed openings within exterior doors shall be insulating-glass units with a minimum of one tempered pane, or glass block units, or have a fire-resistance rating of not less than 20 minutes, when tested according to ASTM E2010, or conform to the performance requirements of SFM 12-7A-2. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWDA 101/I.S.2-97 structural requirements.

Exception: The building official may allow dual glazing without a tempered pane in moderate fire hazard severity zones when there is a fuel modification zone at least 100 feet wide.

Sec. 704A.3.2.3 Exterior door assemblies. Exterior door assemblies shall conform to the performance requirements of standard SFM 12-7A-1 or shall be of approved noncombustible construction, or solid core wood having stiles and rails not less than 1⅜ inches thick with interior field panel thickness no less than 1¼ inches thick, or shall have a fire-resistance rating of not less than 20 minutes when tested according to ASTM E2074.

Exception: Noncombustible or exterior fire-retardant treated wood vehicle access doors are not required to comply with this chapter.

SEC. 92.1.704A.4. DECKING.

Sec. 704A.4 of the California Building Code is revised to read:

Sec. 704A.4.1 Decking, floors and underfloor protection.

Sec. 704A.4.1.1 Decking and other building appendages. Exterior balconies, carports, decks, patio covers, unenclosed roofs and floors and similar architectural appendages and projections shall be constructed as described in sections 704A.4.1.2 and 704A.4.1.3. When these appendages or projections are attached to an exterior fire-resistant wall, they shall be constructed to maintain the fire-resistant integrity of the wall.

Exceptions:

1. A free-standing deck or trellis less than 250 square feet in area and greater than 30 feet from the nearest structure and property line is not required to meet the fire-resistance requirements of this chapter.
2. A detached deck that is separated from a building by at least 5 feet of non-combustible surface may be constructed of non-rated wood provided all of the following conditions are met:
 - a. The decking surface material shall be at least 1½ inches thick.
 - b. The deck is located at or below the elevation of the building ground floor level and not exposed to any underfloor area or basement opening.
 - c. The deck is skirted from the deck walking surface to ground level with non-combustible material.
 - d. If the deck is skirted, the underdeck area shall be vented in conformance with section 704A.3.2.1 and section 1203.3 of the County Building Code.

Sec. 704A.4.1.2 Structural Supports and Framing Members. Structural supports and framing members shall be constructed of non-combustible material, exterior fire-retardant-treated wood, one-hour fire-resistant material or by using heavy timber construction methods.

Exception:

1. Structural supports and framing may be constructed of non-fire-rated lumber when decks, balconies and similar projections are skirted from floor level to ground level with non-combustible material or an approved alternate. The skirted underdeck area shall be vented in conformance with section 704A.3.2.1 and section 1203.3 of the County Building Code.
2. The building official may reduce minimum dimensions for the lumber required for heavy timber construction when the construction conforms to guidance documents.

Sec. 704A.4.1.3 Decking Surfaces. Decking surfaces, stair treads, risers and landings of decks, porches and balconies shall be constructed of non-combustible material, exterior fire-retardant-treated wood, one-hour fire-resistant material or alternative decking material that passes the performance testing requirements of section 704A.4.1.4 or by using heavy timber construction methods.

Exception: The building official may reduce minimum dimension for the lumber required for heavy timber construction when the construction conforms to guidance documents.

Sec. 704A.4.1.4 Testing of alternative decking materials. Alternative decking materials may be approved when tested to demonstrate the materials have passed the performance requirements of State Fire Marshal standard 12-7A-4. The decking surface shall pass the tests in both Parts A and B of SFM 12-7A-4, however, the burning brand exposure test of Part B may be conducted with a Class “B” sized brand as specified in ASTM E-108 or UL-790.

For purposes of this section the Conditions of Acceptance of State Fire Marshal standard 12-7A-4 shall be modified to read as follows:

Part A: Underflame Test

1. Peak heat release rate of less than or equal to 25 kW/ft².
2. Absence of sustained flaming at the conclusion of the 40-minute observation period.
3. Absence of structural failure of any deck board.
4. Absence of falling particles that are still burning when reaching the floor.

Part B: Burning Brand Test

1. Absence of sustained flaming at the conclusion of the 40-minute observation period.
2. Absence of structural failure of any deck board.
3. Absence of falling particles that are still burning when reaching the floor.

Should one of the three replicates fail to meet the above Conditions of Acceptance, three additional tests may be run. All of the additional tests shall meet the above Conditions of Acceptance.

Decking materials passing the performance requirements of this section shall be identified with a grade stamp or label not more than every six feet along the length of the decking board.

The use of paints, coatings, stains or other surface treatments are not an approved method of protection as required in this chapter.

Sec. 704A.4.1.5 Deck remodel or repair. When a person remodels or repairs a deck in a wildland-urban interface fire area and the remodeling or repair project involves 50% or more of the deck or 1,000 square feet of the deck area, whichever is less, the entire deck shall be remodeled or repaired to comply with section 92.1.704A.4. For the purpose of this section, multiple deck remodel or repair projects that involve less than 50% of the deck or less than 1,000 square feet, shall be separated by more than 12 months in order to be considered separate projects.

Sec. 704A.4.2 Underfloor and appendages protection.

Sec. 704A.4.2.1 Underside of appendages and floor projections. The underside of cantilevered and overhanging appendages and floor projections shall maintain the ignition-resistant integrity of exterior walls, or the projection shall be enclosed to the grade.

Sec. 704A.4.2.2 Unenclosed underfloor protection. Buildings shall have all underfloor areas enclosed to the grade with exterior walls in accordance with Section 704A.3.

Exception: The complete enclosure of under floor areas may be omitted where the underside of all exposed floors, exposed structural columns, beams and supporting walls are protected as required with exterior ignition-resistant material construction or be heavy timber.

SEC. 92.1.706A.1 INSULATION.

Sec. 706A.1 is added to the California Building Code to read:

Sec. 706A.1 Insulation. Paper-faced insulation shall be prohibited in attics or other ventilated spaces.

SEC. 92.1.707A.1 FENCES AND OTHER STRUCTURES LESS THAN FIVE FEET FROM A BUILDING.

Sec. 707A.1 is added to the California Building Code to read:

Sec. 707A.1 Fences and other structure less than five feet from a building. Any portion of a fence or other structure less than five feet from any building shall be

constructed of non-combustible material, pressure-treated exterior fire-retardant wood or material that meets the same fire-resistant standards as the exterior walls of the structure.

Exception: The building official may allow vinyl fences when the construction conforms to guidance documents.

SEC. 92.1.1505. FIRE CLASSIFICATION.

Section 1505 of the California Building Code is revised to read:

SECTION 1505 FIRE CLASSIFICATION

Sec. 1505.1 General. The roof covering for every new structure shall be fire-retardant, that is at least Class A rated in accordance with ASTM E 108 or UL 790. A construction project for an addition to a structure or the alteration, repair or partial replacement of a roof, that involves more than 50 percent of the roof area of the existing structure or 2,500 square feet, whichever is less, within any one year period, shall require that the entire roof covering complies with this section. For the purposes of this section, gambrel roofs, mansard roofs and other similar roof configurations shall be considered roofs regardless of the steepness of the roof pitch.

Exceptions:

1. The roof covering of a building not classified as an R-3 or U occupancy may have a minimum Class B rating when not located in a wildland-urban interface fire area.
2. A Class A roof covering shall include coverings of slate, clay or concrete roof tile, exposed concrete roof deck, ferrous or copper shingles or sheets.
3. On a qualified historical building a wood roof covering may be repaired or reconstructed as allowed by the State Historical Building Code.

Sec. 1505.1.1 Roofing requirements in a wildland-urban interface fire area. A roof for a structure located in a wildland-urban interface fire area shall also comply with the requirements in Section 704A.1.

Sec. 1505.2 Roof assembly listing. Roof assemblies and their respective fire ratings shall be listed and bear the label of an approved testing agency.

SEC. 92.1.3109.4.4.2. CONSTRUCTION PERMIT; SAFETY FEATURES REQUIRED.

Sec. 3109.4.4.2 of the California Building Code is revised to read:

Sec. 3109.4.4.2 Construction permit; safety features required. Commencing January 1, 1998, except as provided in Section 3109.4.4.5, whenever a construction permit is issued for construction of a new swimming pool at a private, single-family home or duplex, the swimming pool shall be separated from neighboring properties by an enclosure that meets the requirements of Section 3109.4.4.3 and shall be equipped with at least one of the following safety features:

1. The pool shall be isolated from access to a home and other habitable buildings on the lot by an enclosure that meets the requirements of Section 3109.4.4.3.

2. The pool shall be equipped with an electrically operated approved safety pool cover that can be opened or closed with a single switch. The switch shall be placed at least 54 inches above the ground.

3. The residence shall be equipped with an exit alarm on each door providing direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds, within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 B when measured indoors at a distance of 10 feet from the alarm. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, placed no lower than 54 inches above the floor, to temporarily deactivate the alarm for a single opening, but the alarm shall not be equipped with an on/off switch. The deactivation shall be for no more than 15 seconds.

4. All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor. The home shall also have a minimum of one exit door that does not provide direct access to the swimming pool and that complies with exit door regulations of the County Building Code.

5. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in Items 1-4 above, as determined by the building official. Any ordinance governing child access to pools adopted by the County on or before January 1, 1997 is presumed to afford protection that is equal to or greater than that afforded by any of the safety features listed in Items 1-4.

Exception: On a lot or parcel having a net area of three acres or greater a swimming pool enclosure that separates the pool from neighboring properties is not required when the minimum distance from the closest edge of the pool, measured directly to the nearest property line is at least 100 feet.

SEC. 92.1.3109.4.4.3. ENCLOSURE; REQUIRED CHARACTERISTICS.

Sec. 3109.4.4.3 of the California Building Code is revised to read:

Sec. 3109.4.4.3 Enclosure; required characteristics. An enclosure shall have all of the following characteristics:

1. Any pedestrian access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism shall be located on the pool side of the enclosure at least three inches below the top of the gate and the gate and enclosure shall have no opening greater than $\frac{1}{2}$ inch within 18 inches of the release mechanism. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.

2. A minimum height of 60 inches measured on the side of the enclosure that faces away from the swimming pool.

3. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches. The maximum vertical clearance at the bottom of the enclosure may be increased to four inches when the grade is a solid surface such as a concrete deck or when the enclosure is mounted on the top of the aboveground pool structure.

4. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than $1\frac{3}{4}$ inches in diameter. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to four inches when the distance between the tops of horizontal members is 45 inches or more.

5. An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

6. Chain link fences used to separate the swimming pool from neighboring properties shall not be less than 11.5 gauge and the mesh size shall not be larger than $2\frac{1}{4}$ -inch square. Chain link fences used to separate the swimming pool from the home shall not be less than 11.5 gauge and the mesh size shall not be larger than $1\frac{3}{4}$ -inch square.

SEC. 92.1.3403.3 NONSTRUCTURAL ALTERATIONS.

Section 3403.3 of the California Building Code is amended to read:

Sec. 3403.3 Nonstructural Alterations. Alterations or repairs to an existing building or structure, other than as provided in section 1505.1 of this chapter, which are nonstructural, may use the same materials of which the building or structure is constructed provided that they do not adversely affect any structural member or the fire-resistance rating of any part of the building or structure.

SEC. 92.1.3408 MOVED STRUCTURES.

Section 3408 of the California Building Code is revised to read:

SECTION 3408 MOVED STRUCTURES

Sec. 3408.1 Conformance. Structures moved into or within the County shall comply with the provisions of this chapter for new structures.

Exception: Moved residential buildings shall be allowed to retain their existing materials and methods of construction provided these buildings comply with the rules and regulations of the State Commission of Housing and Community Development, are not substandard buildings and their foundations comply with the standards for new construction. An addition which increases the area, volume or size of a moved building shall comply with the requirements of this code for a new building.

Section 6. Adopt Title 9, Division 3, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 3. COUNTY ELECTRICAL CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA ELECTRICAL CODE WITH COUNTY AMENDMENTS

SEC. 93.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE ELECTRICAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Electrical Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Electrical Code, for the unincorporated area of the County, the 2005 National Electrical Code (NEC), 2007 California Electrical Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take

precedence over the 2005 NEC and the 2005 NEC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2005 NEC and 2007 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Electrical Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 93.1.002. CALIFORNIA ELECTRICAL CODE.

As used in this chapter the "California Electrical Code" means Title 24, Part 3 of the California Code of Regulations which incorporates, by adoption, the 2005 edition of the NEC with California Amendments.

SEC. 93.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Electrical Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Electrical Code: e.g., SEC. 93.1.103.1.4 refers to section 103.1.4 of the California Electrical Code.

Section 7. Adopt Title 9, Division 4, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 4. COUNTY PLUMBING CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA PLUMBING CODE WITH COUNTY AMENDMENTS

SEC. 94.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE PLUMBING CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Plumbing Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after

publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Plumbing Code, for the unincorporated area of the County, the 2006 Uniform Plumbing Code (UPC), 2007 California Plumbing Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2006 UPC and the 2006 UPC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2006 UPC and 2007 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Plumbing Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 94.1.002. CALIFORNIA PLUMBING CODE.

As used in this chapter the "California Plumbing Code" means Title 24, Part 5 of the California Code of Regulations which incorporates, by adoption, the 2006 edition of the UPC with California Amendments.

SEC. 94.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Plumbing Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Plumbing Code: e.g., SEC. 94.1.713.0 refers to section 713.0 of the California Plumbing Code.

SEC. 94.1.004. ADOPTION OF THE APPENDICES A, B, D, G AND I OF THE CALIFORNIA PLUMBING CODE.

Appendices A, B, D, G and I of the California Plumbing Code are adopted in their entirety as part of the County Plumbing Code.

SEC. 94.1.005. DELETION OF APPENDICES E, F, K AND L OF THE CALIFORNIA PLUMBING CODE.

Appendices, E, F, K and L of the California Plumbing Code are deleted in their entirety from the County Plumbing Code.

SEC. 94.1.713.0. SEWER REQUIRED.

Section 713 of the California Plumbing Code is revised to read:

Sec. 713.0 Sewer required.

Sec. 713.1 Every building in which plumbing fixtures are installed shall have a connection to a public or private, sewer except as provided in section 713.2.

Sec.713.2 When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved private sewage disposal system.

Sec. 713.3 The building official may issue a permit for the installation and operation of a gray water system in the unincorporated area of the County that complies with Appendix G of the County Plumbing Code and sections 68.301 et seq. of this code, subject to the following additional conditions:

(a) The building official may approve a temporary gray water system when the building official determines that the system is warranted due to a water shortage or other restriction which prohibits the use of potable water for landscape irrigation purposes. A permit for a temporary system is subject to termination when the circumstances for issuance no longer exist.

(b) The building official may approve a permanent gray water system when the Department of Environmental Health certifies the lot on which the system is purposed for use of a private subsurface sewage disposal system.

(c) Any gray water system for which a permit has been granted under this section shall be removed or its use discontinued if the building official determines removal or discontinuance is necessary to protect the public health or safety.

SEC. 94.1.1601.0-1612.0. DELETION OF CHAPTER 16 OF THE CALIFORNIA PLUMBING CODE.

Sections 1601.0 through 1612.0, which constitute Chapter 16 of the California Plumbing Code in its entirety, are deleted.

Section 8. Adopt Title 9, Division 5, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 5. COUNTY MECHANICAL CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA MECHANICAL CODE WITH COUNTY AMENDMENTS

SEC. 95.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE MECHANICAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Mechanical Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Mechanical Code, for the unincorporated area of the County, the 2006 Uniform Mechanical Code (UMC), 2007 California Mechanical Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2006 UMC and the 2006 UMC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2006 UMC and 2007 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Mechanical Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and

structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 95.1.002. CALIFORNIA MECHANICAL CODE.

As used in this chapter the "California Mechanical Code" means Title 24, Part 4 of the California Code of Regulations which incorporates, by adoption, the 2006 edition of the UMC with California Amendments.

SEC. 95.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Mechanical Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Mechanical Code: e.g., SEC. 95.1.1301.0 refers to section 1301.0 of the California Mechanical Code.

SEC. 95.1.1301.0-1336.1. DELETION OF CHAPTER 13 OF THE CALIFORNIA MECHANICAL CODE.

Sections 1301.0 through 1336.1, which constitute Chapter 13 of the California Mechanical Code in its entirety, are deleted.

SEC. 95.1.1500. DELETION OF CHAPTER 15 OF THE CALIFORNIA MECHANICAL CODE.

Section 1500, which constitutes Chapter 15 of the California Mechanical Code in its entirety, is deleted.

Section 9. Adopt Title 9, Division 6, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 6. FIRE PROTECTION

CHAPTER 1. COUNTY FIRE CODE

SEC. 96.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE CALIFORNIA FIRE CODE.

Every three years the State of California adopts a new California Fire Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after

publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions. In this chapter the County adopts modifications and changes to the Fire Code portion of the CBSC that are reasonably necessary because of the County's climatic, geological and topographical conditions.

The County adopts as the County Fire Code, for the unincorporated area of the County, the following: the 2007 Fire Code portion of the CBSC, including appendices to Chapters 1 & 4 and appendices B, F & H, the 2006 International Fire Code (IFC) and the National Fire Protection Association Standards 13, 13-R & 13-D, 2002 Editions, together with the County's amendments in this chapter. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2006 IFC and the 2006 IFC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2006 IFC and 2007 CBSC provisions.

This County Fire Code is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including the installation, alteration or repair of new and existing fire protection systems and their inspection and provides penalties for violation of this code. It shall apply to all new construction and to any alterations, repairs, or reconstruction, except as otherwise provided for in this chapter.

Nothing in this chapter shall interfere with or impede the authority of the Department of Planning and Land Use as authorized by the Board of Supervisors.

SEC. 96.1.002. CALIFORNIA FIRE CODE.

The "California Fire Code" means the 2007 Fire Code portion of the CBSC, including appendices to Chapters 1 & 4 and appendices B, F & H and the IFC (2006 edition).

SEC. 96.1.003. COUNTY FIRE CODE.

References to "this chapter" shall mean the County Fire Code. References to a section number not preceded by the prefix "96.1," which stands for the title, division and chapter respectively of a section in this chapter, shall refer to the California Fire Code.

SEC. 96.1.004. RESPONSIBILITY FOR ENFORCEMENT.

(a) The Sheriff shall be responsible for enforcing Chapter 33 of the California Fire Code, which deals with explosives and fireworks.

(b) All other portions of the County fire code shall be enforced as follows:

(1) By the Department of Planning and Land Use, under the supervision of the County Chief Fire Inspector, also referred to as the County Fire Marshal, in all unincorporated areas of the County which are outside a fire protection district.

(2) For areas in a fire protection district, by the district fire chief.

SEC. 96.1.005. GEOGRAPHIC LIMITS.

The geographic limits referred to in certain sections of the 2007 California Fire Code are established as follows:

(a) **Sec. 3204.3.1.1.** The geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited: the unincorporated area of the County of San Diego outside of a fire protection district, except for areas zoned for mixed, general or high impact industrial uses.

(b) **Sec. 3404.2.9.5.1.** The geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited: the unincorporated area of the County of San Diego outside of a fire protection district.

Exceptions:

1. In areas zoned for mixed, general or high impact industrial uses.

2. Crankcase draining may be stored in specially constructed above-ground storage tanks, approved by the fire code official, with a maximum capacity of 550 gallons. These tanks may be located within a building when the fire code official deems appropriate and the container meets U.L. Standard 2085. Containers shall be installed and used in accordance with their listing and provisions shall be made for leak and spill containment. In no case shall storage be allowed on residential or institutional property.

3. With the fire code official's approval, Class I and II liquids may be stored above ground outside of buildings in specially designed, approved and listed containers which have features incorporated into their design which mitigate concerns for exposure to heat, ignition sources and mechanical damage. Containers shall be installed and used in accordance with their listing, and provisions shall be made for leak and spill containment. The fire code official may disapprove the installation of these containers when in his or her opinion their use presents a risk to life or property.

(c) **Sec. 3406.2.4.4.** The geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited: the unincorporated area of the County of San Diego outside of a fire protection district.

Exceptions:

1. In areas zoned for other than residential uses, when approved by the FAHJ.
2. Crankcase draining may be stored in specially constructed above-ground storage tanks, approved by the fire code official, with a maximum capacity of 550 gallons. These tanks may be located within a building when the fire code official deems appropriate and the container meets U.L. Standard 2085. Containers shall be installed and used in accordance with their listing, and provisions shall be made for leak and spill containment. In no case shall storage be allowed in residential or institutional property.
3. With the fire code official's approval, Class I and II liquids may be stored above ground in specially designed, approved and listed containers which meet U.L. Standard 2085. Containers shall be installed and used in accordance with their listing, and provisions shall be made for leak and spill containment. The fire code official may disapprove the installation of such containers when in his opinion their use presents a risk to life or property.

(d) **Sec. 3804.2.** The geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas: the unincorporated areas outside of a fire protection district in the County of San Diego, except for areas zoned for mixed, general or high impact industrial uses.

Exception: Bulk tanks with a maximum aggregate capacity of 30,000 gallons water capacity for above-ground storage of underground distribution to residential areas, where the storage and distribution meets County Fire Code requirements as determined by the FAHJ.

SEC. 96.1.006. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Fire Code, the digits following the first three digits of the section numbers in this chapter refer to conform to the numbering system of the California Fire Code: e.g., SEC. 96.1.307.5 refers to section 307.5 of the California Fire Code. When deletions, revisions and additions are made to an appendix of the California Fire Code, "APP" is added to the number: e.g., section SEC. 96.1.APP.109.3 refers to Appendix Chapter 1, section 109.3 of the California Fire Code.

SEC. 96.1.202. DEFINITIONS.

Section 202 of the California Fire Code is revised by adding or modifying the following definitions:

FIRE AUTHORITY HAVING JURISDICTION (FAHJ). The designated entity providing enforcement of fire regulations as they relate to planning, construction and development. The FAHJ may also provide fire suppression and other emergency services.

FIRE CHIEF. The fire chief is one of the following:

(a) The person appointed by the Director of the Department of Planning and Land Use to serve as fire chief in the unincorporated areas not within a fire protection district.

(b) The chief officer of a fire protection district.

(c) The Sheriff when enforcing Chapter 33 within the unincorporated areas not within a fire protection district.

FIRE CODE OFFICIAL. In the unincorporated areas and not within a fire protection district, a person appointed by the Director of the Department of Planning and Land Use 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.

FIRE DEPARTMENT. Any regularly organized fire department, fire protection district, fire company, or legally formed volunteer fire department registered with the County of San Diego regularly charged with the responsibility of providing fire protection to a jurisdiction.

FIRE HAZARD. Any condition or conduct which: (a) increases or may increase the threat 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 (b) may obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire.

FIRE PROTECTION DISTRICT. Any fire protection district created under State law and any water district providing fire protection services.

FUEL MODIFICATION ZONE. A strip of land where combustible vegetation has been thinned or modified or both and partially or totally replaced with approved fire-resistant and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces the radiant and convective heat on a structure and

provides valuable defensible space for firefighters to make an effective stand against an approaching fire front.

HAZARDOUS FIRE AREA. Any geographic area mapped by the State or designated by a local jurisdiction as a moderate, high or very high fire hazard area or which the FAHJ has determined is a hazardous fire area, because the type and condition of vegetation, topography, weather and structure density increase the probability that the area will be susceptible to a wildfire.

HIGH-HAZARD GROUP H. High-hazard Group H occupancy includes, among others, the use of a building or structure or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of quantities allowed in control areas constructed and located as required in section 2703.8.3. Hazardous uses are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall comply with this chapter and the requirements of section 415 of the California Building Code.

Exceptions: The following shall not be classified in Group H, but shall be classified in the occupancy that they most nearly resemble:

1. Buildings and structures that contain not more than the maximum allowable quantities per control area of hazardous materials as shown in Tables 2703.1.1(1) and 2703.1.1(2), provided that the buildings are maintained as provided with this chapter.
2. Buildings utilizing control areas in compliance with section 2703.8.3 that contain not more than the maximum allowable quantities per control area of hazardous materials as shown in Tables 2703.1.1(1) and 2703.1.1(2).
3. Wholesale and retail sales and storage of flammable and combustible liquids in mercantile occupancies conforming to Chapter 34 of the California Fire Code.
4. Closed piping systems containing flammable or combustible liquids or gases utilized for the operation of machinery or equipment.
5. Cleaning establishments that utilize combustible liquid solvents having a flash point of 140°F (60°C) or higher in closed systems employing equipment listed by an approved testing agency, provided that this occupancy is separated from all other areas of the building by 1-hour fire barriers constructed in compliance with section 706 of the California Building Code or 1-hour horizontal assemblies constructed in accordance with section 711 of the California Building Code, or both.
6. Cleaning establishments that utilize a liquid solvent having a flash point at or above 200°F (93°C).

7. Liquor stores and distributors without bulk storage.
8. Refrigeration systems.
9. The storage or utilization of materials for agricultural purposes on the premises.
10. Stationary batteries utilized for facility emergency power, uninterrupted power supply or telecommunication facilities, provided that the batteries are provided with safety venting caps and ventilation is provided in accordance with the California Mechanical Code.
11. Corrosives contained in household or personal products or commonly used building materials, in their original retail packaging.
12. Display and storage of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in quantities not exceeding the maximum allowable quantity per control area in Group M or S occupancies complying with section 2703.8.3.5.
13. The storage of black powder, smokeless propellant and small arms primers in Groups M and R-3 and special industrial explosive devices in Groups B, F, M and S, provided the storage conforms to the quantity limits and requirements of this chapter.

HIGH-RISE BUILDING. As used in this code:

1. "Existing high-rise structure" means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
2. "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having "building access," as defined in California Building Code, section 403.1.2, except buildings used as hospitals as defined in Health and Safety Code section 1250.
3. "New high-rise structure" means a high-rise structure, the construction of which commenced on or after July 1, 1974.

RESPONSE TIME. The elapsed time from the fire department's receipt of the first alarm to when the first fire unit arrives at the scene.

STRUCTURE. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some manner.

SEC. 96.1.304.1.4. OUTDOOR CARNIVALS AND FAIRS.

Section 304.1.4 is added to the California Fire Code to read:

Sec. 304.1.4 Outdoor carnivals and fairs. Outdoor carnivals and fairs shall only be conducted on grounds free of combustible vegetation or trimmed to the satisfaction of the FAHJ.

SEC. 96.1.307.5. ATTENDANCE OF OPEN BURNING AND RECREATIONAL FIRES.

Section 307.5 of the California Fire Code is revised to read:

Sec. 307.5 Attendance. Open burning, bonfires or recreational fires shall be constantly attended by an adult until the fire is extinguished. A minimum of one portable fire extinguisher complying with section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

SEC. 96.1.316. STORAGE OF FIREWOOD.

Section 316 is added to the California Fire Code to read:

**SECTION 316
STORAGE OF FIREWOOD**

Sec. 316.1 General. Firewood shall not be stored in unenclosed space beneath a building or structure, on a deck or under eaves, a canopy or other projection or overhang. When required by the fire code official, firewood or other combustible material stored in the defensible space surrounding a structure shall be located at least 30 feet from any structure and separated from the crown of any trees by a minimum of 15 feet, measured horizontally. Firewood and combustible materials not for use on the premises shall be stored so as to not pose a fire hazard.

SEC. 96.1.405.2. EMERGENCY EVACUATION DRILL FREQUENCY.

Sec. 405.2. Table 405.2, footnote "a" of the California Fire Code is revised to read:

Sec. 405.2 Table 405.2, footnote "a." The frequency in all schools may be modified based upon weather and other applicable conditions, with the consent of the fire code official. Secondary schools shall only be required to conduct evacuation drills twice each school year.

SEC. 96.1.501.3.1. FIRE APPARATUS ACCESS MODIFICATIONS.

Section 501.3.1 is added to the California Fire Code to read:

Sec. 501.3.1 Fire apparatus access modifications. Plans for the modification of fire apparatus access road shall be submitted to the fire code official for review and approval prior to construction or modification of any fire apparatus road.

SEC. 96.1.502.1. DEFINITIONS.

The following definition in section 502.1 of the California Fire Code is revised to read:

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 that includes, but is not limited to a fire lane, public street, private street, driveway, parking lot lane and access roadway.

SEC. 96.1.503. FIRE APPARATUS ACCESS ROADS

Section 503 of the California Fire Code is revised to read:

SECTION 503 FIRE APPARATUS ACCESS ROADS

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, including private residential driveways more than 150 feet in length, 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.

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. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with sections 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. 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.
3. There are no more than two Group R-3 or Group U occupancies.

Sec. 503.1.2 Secondary access. One or more means of secondary access to a project, development or area shall be required for emergency operations and/or evacuation when the length of a dead-end road, including all dead-end roads accessed from that dead-end road, exceeds the cumulative length standards established by this chapter. The standards are as follows:

<u>ZONING FOR PARCEL SERVICED BY DEAD END ROAD(s)</u>	<u>CUMULATIVE LENGTH OF DEAD END ROAD(s)</u>
Parcels zoned for less than 1 acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1,320 feet
Parcels zoned for 5 acres to 19.99 acres	2,640 feet
Parcels zoned for 20 acres or larger	5,280 feet

All lengths shall be measured from the edge of the roadway surface at the intersection where the road begins to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, subject to different length standards, the shortest standard shall apply. Secondary access shall be as far as possible from the primary access and shall comply with sections 503.1 through 503.6.

The fire code official may modify the requirements of this section in an individual case when the criteria in Appendix Chapter 1, section 104.8 have been met and the modification will fulfill the intent of this section.

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

Sec. 503.2 Specifications. Fire apparatus access roads shall be installed and arranged in compliance with sections 503.2.1 through 503.2.7.

Sec. 503.2.1 Dimensions. (a) Fire apparatus access roads shall have an unobstructed improved width of not less than 24 feet, except for single-family residential driveways serving no more than two single-family dwellings, which shall have a minimum of 16 feet of unobstructed improved width. Any of the following, which have separated lanes of one-way traffic: fire access roadways, gated entrances with card readers, guard stations or center medians, are allowed, provided that each lane is not less than 12 feet wide. (b) All fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches. Vertical clearances or road widths shall be increased when, in the opinion of the fire code official, vertical clearances or road widths are not adequate to provide fire apparatus access.

Exceptions:

1. Upon approval of the fire code official, vertical clearances or road width may be reduced as long as the reduction does not impair access by fire apparatus. In cases where the vertical clearance has been reduced approved signs shall be installed and maintained indicating the amount of vertical clearance.

Sec. 503.2.2 Authority to increase minimums. The fire code official shall have the authority to require an increase in the minimum access road widths where the fire code official determines the minimum are inadequate for fire or rescue operations.

Sec. 503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (not less than 50,000 lbs.) and shall be provided with an approved surface so as to provide all-weather driving capabilities.

Sec. 503.2.3.1 Surfacing materials. For driveways serving individual single-family dwellings, the minimum surfacing materials required shall vary with the slope of the fire apparatus access road as follows:

0-10% Slope	4" Decomposed Granite
11-15% Slope	2" Asphaltic Concrete
16-20% Slope	3" Asphaltic Concrete

The paving and sub-base shall be installed to the standards specified in Section I-M of the County of San Diego Off-street Parking Design Manual. A residential driveway constructed of 3½" Portland cement concrete may be installed on any slope up to 20% provided that slopes over 15% have a deep broom finish perpendicular to the direction of travel to enhance traction.

Sec. 503.2.4 Turning radius. The turning radius of a fire apparatus access road 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.

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 paved radius width for a cul-de-sac in a residential area shall be 36 feet. The fire code official shall establish a policy identifying acceptable turnarounds for various project types.

Exception: The fire code official may allow a dead-end driveway of up to 200 feet in length without a turn around if all structures for which the driveway provides access are protected by an automatic fire sprinkler system.

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

Sec. 503.2.7 Grade. The gradient for a fire apparatus access roadway shall not exceed 20.0%. Grades exceeding 15.0% shall not be allowed without mitigation measures. Minimal mitigation shall be the installation of a fire sprinkler system or a surface that conforms to section 503.2.3.1. 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 seven degrees (12 percent) or as approved by the fire code official.

Sec. 503.3 Marking. When required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. All new public roads, all private roads within major subdivisions and

all private road easements serving four or more parcels shall be named. Road name signs shall comply with County of San Diego Department of Public Works Design Standard #DS-13.

Sec. 503.3.1 Fire lane designation. Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code section 22500.1.

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

Sec. 503.4.1 Roadway design features. Roadway design features (speed bumps, speed humps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed on fire access roadways, unless they meet design criteria approved by the fire code official.

Sec. 503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways.

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

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

Sec. 503.5.2 Fences and gates. School grounds may be fenced and gates therein may be equipped with locks, provided that safe dispersal areas based on three square feet per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet from school buildings.

Every public and private school shall conform to Education Code section 32020, which states:

The governing board of every public school district and the governing authority of every private school, which maintains any building used for the instruction or housing of school pupils on land entirely enclosed (except for building walls) by fences or walls, shall, through the cooperation of local law enforcement and fire protection agencies having jurisdiction of the area, provide for the erection of gates in these fences or walls.

The gates shall be of sufficient size to permit the entrance of ambulances, police equipment and fire-fighting apparatus used by law enforcement and fire protection agencies. There shall be no less than one access gate and there shall be as many of these gates as needed to ensure access to all major buildings and ground areas. If these gates are equipped with locks, the locking devices shall be designed to permit ready entrance by the use of chain or bolt-cutting devices.

Sec. 503.6 Security gates. No person shall install a security gate or security device across a fire access roadway without the fire code official's approval. An automatic gate across a fire access roadway or driveway shall be equipped with an approved emergency key-operated switch overriding all command functions and opening the gate. A gate accessing more than four residences or residential lots or a gate an accessing hazardous institutional, educational or assembly occupancy group structure, shall also be equipped with an approved emergency traffic control-activating strobe light sensor or other device approved by the fire code official, which will activate the gate on the approach of emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure. An automatic gate shall meet fire department policies deemed necessary by the fire code official for rapid, reliable access. An automatic gate serving more than one dwelling or residential lot 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. Where this section requires an approved key-operated switch, it shall be dual-keyed or equipped with dual switches provided to facilitate access by law enforcement personnel.

SEC. 96.1.505. PREMISES IDENTIFICATION.

Section 505 of the California Fire Code is revised to read:

SECTION 505 PREMISES IDENTIFICATION

Sec. 505.1 Address numbers. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations, plainly visible and legible from the street or roadway fronting the property when approaching from either direction. The numbers shall contrast with their background and shall meet the following minimum size standards: 4" high with a 3/8" stroke for residential buildings, 6" high with a 1/2" stroke for commercial and multi-residential buildings and 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners and entrances to commercial centers. The fire code official may establish different minimum sizes for numbers for various categories of projects.

Sec. 505.2 Street or road signs. Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

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 $\frac{3}{8}$."

Sec. 505.4 Directory map. A lighted directory map, meeting current fire department standards, shall be installed at the driveway entrance to a residential project or a mobile home park, with more than 15 units.

Sec. 505.5 Response map updates. Any new development which necessitates updating emergency response maps due to new structures, hydrants, roadways or similar features shall be required to provide map updates in a format compatible with current department mapping services and shall be charged a reasonable fee for updating all response maps. At a minimum, the map updates shall be provided in PDF or a CAD format approved by the FAHJ.

SEC. 96.1.506.1.2. EMERGENCY KEY ACCESS.

Section 506.1.2 is added to the California Fire Code portion to read:

Sec. 506.1.2 Emergency key access. All central station-monitored fire detection systems and fire sprinkler systems shall have an approved emergency key access box on site in an approved location. The owner or occupant shall provide and maintain current keys for any structure for fire department placement in the box and shall notify the fire department in writing when the building is re-keyed.

SEC. 96.1.507.3. PITFALLS.

Section 507.3 of the California Fire Code is deleted.

SEC. 96.1.508.2. TYPE OF WATER SUPPLY.

Section 508.2 of the California Fire Code is revised to read:

Sec. 508.2 Type of water supply. Water supply may consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems, as approved by the fire code official, capable of providing the required fire flow in a reliable manner. In setting the requirements for fire flow, the fire code official shall follow section 508.3, Appendix B of the County Fire Code or the standard published by the Insurance Services Office, "Guide for Determination of Required Fire Flow".

Sec. 508.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

Sec. 508.2.2 Water tanks. Water tanks for private fire protection, when authorized by the fire code official, shall comply with Table 508.2.2.

Building Square Feet	Gallons Per Minute Water Flow	Capacity Gallons	Duration Minutes
Up to 1,500	250	5,000	20
Over 1,500	250	10,000	40

When the exposure distance is one hundred feet (100') or less from an adjacent property, or where additional hazards or calculated fire flow exists, an increase in water storage may be required by the fire code official.

1. Tank elevation shall be equal to or higher than the fire department connection on the premises. Regardless of domestic use, all tanks shall be equipped with a device that will ensure that the tank contains the designated amount of water for fire flow duration as determined by the FAHJ. Tank size may be increased to serve multiple structures on a single parcel.

2. Supply outlet shall be at least 4 inches in diameter from the base of the tank to the point of outlet at the fire department connection. The fire department connection shall be at least one 4-inch National Standard Thread (male), reduced to one 2½ inch National Standard Thread (male). Additional outlets may be required.

3. Location of fire department outlet shall be shown on the plot plan when submitted to the FAHJ. Consideration will be given to topography, elevations, and distance from structures, driveway access, prevailing winds, etc.

4. The outlet shall be located along an access roadway and shall not be closer than 50 feet or further than 150 feet from the structure.

5. All exposed tank supply pipes shall be of an alloy or other material listed for above ground use. Adequate support shall be provided.

6. Water storage tanks shall be constructed from materials approved by the fire code official and installed per manufacturer recommendations.

7. The fire code official may require any necessary information to be submitted on a plot plan for approval.

8. Vessels previously used for products other than water shall not be allowed.

SEC. 96.1.508.3. FIRE FLOW.

Section 508.3 of the California Fire Code is revised to read:

Sec. 508.3 Fire flow. Fire flow requirements shall be based on Appendix B of the County Fire Code. Consideration should be given to increasing the gallons per minute as provided in Appendix B to protect structures of extremely large square footage and for such reasons as: poor access roads, grade and canyon rims, hazardous brush and response times greater than five minutes by a recognized fire department or fire suppression company. In hazardous fire areas the main capacity for new subdivisions shall not be less than 2,500 gallons per minute, unless otherwise approved by the fire code official. If fire flow increases are not feasible, the fire code official may require alternative design standards such as: alternative types of construction that provides a higher level of fire resistance, fuelbreak requirements, which may include required irrigation, modified access road requirements, specified setback distances for building sites addressing canyon rim developments and hazardous brush areas, and other requirements as authorized by this chapter and as required by the fire code official.

SEC. 96.1.508.5.1. FIRE PROTECTION WATER SUPPLIES-REQUIRED INSTALLATIONS.

Section 508.5.1 of the California Fire Code is revised to read:

Sec. 508.5.1 Required installations. The location, type and number of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public or private street, or on the site of the premises to be protected or both. Fire hydrants shall be accessible to the fire department apparatus by roads meeting the requirements of section 503.

Sec. 508.5.1.1 Location of fire hydrants. Fire hydrants shall be located as required by the fire code official using the following criteria and taking into consideration departmental operational needs. Hydrants shall be located at intersections, at the beginning radius of cul-de-sacs and at intervals identified in the following tables and criteria. Hydrants located across heavily traveled roadways shall be not considered as serving the subject property.

Sec. 508.5.1.1.1 Requirements for single-family dwellings. In projects zoned for single-family dwellings, fire hydrants shall be installed in accordance with Table 508.5.1.1.1-A.

TABLE 508.5.1.1.1-A	
DISTANCE BETWEEN HYDRANTS FOR SINGLE FAMILY DWELLINGS WITHOUT AUTOMATIC FIRE SPRINKLERS	
Parcels 2½ acres and larger:	Every 1,000 feet
Parcels ½ to 2½ acres:	Every 500 feet
Parcels less than ½ acre:	Every 350 feet

In projects zoned for single-family dwellings, and where all structures on the fire apparatus access roadway are equipped with fire sprinkler systems meeting the appropriate standards of this chapter, the fire code official may allow hydrants to be installed in accordance with Table 508.5.1.1.1-B.

TABLE 508.5.1.1.1-B	
DISTANCE BETWEEN HYDRANTS FOR SINGLE FAMILY DWELLINGS WITH AUTOMATIC FIRE SPRINKLERS	
Parcels 2½ acres and larger:	Every 1,300 feet
Parcels ½ to 2½ acres:	Every 850 feet
Parcels less than ½ acre:	Every 650 feet

Sec. 508.5.1.1.2 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.

Exception: When the fire code official determines that fire protection methods greater than this code requires are provided on a parcel the fire code official may modify the requirements of this section.

Sec. 508.5.1.1.3 Fire hydrant construction and configuration. All fire hydrants shall be of bronze construction, including all internal parts except seats. Alternative materials may be used if approved by the fire code official and the local water district having jurisdiction. The stems shall be designed and installed in a manner that will ensure that they will not be projected outward from the main body by internal water pressure due to disassembly. The number and size of fire hydrant outlets shall be as follows:

1. One 4 inch and one 2½ inch NST outlet.
2. One 4 inch and two 2½ inch NST outlets.

In some instances the fire code official may require a fire hydrant to have any other combination of 4 inch and 2½ inch outlets.

Sec. 508.5.1.2 Waterline extensions. The fire code official may require a waterline extension for the purpose of installing a fire hydrant if a water main is 1,500 feet or less from the property line.

SEC. 96.1.603.6.6. SPARK ARRESTERS.

Section 603.6.6 is added to the California Fire Code to read:

Sec. 603.6.6 Spark arresters. All structures having a chimney, flue or stovepipe attached to a fireplace, stove, barbecue or other solid or liquid fuel burning equipment or device shall have the chimney, flue or stovepipe equipped with an approved spark arrester. An approved spark arrester is a device intended to prevent sparks from escaping into the atmosphere, constructed of welded or woven wire mesh, 12 gauge thickness or larger, with openings no greater than ½ inch, or other alternative material the FAHJ determines provides equal or better protection.

SEC. 96.1.603.8.1. RESIDENTIAL INCINERATORS.

Section 603.8.1 of the California Fire Code is revised to read:

Sec. 603.8.1 Residential Incinerators. Residential incinerators are prohibited in the unincorporated area of the County.

SEC. 96.1.901.4.5. FIRE DEPARTMENT CONNECTIONS.

Section 901.4.5 is added to the California Fire Code to read:

Sec. 901.4.5 Fire department connections. Fire hose threads used in connection with fire-extinguishing systems shall be National Standard Thread or as approved by the FAHJ. The location of fire department hose connections and control valves shall be approved by the fire code official.

SEC. 96.1.901.8.2. FIRE HYDRANTS AND FIRE APPLIANCES.

Section 901.8.2 is added to the California Fire Code to read:

Sec. 901.8.2 Fire hydrants and fire appliances. Commercial fire sprinkler system control valves shall not be shut off after activation of the sprinkler system, no matter what the reason for the activation until the shut off is authorized by fire personnel. Fire detection systems activated by fire, smoke, heat or any other cause shall not be reset until authorized by fire personnel.

SEC. 96.1.903.2 AUTOMATIC SPRINKLER SYSTEMS-WHERE REQUIRED.

Section 903.2 of the California Fire Code is revised to read:

Sec. 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section. Table 903.2 summarizes these requirements. In addition, the fire code official may require an automatic sprinkler system in all buildings constructed after this code becomes effective, including single-family residential buildings, manufactured homes and mobile homes, as defined in the Building Code portion of the California Building Standards Code, when the required fire flow exceeds 1,500 gallons per minute as determined by the provisions in Appendix B of the County Fire Code or when calculated according to the standard published by the Insurance Services Office document entitled "Guide for Determination of Required Fire Flow."

For the purpose of fire-extinguishing systems, buildings separated by less than 10 feet from adjacent buildings shall be considered as one building. Fire barriers, partitions and walls, regardless of rating, shall not be considered as creating separate buildings for purposes of determining fire sprinkler requirements.

The fire code official may require an automatic fire sprinkler system to be installed in dwellings and other structures (Group R-3 and U, including accessory buildings) where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade and canyon rims, hazardous brush and

response times greater than 10 minutes by a fire department or fire suppression company recognized as a signatory of the County of San Diego Fire Mutual Aid System. Agricultural buildings constructed of wood or metal frames, over which fabric or similar material is stretched, which are specifically used as green houses are exempt from fire sprinkler requirements unless physically connected to other structures.

**TABLE 903.2
SUMMARY OF FIRE SPRINKLER REQUIREMENTS**

Commercial	Residential (R1)(R3)	Additions
If required by Fire Code Note: 1	R1 Yes, per 903.2.7.1 R-3 May be required Note: 1, 2	Note: 1, 2, 3

Notes:

1. Buildings where the required fire flow exceeds 1500 gpm as described in Section 903.2.
2. Response time exceeds 10 minutes, or other hazards as described in section 903.2.
3. Additions of more than 50% of the existing building.

SEC. 96.1.903.2.7.1. AUTOMATIC SPRINKLER SYSTEMS-GROUP R-1 REQUIREMENTS.

Section 903.2.7.1 is added to the California Fire Code to read:

Sec. 903.2.7.1 Group R-1 requirements. All Group R-1 occupancies and attached garages, carports, workshop, storage rooms and auxiliary use rooms constructed or relocated after the effective date of this chapter shall have fire sprinkler systems installed. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

SEC. 96.1.903.4. SPRINKLER SYSTEM MONITORING AND ALARMS.

Section 903.4 of the California Fire Code is revised to read:

Sec. 903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electronically supervised.

Exceptions:

1. Automatic sprinkler systems with less than 100 fire sprinklers protecting one-family and two-family dwellings.

2. Limited area systems serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

SEC. 96.1.907.2.10.2. FIRE ALARM AND DETECTION SYSTEMS-POWER SOURCE.

Section 907.2.10.2 of the California Fire Code is revised to read:

Sec. 907.2.10.2 Power source. In new construction and in newly classified Group R-3.1 occupancies, required smoke alarms shall receive their primary power from the building wiring when the wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarms may be solely battery operated when installed in existing buildings, in buildings without commercial power or in buildings, which undergo alterations, repairs or additions regulated by section 907.2.10.6.

SEC. 96.1.907.2.10.6. ADDITIONS, ALTERATIONS OR REPAIRS TO GROUP R OCCUPANCIES.

Section 907.2.10.6 is added to the California Fire Code to read:

Sec. 907.2.10.6 Additions, alterations or repairs to Group R occupancies. When the valuation of an addition, alteration or repair to a Group R occupancy exceeds \$1,000 and a permit is required or when one or more sleeping rooms are added or created in existing Group R occupancies, smoke alarms shall be installed in accordance with section 907.2.10.

SEC. 96.1.1418. FUEL MODIFICATION ZONE REQUIREMENTS

Section 1418 is added to the California Fire Code to read:

1418 FUEL MODIFICATION ZONE REQUIREMENTS

Sec.1418.1 Fuel modification zone during construction. Any person doing construction of any kind which requires a permit under this code or the County Building Code shall install a fuel modification zone prior to allowing any combustible material to arrive on the site and shall maintain the zone during the duration of the project.

SEC. 96.1.1908. STORAGE AND PROCESSING OF WOOD CHIPS, HOGGED MATERIAL, FINES, COMPOST AND RAW PRODUCT ASSOCIATED WITH YARD WASTE AND RECYCLING FACILITIES.

Section 1908 of the California Fire Code is revised to read:

SECTION 1908 STORAGE AND PROCESSING OF WOOD CHIPS, HOGGED MATERIALS, FINES, COMPOST AND RAW PRODUCT ASSOCIATED WITH YARD WASTE AND RECYCLING FACILITIES

Sec. 1908.1 General. The storage and processing (mulching, composting) of wood chips, hogged materials, fines, compost and raw product produced from yard waste, debris and recycling facilities shall be in accordance with section 1908.

Sec. 1908.2 Definitions. The following definitions shall apply to section 1908:

Aerated Static Pile. A composting process that uses an air distribution system to blow or draw air through the pile. Little or no pile agitation or turning is performed.

Chipping and Grinding. An activity that mechanically reduces the size of organic matter.

Composting Operation. An operation that is conducted for the purpose of producing compost. The operation shall be by one or more of the following processes used to produce a compost product: static pile, windrow pile or aerated static pile.

Greenwaste. Organic material that includes, but is not limited to, yard trimmings, plant waste, manure, untreated wood wastes, paper products and natural fiber products.

Hogged materials. Mill waste consisting mainly of hogged bark but may include a mixture of bark, chips, dust or other by-product from trees and vegetation.

Mulching. The process by which mixed greenwaste is mechanically reduced in size for the purpose of making compost.

Static pile. A composting process that is similar to the aerated static pile except that the air source may or may not be controlled.

Windrow Composting Process. The process in which compostable material is placed in elongated piles. The piles or windrows are aerated and/or mechanically turned on a periodic basis.

Wood chips. Chips of various species of wood produced or used in chipping and grinding operations.

Sec. 1908.3 Permit required. A permit shall be obtained from the fire code official prior to engaging in the operation and storing processed of wood chips, hogged material, fines, compost and raw product in association with yard waste and similar material recycling facilities. The permit shall be renewed on an annual basis or shall be limited to such period of time as designated by the fire code official. Permits shall not be transferable and any change in use, location, occupancy, operation or ownership shall require a new permit.

Sec. 1908.4 Financial assurance for cost recovery. A security bond, irrevocable letter of credit or other approved form of financial assurance shall be required to be posted, in an amount determined by the fire code official. The financial assurance shall be a minimum of \$25,000.00 and a maximum of \$100,000.00, depending on the size of operation. The financial assurance shall reimburse the fire department for expenses incurred in any emergency response and/or enforcement action by the fire department to protect the public from fire or hazardous substances related to the operation. The financial assurance shall be returned to the operator in a timely fashion once the operation is closed, to the satisfaction of the fire code official.

Sec. 1908.5 Operational and emergency plans. The following operational and emergency action plans shall be submitted to and be approved by the fire code official prior to initiating an operation under section 1908:

1. **Operational Plan.** The operational plan shall include: Site layout, pile dimensions, fire access, water supply, site security, site operations, temperature monitoring, rotation and diversion plan.

2. Emergency Plan. The emergency plan shall include: Operator fire response actions, fire dispersal area, emergency equipment operator callback and initiation of incoming diversion plan. All plans shall define the equipment necessary to process and handle the materials.

Sec. 1908.6 Notification of fire department. The operator shall report all fires to the fire department immediately upon discovery.

Sec. 1908.7 Equipment operator emergency callback. The operator shall implement and maintain a plan for rapid equipment operator response to the site. The maximum response time to the site shall be within one hour of a fire department notification. The following equipment shall be on site and staffed with skilled operators: bulldozer, loaders and heavy duty equipment necessary to mitigate a fire. Notification procedure shall be maintained operational 24 hours a day, seven days a week. Notification may be by pager activation, telephone answering service, or other approved means.

Sec. 1908.8 Incoming waste diversion plan. The operator shall develop a diversion plan for incoming greenwaste for implementation in the event of equipment failure or other inability to process and distribute greenwaste. The plan shall prevent stockpiling of waste on the site and unauthorized depositing of waste on or near the site. The operator shall initiate the diversion plan based on criteria in the Operational and Emergency Plan without further direction from the fire department.

Sec. 1908.9 Unprocessable or non-greenwaste material. All greenwaste that cannot be processed on-site, such as stumps and fibrous plants, shall be immediately removed from the feedstock, stored in roll-off containers or bins and be removed from the facility on a weekly basis. All plastic bags shall be removed prior to shredding material.

Sec. 1908.10 Fire access roadway. A fire access roadway shall be provided to the site and on the site. Each roadway shall be at least 20 feet wide, but the fire official may require a greater width, depending on site conditions. The operator shall also be required to obtain the fire code official's approval for the type of driving surface for the on site access roadway.

Sec. 1908.11 Storage sites. Storage sites shall be level and on solid ground or other approved all-weather surface.

Sec. 1908.12 Combustible vegetation control. The operator shall clear any combustible material, weeds, brush, trees or other vegetation (including mulch) that is or may become, dry and capable of transmitting fire, from within 50 feet of raw greenwaste and mulch piles. Clearance shall be to bare earth or approved pavement. Individual growing trees within that distance may remain, subject to the fire code official's approval.

Sec. 1908.13 Pile separation. Piles shall be separated from adjacent piles and property lines by fire department access roadways.

Sec. 1908.14 Size of piles. Pile height, width and length shall be limited to criteria approved by the fire code official, based in part on the site material handling equipment. In no case shall a pile exceed 12 feet in height, 100 feet in width and 200 feet in length.

Sec. 1908.15 Static pile protection. Interior pile temperatures shall be monitored and recorded on a regular basis per the Operational Plan. Internal pile temperatures shall be taken at $\frac{2}{3}$ the pile height, 12 to 24 inches from the surface with a probe-type thermometer. Readings shall be made at not greater than 50-foot intervals along the length of the pile. Temperatures above 158° F are known to adversely affect microbial decomposition and are considered excessive. Infrared thermometers may be used to monitor for hot spots at the surface, but are not a substitute for internal probe measurement and documentation. Once windrows exceed 170° F, the windrows shall be reduced in size, be rotated and be monitored daily until temperatures drop below 158° F. All greenwaste stockpiles shall be re-mixed as necessary to alleviate any fire due to spontaneous combustion or temperatures above 170° F. Windrows shall be visually inspected on a regular basis. Once fires have been detected in any windrows at a site, this visual inspection shall be a minimum daily requirement. Daily inspections shall continue until the threat of fire no longer exists and the fire code official agrees inspections may be discontinued. All temperature and pile-handling records shall be kept on file at the site and be made available for inspection by fire department personnel. Data shall include date, time, temperature, specific location and person conducting measurement.

Sec. 1908.16 Firefighting water supplies and storage. Firefighting water supplies shall conform to sections 1908.16.1 or 1908.16.2.

Sec. 1908.16.1 Public water supply. The operator shall provide and maintain approved fire hydrants and waterline mains as required by the fire code official. Water lines may be approved aboveground lines supplied from a reliable water supply with adequate protection against impact and fire flow reaction. Hydrant spacing shall be at 400-foot intervals along primary fire access roadways. Fire flow at each hydrant shall be least 1000 gallons per minute at 20 psi. Duration of the required fireflow shall be as determined by the fire code official.

Sec. 1908.16.2 Private water supply. Above-ground water storage tanks may be installed when authorized by the fire code official where public water supply is not adequate to meet fire flow requirements. Volume and duration of the required fireflow shall be as determined by the fire code official.

Sec. 1908.17 Material-handling equipment. Equipment used on all piles should be of a type that minimizes compaction. All vehicles operating on or around the piles shall have a Class A fire extinguisher of a minimum 2-A rating, in addition to the Class B rating appropriate for the vehicles. Approved material-handling equipment shall be available during fire fighting operations for moving wood chips, hogged material, compost and raw product produced from yard waste and wood fines.

Sec. 1908.18 General safety rules for site equipment maintenance. Welding or cutting torch operations shall be conducted a minimum of 30 feet from combustible materials. A fire watch shall be provided to detect fire, and to operate fire-extinguishing equipment throughout the welding or cutting operation and 30 minutes thereafter. Refueling and on-site maintenance shall meet California Fire Code requirements in Chapters 22 & 34 and all other applicable fire code requirements.

Sec. 1908.19 Site security. Pile storage areas shall be surrounded with approved fencing. Fences shall be a minimum of 6 feet in height.

Sec. 1908.20 Smoking and open burning prohibited. The operator shall prohibit smoking and open flame on the operational site, including smoking within vehicles. Approved signs shall be clearly and prominently posted, and shall be enforced by the site operators. No open burning shall be allowed on site.

SEC. 96.1.2201.1. MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES-SCOPE

Section 2201.1 of the California Fire Code is revised to read:

Sec. 2201.1 Scope. Automotive motor-fuel dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the California Building Code, California Plumbing Code and the California Mechanical Code. These operations shall include both operations that are accessible to the public and private operations. Whenever this chapter imposes a requirement that applies to Class IIIA liquids that same requirement shall also apply to Class III liquids.

SEC. 96.1.2306.2. GENERAL FIRE PROTECTION AND LIFE SAFETY FEATURES.

Section 2306.2 Exception J of Table 2306.2 of the California Fire Code is deleted.

SEC. 96.1.3301.2. EXPLOSIVES AND FIREWORKS-APPLICABILITY.

Section 3301.2 is added to the California Fire Code to read:

Sec. 3301.2 Applicability. This section shall apply to the manufacture, possession, storage, sale, transportation and use of explosives and blasting agents and to any blasting operation in the unincorporated area of the County. The Sheriff shall be the Issuing Officer for any permit under this section, but may delegate the responsibility to any fire chief in the unincorporated area to issue a permit in the geographical area of the chief's jurisdiction. The issuing officer shall determine whether a blast is a major blast or a minor blast under this section. A minor blast is subject to all conditions of this section except the inspection requirements.

Sec. 3301.2.1 Definitions. The following definitions shall apply to this section:

BLASTER. A person who has been approved by the Sheriff to conduct blasting operations and who has been placed on the list of approved blasters. The listing shall be valid for one year unless revoked by the Sheriff.

BLASTING AGENT. A material or mixture consisting of a fuel and oxidizer intended for blasting. The finished product as mixed and packaged for use or shipment shall not be detonated by means of a No. 8 test blasting cap when unconfined.

BLASTING OPERATION. The uses of an explosive device or explosive material to destroy, modify, obliterate or remove any obstruction of any kind.

BLASTING PERMIT. A permit issued by the Issuing Officer, pursuant to section 105.6.14 of Appendix Chapter 1 of the California Fire Code. The permit shall apply to a specific site and shall be valid for a period not to exceed one year.

BLAST SITE. The geographically defined area, as shown on a project map or plot plan, where a blaster is authorized by a blasting permit issued under this section to conduct a blasting operation.

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 California Fire Code Chapter 33. An explosives permit shall be valid for a period not to exceed one year, as provided in the permit conditions. An explosives permit does not authorize a person to conduct blasting unless the person also obtains a blasting permit under this section.

INSPECTOR. A person on the Sheriff's approved of inspectors authorized to conduct inspections, before and after a blast.

MAJOR BLASTING. A blasting operation that does not meet the criteria for minor blasting.

MINOR BLASTING. A blasting operation that meets all of the following criteria: quantity of rock to be blasted does not exceed 100 cubic yards per shot, bore hole diameter does not exceed 2", hole depth does not exceed 12', maximum charge weight does not exceed 8 pounds of explosives per delay and the initiation of each charge will be separated by at least 10 milliseconds. The maximum charge weight shall not exceed the Scaled Distance as shown below:

Distance from Blast Site (In Feet)	Scale-Distance Factor
0 - 300.....	Mandatory Seismic Monitoring
301 - 5,000.....	55
5,000+.....	65

Sec. 3301.2.2. Application. Application for a permit required by this section shall be in the form required by the Issuing Officer.

Sec. 3301.2.3 Permit requirements. No person shall conduct blasting in the unincorporated area of the County without a blasting permit issued under this chapter. A person applying for a blasting permit shall, in addition to demonstrating compliance with fire safety requirements, shall also establish compliance 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 to the Issuing Officer.

Sec. 3301.2.4 Permit conditions. The Issuing officer may impose conditions and procedures as are deemed reasonably necessary to protect the public health and safety based upon the facts and circumstances of a particular blasting operation. The permit conditions shall be in writing. Failure to comply with any permit condition is grounds for revocation of the permit. A blaster may request the Issuing Officer release the blaster from any permit condition if circumstances have changed that make the condition no longer applicable. In addition to complying with the County blasting regulations, a blaster shall also comply with blasting regulations of neighboring jurisdictions, for any blasting operations outside of the unincorporated area of the County conducted in conjunction with a project within the unincorporated areas of the County.

Sec. 3301.2.5 Insurance and indemnification required. As an additional condition for obtain a blasting 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.

Sec. 3301.2.6 Blasting hours. Blasting shall only be allowed, Monday through Saturday, between the hours of 7:00 a.m. and 6:00 p.m. or ½ hour before sunset, whichever occurs first, unless special circumstances warrant another time or day and the Issuing Officer grants approval of the change in time or day.

Sec. 3301.2.7 Additional operational requirements. The owner of any property in the unincorporated area of the County on which any blasting is intended to occur, shall give, or cause to be given, a one-time notice in writing, for any proposed blasting to all residences, including mobilehomes, and businesses within 600' of any potential major blast location or 300' from any potential minor blast location. The notice shall be given promptly upon issuance of any building permit, grading permit, use permit, encroachment permit or other entitlement to use the property, including a determination under the Zoning Ordinance of nonconforming status. In addition, the blaster shall give notice to residences, including mobilehomes, within 600' of a major blast site and 300' from a minor blast site, not less than 24 hours, but more than one week before a blasting operation and shall be in a form approved by the Issuing Officer. The minimum 24-hour notice requirement may be reduced to a lesser period but not less than one hour if the Issuing Officer determines that special circumstances warrant the reduction in time. Adequate precautions shall be taken to reasonably safeguard persons and property before, during and after blasting operations. These precautions shall include:

1. The blaster shall retain an inspector to inspect all structures, including mobilehomes, within 300' of the blast site before blasting operations, unless inspection is waived by the owner and/or occupant. The inspector shall obtain permission of the owner and/or occupant before conducting the inspection. The inspection shall be only for the purpose of determining the existence of any visible or reasonably recognizable preexisting defects or damages in any structure. Waiver of inspection shall be in writing signed by the owner and/or occupant. Refusal to allow inspection shall also constitute a waiver. The inspector shall notify the owner and/or occupant of the consequences of refusing an inspection shall include a refusal in the summary report filed with the Issuing Officer. The blaster shall request an inspector conduct post-blast inspections upon receipt of a written complaint of property damage if the complaint is made within 60 days of completion of blasting operations. If the blaster has knowledge of alleged property

damage independent of the written complaint, the blaster shall also retain an inspector to conduct a post-blast inspection.

2. An inspector shall complete and sign pre-blast inspection reports identifying all findings and inspection waivers. The blaster shall retain the inspection reports for three years from the date of the blasting and upon a complaint of alleged damage the blaster shall immediately file a copy of the report with the Issuing Officer and provide a copy to the complainant. If there is a change in the blasting contractor after blasting has commenced on a project, a re-inspection shall be conducted in accordance with the preceding paragraph before the new blasting contractor undertakes any additional blasting.

3. The blaster shall retain an inspector to conduct a post-blast inspection of any structure for which a written complaint alleging blast damage has been received. A written report of the inspection shall be immediately filed with the Issuing Officer and provided to any person who made a complaint for damages.

4. The blaster shall allow any representative of the Issuing Officer to inspect the blast site and blast materials or explosives at any reasonable time.

5. If the blaster wants a representative of the Issuing Officer to witness a blasting operation the blaster shall make a request with the Issuing Officer at least 12 hours before the blast. The blaster shall confirm the request for a witness with the Issuing Officer at least one hour before the blast. The blaster shall be responsible for any cost incurred by the Issuing Officer in having a representative witness the blast.

6. The blaster shall notify the Issuing Officer on the day of a scheduled blasting operation not less than one hour before blasting.

7. All major blasting operations shall be monitored by an approved seismograph located at the nearest structure within 600' of the blasting operation. All daily seismograph reports shall be maintained by the blaster for three years from the blasting.

Sec. 3301.2.8 Seizure of illegal items. The Sheriff may seize at the owner's expense, all explosives, ammunition or blasting agents, which are illegally manufactured, sold, offered or exposed for sale, delivered, stored, possessed or transported in violation of this chapter.

Sec. 3301.2.9 Violations for false or misleading information. It shall be unlawful and a violation of this chapter for any person to provide false or misleading information or documentation to the County or any of its officers or employees or to any fire department, fire protection district, fire company or legally formed volunteer fire department, or its officers or employees in the unincorporated area of the County, having

jurisdiction over any aspect of the explosives or blasting permit process or blasting operations.

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 a blasting 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.

SEC. 96.1.3308.1. FIREWORKS DISPLAY.

Section 3308.1 of the California Fire Code is revised to read:

Sec. 3308.1 General. The display of fireworks, including proximate audience displays and pyrotechnic special effects material used in theatrical and group entertainment productions shall comply with California Code of Regulations, Title 19, Chapter 6 and County Code sections 32.101 et seq. The Sheriff shall be the Issuing Officer for a permit for a fireworks display.

Sec. 3308.1.1 Scope. The possession, manufacture, sale, storage, use and display of fireworks are prohibited in the unincorporated area of the County except as provided in County Code sections 32.101 et seq.

SEC. 96.1.3405.2.4. TRANSFERRING CLASS I, II OR III LIQUIDS.

Section 3405.2.4 of the California Fire Code is revised to read:

Sec. 3405.2.4 Transferring Class I, II or III liquids. Class I or II liquids or Class III liquids that are heated up to or above their flash points shall be transferred by one of the following methods:

Exception: Liquids in containers not exceeding a 5.3-gallon (20 L) capacity.

1. From safety cans complying with UL 30.
2. Through an approved closed piping system.
3. From containers or tanks by an approved pump taking suction through an opening in the top of the container or tank.
4. Approved engineered liquid transfer system.

SEC. 96.1.3406.2.8.2 PROHIBITION ON USE OF TANK VEHICLE.

Section 3406.2.8.2 is added to the California Fire Code to read:

Sec. 3406.2.8.2. Tank vehicle as a substitute for permanent tank prohibited. The use of a tank vehicle in a stationary manner as a substitute for an approved above-ground or below-ground fuel tank is prohibited.

SEC. 96.1.3807.5. SAFETY PRECAUTIONS AND DEVICES-SECURING LPG TANKS.

Section 3807.5 is added to the California Fire Code to read:

Sec. 3807.5 Securing LPG tanks. When required by the FAHJ, LPG tanks shall be secured to prevent the tank from rolling or moving.

SEC. 96.1.4702. DEFINITIONS.

Section 4702 of the California Fire Code is revised to read:

SECTION 4702 DEFINITIONS

Sec. 4702.1 General. For the purposes of this chapter, certain terms are defined as follows:

BUILDING OFFICIAL means the Director of the Department of Planning and Land Use or any person appointed or hired by the Director to administer or enforce the County's planning and construction standards. The building official duties shall include plan checking, inspections and code enforcement.

CDF DIRECTOR means the Director of the California Department of Forestry and Fire Protection.

COMBUSTIBLE VEGETATION means material that in its natural state will readily ignite, burn and transmit fire from native or landscape plants to any structure or other vegetation. Combustible vegetation includes dry grass, brush, weeds, litter or other flammable vegetation that creates a fire hazard.

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.

FIRE PROTECTION PLAN (FPP) is a document prepared for a specific project or development proposed for the wildland-urban interface fire area that describes ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system.

FIRE HAZARD SEVERITY ZONES are geographical areas designated pursuant to California Public Resources Code sections 4201 through 4204 and classified as Very High, High and Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code sections 51175 through 51189.

The California Code of Regulations, Title 14, Section 1280 entitles maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

FUEL BREAK is an area, strategically located for fighting anticipated fires, where the native vegetation has been permanently modified or replaced so that fires burning into it can be more easily controlled. Fuel breaks divide fire-prone areas into smaller areas for easier fire control and to provide access for fire fighting.

SLOPE is the variation of terrain from the horizontal; the number of feet, rise or fall per 100 feet, measured horizontally, expressed as a percentage.

STATE RESPONSIBILITY AREA means lands that are classified by the Board of Forestry pursuant to Public Resources Code section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State.

TREE CROWN means the primary and secondary branches growing out from the main stem, together with twigs and foliage.

WILDFIRE is any uncontrolled fire spreading through vegetative fuels that threaten to destroy life, property, or resources as defined in Public Resources Code sections 4103 and 4104.

WILDFIRE EXPOSURE is one or a combination of radiant heat, convective heat, direct flame contact and burning embers being projected by vegetation fire to a structure and its immediate environment.

WILDLAND-URBAN INTERFACE FIRE AREA is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code

Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires.

SEC. 96.1.4703. FIRE PROTECTION PLAN.

Section 4703 of the California Fire Code is revised to read:

**SECTION 4703
FIRE PROTECTION PLAN**

Sec. 4703.1 When required. An applicant for a parcel map, subdivision map, specific plan or major use permit for any property located in a wildland-urban interface fire area shall be required to have a Fire Protection Plan (FPP) approved by the fire code official and the Department of Planning and Land Use, as part of the approval process.

Sec. 4703.2 Content. The FPP shall consider location, topography, geology, aspect, combustible vegetation (fuel types), climatic conditions and fire history. The plan shall address the following in terms of compliance with applicable codes and regulations including but not limited to: water supply, primary access, secondary access, travel time to nearest serving fire station, structural ignitability, structure set back, ignition-resistive building features, fire protection systems and equipment, impacts to existing emergency services, defensible space and vegetation management.

The FPP shall be prepared as prescribed in the County of San Diego Land Use and Environment Group “Guidelines for Determining Significance and Report Format and Content Requirements for Wildland Fire and Fire Protection” document.

SEC. 96.1.4707. DEFENSIBLE SPACE.

Section 4707 of the California Fire Code is revised to read:

**SECTION 4707
DEFENSIBLE SPACE**

Sec. 4707.1 Structure setbacks from property lines. The building official shall establish the minimum setbacks for locating a structure on a lot in a wildland-urban interface fire area. The setbacks may be greater than the minimum setbacks provided in the County Zoning Ordinance, when necessary to protect a structure from an unreasonable hazard from a wildfire.

Sec. 4707.1.1 General fire setbacks. Buildings and structures shall be setback a minimum of 30 feet from the property line unless the County Zoning Ordinance requires

a greater minimum. When the property line abuts a roadway the setback shall be measured from the centerline of the roadway.

Exception: When both the building official and the FAHJ determine that the hazard from a wildland fire is not significant, the building official may allow the setback to be less than 30 feet from the property line when allowed by the Zoning Ordinance.

Sec. 4707.1.2 Fire setbacks adjacent protected areas. Buildings and structures shall be setback a minimum of 100 feet from any property line adjacent a national forest, state park or open space preserve. This setback may be reduced when additional mitigation measures are employed that are satisfactory to both the FAHJ and the building official.

Sec. 4707.2 Fuel modification.

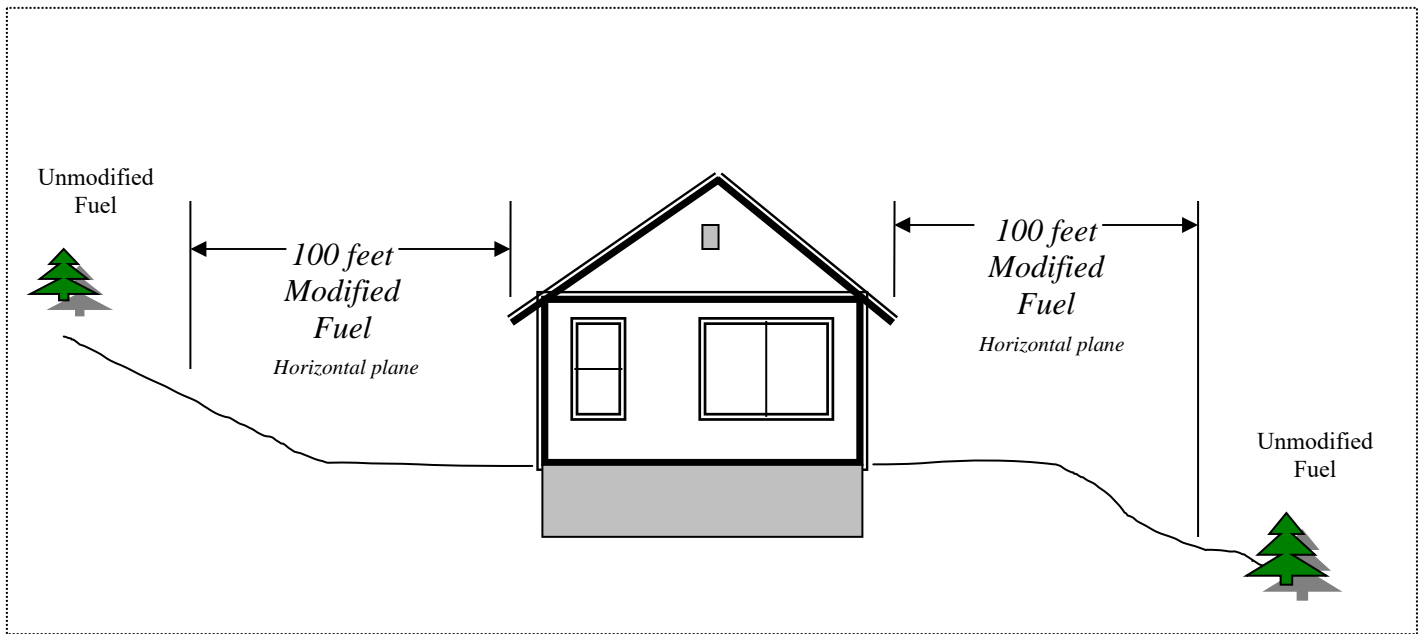
(a) When a building or structure in a hazardous fire area is located 100 feet or more from the property line the person owning or occupying the building or structure shall maintain a fuel modification zone within 100 feet of the building or structure. The area within 50 feet of a building or structure shall be cleared of vegetation that is not fire resistant and re-planted with fire-resistant plants. In the area between 50 to 100 feet from a building all dead and dying vegetation shall be removed. Native vegetation may remain in this area provided that the vegetation is modified so that combustible vegetation does not occupy more than 50% of the square footage of this area. Trees may remain in both areas provided that the horizontal distance between crowns of adjacent trees and crowns of trees and structures is not less than 10 feet. See Figure 4707.2.

(b) When a building or structure in a hazardous fire area is setback less than 100 feet from the property line, the person owning or occupying the building or structure shall meet the requirements in subsection (a) above, to the extent possible, in the area between the building or structure and the property line.

(c) The building official and the FAHJ may provide lists of prohibited and recommended plants.

(d) The fuel modification zone shall be located entirely on the subject property unless approved by the FAHJ. This required fuel modification zone may be reduced as allowed in subsection (b) above or increased as required by a fire protection plan.

FIGURE 4707.2 MEASUREMENTS OF FUEL MODIFICATION DISTANCE



Sec. 4707.2.1 Fuel modification of combustible vegetation from sides of roadways.

(a) The FAHJ may require a property owner adjacent to a public or private road to modify combustible vegetation in the area within 20 feet from each side of the road to establish a fuel modification zone. The FAHJ has the right to enter private property to insure the fuel modification zone requirements are met.

(b) A property owner adjacent to a public or private road or driveway constructed after the effective date of this chapter shall clear combustible vegetation thirty feet from each side of the road or driveway to create a fuel modification zone.

Exception: The FAJH may reduce the width of the fuel modification zone if it will not impair access.

Sec. 4707.2.2 Community fuel modification. The FAHJ may require a developer, as a condition of issuing a certificate of occupancy, to establish one or more fuel modification zones to protect a new community by reducing the fuel loads adjacent to a community and structures within it. The developer shall assign the land on which any fuel modification zone is established under this section to the association or other common owner group that succeeds the developer as the person responsible for common areas within the community.

Sec. 4707.2.2.1 Land ownership. Once a fuel modification zone has been established under section 4707.2.2 the land on which the zone is located shall be under the control of an association or other common ownership established in perpetuity, for the benefit of the community to be protected.

Sec. 4707.3 Maintenance of defensible space. Any person owning, leasing, controlling, operating or maintaining a building or structure required to establish a fuel modification zone pursuant to section 4707.2 shall maintain the defensible space. The FAHJ may enter the property to determine if the person responsible is complying with this section. The FAHJ may issue an order to the person responsible for maintaining the defensible space directing the person to modify or remove non-fire resistant vegetation from defensible space areas, remove leaves, needles and other dead vegetative material from the roof of a building or structure, maintain trees as required by section 4707.3.1 or to take other action the FAHJ determines is necessary to comply with the intent of sections 4703 et seq.

Sec. 4707.3.1 Trees. Crowns of trees located within defensible space shall maintain a minimum horizontal clearance of 10 feet for fire resistant trees and 30 feet for non-fire resistive trees and shall be pruned to remove limbs located less than 6 feet above the ground surface adjacent to the trees. Dead wood and litter shall be regularly removed from trees. Ornamental trees shall be limited to groupings of 2-3 trees with canopies for each grouping separated horizontally as described in Table 4707.3.1.

**TABLE 4707.3.1
DISTANCE BETWEEN TREE CANOPIES**

Distance between Tree Canopies by Percent Slope (1)	
Percent of Slope	Required Distances Between Edge of Mature Tree Canopies (2)
0 to 20	10 feet
21 to 40	20 feet
41 plus	30 feet

1. Adapted from Wildland Home Fire Risk Meter, Simmerman and Fischer, 1990.

2. Determined from canopy dimensions as described in Sunset Western Garden Book (Current Edition)

Sec. 4707.3.2 Orchards, groves or vineyards. All orchards, groves and vineyards shall be kept in a healthy state and free of combustible debris and vegetation, including dead or downed trees. A 10-foot firebreak shall be cleared around the perimeter of any orchard, grove or vineyard. Dead grasses between rows of trees or vines shall be mowed.

SEC. 96.1.4710. CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE.

Section 4710 of the California Fire Code is revised to read:

**SECTION 4710
CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE**

Sec. 4710.1 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.

SEC. 96.1.APP.101.5. VALIDITY.

Appendix Chapter 1, section 101.5 of the California Fire Code is revised to read:

Sec. 101.5 Validity. The Board of Supervisors declares that should any section, paragraph, sentence or word of this chapter be declared invalid for any reason it is the intent of this Board that it would have passed all other portions of this chapter independently of any portion that may be declared invalid.

SEC. 96.1.APP.102.10. REPEAL OF CONFLICTING ORDINANCES, RESOLUTIONS OR MOTIONS.

Appendix Chapter 1, section 102.10 is added to the California Fire Code to read:

Sec. 102.10 Repeal of conflicting ordinances, resolutions or motions. All former ordinances, resolutions or motions or parts thereof, conflicting or inconsistent with the provisions of this chapter are repealed.

SEC. 96.1.APP.105.3.8. EXPENSE RECOVERY.

Appendix Chapter 1, section 105.3.8 is added to the California Fire Code to read:

Sec. 105.3.8 Expense recovery. The fire code official may impose a fee for recovery of expenses incurred to enforce the fire prevention provisions of this code.

SEC. 96.1.APP.105.6.5.1. CHRISTMAS TREE LOTS.

Appendix Chapter 1, section 105.6.5.1 is added to the California Fire Code to read:

Sec. 105.6.5.1 Christmas tree lots. An operational permit is required to operate a Christmas tree lot, with or without flameproofing services.

SEC. 96.1.APP.105.6.19.1. GREENWASTE RECYCLING, MULCHING, COMPOSTING OPERATIONS AND STORAGE.

Appendix Chapter 1, section 105.6.19.1 is added to the California Fire Code to read:

Sec. 105.6.19.1 Greenwaste recycling, mulching, composting operations and storage. An operational permit is required for greenwaste recycling, mulching, composting operations and storage.

SEC. 96.1APP.105. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH REQUIRE PERMITS.

Appendix Chapter 1, section 105.8 is added to the California Fire Code to read:

Sec. 105.8 New materials, processes or occupancies which require permits. The fire code official may determine, after allowing affected persons an opportunity to be heard, that a material, process or occupancy, not listed in this code shall require a permit, in addition to those now enumerated in this code. In that case, the fire code official shall prepare a list of any additional material, process or occupancy that shall require a permit and post the list in a conspicuous place in the Department of Planning and Land Use, Building Division. Any interested person may obtain a copy of the list.

SEC. 96.1.APP.108. APPEALS.

Appendix Chapter 1, section 108 of the California Fire Code is revised to read:

Sec. 108.1 Appeals procedure for the County Fire Code. A person may appeal an order, decision or determination made by a fire code official that relates to the application or interpretation of this code, by filing a written appeal to the Regional Fire Board of Appeals within 30 days of the fire code official's decision.

Sec. 108.2 Regional Fire Board of Appeals. This section establishes a Regional Fire Board of Appeals (Board) consisting of five members. The Building Industry Association of San Diego County shall appoint two members and one alternate, the San Diego County Fire District's Association shall appoint two members and one alternate and the Director of the San Diego County Department of Planning and Land Use shall appoint one member with one alternate. Three members shall constitute a quorum for the transaction of business and three affirmative votes shall be necessary to render a decision. The San Diego County Department of Planning and Land Use appointee shall act as the secretary of the Board. The Board shall adopt reasonable rules and regulations for conducting its review and shall render decisions and findings in writing to the fire code official, with a copy to the appellant. The Board's decision shall be final and binding unless the fire code

official or applicant files a written appeal within 30 days to the Director of Planning and Land Use, who shall review the appeal. The Director of Planning and Land Use shall render a final decision and findings in writing to the fire code official, with a copy to the applicant.

Sec.108.3 Qualifications. This section is deleted.

SEC. 96.1.APP.109.3 VIOLATIONS, PENALTIES AND RESPONSIBILITY FOR COMPLIANCE.

Appendix Chapter 1, section 109.3 of the California Fire Code is revised to read:

Sec. 109.3 Violations, penalties and responsibility for compliance with the County Fire Code. It shall be unlawful for any person, as defined in section 12.115 of the County Code of Regulatory Ordinances, to use any property or erect, construct, enlarge, alter, repair, move, remove, improve, convert, demolish, equip, use, occupy or maintain any building or structure, or vacant land or cause the same to be done, contrary to or in violation of any of the provisions of this chapter. A property owner shall be considered to have allowed any use or improvement of property occupied by or under the dominion and control of the owner and shall be responsible for the discontinuance and removal of any violation of the County Fire Code. This responsibility shall include property leased to another person. A property owner shall also be responsible for the discontinuance and removal of any violation of the County Fire Code that existed on the property prior to the current owner's purchase of the property.

SEC. 96.1.APP.B103.3. AREAS WITHOUT WATER SUPPLY SYSTEMS.

Appendix B, section B103.3 of the California Fire Code is revised to read:

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural areas and suburban areas in which adequate and reliable water supplies do not exist, the fire code official is authorized to utilize provisions in Appendix B of this code or the standard published by the Insurance Services Office document entitled "Guide for Determination of Required Fire Flow."

SEC. 96.1.APP.H1.2 REPORTING FORMS

Appendix H, sec. H.1.2 is added to the California Fire Code to read:

H1.2 Reporting forms. Hazardous Materials reporting forms currently adopted by San Diego County Health Department Hazardous Materials Management Unit which cover the same areas as forms contained in this Appendix are adopted by reference and take precedence over this Appendix.

Section 10. This ordinance shall take effect immediately 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 newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED THIS 30th day of January, 2008