



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Ordinance No. 1892 Entitled, "An Ordinance of the Lodi City Council Adopting the '2013 California Fire Code'; Thereby, Repealing and Reenacting Lodi Municipal Code Chapter 15.20 in Its Entirety"

MEETING DATE: November 20, 2013

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1892.

BACKGROUND INFORMATION: Ordinance No. 1892 entitled, "An Ordinance of the Lodi City Council Adopting the '2013 California Fire Code'; Thereby, Repealing and Reenacting Lodi Municipal Code Chapter 15.20 in Its Entirety," was introduced at the regular City Council meeting of November 6, 2013.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. *Cal. Gov't Code § 36934.*

Ordinances take effect 30 days after their final passage. *Cal. Gov't Code § 36937.*

This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.


for
Randi Johl-Olson
City Clerk

RJ/JMR

Attachments

APPROVED:


Konradt Bartlam, City Manager

ORDINANCE NO. 1892

AN ORDINANCE OF THE LODI CITY COUNCIL
ADOPTING THE "2013 CALIFORNIA FIRE CODE";
THEREBY, REPEALING AND REENACTING LODI
MUNICIPAL CODE CHAPTER 15.20 IN ITS ENTIRETY

=====

THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN AS FOLLOWS:

Section 1. Lodi Municipal Code Chapter 15.20, "California Fire Code," is hereby repealed in its entirety and reenacted to read as follows:

CHAPTER 15.20
FIRE CODE

Section:

- 15.20.010 Adoption
- 15.20.020 Enforcement
- 15.20.030 Definitions
- 15.20.040 Findings and Filings
- 15.20.050 Open Burning, Recreational Fires and Portable Outdoor Fireplaces
- 15.20.065 Sky Lanterns
- 15.20.070 Misc. Combustible Material Storage - Pallets, Palletized Packing Boxes, and Bin Boxes
- 15.20.080 Fire Apparatus Access Roads - Dimensions
- 15.20.090 Fire Apparatus Access Roads - Surfaces
- 15.20.100 Premises Identification
- 15.20.110 Key Boxes - Hazardous Materials Management Plan Box
- 15.20.120 Emergency Responder Radio Coverage - Public Safety Radio Building Amplification System
- 15.20.130 Fuel - Fired Appliances Gas Meters - Gas Service Identification
- 15.20.140 Electrical Equipment Wiring and Hazards - Electrical Disconnect
- 15.20.150 Fire Protection Systems - System Maintenance
- 15.20.160 Automatic Sprinkler Systems
- 15.20.170 Sprinkler Coverage Identification
- 15.20.180 Fire Control Room
- 15.20.190 Fire Alarm and Detection System Certification
- 15.20.200 Precautions Against Fire - Opening Burning Construction Sites
- 15.20.210 Tire Rebuilding and Tire Storage - Inside Tire Storage
- 15.20.220 Explosives and Fireworks - Seizure of Fireworks
- 15.20.230 Explosives and Fireworks - Limits Explosive and Blasting Agents
- 15.20.240 Explosives and Fireworks - Manufacturing of Fireworks
- 15.20.250 Storage - Locations Where Aboveground Tanks are Prohibited
Class I & II Liquids
- 15.20.260 General Authority - Contract Inspector
- 15.20.270 General Authority - Fire investigators
- 15.20.280 Permits - Required Fees
- 15.20.290 Permits - Inspection Authorized
- 15.20.300 Permits - Revocation
- 15.20.310 Permits - Required
- 15.20.320 Inspections - Administrative Costs

- 15.20.325 Board of Appeals
- 15.20.330 Violations - Administrative Enforcement Provisions
- 15.20.340 Violations - Abatement of Hazard by Fire Code Official
- 15.20.350 Unsafe Building - Structural fires
- 15.20.360 Stop Work Order - Failure to comply
- 15.20.370 Fire Hydrants - Location and Distribution, Distribution of fire hydrants
- 15.20.380 Changes or modifications

- 15.20.010 Adoption

The provisions set forth in the California Fire Code (2013 Edition), including Chapters 1, Division II, and Appendix Chapters 4, A, B, BB, C, CC, D, E, F, G, H, I, J, and K, with the exception of Section 103.2 (published by the International Code Council), are hereby adopted as the Fire Code of the City of Lodi, and copies of the same are maintained by the City Building Official and available for review in the Community Development Department, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and the enforcement of the rules, regulations, penalties, conditions and terms of the Fire Code of the City of Lodi, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes as prescribed in this ordinance.

15.20.020 Enforcement

Peace officers and persons employed in positions authorized to exercise the authority provided in California Penal Code Section 836.5 are authorized to issue citations for violation of this Chapter. The following designated employee positions may enforce the provisions of this Chapter by issuance of citations: the City Manager or his/her duly authorized representative, the Fire Chief, the Fire Marshal, Fire Inspectors, and all sworn members of the City's fire department

15.20.030 Definitions

- a) Whenever the words "International Fire Code" are used in this Chapter, it shall mean the California Fire Code (2013 Edition), Title 24, California Code of Regulations, Part 9.
- b) Whenever the words "California Fire Code" are used in this Chapter, it shall mean the California Fire Code (2013 Edition), Title 24, California Code of Regulations, Part 9, as adopted.
- c) Whenever the word "municipality" is used in the California Fire Code (2013 Edition), it shall mean the City of Lodi.
- d) Whenever the words "Chief" or "Fire Code Official" is used in the California Fire Code (2013 Edition), they shall mean the Fire Chief for the City of Lodi or his/her designated representative.

15.20.040 Findings and filings

The findings of fact required in accordance with Health and Safety Code Section 17958.5 are set forth in Section 15.20.380 of this Chapter and are filed separately with the California Building Standards Commission and Lodi City Clerk's Office.

15.20.050 Open burning, Recreational Fires and Portable Outdoor Fireplaces

Section 307.1 of the California Fire Code is hereby amended to read as follows:

A person shall not kindle or authorize to be kindled or maintain any outdoor burning within the limits of the City of Lodi, except that this section shall not prohibit those fires that are approved by the Fire Code Official for the following purposes:

- a. The prevention of a fire hazard that cannot be evaded by any other means.
- b. The instruction of public employees in the methods of fighting fire.
- c. The instruction of employees in the methods of fighting fire, when such fire is set, pursuant to permit, on property used for industrial purposes.
- d. The setting of backfires necessary to save life or valuable property pursuant to Section 4462 of the Public Resource Code.
- e. The abatement of fire hazards pursuant to Section 13055 of the Health and Safety Code.
- f. Disease or pest prevention, where there is an immediate need for and no reasonable alternative to burning.

Nothing in this section shall be construed as prohibiting open outdoor fires used only for cooking food for human consumption where such use is accomplished in an approved fireplace or barbecue pit, or for recreational purposes in areas approved by the Fire Code Official, provided that the combustible is clear dry wood or charcoal and it is a permissive burn day. Approval shall be in accordance with Sections 307.1.1 – 307.5 of the California Fire Code.

15.20.65 Sky Lanterns

Section 308 of the California Fire Code is hereby amended to add the following:

No person shall release or cause to be released an untethered sky lantern.

Sky Lantern. An unmanned device with a fuel source that incorporates an open flame in order to make the device airborne.

15.20.070 Miscellaneous Combustible Materials Storage - Pallets, Palletized Packing Boxes and Bin Boxes

Section 315 of the California Fire Code is hereby amended to add the following:

A permit shall be required to store pallets, palletized packing boxes, or bin boxes in excess of 30,000 board feet, in accordance with the following restrictions.

Pallets, palletized packing boxes, and bin boxes shall be piled with due regard to stability of piles and in no case higher than 12 feet. Where pallets are piled next to a property line, the distance from the property line shall not be less than one half the pile height and in no case less than 5 feet from the property line.

Exception: Bin boxes may be stacked to a maximum height of 20 feet.

Driveways between and around pallets, bin boxes, and palletized packing boxes shall be a minimum of 20 feet wide and maintained free from accumulations of rubbish, weeds, machinery or other articles that would block access or add to the fire hazard. Driveways shall be spaced so a maximum grid of storage is no more than 50 feet by 50 feet.

Pallets, palletized packing boxes, and bin boxes, operating under a permit, shall be enclosed by a suitable fence of at least 6 feet in height, unless storage is in a building.

An approved water supply and/or fire hydrants capable of supplying the required fire flow shall be provided to the premises within all portions of the storage areas in accordance with Section 507, California Fire Code and Lodi Municipal Code 15.20.370.

For permitting purposes one pallet will be calculated as having 25 board feet and palletized packing boxes and bin boxes will be calculated based on average board feet per box.

15.20.080 Fire Apparatus Access Roads - Dimensions

Section 503.2.1 of the California Fire Code is hereby amended to read as follows:

Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6 of the California Fire Code and an unobstructed vertical clearance of not less than 13 feet 6 inches.

15.20.090 Fire Apparatus Access Roads - Surfaces

Section 503.2.3 of the California Fire Code is hereby amended to read as follows:

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall provide a permanent surface of asphalt or concrete installed the full width of all streets, cul-de-sacs, and fire lanes.

15.20.100 Premises Identification

Section 505.1 of the California Fire Code is hereby amended to read as follows:

A. Address Identification

New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch.

The approved minimum size dimensions of the numbers shall be as specified by Table 1.

Where a building is set back from the street or road fronting the property and where addresses may not be clearly identifiable due to distance from the street or roadway, landscape and architectural appendages, or other obstructions, address posting shall be required both at the street driveway serving such building and on the building.

Table 1	
Distance to Building address measured from back of walk.	Size Height
25 Feet	4 inches
26-40 Feet	6 inches
41-55 Feet	9 inches
Over 55 Feet	12 inches

B. Address Identification – Rear

Any business or apartment building which affords vehicular access to the rear through a driveway, alley way, or parking lot shall also display approved identification or address numbers on the rear of the building for such business or apartment building in a location approved by the Fire Code Official.

C. Address Identification - Multiple Dwelling Units

An approved diagram of the premises, which clearly indicates all individual addresses of each unit in the complex, shall be erected at the entrance driveways to every multiple dwelling complex having more than one building on the premises or when required by the Fire Code Official.

In addition, the Fire Code Official may require that individual buildings on the premises be identified in an approved manner.

D. Address Identification - Multiple Buildings

An approved identification of multiple buildings within an industrial complex shall be required which clearly indicates each individual building in the complex. Identification shall be placed on each building in a size and location, when required by the Fire Code Official, and be visible for responding emergency personnel in an approved manner.

E. Address Identification - Illumination

Addressing shall be illuminated at night in all new buildings. Signs shall be internally or externally illuminated. When the luminance or the face of a sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles. Internally illuminated signs shall provide equivalent luminance.

15.20.110 Key Boxes - Hazardous Materials Management Plan Box

Section 506 of the California Fire Code is hereby amended to add the following:

When a business which handles hazardous materials is required to complete a Hazardous Materials Management Plan (HMMP), the Fire Code Official may require the installation of a secured box at the primary facility entrance or the fire control room, which contains a copy of the Hazardous Materials Management Plan. This box shall be waterproof and capable of holding the document in a rolled condition without folding. Other characteristics of the box shall be approved by the Fire Code Official.

Businesses which handle acutely hazardous material as defined in Section 25532 of the Health and Safety Code shall install a Hazardous Material Management Plan Box in accordance with this section.

15.20.120 Emergency Responder Radio Coverage - Public Safety Radio Building Amplification System

Section 510 (Emergency Responder Radio Coverage) of the California Fire Code is hereby amended to add the following:

A. Requirement for Approved Emergency Responder Radio Coverage in Buildings.

All buildings shall have approved indoor radio coverage for emergency responders. Except as otherwise provided, no person shall erect, construct, change the use of or provide an addition of more than 20 percent to, any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for the City of Lodi radio communications system. Determining the existence of approved radio coverage and the correction of any deficiencies shall be the responsibility of the building owner. Existing buildings, buildings of one or two single family dwellings, or those below minimum areas as determined by the fire code official may be exempted from this requirement by the Fire Code Official.

B. Approved Radio Coverage

Approved radio coverage shall conform to the current standards of the Lodi Fire Department. These standards shall define the acceptable indoor signal levels to provide 90% reliability of the Lodi Public Safety Radio System inside structures. The fire code official may determine exceptions and additions to these standards as required to protect the integrity of the public safety radio system and provide acceptable signal levels in structures critical to public health and safety.

C. Indoor Public Safety Radio Enhancement Systems

If required by this code, any indoor public safety radio enhancement system must comply with current standards set by the Lodi Fire Department, and the regulations of the Federal Communications Commission. Systems shall be inspected, maintained, and modified as necessary to provide approved emergency responder radio coverage. If changes in FCC regulations or modifications to the Lodi Public Safety Radio System require modifications to a public safety radio enhancement system, the building owner, at his/her own expense, shall make necessary changes to conform to the existing standard.

15.20.130 Fuel-Fired Appliances - Gas Meters, Gas Service Identification

Section 603.9 of the California Fire Code is hereby amended to add the following:

All buildings providing natural gas service through more than one (1) service meter or through multiple service connections shall have individual gas shutoffs identified in a manner approved by the Fire Chief indicating areas or units served.

15.20.140 Electrical Equipment, Wiring and Hazards - Electrical Disconnect

Section 605 of the California Fire Code is hereby amended to add the following:

All buildings constructed after July 1, 2005, shall have main electrical shut off accessible to the exterior of the structure. This may be accomplished by placing the shut off on the building exterior, an electrical room with a door leading directly to the exterior or a remote electrical (shunt) switch on the building exterior. Breakaway locks are allowable for security.

15.20.150 Fire Protection Systems- System Maintenance

Section 901.7 of the California Fire Code is hereby amended to add the following:

All individuals or companies installing, repairing, testing, servicing, or maintaining sprinkler systems, fire hydrant systems, standpipes, fire alarm systems, portable fire extinguishes, smoke and heat ventilators, smoke-removal systems, and other fire protection or extinguishing systems or appliances shall be a fire protection contractor or contractor licensed for said work by the State of California or have the appropriate license required by the California State Fire Marshal's Office or both.

The authority having jurisdiction shall be notified immediately when a fire protection or detection system or portion thereof is found inoperable.

The authority having jurisdiction shall be notified in writing within 72-hours by the person performing repairs, testing, or maintenance when a fire protection or detection system is not in compliance with applicable codes.

When changes involve shutting off water for a considerable number of sprinklers for more than 4-hours, temporary water supply connections shall be made to sprinkler systems so that reasonable protection can be maintained. Protection shall be restored each night. The Fire Code Official may require a fire watch while any system is inoperative.

When shorts, failures, or other interruptions of service occur within a building's fire alarm system that connects to an approved alarm service provider's Type A (listed) Central Station or is a local alarm only, the Fire Code Official may require the system to be disconnected or shunt out the private fire alarm system and/or circuit. When shorts, failures, or other interruption of service occur within a building's fire alarm system that connects to an approved alarm service provider's Type A (listed) Central Station, the Fire Code Official may require the system to be repaired and written notification to be provided to the Fire Code Official before he or she responds to alarms generated by the system.

Where alarm system(s) are wholly or partially out of service for more than 8 hours, the alarm company having responsibility shall notify the fire dispatch center.

15.20.160 Automatic Sprinkler Systems

Section 903 of the California Fire Code is hereby amended to add the following:

In addition to the requirements specified in Section 903 of the California Fire Code, an automatic sprinkler system shall be installed throughout and maintained in an operable condition regardless of the installation of area separation walls in the following buildings:

- (1) Every building hereafter constructed in which the total floor area is 6,000 square feet or more.
- (2) Every building hereafter constructed of three or more stories as defined in the California Building Code.
- (3) Every building hereafter in which the square footage existing as of September 1, 1997, is increased by 50% or the total square footage of the building exceeds 6,000 square feet.

15.20.170 Sprinkler Coverage Identification

Section 903 of the California Fire Code is hereby amended to add the following:

When required by the Fire Code Official, approved signs shall identify the building(s) or portions of building(s) served by a fire department connection and/or riser.

15.20.180 Fire Control Room

Section 903 of the California Fire Code is hereby amended to add the following:

An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Existing buildings installing automatic fire extinguishing system shall have a fire control room added unless approved by the Fire Code Official or his/her designee for good cause. Fire control room shall contain all system control valves, fire alarm control panels, and other fire equipment required by the Fire Code Official. Fire control rooms shall be located within the building at a location approved by the Fire Code Official and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room.

EXCEPTION: Group R, Division 3 occupancies.

15.20.190 Fire Alarm and Detection Systems - Certification

Section 907.8.2 of the California Fire Code is hereby amended to add the following:

The permittee shall provide a serially numbered certificate from an approved nationally recognized testing laboratory for all required fire alarm systems indicating that the system has been installed in accordance with the approved plans and specifications and meets National Fire Protection Association Standards. Certification shall be required for all new systems to be installed after July 1, 2003. All existing systems must obtain certification in a timely manner, as approved by the Fire Code Official. A copy of the certification shall be provided to the Fire Code Official at no cost.

15.20.200 Precautions Against Fire - Open Burning Construction Sites

Section 3404.3 of the California Fire Code is hereby amended to add the following:

No fire shall be permitted to burn on any construction site for any purpose. This section is not intended to prohibit the use of devices or tools producing a flame when used in an approved manner and necessary for the construction of the building.

15.20.210 Tire Rebuilding and Tire Storage - Indoor Tire Storage

Chapter 34 (Tire Rebuilding and Tire Storage) 3409.1 of the California Fire Code are hereby amended to add the following:

Inside tire storage shall be in accordance with the following requirements.

Tires stored on side walls shall not be higher than six feet. Tires stored in a lace pattern shall not be higher than 5 feet. A minimum of 3 feet of clearance from tire storage racks shall be maintained in all directions to roof structure, sprinkler deflectors, unit heaters, supply and return air duct registers, lighting fixtures, electrical outlets or any other producing device. On-tread storage piles, regardless of storage needs, shall not exceed 25 feet in the direction of the wheel holes. On-floor, on-tread storage shall not exceed 5 feet in height. The width of the main aisles between piles shall not be less than 8 feet. Any aisle other than the main aisles shall not be less than 4 feet in width.

Definitions:

On-side storage: Tires stored horizontally or flat.

On-tread storage: Tires stored vertically or on their treads.

Laced storage: Tires stored where the sides of the tires overlap, creating a woven or laced appearance.

15.20.220 Explosives and Fireworks - Seizure of Fireworks

Chapter 56 (Explosives and Fireworks) of the California Fire Code is hereby amended to add the following:

The Fire Code Official is authorized to seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of local, state, or federal regulations.

15.20.230 Explosives and Fireworks - Limits Explosive and Blasting Agents

Chapter 56 (Explosives and Fireworks) of the California Fire Code is hereby amended to add the following:

The storage of explosives and blasting agents is prohibited within the City limits, except in areas zoned M-2 as such zone is defined in the zoning regulations of the City.

15.20.240 Explosives and Fireworks-Manufacturing of Fireworks

Chapter 56 (Explosives and Fireworks) of the California Fire Code is hereby amended to add the following:

The manufacture of fireworks within the limits of the City of Lodi is prohibited.

15.20.250 Storage - Locations where aboveground tanks are prohibited – Class I & II Liquids

Section 5704.2.9.6.1 of the California Fire Code is hereby amended to read as follows:

Storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited within the limits of the City of Lodi, except areas zoned IP, M-1, and M-2 as such zones are defined in the zoning regulations of the City of Lodi.

15.20.260 General Authority - Contract Inspector

Chapter 1, Division II, Part 2 Section 104.7.2 of the California Fire Code is hereby amended to add the following:

The Fire Code Official may require the owner or the person in possession or control of the building or premise to provide, without charge to the fire department, a special inspector (“Contract Inspector”) when the department requires technical expertise for assistance to conduct the required inspections.

The Contract Inspector shall be a qualified person who shall demonstrate his/her competence to the satisfaction of the Fire Code Official for inspection of a particular type of construction, operation, fire extinguishing, or detection system or process.

Duties and responsibilities of the Contract Inspector shall include but not be limited to the following:

1. The Contract Inspector shall observe the work assigned for conformance with the approved design drawing and specifications.
2. The Contract Inspector shall furnish inspection reports to the Fire Code Official, Building Official, and other designated persons as required by the Fire Code Official. All discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority, Fire Code Official, and to the building official.
3. The Contract Inspector shall submit a final signed report stating whether the work requiring inspection was, to the best of his/her knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of this code.

15.20.270 General Authority - Fire Investigators

Chapter 1, Division II, Part 2 – Section 104.10 of the California Fire Code is hereby amended to add the following:

All sworn members assigned to the Fire Prevention Bureau or Fire Investigation Unit are hereby assigned as Fire Investigators and as such shall enforce the provisions of the California Penal Code as it pertains to fire and arson investigations.

15.20.280 Permits – Required Fees

Chapter 1, Division II, Part 2 – Section 113.2 of the California Fire Code is hereby amended to add the following:

The fee for each permit shall be as set forth from time to time by resolution of the Lodi City Council. The City may establish fees sufficient to recover its costs in administering this Code. No permit shall be issued until such fees have been paid, and administrative citations may be issued to persons violating this Code by the persons allowed to issue citations as stated in Lodi Municipal Code – Chapter 1.10 – Administrative Enforcement Provisions.

15.20.290 Permits - Inspection Authorized

Chapter 1, Division II, Part 2 – Section 105.2.2 of the California Fire Code is hereby amended to read as follows:

Before a new operational permit is approved, the Fire Code Official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces, or areas to be used to determine compliance with this Code or any operational constraints required. In instances where laws or regulations are enforced by departments other than the fire department, joint approval shall be obtained from all departments concerned.

No final inspection under this Code, as to all or any portion of the development, shall be deemed completed and no certificate of occupancy shall be issued unless and until the requirements imposed by this Code have been completed and the final approval thereof by the Fire Department has been given as provided herein and all plan reviews and inspection fees paid.

15.20.300 Permits - Revocation

Chapter 1, Division II, Part 2 – Section 105.5 of the California Fire Code is hereby amended to add the following:

The Fire Code Official further shall have the power to revoke, suspend, or deny the granting of any permit required pursuant to the provision of this Code for any of the following reasons:

- (a) When deemed necessary for the protection of life, limb, or property; or
- (b) For changing the occupancy, equipment, materials, processes, or other conditions in such a manner as to create a greater danger of fire or explosion or less protection than was present at the time of the issuance of such permits.

15.20.310 Permits - Required

Chapter 1, Division II, Part 2 – Section 105.6 of the California Fire Code is hereby amended to add the following:

Christmas Tree Lots. A permit issued by the Fire Code Official is required to operate a Christmas Tree Lot with or without flame proofing services.

Haunted Houses. A permit issued by the Fire Code Official is required to operate a temporary or permanent haunted house.

Special Events. A permit issued by the Fire Code Official is required to conduct a special event that is not otherwise listed in this Code and in the opinion of the Fire Code Official or his or her designee poses a fire or life safety concern to the public.

15.20.320 Inspections - Administrative Costs

Chapter 1, Division II, Part 2 – Section 106.2 of the California Fire Code is hereby amended to add the following:

When a test or inspection is scheduled and the contractor fails to perform to the satisfaction of the authority having jurisdiction, the authority having jurisdiction may bill the contractor for actual time spent traveling to and from the test/inspection location and the time spent at the test/inspection site as well as administrative costs.

15.20.325 Board Of Appeals

Chapter 1, Division II, Part 2 – Section 108 of the California Fire Code is hereby amended to read as follows:

In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of this Chapter, the City Council shall sit as a Board of Appeals. The Fire Code Official shall be an ex-officio member and shall act as secretary of the Board. Three members present shall constitute a quorum and no act of the Board shall be valid unless a majority of the full board shall concur therein.

The Board of Appeals shall adopt reasonable rules and regulations for conducting a meeting and investigations and shall render a decision and findings in duplicate. A copy will go to the Fire Code Official with the other copy to the applicant.

15.20.330 Violations - Administrative Enforcement Provisions

Chapter 1, Division II, Part 2 – Section 109.2 and 109.3 of the California Fire Code is hereby amended to read as follows:

Notices of violation, citation, or penalties shall comply with Lodi Municipal Code – Chapter 1.10 – Administrative Enforcement Provisions with the following terminology changes or deletions wherever stated in Chapter 1.10.

(a) Whenever the word “Community Improvement Officer” is used, it shall mean the Fire Code Official.

(b) Whenever the word "Department of Public Safety" is used, it shall mean the Lodi Fire Department.

(c) Whenever the word "Community Development Director" or "Director" is used, it shall mean the Fire Chief or his designee.

(d) Whenever the word "Uniform Codes" is used, it shall mean the California Fire Codes.

(e) Section 1.11.260E is not applicable to the provisions of this chapter, (Community Awareness and Responsibility Education Classes) as it pertains to residential dwellings.

15.20.340 Violations - Abatement of Hazard by Fire Code Official

Chapter 1, Division II, Part 2 – Section 109.3.1 of the California Fire Code is hereby amended to add the following:

If any person fails to comply with the orders of the Fire Code Official, or if the Fire Code Official is unable to locate the owner, operator, occupant, or other person responsible within a reasonable time, the Fire Code Official or his or her authorized representative may take such steps as are necessary to abate the hazard for the protection of the public health and safety. No event notice is necessary before abatement when the hazard is a clear and present danger to the public welfare. All costs related to such abatement shall become a lien or special assessment on the subject property.

15.20.350 Unsafe Buildings - Structural Fires

Chapter 1, Division II, Part 2 – Section 110.1.1 of the California Fire Code is hereby amended to add the following:

The Chief Officer at the scene shall attempt to notify all occupants or owners of structures, which have suffered damage by fire, that such structures or buildings must be inspected before any repairs thereof are made. A permit covering the structural, electrical, and plumbing repairs shall be obtained from the City of Lodi Community Development Department. The Chief Officer shall report all such structural fires to the Chief Building Official or his/her designee within twenty-four hours after the occurrence of such fire.

15.20.360 Stop Work Order - Failure to Comply

Chapter 1, Division II, Part 2 – Section 111.4 of the California Fire Code is hereby amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than that stated in Lodi Municipal Code – Chapter 1.10 – Administrative Enforcement Provisions.

15.20.370 Fire Hydrants Locations and Distribution – Distribution of Fire Hydrants

Appendix C – Section C105.1 of the California Fire Code is hereby amended to read as follows:

Private fire hydrants and public off site fire hydrants shall be spaced with the maximum distances as specified by Table 2.

Table 2	
Zoning Type	Maximum Spacing
Commercial, high density, Industrial or high-value	300 feet
Low Density Residential	500 feet
Residential Reverse Frontage	1000 feet

Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:

1. Streets have median center dividers that make access to hydrants difficult, cause time delays, or create undue hazard or both.
2. On major arterials when there is more than four lanes of traffic.
3. Width of street in excess of 88 feet.
4. The existing street being widened or having a raised median center divider in the future pursuant to the General Plan Roadway Improvements Plans for the City of Lodi.

15.20.380 Changes or Modifications

In accordance with Health and Safety Code Section 17958.5, the adoption of amendments more restrictive than the requirements contained in the provisions published in the California Building Standard Code, are needed because of local conditions, as specified below:

(A) Climatic

(1) Conditions

Precipitation averages 18 inches per year and can reach as high as 35 inches per year. Virtually all of the rain occurs during the months of October through April. The remaining months receive little or no rain. Temperatures during the summer months can reach as high as 110 and City of Lodi averages 19 days over 100 each year. Relative humidity during these summer months is very low. Lodi averages 34 days of dense fog per year, and has had as many as 64 foggy days.

(2) Impacts

The generally dry, hot summer months create extreme fire conditions. Adding to this situation is the dryness and combustibility of many structures during the summer, especially true of structures with wood siding and roofs constructed of wood shakes and shingles. The cyclical uncertainty that allow weather events can cause rapid melting of

the snow pack, which causes flood potential in areas surrounding the Mokelumne River. The foggy conditions can inhibit the dispatch and timeliness of emergency equipment reaching the site of a fire. During foggy periods, it is common place for visibility to be near zero, which results in emergency equipment having to decrease their speed to less than 25 miles per hour.

(B) Geographic

(1) Conditions

The City of Lodi is subject to ground tremors from seismic events as the County is in seismic Category D. The Mokelumne River, which borders the northern city limits, is subjected to flood potential and its levies are subject to failure from seismic activity or high water.

(2) Impacts

The geologic conditions in San Joaquin County in general, and the City of Lodi, in particular, have the potential of restricting access to structures, especially in remote or isolated areas. A moderate earthquake or extended periods of rain can impact local access roads.

(C) Topographic

(1) Conditions

The City of Lodi consists mainly of the San Joaquin Valley floor. The valley floor is typically flat land area bisected by intermittent and year round stream and river systems. Much of the valley floor is irrigated agriculture. Low land areas protected by a complex and extensive levee system characterize the Delta area. Union Pacific Railroad Tracks bisect the eastern and western portions of Lodi as well as Highway 99 creating traffic congestion and emergency response delays.

(2) Impacts

The valley floor is frequently subject to both general and localized flooding. Because the area is so flat and low, it is not unusual for local drainage systems to be inadequate during heavy rain periods. This condition can isolate areas where roads are flooded and thereby block access. With the OSHA "two-in two-out" rule requiring two fire fighters ready to make attack only when two others are present, the potential delay in east-west response increases the risk to firefighter and the public.

While it is clearly understood that the adoption of such amendments may not prevent the incidence of fire, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property, and protection of the environment.

Section 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as such conflict may exist.

Section 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. That nothing in this ordinance or in the California Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the City Clerk is hereby ordered and directed to cause this ordinance to be published. This ordinance shall be published one time in "Lodi News Sentinel," a newspaper of general circulation printed and published in the City of Lodi.

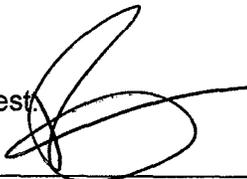
Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect January 1, 2014, a date which is at least 30 days after passage of this ordinance.

Approved this 20th day of November, 2013



ALAN NAKANISHI, Mayor

Attest



RANDI JOHL-OLSON, City Clerk

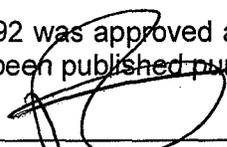
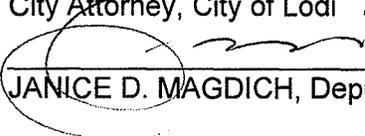
State of California
County of San Joaquin, ss.

I, Randi Johl-Olson, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1892 was introduced at a regular meeting of the City Council of the City of Lodi held November 6, 2013, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held November 20, 2013, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, and
Mayor Nakanishi
NOES: COUNCIL MEMBERS – None
ABSENT: COUNCIL MEMBERS – None
ABSTAIN: COUNCIL MEMBERS – Mounce

I further certify that Ordinance No. 1892 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

Approved as to Form:
D. Stephen Schwabauer
City Attorney, City of Lodi


RANDI JOHL-OLSON, City Clerk
JANICE D. MAGDICH, Deputy City Attorney