

MARIN COUNTY FIRE DEPARTMENT

Committed to the preservation of life, property and environment.



October 29, 2013

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Adoption of Current Fire Codes

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Ross Valley: Medic 18
Tamalpais Fire Crew

Dear Supervisors:

RECOMMENDATION: Read by title only a proposed Ordinance amending chapters 16.08, 16.10 and 16.16 of the Marin County Code, request the Clerk of the Board to have summary of proposed ordinance published by November 7, 2013 at least 5 days prior to the merit hearing, and set merit hearing for 11:00 am on November 12, 2013.

SUMMARY: The proposed Ordinance adopts portions of the 2012 International Wildland-Urban Interface Code, the 2012 International Fire Code, and the 2013 California Fire Code with amendments, regarding fire prevention and fire safety regulations in structures and on property located within the jurisdiction of the Marin County Fire Department.

This adoption process is required of the Marin County Fire Department once every three years to stay current with the minimum requirements of the State of California Building and Fire standards as determined by the California Building Standards Commission. As such, over the last several months, all Fire Marshals in the county met several times at the Novato Fire District headquarters and cooperatively reviewed the proposed amendments so as to make as consistent as possible our respective amendments to each jurisdiction's adoptive local ordinances.

The primary significant changes to Marin County's amendments to the Fire Code this code cycle are as follows:

- *Amended Chapter 49 (Section 4907.2) regarding the responsibility of owners of vacant parcels to mitigate fire hazards to adjacent structures in the form of combustible vegetation. Please note that some entities have argued that the Fire Code provides authority for County Fire (or other Fire Districts) to require an open space district or other public entity that owns open space to ensure that defensible space exists between that open space and homes or other improvements. County Counsel has opined that no such authority exists. We agree. Moreover, neither the International/California Fire Code nor these amendments to the Fire Code change that position.*

The following is a summary of the specific provisions of each section of the ordinance:

16.10. Adopts the Fire Prevention Fee Schedule to reflect the actual cost of staff from the Marin County Fire Department to conduct reviews. Also, this section adopts fees for basic life support and advanced life support ambulance and paramedic services furnished by the Fire Department in CSA 28 reflecting the actual cost of providing these services. Additionally, this section allows for the collection of specific fees for Fire Prevention review upon the submittal of plans to the Community Development Agency by an applicant where a discretionary review is necessary.

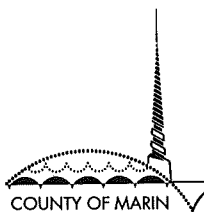
16.16.010. Adopts the 2013 California Fire Code, which consists of certain portions of the 2012 edition of the International Fire Code as amended by the Building Standards commission and Appendix A of the 2012 edition of the International Wildland Urban Interface Code.

16.16.020. Establishes a Fire Prevention Bureau and establishes duties and enforcement authority under the supervision of the Fire Chief.

16.16.030. Adds specific definitions and meanings ascribed to them including; Fire Code, jurisdiction, county counsel, Fire Code Official, and Chief of the Fire Prevention Bureau.

16.16.031-037. Establishes limits of Districts in which storage of flammable or combustible liquids in outside above ground tanks is prohibited; establishment of limits in which storage of liquefied petroleum gases is to be restricted; establishment of limits of Districts in which storage of explosives and blasting agents is to be prohibited; establishment of limits of Districts in which the storage of compressed natural gas is to be prohibited; establishment of limits of Districts in which the storage of stationary tanks of flammable cryogenic fluids is to be prohibited; and establishment of the limits of Districts in which the storage of hazardous materials is to be prohibited or limited.

16.16.040. Amends several specific sections of the 2013 California Fire Code and the 2012 edition of the International Fire Code: Permits; liability for incidents; enforcement authority; emergency access for Fire Department personnel to buildings and properties; fire alarm and protection systems; fire hydrant upgrades; fire sprinkler systems; public storage facilities; fire apparatus access roads; smoke detector and fire extinguisher documentation; parking of tank trucks transporting hazardous and flammable materials; and, corrective action requirements and public nuisance relative to clearance of brush and vegetative growth.



16.16.050. Designates Chief Officers of the Fire Department, as well as law enforcement personnel specific authority to arrest and issue citations pursuant to violations of the International Fire Code and California Fire Code.

16.16.060-070. Describes the penalties and procedures for issuing citations; imposition of penalties; provisions which constitute public nuisance and entitlements and collections of abatement and administrative costs by means of nuisance abatement lien.

Included in this Ordinance adoption is a Resolution (attached) to adopt findings of fact (also attached). The governing body is required to adopt findings of fact pursuant to provisions of the California Health and Safety Code when building standards contained within the California Fire Code are more restrictive than minimum state standards. These adopted findings of fact are required to be filed with the California Building Standards Commission.

Finally, the Marin County Fire Department amends building standards for our fire sprinkler provisions and fire alarm monitoring requirements, making the Fire Department's ordinance consistent with that of the Building Department.

This Ordinance must be adopted and placed in effect prior to December 1, 2013. Failure to do so will result in losing the Fire Department's ability to enforce automatic fire sprinklers in new construction and of abatement procedures used to enforce vegetation management in the wild land-urban interface areas of our jurisdiction.

I would be pleased to meet with you to discuss any provisions of the proposed Ordinance.

FISCAL/STAFFING IMPACT: None

REVIEWED BY:	<input type="checkbox"/>	Auditor-Controller	<input type="checkbox"/>	N/A
	<input checked="" type="checkbox"/>	County Counsel	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	Human Resources	<input type="checkbox"/>	N/A

Respectfully Submitted,


Scott D. Alber, P.E., CFO, FM, MIFireE
Fire Marshal

CC : Chief Weber

Attachment

