

November 30, 2010

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

SUBJECT: Adoption of Current Fire Codes

Dear Supervisors:

RECOMMENDATION: Conduct hearing, adopt Resolution for Finding of Facts, and adopt the Ordinance amending chapters 16.08, 16.10 and 16.16 of the Marin County Code.

SUMMARY: On November 9, 2010, the Marin County Board of Supervisors held the first hearing for the proposed ordinance amending various chapters of the Marin County Code. In accordance with Government Code noticing requirements.

The proposed Resolution of the Marin County Board of Supervisors will adopt Findings of Facts which support the proposed Ordinance and relate to modifications to the International Wildland-Urban Interface Code 2009 Edition, the International Fire Code 2009 Edition, and the 2010 Edition of the Fire Code because of local climatic, geological and topographical conditions.

The proposed Ordinance adopts portions of the 2009 International Wildland-Urban Interface Code, the 2009 International Fire Code, and the 2010 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. The ordinance also updates the fire department's Paramedic and Fire Prevention Bureau fee schedule to more closely reflect the actual costs of providing these services.

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, as well as several Building Officials met several times at the Tiburon 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:

- *The elimination of all references to the Uniform Fire Code; to be consistent with the change of "Model Code" as prescribed by the California Building Standards Commission from the Uniform Fire Code to the International Fire Code in 2007.*
- *Adoption of Appendix A from the 2009 International Wildland-Urban Interface Code, replacing the abandoned Appendix IIA of the Uniform Fire Code.*

- *Correct the referenced sections for establishing limits for storage of various hazardous materials.*
- *Add a section providing for Fire Prevention Resource Sharing.*
- *Add section requiring certain target hazard buildings to be subject to the creation of pre-plans conforming to Fire Department Standards.*
- *Add sections addressing the “disconnect”, signage, and conduit in Alternate Power Supply systems.*
- *Increased the time period for which automatic fire sprinklers may be applied to a “substantial remodel” from 12 to 36 months.(Request from building officials)*
- *Decreased the square footage for which an NFPA 13R Automatic Fire Sprinkler System shall be installed from 6000 sq/ft to 5000 sq/ft.*
- *Amended Chapter 49 referencing local wildland-urban interface areas and relocating language addressing hazard abatement in those designated areas*

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

16.08. Removes reference to the Uniform Fire Code.

16.10. Updates the Fire Prevention Fee Schedule to reflect the actual cost of staff from the Marin County Fire Department to conduct reviews. Fees for basic life support and advanced life support ambulance and paramedic services furnished by the Fire Department in CSA 28 have also been increased to reflect the actual cost of providing these services and accordingly, Exhibit A to Chapter 16.10 of the Marin County Code has been amended to reflect such increases. 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 2010 California Fire Code, which consists of certain portions of the 2009 edition of the International Fire Code as amended by the Building Standards commission and Appendix A of the 2009 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 2010 California Fire Code and the 2009 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 and other 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 the Building Department's.

This Ordinance must be adopted by November 30, 2010. 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.  
Fire Marshal

Cc: Chief Massucco

Attachment