

**ORDINANCE NO. 2016-1**

**AN ORDINANCE OF THE SLEEPY HOLLOW FIRE PROTECTION DISTRICT  
ADOPTING THE CALIFORNIA FIRE CODE, THE INTERNATIONAL FIRE CODE,  
AND APPENDIX A OF THE 2015 INTERNATIONAL WILDLAND URBAN  
INTERFACE CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS  
HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION;  
PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR  
OPERATIONS; AND ESTABLISHING A FIRE PREVENTION BUREAU AND  
PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND  
DUTIES.**

**WHEREAS**, the Sleepy Hollow Fire Protection District pursuant to Article 2 commencing with Section 50022 of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code;

**WHEREAS**, pursuant to California Health and Safety Code Section 13869.7, the Sleepy Hollow Fire Protection District may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code when such modified standards are reasonably necessary because of local climatic, geological, or topographical conditions;

**WHEREAS**, pursuant to Sections 17958.5, 17958.7, and 18941.5 of the California Health and Safety Code, changes or modifications to the 2016 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic, and topographic conditions.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the Sleepy Hollow Fire Protection District the following:

**SECTION 1. ADOPTION OF THE 2016 CALIFORNIA FIRE CODE, THE 2015  
INTERNATIONAL FIRE CODE, AND APPENDIX A OF THE 2015  
INTERNATIONAL WILDLAND-URBAN INTERFACE CODE**

The Board of Directors of the Sleepy Hollow Fire Protection District hereby adopts for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion the following:

1. The 2016 California Fire Code, which consists of certain portions of the 2015 Edition of the International Fire Code, as amended by the California Building Standards Commission, including:

- a. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS
- b. Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION
- c. Appendix F HAZARD RANKING

- d. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLANS AND HAZARDOUS MATERIALS INVENTORY STATEMENTS
- e. Appendix N TEMPORARY HAUNTED HOUSES, GHOST WALKS AND SIMILAR AMUSEMENT USES.

2. The International Fire Code published by the International Fire Code Council, Inc., 2015 Edition hereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended by Section 11 of this Ordinance.

3. Appendix A of the 2015 Edition of the International Wildland-Urban Interface Code, save and except such portions as are hereafter deleted, modified, or amended by Section 11 of this Ordinance.

Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the Ross Valley Fire Department, and the same are hereby adopted and incorporated fully as if set out at length herein, and from the date on which this Ordinance shall take effect and the provisions thereof shall be controlling within the limits of the Sleepy Hollow Fire Protection District.

## **SECTION 2. ESTABLISHMENT AND DUTIES OF THE FIRE PREVENTION BUREAU**

The 2016 California Fire Code, which consists of certain portions of the 2015 edition of the International Fire Code as amended by the California Building Standards Commission, and the 2015 edition of the International Fire Code as adopted and amended herein, shall be enforced by the Fire Prevention Bureau of the Ross Valley Fire Department and shall be operated under the supervision of the Fire Chief of the Ross Valley Fire Department.

## **SECTION 3. DEFINITIONS**

Wherever they appear in the California and International Fire Codes, unless otherwise provided, the following words shall have the meanings ascribed to them in this Section:

- a. Wherever the words "Fire Code" are used they shall mean those Codes and Standards adopted in Section 1 of this Ordinance.
- b. Wherever the word "jurisdiction" is used in the Fire Code, it shall be held to mean the Sleepy Hollow Fire Protection District.
- c. Wherever the term "counsel" is used in the Fire Code, it shall be held to mean the attorney for the Sleepy Hollow Fire Protection District.

d. Wherever the words “Fire Code Official” are used in the Fire Code, they shall be held to mean the Fire Chief or Fire Marshal of the of the Ross Valley Fire Department.

**SECTION 4. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I AND CLASS II LIQUIDS IN OUTSIDE ABOVE-GROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5704.2.9.6.1 of the International Fire Code in which storage of Class I and Class II liquids in outside above-ground tanks is prohibited are amended as follows: Within Sleepy Hollow Fire Protection District Jurisdictional Boundaries. Exceptions may be granted by the Fire Chief.

**SECTION 5. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I AND CLASS II LIQUIDS IN ABOVE-GROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5706.2.4.4 of the International Fire Code in which storage of Class I and Class II liquids in above-ground tanks is prohibited are amended as follows: Within Sleepy Hollow Fire Protection District Jurisdictional Boundaries. Exceptions may be granted by the Fire Chief.

**SECTION 6. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED**

The geographic limits referred to in Section 5806.2 of the International Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited are hereby established as follows: Within Sleepy Hollow Fire Protection District Jurisdictional Boundaries. Exceptions may be granted by the Fire Chief.

**SECTION 7. ESTABLISHMENTS OF GEOGRAPHIC LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED**

The geographic limits referred to in Section 6104.2 of the International Fire Code in which storage of liquefied petroleum gas is restricted are amended as follows: Within Sleepy Hollow Fire Protection District Jurisdictional Boundaries. Exceptions may be granted by the Fire Chief.

**SECTION 8. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED**

The geographic limits in which storage of explosives and blasting agents is prohibited are hereby established as follows: Within Sleepy Hollow Fire Protection District Jurisdictional Boundaries. Exceptions may be granted by the Fire Chief.

**SECTION 9. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED**

The geographic limits in which the storage of compressed natural gas is prohibited are hereby established as follows: Within Sleepy Hollow Fire Protection District Jurisdictional Boundaries. Exceptions may be granted by the Fire Chief.

**SECTION 10. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED**

The geographic limits in which the storage of hazardous materials is prohibited or limited are hereby established as follows: Within Sleepy Hollow Fire Protection District Jurisdictional Boundaries. Exceptions may be granted by the Fire Chief.

**SECTION 11. AMENDMENTS MADE TO THE 2016 CALIFORNIA FIRE CODE, THE 2015 INTERNATIONAL FIRE CODE, AND THE 2015 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE**

The 2016 California Fire Code and the 2015 International Fire Code are hereby amended and changed in the following respects:

1. Section 102.5 of Chapter 1 is hereby amended as follows:

**Section 102.5. Application of Residential Code.** Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this Code shall apply as follows:

**Construction and Design Provisions.** Provisions of this Code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access, and water supplies. Provisions of this Code pertaining to the interior of the structure when specifically required by this Code including, but not limited to, Section 605.11 and Section 903.2 shall apply. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this Code shall also apply.

2. Section 102.7.3 is hereby added to Chapter 1 as follows:

**Section 102.7.3. Nationally Recognized Listed Products.** Any installation of products and equipment due to permits required by this Code shall be Labeled and Listed, as defined in Section 202.

3. Section 104.1.1 is hereby added to Chapter 1 as follows:

**Section 104.1.1. Supplemental Rules, Regulations, and Standards.** The Fire Code Official is authorized to render interpretations of this Code and to make and enforce rules and supplemental regulations and to develop Fire Protection Standards or Policies to carry out the application and intent of this Code.

4. Section 104.12 is hereby added to Chapter 1 as follows:

**Section 104.12. Damages and Expense Recovery.** The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief or their designee as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief or their designee for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

5. Section 104.13 is hereby added to Chapter 1 as follows:

**Section 104.13. Fire Prevention Resource Sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement, and other fire prevention services when requested to do so.

6. Section 105.6.49 of Chapter 1 is hereby amended by adding the following additional operational permits:

4. **Aircraft Refueling Vehicles.** An operational permit is required to operate aircraft refueling vehicles. See Chapter 20.

5. **Fire Protection Plan.** An operational permit is required to implement a fire protection plan.

6. **Radioactive Material.** An operational permit is required to store or handle at any installation more than one (1) microcurie (37,000 Becquerel)

of radioactive material not contained in a sealed source or more than one (1) millicurie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the U.S. Nuclear Regulatory Commission is required.

7. Section 105.7.19 is hereby added to Chapter 1 as follows:

**Section 105.7.1. Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.

8. Section 109 of Chapter 1 is amended by adding Section 109.3.5 as follows:

**Section 109.3.5. Abatement of Clearance of Brush or Vegetative Growth from Structures.** The executive body is authorized to instruct the Fire Chief to give notice to the owner of the property upon which conditions regulated by Section 304.1.2 of Chapter 3 and Section 4907.1 of Chapter 49 exists to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

9. Sections 109.4 and 109.4.1 of Chapter 1 are hereby amended as follows:

**Section 109.4. Violation Penalties.** Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 109.4.1. Abatement of Violation.** In addition to the imposition of the penalties herein described, the Fire Code Official is authorized to institute appropriate action to prevent unlawful construction or to restrain, to correct or abate a violation, to prevent illegal occupancy of a structure or premises, or to stop an illegal act, conduct of business, or occupancy of a structure on or about any premises.

10. Section 111.4 of Chapter 1 is hereby amended by specifying the fine amounts as not less than [amount] dollars, and not more than [amount] dollars as follows:

Not less than Five Hundred Dollars (\$500.00), and not more than One Thousand Five Hundred Dollars (\$1,500.00).

11. Section 202(C) of Chapter 2 is hereby amended by adding the definition of “Coverings” as follows:

**Coverings** shall mean materials including, but not limited to, gypsum board, paneling, floor boards, lathe and plaster, wood paneling, brick and mortar, or other materials attached to rough framing of the building elements. “Coverings” do not include carpet, linoleum, tile, wall paper, or other decorative finishes.

12. Section 202(F) of Chapter 2 is hereby amended by adding the definition of “Fire Road” as follows:

**Fire Road.** See Section 502.1.

13. Section 202(J) of Chapter 2 is hereby amended by adding the definition of “Junior Second Unit” as follows:

**Junior Second Unit** shall mean an accessory dwelling unit limited to conversion of an existing room, no more than five hundred (500) square feet (or as limited in size as determined by the Chief Building Official) in size; incorporating a small wet-bar kitchen with limits on sink and counter sizes; limit on size of drain line; no gas service, and limit on electrical service (110v); may have a separate or shared bathroom for the unit; external and internal access; and owner occupancy required; or as defined by the local Community Development Division.

14. Section 202(M) of Chapter 2 is hereby amended by amending the definition of “Membrane Structure” as follows:

**Membrane Structure** shall mean an air-inflated, air-supported, cable or frame-covered structure as defined by the California Building Code and not otherwise defined as a tent or umbrella structure. See Chapter 31 of the California Building Code.

15. Section 202(S) of Chapter 2 is hereby amended by adding the definition of “Second Unit”, “Spark Arrestor”, and “Substantial Remodel” as follows:

**Second Unit** shall mean an attached or detached additional dwelling unit which provides complete independent living facilities, and which includes permanent provisions for living, sleeping, eating, cooking, and sanitation and is located on the same lot as the primary unit.

**Spark Arrestor** shall mean a chimney device constructed in a skillful-like manner. The net free area of a spark arrestor shall not be less than four (4) times the net free area of the outlet of the chimney. The spark arrestor screen shall have heat and corrosion resistance equivalent to twelve (12)-gauge wire, nineteen (19)-gauge galvanized wire, or twenty-four (24)-gauge stainless steel. Opening shall not permit the passage of spheres having a diameter larger than one-half (½) inch

and shall not block the passage of spheres having a diameter of less than three-eighths ( $\frac{3}{8}$ ) inch.

**Substantial Remodel** shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent (50%) of the existing floor area of the structure within any thirty-six (36) month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists, and coverings (see Section 202(C), roof rafters, roof diaphragms, foundations, piles or retaining walls, or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

16. Section 202(T) of Chapter 2 is hereby amended by adding the definitions of “Temporary” and “Tent”:

**Temporary** shall mean any use for a period of less than ninety (90) days, where not otherwise referenced.

**Tent** shall mean a structure, enclosure, umbrella structure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

17. Section 202(U) of Chapter 2 is hereby amended by adding the definition of “Umbrella Structure” as follows:

**Umbrella Structure** shall mean a structure, enclosure, or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole. (See “Membrane Structure” and “Tent”.)

18. Section 302.1 is hereby amended by adding the definition of “Public Storage Facility” as follows:

**Public Storage Facility** shall mean any business that sells, leases, or rents space to the public that is enclosed, whether it is a building, storage container, or similar configuration.

19. Section 320 is hereby added to Chapter 3 and shall read as follows:

Section 320 **PUBLIC STORAGE FACILITIES**

**Section 320.1. General.** Public Storage Facilities shall comply with the provisions of this Section.

**Section 320.2. Location on Property and Fire Resistance of Exterior.** All public storage facilities shall meet the minimum requirements for setback from



property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.

**Section 320.3. Fire Apparatus Access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.

**Section 320.4. Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate same in a manner and location(s) as specified by the Fire Code Official. This Section shall apply to new and existing public storage facilities.

Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management per Chapter 57 of this Code.

20. Section 401.1.1 is hereby added to Chapter 4 as follows:

**Section 401.1.1. Hazardous Occupancies.** In occupancies of a hazardous nature, where access for fire apparatus is unduly difficult, or where special life and fire safety hazards exist as determined by standards of the Ross Valley Fire Department, that facility or business management shall be required to develop and implement an Emergency Response Plan, provide for an on-site Emergency Response Team, an Emergency Liaison Officer, staff training, and fire drills in accordance with Sections 405 and 406 and standards developed by the Ross Valley Fire Department.

21. Section 401.3.2.1 is hereby added to Chapter 4 as follows:

**Section 401.3.2.1. Unwarranted Alarm Notification.** Notification of emergency responders based on an unwarranted alarm shall be punishable by a fine in accordance with the adopted fee schedule. In addition, the responsible party shall be liable for the operational and administrative costs, incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.

22. Section 402.1 of Chapter 4 is hereby amended by adding the definition of “Unwarranted Alarm” as follows:

**Unwarranted Alarm** shall mean the giving, signaling, or transition of an alarm notification to a public fire station or emergency communication center when such alarm is the result of a defective condition of an alarm system, system servicing testing, construction activities, ordinary household activities, false alarm, or other cause when no such danger exists.

23. Section 402.1 of Chapter 4 is hereby amended by adding the definition of “Pre-plans” as follows:

**Pre-plans** shall mean detailed plans of target hazard buildings. These pre-plans include information on the building's location, occupancy, hazards, fire department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.

24. Section 403.1.1 is hereby added to Chapter 4 and shall read as follows:

**Section 403.1.1. Pre-Plans.** When required by the fire code official, Pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

25. Section 403.10.1.4 is hereby added to Chapter 4 and shall read as follows:

**Section 403.10.1.4. Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging, and congregate houses shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

26. Section 501.5 of Chapter 5 is hereby amended by adding the following sentence:

Failure to comply with this section upon written or verbal notice from the Fire Chief shall result in a Ross Valley Fire Department order to cease operations and desist further operations until such time as adequate access and/or water for fire protection is provided.

27. Section 502.1 of Chapter 5 is hereby amended by adding a definition of “Fire Road” as follows:

**Fire Road** shall mean those improved or unimproved roads, public or private, that provide access for firefighting equipment and personnel to undeveloped areas.

28. Section 503.1.4 of Chapter 5 is hereby added as follows:

**Section 503.1.4. Fire Roads.** Fire Roads shall be provided for firefighting equipment, apparatus, and personnel to undeveloped areas of the Sleepy Hollow Fire Protection District so as to gain access to improved, unimproved, and undeveloped areas of the Sleepy Hollow Fire Protection District, in a manner approved by the Fire Code Official. Any vehicle or other obstructions may be towed away at the owner's expense.

29. Section 503.1.5 of Chapter 5 is added as follows:

**Section 503.1.5. Truck Company Access.** For buildings three (3) or more stories or greater than thirty (30) feet (10670mm) in height, approved access roads for ladder truck operations shall be provided within the necessary operational distances as specified by the Fire Code Official.

30. Section 503.2.6.1. is hereby added to Chapter 5 as follows:

**Section 503.2.6.1. Load Testing.** Bridges, piers, and wharfs used for fire apparatus access shall be load-tested to the original designed capacity when required by the Fire Chief.

31. Section 503.4 of Chapter 5 is amended by adding a sentence thereto as follows:

Any vehicle or other obstruction may be towed away at the owner's expense.

32. Section 503.4.2 is hereby added to read as follows:

**Section 503.4.2. Prohibition on Vehicular Parking on Private Access Ways.** If, in the judgment of the Fire Chief or their designee, it is necessary to prohibit vehicular parking along private access ways serving existing facilities, buildings, or portions of buildings in order to keep them clear and unobstructed for fire apparatus access, the Fire Chief or their designee may issue an Order to the owner, lessee, or other person in charge of the premises to paint the curbs red or install signs or other appropriate notices to the effect that parking is prohibited by Order of the Fire Department. It shall thereafter be unlawful for such owner, lessee, or other person in charge of the premises to fail to install and maintain in good condition the form of notice so prescribed. When such areas are marked or signed as provided herein, no person shall park a vehicle adjacent to any such curb or in the private access way contrary to such markings or signs. Any vehicle so parked in the private access way may be towed away at the expense of the owner of the vehicle.

33. Section 503.6.1 is hereby added to Chapter 5 as follows:

**Section 503.6.1. Width.** All gates shall open fully to provide an unobstructed passage width of not less than sixteen (16) feet or a minimum of two (2) feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of thirteen (13) feet six (6) inches.

34. Section 503.6.2 is hereby added to Chapter 5 as follows:

**Section 503.6.2. Electronic Gates.** All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the Fire Chief in accordance with Standards/Policies adopted by the Fire Code Official. All electronic or motorized gates shall incorporate in their design the means for fast, effective manual operation of the gates in the event of

power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened, or frangible members requiring forty (40) pounds or less pressure against the gates to cause their failure and the gates to open. All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

35. Section 506.1 of Chapter 5 is hereby amended to read as follows:

**Section 506.1. Key Entry Systems.** When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes or in commercial structures that have a Hazardous Materials Business Plan, automatic fire sprinkler or fire alarm system installed, the Fire Code Official is authorized to require a key entry system to be installed in an approved location. The key entry system shall be of an approved type listed in accordance with UL1037, and if it is a box shall contain keys necessary to gain access as required by the Fire Code Official.

36. Section 507.5.1 is hereby amended to read as follows and by deleting the Exception:

**Section 507.5.1. Where Required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than three hundred fifty (350) feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code Official.

37. Section 507.5.1.2 is hereby added to Chapter 5 and shall read as follows:

**Section 507.5.1.2. Hydrant for Sprinkler Systems.** Buildings equipped with a sprinkler system installed in accordance with Section 903 shall have a fire hydrant within one hundred (100) feet (30m) of the Fire Department connections.

Exception: The distance shall be permitted to exceed one hundred (100) feet (30m) where approved by the Fire Code Official.

38. Section 507.5.7 is hereby added to Chapter 5 and shall read as follows:

**Section 507.5.7. Fire Hydrant Upgrades.** When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Fire Chief or their designee shall be upgraded to the minimum standard of one (1) four and one-half inch (4½”) outlet and one (1) two and one-half inch (2½”) outlet for single family dwellings and the minimum standard of one (1) four and one-half inch (4½”) outlet and two (2) two and one-half inch (2½”) outlets for commercial structures.

Exceptions:

1. If the cost of upgrading the fire hydrant exceeds two percent (2%) of the cost of the project based on the building permit valuation.
2. One (1) and two (2) family dwellings equipped throughout with an approved automatic sprinkler system.

39. Section 605.11.3 is hereby added and/or amended to Chapter 6 and shall read as follows:

**Section 605.11.3. Required Conduit.** All wiring that may contain electrical potential when the alternate service disconnect has been activated (such as the wiring between the solar arrays and the DC electrical disconnect on a photovoltaic system) shall be completely contained in metal conduit.

40. Section 605.11.4 is hereby added to Chapter 6 and shall read as follows:

**Section 605.11.4. Disconnect.** The electrical service disconnect for the alternative power supply shall be located within eight feet from the PG&E electrical service disconnect on the same or an adjacent exterior wall. The disconnect shall be accessible to emergency personnel from the exterior without the use of ladders or other special equipment.

Exception: Micro-inverter or similar technology for solar equipment that de-energizes the system at the roof panels upon loss of A/C reference leaving no energized electrical potential inside the structure when the main breaker is tripped.

41. Section 605.11.5 is hereby added to Chapter 6 and shall read as follows:

**Section 605.11.5. Warning Sign.** The following wording shall be placed on a permanent sign attached at the main electrical disconnect from PG&E. The sign shall be red background with white letters. Minimum size two and one-half inches by six inches (2½" x 6") with a minimum twenty-two (22) point font. Minimum size example below.

**WARNING:**

**This building supplied with a PHOTOVOLTAIC power source. The disconnect is: (*describe location - on the right, below etc.*) of this main disconnect. Both must be used.**

42. Section 901.7 of Chapter 9 is hereby amended by adding the following sentence:

This Section shall also apply to residential fire sprinkler systems.

43. Section 903.2 of Chapter 9 is hereby amended as follows:

**Section 903.2. Where Required.** All Occupancies and Facilities, including manufactured homes, mobile homes, and multifamily manufactured homes with two (2) or more dwelling units in accordance with Title 25 of the California Code of Regulations.-Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Additionally, an automatic fire sprinkler system shall be installed in all of the following;

1. Every newly constructed building and facility.

Exceptions:

a. Free-standing Group U Occupancies not more than one thousand (1,000) square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding two thousand (2,000) square feet, having clear unobstructed side yard of combustible materials, exceeding sixty (60) feet in all directions and not exceeding twenty-five (25) feet in height, and located within an Agricultural zoned district as defined in the Marin County Planning Code.

2. In newly created second units.

Exception: Junior second units

3. In all buildings which have more than fifty per cent (50%) floor area added or any “substantial remodel” as defined in this code, within any thirty-six (36) month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

4. In all buildings except R-3 occupancies, in excess of three thousand (3,000) square feet which have more than ten per cent (10%) floor area added within any thirty-six (36) month period. Exceptions may be granted by the Chief when alternate means of protection are installed as approved by the Fire Code Official.

5. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than fifty percent (50%) of the square footage of the building.

44. Section 903.3 of Chapter 9 is hereby amended by adding the following thereto:

The requirements for fire sprinklers in this Code Section are not meant to disallow the provisions for area increase, height increase, or Fire-Resistive substitution if otherwise allowed by Sections 504 and 506 of the Building Code. All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall also be sprinkled, and except for single family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing buildings, where fire sprinklers are required by provisions of this Code, they shall be extended into all unprotected areas of the building.
- c. All single family dwellings in excess of five thousand (5,000) square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R.
- d. All public storage facilities shall have installed an approved automatic fire sprinkler system. An approved wire mesh or other approved physical barrier shall be installed eighteen (18) inches below the sprinkler head deflector to prevent storage from being placed to within eighteen (18) inches from the bottom of the deflector measured at a horizontal plane.

45. Section 904.12 is amended to read as follows:

**Section 904.12. Commercial Cooking Systems.** Commercial cooking equipment that produces grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, NFPA 96, and an automatic fire extinguishing system that is listed and labeled for its intended use as follows:

1. Wet chemical extinguishing system, complying with UL 300.
2. Carbon dioxide extinguishing system.
3. Automatic fire sprinkler systems.

All existing dry chemical and wet chemical extinguishing systems shall comply with UL 300.

Exception: Public school kitchens without deep-fat fryers shall be upgraded to a UL 300 compliant system during state-funded modernization projects that are under the jurisdiction of the Division of the State Architect.

All systems shall be installed in accordance with the California Mechanical Code, NFPA 96, appropriate adopted standards, their listing and the manufactures' installation instructions.

Exception: Factory-built commercial cooking recirculating systems that are tested, listed, labeled and installed in accordance with UL 710B and the California Mechanical Code and NFPA 96.

46. Section 906.11 is hereby added to Chapter 9 and shall read as follows:

**Section 906.11. Fire Extinguisher Documentation.** The owner and/or operator of every Group R Division 1 and R Division 2 occupancies shall annually provide to the Fire Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

47. Section 907.2 of Chapter 9 is amended to add the following paragraphs:

**New Construction:** Every new building constructed for non-residential occupancies greater than two thousand (2,000) square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

**Existing Construction:** Every existing building remodeled for non-residential occupancies greater than two thousand (2,000) square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

48. Section 907.2.11 of Chapter 9 is hereby amended by changing the first sentence of the exception to read as follows:

**Exception:** For Group R occupancies other than single family dwellings.

49. Section 907.8.5.1 of Chapter 9 is hereby amended by adding the following requirements and shall read as follows:

**Section 907.8.5.1. Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide to the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

50. Section 3101.1 is hereby amended to read as follows:

**Section 3101.1. Scope.** Tents, Umbrella Structures, temporary Stage Canopies, and Membrane Structures shall comply with this Chapter. The provisions of



Section 3103 are applicable only to temporary Tents, Umbrella Structures, and Membrane Structures. The provisions of Section 3104 are applicable to temporary and permanent Tents, Umbrella Structures, and Membrane Structures. Other temporary structures shall comply with the California Building Code.

These building standards govern the use of Tents, Umbrella Structures, Awnings or other fabric enclosures, including Membrane (air-supported and air-inflated) Structures and places of assemblage, in or under which ten (10) or more persons may gather for any lawful purpose.

Exceptions:

1. Tents, Umbrella Structures, Awnings or other fabric enclosures used to cover or enclose private swimming pools and similar facilities on the premises of private one- (1) and two- (2) family dwellings.
2. Tents used to conduct committal services on the grounds of a cemetery.
3. Tents, Umbrella Structures, Awnings or other fabric enclosures erected and used within a sound stage, or other similar structural enclosure which is equipped with an overhead automatic sprinkler system.
4. Tensioned membrane roof materials supported by ridged frames or installed on a mast and cable system provided such structures conform to the requirements of one of the types of construction as described in these regulations.
5. Fabric structures which are part of mobile homes, recreational vehicles, or commercial coaches governed by the provisions of Division 13, Part 2, Health and Safety Code (Department of Housing and Community Development).

51. Section 4906.2, paragraph 2, of Chapter 49 is amended to read as follows:

2. Land designated as a Wildland-Urban Interface Area by the local enforcing agency to be at a significant risk from wildfires and lands designated as Very-High Fire Hazard Severity Zones by cities and other local agencies.

52. Section 4906.4 of Chapter 49 is hereby added to read as follows:

**Section 4906.4. Vegetation Management Plan.**

**Section 4906.4. General.** All new construction and substantial remodels shall prepare a vegetation management plan (VMP). Not less than two (2) complete plan sets shall be submitted to the Code Official for review.

**Section 4906.4.1. Content.** The VMP shall include at the minimum:

1. A narrative describing specific and applicable contributing factors in the selection and design of the plan.
2. The Hazard Assessment Matrix.
3. The list of plants to be used and materials consistent with the approved plant list.
4. Two (2) sets of blue prints showing the house, zone, plant type and spacing.

**Section 4906.4.2 Cost.** The cost of vegetation management plan preparation and review shall be the responsibility of the applicant.

53. Section 4907.1 of Chapter 49 is amended to read as follows:

**Section 4907.1. General.** Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code Section 4290 and “SRA Fire Safe Regulations” California Code of Regulations, Title 14 Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Wildland-Urban Interface Area as designated by the local enforcing agency to be at a significant risk from wildfires and Very-High Fire Hazard Severity Zones of a local responsibility area (LRA) shall maintain defensible space as outlined in Government Code Sections 51175-51189, and any local ordinance or standard published by the Fire Code Official.

54. Section 4907.2 is hereby added to Chapter 49 and shall read as follows:

**Section 4907.2. Fire Hazard Reduction.** Any person who owns, leases, controls, or maintains any building or structure, and/or lands within specific Wildland Urban Interface areas of the jurisdiction of the Sleepy Hollow Fire Protection District, shall comply with the following: Cut and remove all pyrophytic combustible vegetation within thirty (30) feet of structures, up to one hundred fifty (150) feet when topographic or combustible vegetative types necessitate removal as determined by the Fire Code Official or their designee. Remove piles of accumulated dead vegetation on the property. Cut and remove tree limbs that overhang wood decks and roofs. Remove that portion of any tree which extends within ten (10) feet of any chimney or stovepipe. Clean any leaves and needles from roof and gutters. Cut and remove growth less than three inches (3”) in diameter, from the ground up to a maximum height of ten (10) feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third ( $\frac{1}{3}$ ) of the tree’s total height. Vegetation clearance requirements for new construction and substantial remodels in Wildland-Urban

Interface Areas shall be in accordance with the 2015 International Wildland-Urban Interface Code, as amended by the Sleepy Hollow Fire Protection District.

Exception 1: When approved by the Fire Code Official, single specimens of trees, ornamental shrubbery, or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

Exception 2: When approved by the Fire Code Official, grass and other vegetation located more than thirty (30) feet (9144mm) from buildings or structures less than eighteen (18) inches (457mm) in height above the ground need not be removed where necessary to stabilize soil, and prevent erosion.

55. Section 4907.3 is hereby added to Chapter 49 and shall read as follows:

**Section 4907.3. Fire Hazard Reduction From Roadways.** The Fire Chief or their designee is authorized to cause areas within ten (10) feet (3048mm) on each side of portions of public streets and highways and private streets which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Chief or their designee is authorized to enter upon private property to do so.

Exception: Single specimens of trees, ornamental shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

56. Section 4907.4 is hereby added to Chapter 49 and shall read as follows:

**Section 4907.4. Notice to Abate.** Failure to comply with the requirements of Sections 4907.2 or 4907.3 shall be deemed a public nuisance. The Fire Chief or their designee is hereby authorized to require the abatement of any nuisance condition described in Sections 4907.2 or 4907.3. Notice requiring the abatement of such nuisance shall be given by mail to the owner of the property upon which, or in front of which, such nuisance exists, at such owner's address as shown on the last equalized Assessment Roll of the County of Marin. Such notice shall contain the following:

- A. The street address and Assessor's Parcel Number for the affected property.
- B. The date of the inspection of the property by the Fire Department during which such nuisance was discovered.
- C. A description of the nuisance and its location on, or around, the property.
- D. The abatement action which the owner is required to take and a time limit for such abatement.

E. A statement that if the owner fails to abate such nuisance within the prescribed time, the Fire Department will abate the nuisance.

F. A statement that if the Fire Department is required to abate the nuisance the cost of such abatement may be assessed as a lien against the property.

### **Abatement and Assessment of Cost to Abate**

Should the abatement of the nuisance not be accomplished by the owner of the affected property within the period set forth in the notice requiring abatement, the Fire Chief or their designee is authorized to perform such abatement and shall keep an accurate account of the cost of such abatement. The Fire Chief or their designee shall mail written notice of such cost to the owner of the affected property who may, within fifteen (15) days of the date of such mailing, request a hearing by the Fire Chief with respect to such cost. The Fire Chief shall hold a hearing within thirty (30) days of receiving the request. The decision of the Fire Chief shall be final. The cost of such abatement as finally fixed and determined by the Fire Chief shall constitute a special assessment against the affected property. The Fire Chief shall cause an order confirming such assessment to be recorded in the office of the Marin County Recorder at which time a lien for such assessment shall attach to the affected property. The Fire Chief or their designee shall also file a copy of the order confirming the assessment with the Marin County Auditor and the amount of such assessment shall thereafter be collected at the time and in the manner of ordinary property taxes. If delinquent, the amount of such assessment shall be subject to the same penalties and procedure for foreclosure and sale provided for ordinary property taxes.

57. Section 5601.1.3 is amended to read as follows:

#### **Section 5601.1.3. Fireworks**

Exception: 1, 2, and 4 are hereby deleted.

58. Section A104.7.2 of Appendix A of the International Wildland-Urban Interface Code is amended to read as follows:

**Section A104.7.2. Permits.** The Fire Code Official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the Fire Code Official.

59. Section A104.11 is hereby added to Appendix A of the International Wildland-Urban Interface Code and shall read as follows:

**Section A104.11. Tracer Bullets, Tracer Charges, Rockets, and Model Aircraft.** Tracer bullets and tracer charges shall not be possessed, fired, or caused to be fired into or across hazardous fire areas. Rockets, model planes, gliders, and balloons powered with an engine, propellant, or other feature liable to start or cause a fire shall not be fired or projected into or across hazardous fire areas.

60. Section A104.12 is hereby added to Appendix A of the International Wildland-Urban Interface Code and shall read as follows:

**Section A104.12. Explosives and Blasting.** Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported, or disposed of within hazardous fire areas except by permit from the Fire Code Official.

61. Section A104.13 is hereby added to Appendix A of the International Wildland-Urban Interface Code and shall read as follows:

**Section 104.13. Apiaries.** Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the Fire Code Official.

## **SECTION 12. AUTHORITY TO ARREST AND ISSUE CITATIONS**

(a) The Fire Chief, Chief Officers, Fire Marshal, and Fire Inspectors shall have authority to arrest or to cite any person who violates any provision of this Chapter involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c, and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended.

(b) It is the intent of the Board of Directors of the Sleepy Hollow Fire Protection District that the immunities provided in Penal Code Section 836.5 be applicable to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Chapter.

## **SECTION 13. PENALTIES**

(a) The violations of the Fire Code as adopted herein are misdemeanors/infractions and are subject to the penalties set forth herein.

(b) If a criminal citation is issued, penalties shall be per Sections 109 or 111 of this Code. If an administrative citation is issued, the penalties are as follows:

(c) The first citation within a twelve (12) month period for violations of the Fire Code and any amendments adopted herein shall be treated as a Civil Penalty payable directly to the Ross Valley Fire Department and is set at One Hundred Fifty Dollars (\$150.00) plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Ross Valley Fire Department. Said civil penalties shall be a debt owed to the Department by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided in Section 11. Upon failure to pay the civil penalty when due, the responsible person shall be liable in a civil action brought by the Ross Valley Fire Department for such civil penalty and costs of the litigation, including reasonable attorneys' fees.

(d) Any subsequent citations within a twelve (12) month period for any violations of the Fire Code and any amendments adopted herein shall be misdemeanors/infractions and shall be subject to the penalties set forth herein.

(e) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified, each day that a violation occurs or continues after a final notice has been delivered shall constitute a separate offense. The application of both penalties shall not be held to prevent the enforced correction of prohibited conditions.

(f) Nothing contained in Subsections (a) through (f) of this Section shall be construed or interpreted to prevent the Ross Valley Fire Department from recovering all costs associated with a Ross Valley Fire Department response as described in Section 104.12 of the 2015 International Fire Code, as amended.

(g) Any violation of any provision of this Chapter shall constitute a public nuisance and shall entitle the Ross Valley Fire Department to collect the costs of abatement and related administrative costs by a nuisance abatement lien as more particularly set forth in Government Code Section 38773.1 and by special assessment to be collected by the County Tax Collector as more particularly set forth in Government Code Section 38773.5. At least thirty (30) days prior to recordation of the lien or submission of the report to the Tax Collector for collection of this special assessment, the record owner shall receive notice from the Chief of the Ross Valley Fire Department intent to charge the property owner for all administrative costs associated with enforcement of this Ordinance and abatement of the nuisance. The notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance. The property owner may appeal the Fire Chief's decision to the Board of Directors of the Ross Valley Fire Department within fifteen (15) days of the date of the notice and request a public hearing prior to recordation of the lien or submission of the report to the County Tax Collector for collection of the special assessment. In addition to the foregoing, the Ross Valley Fire Department is authorized to prosecute a civil action to collect such abatement costs from the property owner or other person in possession or control of the affected property and shall be entitled to recover such abatement costs, together with the cost of litigation, including reasonable attorneys' fees. The provisions of this Section shall also apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in Section 109.3.2.

## **SECTION 14. APPEALS**

(a) Any person receiving a citation for a civil penalty pursuant to Subsection (b) of Section 13 or a bill for Ross Valley Fire Department response costs and expenses pursuant to Section 104.12 of the Fire Code, may file within thirty (30) days after the date of mailing the citation or bill, an administrative appeal against imposition of the civil penalty or response costs and expense. The appeal shall be in writing and filed with the Fire Chief, and shall include a copy of the bill and statement of the grounds for appeal. The Fire Chief shall conduct an administrative hearing on the appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing the Fire Chief shall give written notice of the decision to the appellant, which decision shall be final. If the appeal is denied in part or full, all amounts due shall be paid within thirty (30) days after the mailing of the notice of the decision of the hearing officer.

(b) Whenever the Fire Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the Board of Directors of the Ross Valley Fire Department within 10 days from the date of the decision. The provision of this section shall not apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in various sections of this Code, or to matters for which an appeal is provided pursuant to Section 14 (a) above.

## **SECTION 15. FORMER ORDINANCES**

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Code hereby adopted are hereby repealed.

## **SECTION 16. VALIDITY**

If any Section, Subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors of the Sleepy Hollow Fire Protection District hereby declares that it would have adopted the Ordinance and each Section, Subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more Sections, Subsections, sentences, clauses, or phrases thereof shall be declared invalid.

## **SECTION 17. ORDINANCE PUBLICATION AND EFFECTIVE DATE**

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the Sleepy Hollow Fire District Secretary at least five (5) days prior to the Board of Directors meeting at which it is adopted.

This Ordinance shall be in full force and effective thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of the Board of Directors voting for or against same, in the *Marin Independent Journal*, a newspaper of general circulation published in the City of Novato, County of Marin, State of California.

Within fifteen (15) days after adoption, the Sleepy Hollow Fire Protection District Secretary shall also post in the office of the Sleepy Hollow Fire Protection District Secretary, a certified copy of the full text of this Ordinance along with the names of those Board of Directors members voting for and against the Ordinance.

#### **SECTION 18. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The Board of Directors of the Sleepy Hollow Fire Protection District finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) under California Code of Regulations, Title 14, Section 15061(b)(3).

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Richard C. Shortall, Jr.  
President of the Board of Directors

Attest:

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Thomas J. Finn, Secretary  
Sleepy Hollow Fire Protection District

The foregoing **Ordinance No. 2016-2** was introduced and its first reading waived at a Special Meeting of the Board of Directors of the Sleepy Hollow Fire Protection District held on the 7th day of November 2016, and ordered passed to print by the following vote, to wit:

AYES: Board Members: Shortall, Finn

NOES: Board Members:

ABSENT: Board Members: Warner



and came up for adoption and was duly adopted as an Ordinance of the Sleepy Hollow Fire Protection District at a Regular Meeting of the Board of Directors held on the 22nd day of November 2016 by the following vote, to wit:

AYES: Board Members: Shortall, Finn, Warner

NOES: Board Members:

ABSENT: Board Members:

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Thomas J. Finn, Secretary  
Sleepy Hollow Fire Protection District