

**PLACER COUNTY  
OFFICE OF EMERGENCY SERVICES**

**MEMORANDUM**

**TO:** Honorable Board of Supervisors

**FROM:** Thomas Miller, County Executive Officer  
By Rui Cunha, Emergency Services Program Manager

**DATE:** February 5, 2008

**SUBJECT:** Ratification of the Fire Code of the Truckee Fire Protection District (TFPD)  
and delegation of enforcement to the TFPD Fire Chief

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**ACTION REQUESTED**

That your Board ratify Ordinance 01-2007 - Fire Code of the Truckee Fire Protection District (TFPD), delegate enforcement to the TFPD Fire Chief, and direct staff to transmit your determination.

**BACKGROUND**

A Uniform Fire Code such as the California Fire Code establishes minimum standards for protection of life and property from fire, explosion and hazardous materials release. However, fire districts are authorized by law to enact stricter standards than either the California or local (County) code. The TFPD Fire Code localizes the California Fire Code based on Truckee's specific climatic, geologic and topographical conditions. Board ratification of the TFPD code, which has been reviewed by the Building Department, is required by Section 13869.7 of the California Health and Safety Code.

Your Board last approved a fire code update for the Truckee Fire Protection District on June 2, 2003. The current ordinance, passed by the District's Board of Directors on December 18, 2007, supersedes that version in sections dealing with safety, the distance of fire hydrants from buildings, required interior electrical controls, sprinkler requirements, alarm systems, permits for storage and use of liquid propane, and fire code violations.

Appeals of the terms of the Fire Prevention Code are addressed to the District's Board of Directors for resolution, and the District itself is responsible for enforcement.

**FISCAL IMPACT**

There is no fiscal impact to the County with the approval of this Ordinance.

**Attachments**

- Ordinance 01-2007 Fire Code of the Truckee Fire Protection District dated December 18, 2007 – **on file with Clerk of the Board for public review.**
- Resolution 15-2007 of the Board of Directors of the Truckee Fire Protection District: A Resolution Addressing Modifications to the 2007 California Fire Code – **on file with Clerk of the Board for public review.**

**Before the Board of Directors of the  
Truckee Fire Protection District of Nevada County**

**ORDINANCE 01-2007**

An Ordinance of the Truckee Fire Protection District of Nevada County Adopting the 2007 edition of the California Fire Code, 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 in the Truckee Fire Protection District of Nevada County providing for the issuance of permits and collection of fees therefore; repealing Ordinance 1-2002 of the Truckee Fire Protection District of Nevada County and all other ordinances and parts of ordinances in conflict therewith, other than Ordinance 1-96, adopted February 2, 1997 and Resolution 1-94, adopted January 11, 1994, which shall remain in full force and effect.

The Board of Directors of the Truckee Fire Protection District of Nevada County (hereafter, Truckee Fire Protection District) does ordain as follows:

**Section 1.** That a certain document, three copies of which are on file in the office of the Administrative Officer of Truckee Fire Protection District, being marked and designated as the California Fire Code, 2007 edition, including all Appendix Chapters other than Appendix A, which is hereby specifically excluded, as published by the International Code Council, be and hereby is adopted as the Fire Code of the Truckee Fire Protection District in the State of California, 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 each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Truckee Fire Protection District 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, prescribed in Sections 2 and 9 of this Ordinance.

**Section 2.** That the following sections of Appendix Chapter 1 are hereby revised as follows:

Section 101.1. Insert: Truckee Fire Protection District of Nevada County;

Section 109.3. Insert: See Section 9 regarding amendments; and

Section 111.4. Insert: See Section 9 regarding amendments.

**Section 3.** That the geographic limits referred to in certain sections of the 2007 California Fire Code are hereby established as follows:

The limits referred to in Section 3204.3.1.1 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as follows:

Through out all territory within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion in Placer County.

Exception: The storage of such fluids for use in commercial or industrial uses may be approved in advance in writing by the fire chief or their designated representative.

Section 3404.2.9.5.1 of the California Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as follows:

Throughout all territory within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County.

Exception 1: Protected above ground storage tanks installed in accordance with Section 3404.2.9.6 and Chapters 22 and 34 of the Code and approved in advance in writing by the chief or their designated representative.

Exception 2: The chief may authorize the temporary (not to exceed 120 days) use of above ground tanks installed in accordance with Chapter 22 and 34 of this Code not exceeding 660 gallons of water individual capacity for storage of Class II and III liquids, and the tank and manner of above ground storage is approved in advance in writing by the chief, or their designated representative.

Exception 3: Home heating oil may be stored in approved above ground tanks if the tank capacity does not exceed 550 water gallons and the tank and manner of above ground storage is approved in advance in writing by the chief, or their designated representative.

Section 3406.2.4.4. The limits referred to in Section 3406.2.4.4 of the California Fire Code in which the storage of Class I and II liquids and above ground tanks is established as follows:

Throughout all territory within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County.

Exception 1: Protected above ground storage tanks installed in accordance with Section 3404.2.9.6 and Chapters 22 and 34 of the Code and approved in advance in writing by the chief or their designated representative.

Exception 2: The chief may authorize the temporary (not to exceed 120 days) use of above ground tanks installed in accordance with Chapter 22 and 34 of this Code not exceeding 660 gallons of water individual capacity for storage of Class II and III

liquids, and the tank and manner of above ground storage is approved in advance in writing by the chief, or their designated representative.

Exception 3: Home heating oil may be stored in approved above ground tanks if the tank capacity does not exceed 550 water gallons and the tank and manner of above ground storage is approved in advance in writing by the chief, or their designated representative.

Section 3804.2. The limits referred to in Section 3804.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows:

Within heavily populated or congested commercial areas.

**Section 4.** That Ordinance No. 01-2002 of the Truckee Fire Protection District, entitled "An Ordinance adopting the Uniform Fire Code prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosions; providing for the issuance of permits for hazardous uses or operations; establishing a bureau of fire prevention and providing officers therefore and defining their powers and duties" and all other ordinances and parts of ordinances in conflict therewith, are hereby repealed except that Ordinance 1-96, adopted on February 2, 1997 and Resolution 1-94, adopted January 11, 1994 are hereby ratified and affirmed in full and shall take precedence with any specific conflict of this Ordinance 01-2008 adopting the California Fire Code, affective upon the effective date of this Ordinance 01-2008.

**Section 5.** That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors of the Truckee Fire Protection District hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentence, clauses and phrases be declared unconstitutional.

**Section 6.** That nothing in this Ordinance or in the California Fire Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, or any 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 7.** That the Administrative Officer of the Truckee Fire Protection District is hereby ordered and directed to cause this Ordinance to be published in compliance with California law.

**Section 8.** That this Ordinance and the rules, regulations, provisions, requirements, orders and

matters established and adopted hereby shall take effect and be in full-force and effect throughout all areas within the boundaries of the Truckee Fire Protection District of Nevada County, including those portions in Placer County, after its publishing and approval as required by law.

**Section 9.** The California Fire Code is amended and changed in the following respects:

- A. The definition of "Fire Code Official" as set forth in Section 202 shall be amended to read as follows:

"Fire Code Official. The fire chief or designated authority charged with the administration and enforcement of the Code, or a duly authorized representative. The 'Fire Code Official' may also be known as the 'Fire Marshall'."

- B. Section 508.5.1 shall be amended to read as follows:

"508.5.1(a) where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by any 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. There shall be no exceptions except as permitted in section 508.5.1 (b).

(b) Fire Hydrant Systems. The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow to solely residential projects shall be provided on the public street or on the site of the premises or both to be protected as required and approved by the chief. See Appendix C. For any project other than solely residential, the location, number and type of fire hydrants shall be determined by the fire chief and shall be connected to a water supply capable of delivering the required fire flow on the public street or on the site of the premises or both to be protected as required and approved by the fire chief."

- C. Section 605.3.2 is added to read as follows:

605.3.2 Main Electrical Disconnect. When the main electrical disconnect is located on the interior of a building, the installation of an electrical shunt trip shall be required on the exterior in a location and protected from the elements as approved in advance in writing by the Fire Code Official.

D. Section 903.2 shall be amended to read as follows:

903.2 Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section. Notwithstanding any other provision of this Code, any occupancy other than R occupancies that has a total floor area exceeding 3600 square feet, regardless of the presence of any area separation walls shall be sprinkled. Any structure or occupancy that does not have maintained year-round access for any and all emergency response vehicles shall be sprinkled.

E. Section 903.2.7 shall be amended to read as follows:

"903.2.7(a) Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. Notwithstanding any other provision of this Code, any R occupancy consisting of 5 or more dwelling units or any congregate housing consisting of 5 or more units, including, but not limited to hotels and motels, shall have automatic sprinkler systems regardless of the presence of any area separation walls."

(b) Exceptions: The following exceptions shall apply, except for any structure or occupancy that does not have maintained year-round access for any and all emergency response vehicles; those structures or occupancies shall be sprinkled:

1. Detached one and two family dwellings, unless specifically required by other sections of this Code or classified by Group R-4.
2. Group U private garages as accessory to a Group R-3 occupancy.
3. Group R-3.1 occupancies not housing bed ridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor.
4. Pursuant to Health and Safety Code Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children having an automatic fire alarm system activated by approved smoke detectors.
5. Pursuant to Health and Safety Code Section 13143.6, occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-4.

F. Section 903.3.1.2 shall be amended to read as follows:

“903.3.1.2 Sprinkler Systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout the structure.”

G. Section 903.4.1 shall be amended to read as follows:

“903.4.1 Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA72 or, when approved in advance in writing by the Fire Code Official, shall send an audible signal at a constantly attended location and at such other locations as may be required by the Fire Code Official.”

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Back flow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the back flow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA72 and separately annunciated.

H. Section 101.6 of Appendix Chapter 1 is added to read as follows:

“Paragraph 101.6 Headings. Headings are inserted for convenience of reference only and shall not be utilized to define, limit or otherwise construe the Code.”

I. Section 105.6.27 of the Appendix Chapter 1 shall be amended to read as follows:

“105.6.27 L1 Liquefied Petroleum Gases. Except for portable containers of less than 125 gallons of water capacity and residential installation of less than 500 gallons aggregate water capacity to install and maintain any LP gas container or operate any tank vehicle, which is used for the transportation of LP gas. Where a single container or the aggregate capacity of interconnected containers is over 1,200 gallons of water

capacity, the installer shall submit plans for such permits.”

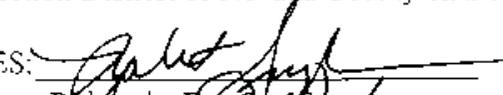
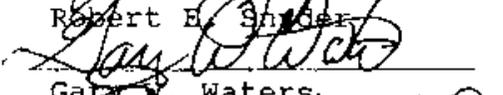
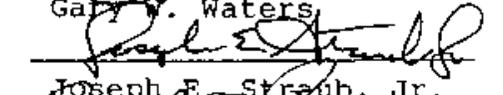
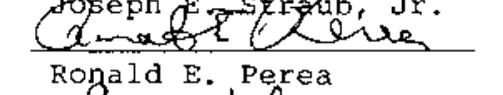
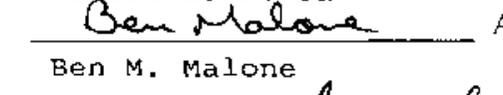
J. Section 109.3.2 of Appendix Chapter 1 is added to read as follows:

“109.3.2 Reduction of Penalty. The Chief, in their sole discretion, may reduce any alleged violation from a misdemeanor set forth above to an infraction, punishable by a fine of not more than \$500.”

K. Section 111.4 of Appendix Chapter 1 shall be amended to read as follows:

“111.4 Failure to Comply. 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 punished for a violation as set forth in Sections 109.3 through 109.3.2 of the Appendix Chapter 1.”

PASSED AND ADOPTED at a duly held meeting of the Board of Directors of the Truckee Fire Protection District of Nevada County on December 18, 2007 by the following vote:

AYES:	<u></u>	NOES:	_____
	Robert E. Snider		_____
	<u></u>		_____
	Garry V. Waters		_____
	<u></u>	ABSENT:	_____
	Joseph E. Straub, Jr.		_____
	<u></u>		_____
	Ronald E. Perea		_____
	<u></u>	ABSTAIN:	_____
	Ben M. Malone		_____

ATTESTED BY:   
Joyce L. Engler, Clerk of the Board

DATED: December 18, 2007

**BEFORE THE BOARD OF DIRECTORS  
OF THE  
TRUCKEE FIRE PROTECTION DISTRICT OF NEVADA COUNTY**

**RESOLUTION 15 – 2007**

**In the Matter of:  
Modifications to the 2007 California Fire Code.**

**A RESOLUTION ADDRESSING MODIFICATIONS  
TO THE 2007 CALIFORNIA FIRE CODE**

WHEREAS, the Truckee Fire Protection District of Nevada County (hereafter "TFPD") is a fire protection district organized and existing pursuant to Health and Safety Code Sections 13800 et. seq., and

WHEREAS TFPD intends to adopt the California Fire Code, 2007 edition, and

WHEREAS TFPD believes that it is necessary to make certain changes, modifications and amendments to the 2007 California Fire Code due to local climatic, geological or topographical conditions that exist within and without the jurisdictional boundaries of TFPD, and

WHEREAS Health and Safety Code Sections 13869.7 and 17958.7 require certain findings to be made with regard to those modifications,

NOW, THEREFORE, BE IT RESOLVED:

SECTION I. The following portions of the California Fire Code, 2007 edition (hereafter "Code") are being modified for the reasons set forth below:

A. The definition of Fire Code Official in Section 202 is amended so to specify that the "Fire Code Official" may also be known as the "Fire Marshall." This addition is necessary for ease of reference and the local climatic, geological and topographical conditions of this area require the ability to quickly identify the appropriate fire official.

B. Section 508.5.1 regarding fire hydrant systems, is amended so to reduce the distance of a facility or building from a fire hydrant. The local climatic conditions of cold weather and heavy snowfall can hinder the access to fire hydrants and the ability of the TFPD to attack fires.

C. Section 605.3.2 is added to require the installation of an electrical shunt trip if the main electrical disconnect is located on the interior of a building. This is added due to local climatic and topographical conditions, and, in particular, the heavy snowfall and snow accumulations during the winter months require the approved installation of an electrical shunt trip to be located on the exterior of the building so that the electrical power to a structure can be easily accessed in the event of a fire.

D. Sections 903.2 and 903.2.7 regarding the installation of sprinklers in certain structures are amended due to local climatic, geological and topographical conditions. In particular, during hard freezing or high snowfall conditions, and the steep roads in the district, accessibility to a fire may be slowed or impossible. Due to these local climatic, geological and topographical conditions that may exist, thereby slowing or preventing response to a fire, the presence of sprinklers may be the only means available to suppress or slow the spread of a fire.

E. Section 903.4.1 is amended so to require an audible automatically transmitted alarm to be in such locations as required by the Fire Code Official. These changes are required due to local climatic, geological and topographical conditions; in particular, during periods of hard freezing or high snowfall, and the steep roads in the district, the accessibility may be slowed or impossible. Due to the possible absence of or delayed response to the fire, it is necessary to ensure that all occupants of a structure are given proper and adequate notice of a fire so to provide as much time as possible to extricate themselves from that structure.

F. Section 101.6 of Appendix Chapter 1 is added so to identify that headings are inserted for convenience and reference only, and that the headings do not restrict the interpretation or enforcement of the Code. This addition is necessary due to local climatic, geological and topographical conditions; by way of example, heavy snowfall, hard freezes, urban interface with significant wildland fires, and high winds make it necessary to specifically identify the district's fire prevention enforcement powers.

G. Section 105.6.27 of Appendix Chapter 1 is amended regarding operational permits for storage and use of LP gas due to the local climatic, geological and topographical conditions. In particular, heavy snowfall with subsequent freezing can freeze the regulator on LP gas containers causing an excessive buildup of gas pressure at the appliance utilizing that LP gas. Additionally, any LP fire during periods of high winds and low humidity could lead to an uncontrollable outbreak of fire.

H. Sections 109.3.2 and 111.4 of Appendix Chapter 1 are amended so to provide the option to the Fire Chief to have a violation of the Code punished as an infraction rather than a misdemeanor. Due to local climatic, geological and topographical conditions, there is the danger of restricted or lack of response during the winter, and uncontrollable wildland fires spreading to populated areas during the summers, which normally experience high winds and low humidity. By having the option of charging the matter as an infraction as opposed to a misdemeanor, the Fire Chief can proceed with more significant means of enforcement of this Code short of filing a misdemeanor against a person who violates this Code.

SECTION II. The Board of Directors of the Truckee of Fire Protection District find that the amendments described above are reasonably necessary due to the reasons set forth above.

SECTION III. This Resolution is being adopted in order that TFPD may comply with the necessary requirements and procedures to amend the Code to be adopted, in particular, Section 17958.7 of the Health and Safety Code. Adoption of the Code will not be considered until public hearing and comment, including, but not limited to any written or verbal comments by the Town of Truckee, County of Nevada, or County of Placer.

SECTION IV. In order to proceed with the consideration and possible adoption of the Ordinance amending and adopting this Code, the Board of Directors of TFPD hereby authorizes the District's General Counsel, Brent P. Collinson, to prepare a summary of the Ordinance pursuant to Government Code Section 25124(b)(1).

SECTION V. If any provision of this Resolution or application to any person or circumstances are held invalid, the remainder of the Resolution and the application of such provisions to other persons or circumstances shall not be affected thereby.

PASSED AND ADOPTED at a duly held meeting of the Board of Directors of the Truckee Fire Protection District of Nevada County on October 16, 2007, by the following vote:

AYES:	<u>Joseph E. Straub, Jr.</u>	NOES:	_____
	<u>Ben Malone</u>		_____
	<u>Ben M. Malone</u>	ABSENT:	_____
	<u>Ronald E. Pezsa</u>		_____
	<u>Gary W. Waters</u>	ABSTAIN:	_____
	<u>Robert E. Snyder</u>		_____
ATTESTED BY:	<u>Joyce L. Engler</u>		
	Joyce L. Engler, Clerk of the Board		

DATED: October 16, 2007

