

COUNTY OF PLACER
Community Development/Resource Agency

Michael Johnson, AICP
Agency Director

**BUILDING
SERVICES DIVISION**

Tim Wegner, Chief Building Official

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael Johnson, AICP
Agency Director

Tim Wegner, Chief Building Official
Building Services Division

DATE: February 4, 2014

**SUBJECT: RESOLUTION RATIFYING THE FIRE PREVENTION CODE OF THE NEWCASTLE
FIRE PROTECTION DISTRICT**

ACTION REQUESTED

Adopt a resolution ratifying Newcastle Fire Protection District's Resolution No. 2013_8 (which adopts the 2013 California Fire Code and findings for local amendments) and direct staff to transmit your determination to the District. There is no net County cost associated with this action.

BACKGROUND

The California Fire Code establishes minimum standards for protection of life and property from fire, explosion and hazardous materials release. Fire districts are authorized by law to enact stricter standards than those in state or local codes. In order to enact stricter standards, the District's legislative body must adopt its own ordinance/resolution implementing the California Fire Code with amendments. The Fire District must also adopt findings of fact and need for changes or modifications due to local conditions. No such ordinance of a local fire district becomes effective unless or until it is ratified by the legislative body of the city or county in which the local district is located.

Health and Safety Code section 13869.7(c) outlines the procedure that the Fire District must follow to gain ratification. Specifically, section 13869.7 requires the Fire Protection District to transmit the adopted ordinance/resolution of findings to the county or city where the ordinance will apply. After transmittal, the legislative body of that county or city may ratify, modify, or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination.

The Newcastle Fire Protection District ("NFPD") is located within the boundaries of Placer County. On December 12, 2013, the NFPD's Board of Directors passed Resolution No. 2013_8 adopting the 2013 California Fire Code with amendments and setting forth its findings to support the amendments because of local conditions. The resolution and findings were transmitted to the County and have been reviewed by the Placer County Building Service Division. Copies are attached for your Board's consideration.

Based on the Building Service Division's review of NFPD's Resolution No. 2013_8, staff recommends that your Board ratify the same by adopting the attached resolution. Staff also request that your Board direct staff to transmit a copy of the resolution to NFPD.

FISCAL IMPACT

There is no fiscal impact to the County with this matter. The NFPD Fire Prevention Code is enforced by the NFPD, and any appeals will go to the District's Board for resolution and enforcement.

ATTACHMENTS

- Attachment 1: Resolution Ratifying the Newcastle Fire Protection District's adoption of the 2013 California Fire Code
- Exhibit A: Newcastle Fire Protection District Boundaries
- Exhibit B: Resolution 2013_8: A Resolution of Newcastle Fire Protection District adopting the 2013 Fire Prevention Code

- cc: Mitch Higgins - Fire Chief, Newcastle Fire Protection District
- Michael Johnson - CDRA Director
- Karin Schwab - County Counsel
- Rui Cunha - OES Assistant Director

**Before the Placer County
Board of Supervisors
County of Placer, State of California**

In the matter of:

Resol. No:.....

Ratification of the
NEWCASTLE FIRE
PROTECTION DISTRICT's
Adoption of 2013 California Fire
Code.

The following Resolution was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Board of Supervisors

WHEREAS, California Health and Safety Code section 13869.7 allows a fire protection district to 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; and

WHEREAS, a fire protection district that proposes to adopt such an ordinance must also adopt findings of fact and need for changes or modifications because of local conditions in compliance with Health and Safety Code section 18941.5; and

WHEREAS, Health and Safety Code section 13869.7(c) requires the fire protection district to transmit the adopted ordinance and resolution of findings to the county or city where the ordinance will apply; and

WHEREAS, Health and Safety Code section 13869.7(c) authorizes the legislative body of that county or city to ratify, modify or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination; and

WHEREAS, no ordinance adopted by a fire protection district under Health and Safety Code section 13869.7 shall be effective unless or until it is ratified by the legislative body of the city or county where the ordinance will apply; and

WHEREAS, the NEWCASTLE FIRE PROTECTION DISTRICT is located within the boundaries of Placer County as depicted in Exhibit "A"; and

WHEREAS, on November 18, 2013, the NEWCASTLE FIRE PROTECTION DISTRICT's Board of Directors passed Resolution No. 2013_8 adopting the 2013 California Fire Code with amendments and findings to support the amendments because of local conditions, attached hereto as Exhibit B; and

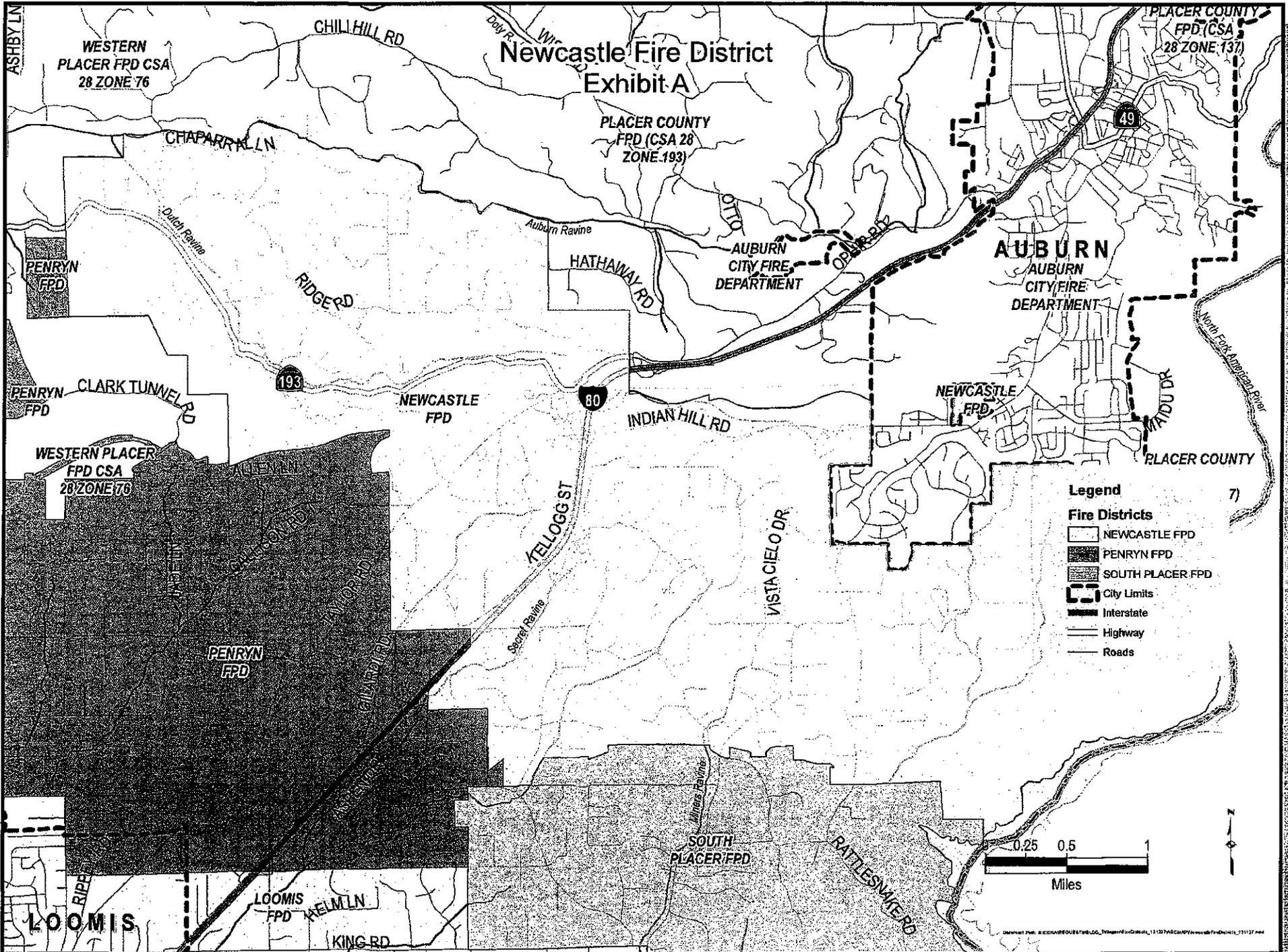
WHEREAS, the NEWCASTLE FIRE PROTECTION DISTRICT has transmitted a copy of Resolution No. 2013_8 to the County; and

WHEREAS, this Board has considered Resolution No. 2013_8 as attached hereto and wishes to ratify the same.

NOW, THEREFORE, BE IT RESOLVED by the Placer County Board of Supervisors to ratify the NEWCASTLE FIRE PROTECTION DISTRICT's Resolution No. 2013_8 adopting the 2013 California Fire Code with amendments as set forth in Exhibit "B".

BE IF FURTHER RESOLVED, that this resolution shall be effective immediately.

Newcastle Fire District Exhibit A



Legend

- NEWCASTLE FPD
- PENRYN FPD
- SOUTH PLACER FPD
- City Limits
- Interstate
- Highway
- Roads



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EXHIBIT B

BEFORE THE BOARD OF DIRECTORS OF THE NEWCASTLE FIRE PROTECTION DISTRICT PLACER COUNTY, CALIFORNIA

RESOLUTION # 2013_8

In the Matter of:

**Rescission of Prior Adopted California Fire Code and Local Amendments
Adoption of the 2013 California Fire Code
Adoption of Findings of Local Conditions to Support Local Amendments
Adoption of Local Amendments to the 2013 California Fire Code**

RECITALS

WHEREAS, the Newcastle Fire Protection District is a fire protection district organized and existing pursuant to Health and Safety Code Sections 13800 et. Seq., and

WHEREAS, the jurisdictional boundaries of Newcastle Fire Protection District are located within Placer County and depicted in Exhibit A to this Resolution, attached hereto and by this reference incorporated herein as if set forth in full; and

WHEREAS, the Newcastle Fire Protection District Board of Directors wishes to rescind all prior State Fire Codes and amendments thereto that have been adopted by Newcastle Fire Protection District ; and

WHEREAS, the Newcastle Fire Protection District Board of Directors wishes to formally adopt the 2013 California Fire Code with amendments thereto as set forth in Exhibit B to this Resolution; and

WHEREAS, Newcastle Fire Protection District, Board of Directors recognizes that before making modifications or changes to the California Fire Code, Health and Safety Code Sections 13869.7 and 17958.5 requires the Board of Directors make express findings that such modifications or changes are reasonably necessary because of local climatic, geological, or topographical conditions, and

WHEREAS, Newcastle Fire Protection District Board of Directors has identified local conditions that support the Board's adoption of amendments to the 2013 California Fire Code which are articulated below.

NOW, THEREFORE, the Board of Directors of Newcastle Fire Protection District does hereby resolve as follows:

RESOLUTION

SECTION 1. The Board of Directors of Newcastle Fire Protection District hereby formally rescinds all prior versions of the California Fire Code and prior amendments that have been adopted by this or prior Board of Directors.

SECTION 2. The Board of Directors of Newcastle Fire Protection District hereby adopts the California Fire Code, 2013 Edition Volumes 1 & 2, including, the administrative provisions in the California Building Code, Chapter 1, Division II based on the 2012 International Fire Code including the Appendices, as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, Part 9.

SECTION 3. The Board of Directors of Newcastle Fire Protection District sets forth the following findings to support its amendments to the 2013 California Fire Code:

1. The Board of Directors of Newcastle Fire Protection District finds that modifications or changes to the California Fire Code are reasonably necessary because of local climatic, geological or topographical conditions within the jurisdictional boundaries of Newcastle Fire Protection District.
2. These modifications are necessary for the preservation of the public health and safety and welfare due to, the unique local climatic, geological and topographical conditions found within the Newcastle Fire Protection District boundaries.
3. Specifically, the Newcastle Fire Protection District boundaries encompasses a variety of elevations and topographical challenges which give rise to the need to modify certain provisions of the California Fire Code in order to adequately protect and defend the citizens and property within the Newcastle Fire Protection District boundaries from catastrophic wildfires and other fire-related emergencies.
4. The Newcastle Fire Protection District area encompasses a variety of terrain ranging from steep slopes, rivers and canals, which create differing impediments to public safety access.
5. The Newcastle Fire Protection District area includes a wide variety of structures, densities and limited access due to narrow rural roads which create impediments to public safety different structures, some County of Placer contains a diversity of soils types, access.

SECTION 4. The Board of Directors of Newcastle Fire Protection District hereby adopts the amendments to the 2013 California Fire Code set forth in Exhibit A, attached hereto and by this reference incorporated herein as if set forth in full.

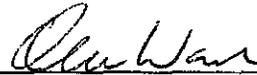
SECTION 5. This resolution was duly passed by the Board of Directors of the Newcastle Fire Protection District, located in the County of Placer at a regular meeting held on December 12, 2013, by the following vote on roll call:

Ayes: 5

Noes: 0

Absent: 0

Signed and approved by me after its passage.



Chair, Board of Directors

EXHIBIT A

AMENDMENTS TO THE CALIFORNIA FIRE CODE, 2013 EDITION

The California Fire Code adopted in Resolution # 2013_8 is modified, amended and/or supplemented as follows:

A. The California Fire Code (CFC) as adopted above with approved amendments and appendix chapters, and all State Fire Marshal codes delegated to local agencies, are to be enforced by the chief of each fire district, CSA, or as designated by contract.

B. Pursuant to State Health and Safety Code Section 13869.7, all fire district amendments to the CFC will be valid after such amendments are first authorized by the fire district board and then ratified by the Placer County Board of Supervisors.

C. Section 103.1, Department of Fire Prevention - General, is amended by replacing the first paragraph with the following:

The Chief of the fire district, with the written approval of the Board of Directors of the particular fire district is authorized to make and enforce such rules and regulations for the prevention and control of fires and fire hazards as may be necessary from time to time to carry out the intent of this Code. Three certified copies of such rules and regulations shall be filed with the Clerk of the jurisdiction and shall be in effect immediately thereafter.

D. Chapter 1 Section 109.2, Notice of Violation, is amended by adding the following:

The Chief of the fire district or his/her authorized representatives shall have authority to enforce this code and issue citations for violations in their respective jurisdiction.

E. Section 202, Definitions. Add the following:

Fire Hydrant: shall mean a hydrant supplied by a 6-inch or larger branch line, one or more pumper connection (4 1/2 inch) and 2 or more 2 1/2 inch outlets, capable of supplying required fire flow for at least 2 hours.

F. Section 502 Definitions. Add the following:

Emergency Vehicle Access and occupant emergency egress/evacuation roads: Use - Access for emergency vehicles during an emergency.

Emergency egress/evacuation for residents during an emergency.

Size - Roadways shall meet the requirements of the local authority having jurisdiction but shall not be less than the requirements set in PRC 4290 and Placer County Code for real property within the unincorporated area of Placer County.

Fire Department Access Gates:

Use - Fire Department access to open lands and vegetated areas for the purpose of extinguishing a vegetation fire.

Size - Minimum 10' wide opening with 15' clear vertical clearance.

Access restrictions - Access is for emergency firefighting equipment only.

Approved gates:

1. Any gate approved for Emergency Access and Residential Egress/Evacuation shall be manual opening with no lock or latch requiring special knowledge.
2. Bollards (4-6" iron pipe) with a hinge at grade with a hasp and break-away padlock.
3. Iron or wood cattle gate, unlocked or locked with a "Knox" lock.
4. Iron or wood swing gate.
5. Any gate approved by authority having jurisdiction.

G. Section 503.2.4 Turning Radius.

The inside turning radius for a Fire Access road shall be 30 feet or greater. The outside turning radius for an access road shall be 50 feet or greater.

H. Section 503.6 Security gates to include the following:

Private Road Gated Entrance:

1. Gate openings to be 2' wider than the roadway served.
2. Emergency vehicle access shall be provided by both a "Knox" over-ride switch and an approved emergency radio frequency gate opening device (Click2Enter type) or other device approved by the district.
3. An approved hammerhead, turn-around bulb or other means of turn-around shall be provided on the entry side of the gate.
4. Gates shall automatically open from the interior without use of a special code or device. (Magnetic strip or pressure pad assemblies are acceptable).
5. All electric gates shall fail in the open position, i.e. loss of power, battery failure.
6. Vertical clearances shall be no less than 15'.
7. Gate shall be located no closer than 30' from the intersecting roadway ultimate edge of pavement.
8. Provide a separate personnel gate or opening sized and surfaced to allow for pedestrian and accessibility access.
9. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.

Residential driveway gated entrance.

Gated residential driveways shall be provided with Fire Department access locks or switches as approved by the district.

I. Section 903.2, Where Required, is amended to read, add the following:

In all occupancies except Group R, Division 3 and Group U Occupancies an approved automatic sprinkler system shall be installed where the occupancy/building has 3,600 or more square feet of total floor area, except where other sections of the IFC or the California State Fire Marshals regulations are more restrictive, then the more restrictive shall apply. Where additions increase the total size of the building to 3,600 square feet or more, the addition and the existing occupancy/building shall be provided with an approved automatic sprinkler system. Fire separation areas shall not be used to reduce this requirement.

J. Section 903.3.1.3, NFPA 13D Sprinkler Systems, is amended to read, add the following:

Automatic sprinkler systems installed in one- and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with the latest edition of NFPA Standard 13D and shall be equipped with a residential fire sprinkler water flow switch and interconnection to the residential smoke detector alarm system.

K. Section 903.4, Sprinkler System Monitoring and Alarms, is amended to read:

All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically supervised. Valve supervision, water-flow alarm, and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station.

L. Section 907.2 of the IFC, Where Required - New Buildings and Structures, is amended to read as follows:

All occupancies except Group R, Division 3 and Group U occupancies shall have an approved automatic fire alarm system installed when the occupancy/building has 1,500 square feet or more of total floor area unless other sections of the CFC or California State Fire Marshals regulations are more restrictive, then the more restrictive shall apply. Fire alarms systems shall be in accordance with Section 907 of the CFC or the current edition of NFPA 72 if the specific occupancy is not covered in the CFC.

Additionally, all A, E, H, I and M occupancies shall have an automatic smoke/heat detection system installed in addition to any other system(s) required by this code. Where additions increase the total size of the building to 1,500 square feet or more, the addition and the existing occupancy/building shall be provided with an approved automatic smoke/heat detection system.

Fire alarm control panels in new buildings shall be sized to allow for maximum number of anticipated devices at build-out.

All automatic smoke and heat detection systems installed in addition to any other system(s) required by this code shall be automatically transmitted to an approved central station.

M. Section 2505, **3201** Storage, is amended by adding the following item:

6. Tires: No person shall pile, cause to be piled, or maintain any pile of tires (of any manufactured material) at a height greater than ten (10) feet, except in approved horizontal storage racks, measured in all cases from the ground level. Tires shall be neatly piled and in no case shall any one pile occupy more than two hundred (200) square feet of floor or lot area. An aisle of at least ten (10) feet shall be maintained at all times between the piles in such a manner as to allow free access.

N. Section 3401.1, **5701.1** Scope and Application, is amended to read as follows:

It shall be unlawful to store flammable liquids as defined in Chapter 34 **57** of the International Fire Code including gasoline and other motor fuels, in above ground storage containers, either portable or installed, in a RS, RM, RA, RF, F or AE zoned area on a parcel of less than ten (10) acres. In areas where above ground storage is permitted, minimum distances from property lines and structures for a tank of any type shall be not less than 50 feet.

Any aboveground storage must be approved, in writing, by the Chief of fire protection district. This section shall not be applicable to portable containers suitable for such storage of 5 gallons or less.

O. Section 3404.2.9.6.1 **5704.2.9.6** "Locations Where Aboveground Tanks are Prohibited" is amended to read as follows:

Storage of Class I and Class II flammable liquids in aboveground tanks outside of buildings is prohibited unless approved by the Fire Chief using standards not less than the IFC or recognized equivalent.

P. Section 3406.4, **5706.4** Bulk Plants or Terminals, is amended to read as follows:

No new bulk plant shall be constructed within the limits established by the Placer County zoning ordinance, as limits of the districts in which such plants are prohibited. Where allowed portions of properties where flammable and combustible liquids are received by tank vessel, pipelines, tank cars or tank vehicles and are stored or blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tank cars, tank vehicles or containers shall be in accordance with IFC Section 3406.4 **5706.4**.

Q. Appendix C, Fire Hydrant Locations and Distribution, Table C105.1, is amended to read:

TABLE C 105.1

NUMBER AND DISTRIBUTION OF FIRE HYDRANTS

| FIRE-FLOW REQUIREMENT (gpm) | | AVERAGE SPACING BETWEEN HYDRANTS^{1,2,3} (feet)⁶ | MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT⁴ |
|------------------------------------|--------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| X 3.85 for L/min. | MINIMUM NO. OF HYDRANTS | | X 304.8 for mm |
| 1,000 - 1,750 | 2 | 300 | 250 |
| 2,000 - 2,250 | 2 | 300 | 225 |
| 2,500 | 3 | 300 | 225 |
| 3,000 | 3 | 300 | 225 |
| 3,500 - 4,000 | 4 | 300 | 210 |
| 4,500 - 5,000 | 5 | 300 | 180 |
| 5,500 | 6 | 300 | 180 |
| 6,000 | 6 | 250 | 150 |
| 6,500 - 7,000 | 7 | 250 | 150 |
| 7,500 or more | 8 or more ⁵ | 200 | 120 |

1. Reduce by 100 feet for dead-end streets or roads.
2. Where streets are provided with median dividers which can be crossed by firefighters pulling hose lines, or arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet (152.4m) on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute (26,495 L/min.) and 400 feet (122 m) for higher fire-flow requirements.
3. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at not less than 1,000-foot (305 m) spacing to provide for transportation hazards.
4. Reduce by 50 feet (15 240 mm) for dead-end streets or roads.
5. One hydrant for each 1,000 gallons per minute (3785 L/min.) or fraction thereof.
6. Spacing may be increased to 500 feet for single-family dwelling residential subdivisions.

R. Appendix D, Fire Apparatus Access Roads is adopted and amended as follows:

D102.1 amended to read:

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus as determined by the district but no less than 40,000 pounds.

D103.1 add: Exception:

R-3 Occupancies.

D103.2 In areas above 5,000 ft. elevation:

Exception 1: Driveways of R-3 Occupancies shall not exceed 12 percent in grade, unless otherwise authorized by the fire chief.

Exception 2: The driveway slope may exceed 12% (12 vertical feet in one hundred horizontal feet) slope provided the driveway meets or exceeds the prescribed minimum width, and is not longer in length than the maximum permissible height of the structure within such jurisdiction, but in no case more than 35 feet, and has the appropriate transitional slopes at the edge of pavement to property line, and has no significant articulation greater than 45% angle in its entire length).

In areas below 5,000 ft. elevation driveway grade shall not exceed 16% unless authorized by the fire chief.

Delete Section D103.5.

Section D104 Commercial and Industrial Developments.

D104.2 is amended to read:

D104.2 Buildings exceeding 62,000 square feet in area.

Buildings or facilities having a gross building area of more than 62,000 square feet (5,760 m²) shall be provided with two separate and approved fire apparatus access roads.

Delete exception

Section D107 is amended to read:

Section D107 One- or Two-Family Residential Developments

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Delete exception 1 and 2.