

COUNTY OF PLACER
Community Development/Resource Agency

Michael Johnson, AICP
Agency Director

BUILDING
SERVICES DIVISION

Tim Wegner, Chief Building Offi

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 TRUCKEE FIRE PROTECTION DISTRICT

ACTION REQUESTED

Adopt a resolution ratifying Truckee Fire Protection District's Resolution 19-2013 (which adopts findings for local amendments) and Ordinance 2-2013 (which adopts the 2013 California Fire Code) 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 Truckee Fire Protection District ("TFPD") is located within the boundaries of Placer County. On October 15, 2013 the TFPD's Board of Directors passed Resolution 19-2013 setting forth its findings to support the amendments because of local conditions, and on December 17, 2013 passed Ordinance 2-2013 adopting the 2013 California Fire Code with amendments. The ordinance 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 TFPD's Resolution 19-2013 and Ordinance 2-2013, 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 TFPD.

FISCAL IMPACT

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

ATTACHMENTS

Attachment 1: Resolution Ratifying the Truckee Fire Protection District's adoption of the 2013 California Fire Code

Exhibit A: Truckee Fire Protection District Boundaries

Exhibit B: Resolution 19-2013 and Ordinance 2-2013: A Resolution and Ordinance of Truckee Fire Protection District adopting the 2013 Fire Prevention Code with amendments and local findings.

cc: Bob Bena - Fire Chief, Truckee 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 TRUCKEE
FIRE PROTECTION
DISTRICT's Adoption of the
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 TRUCKEE FIRE PROTECTION DISTRICT is located within the boundaries of Placer County as depicted in Exhibit "A"; and

WHEREAS, on October 15, 2013, the TRUCKEE FIRE PROTECTION DISTRICT's Board of Directors passed Resolution 19-2013 demonstrating findings to support the amendments because of local conditions, on December 17, 2013 passed Ordinance 2-2013 adopting the 2013 California Fire Code with amendments, attached hereto as Exhibit B; and

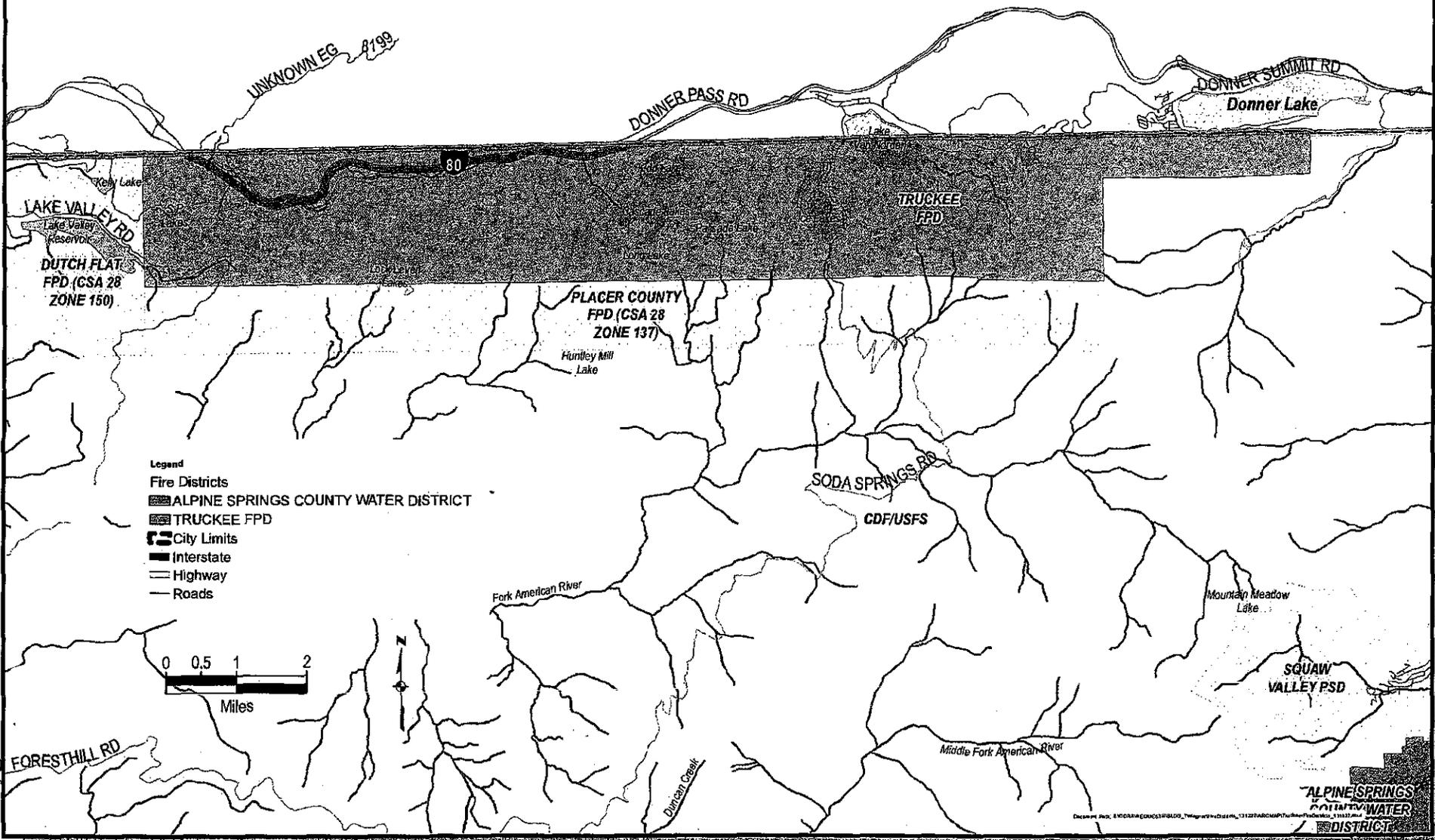
WHEREAS, the TRUCKEE FIRE PROTECTION DISTRICT has transmitted a copy of Resolution 19-2013 and Ordinance 2-2013 to the County; and

WHEREAS, this Board has considered Resolution 19-2013 and Ordinance 2-2013 as attached hereto and wishes to ratify the same.

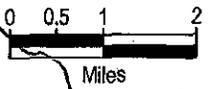
NOW, THEREFORE, BE IT RESOLVED by the Placer County Board of Supervisors to ratify the TRUCKEE FIRE PROTECTION DISTRICT's Resolution 19-2013 and Ordinance 2-2013 adopting the 2013 California Fire Code with amendments as set forth in Exhibit "B".

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

Truckee Fire District Exhibit A



Legend
 Fire Districts
 ALPINE SPRINGS COUNTY WATER DISTRICT
 TRUCKEE FPD
 City Limits
 Interstate
 Highway
 Roads



ALPINE SPRINGS
 COUNTY WATER
 DISTRICT

EXHIBIT B

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

RESOLUTION 19-2013

In the Matter of:
Modifications to the 2013 California Fire Code.

A RESOLUTION ADDRESSING MODIFICATIONS TO THE 2013 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, 2013 edition, and

WHEREAS TFPD believes that it is necessary to make certain changes, modifications and amendments to the 2013 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, 2010 2013 (corrected per motion during the 11/19/2013 Board Meeting) edition (hereafter "Code") are being modified for the reasons set forth below:

A. Section 101.6 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.

B. Section 109.4.2 is added so to provide the Fire Chief to reduce a violation to an infraction. This addition is necessary because the local climatic geological and topographical conditions, in particular, the urban interface with significant wildland fires and high winds make it necessary to pursue violations as promptly as possible so they can be abated or enforced when severe fire conditions exist.

C. Section 111.4 is amended to provide that the violations set forth in that section constitute a new violation for each day the violation continues. This addition is necessary because the local climatic geological and topographical conditions, in particular, the urban interface with significant wildland fires and high winds make it necessary to pursue violations as promptly as possible so they can be abated or enforced when severe fire conditions exist.

D. 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 and communicate with the appropriate fire official.

Truckee Fire Protection District
Resolution 19-2013

E. Section 507.5 is amended so to allow for a determination of the location number and type of fire hydrants to solely residential projects. 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.

F. Section 507.5.1 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.

G. 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.

H. Section 903.2 regarding the installation of sprinklers in certain structures is 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 the 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.

I. Section 903.3.1.2 regarding sprinkler systems in group R occupancies up to and including four (4) stories in height is amended due to the hard freezing and high snow fall conditions as well as the steep roads in the District, accessibility to a fire may be slowed or impossible. Due to the local climatic, geological and topographical conditions that 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.

J. 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.

K. Section 6101.3 is amended so to reduce the triggering amount for the storage of LP gas containers requiring submission of construction documents. This amendment is necessary due to the heavy snowfall and the sloping topographic conditions, local climatic, and geological conditions in this area, in particular, the urban interface with significant wildland fires and high winds make it necessary to have appropriate construction documents submitted to ensure the proper storage of LP gas containers.

L. Section 6101.3.1 is added to provide a standard for reference to the Placer County Building and Development Code Article 15.12. This amendment is necessary due to the heavy snowfall and the sloping topographic conditions, local climatic, and geological conditions in this area, in particular, the urban interface with significant wildland fires and high winds. This reference to this Code will assist the District and those installing LPG containers to construct and install them in the safest manner possible.

Truckee Fire Protection District
Resolution 19-2013

M. Section 6107.5 is added to provide additional, required protection for the meters, regulators, valves and equipment of LPG containers. This amendment is necessary due to the heavy snowfall, high winds and freezing conditions experienced during the winter months and will help protect these LPG appurtenances from cracking, leaking and breaking.

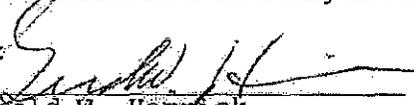
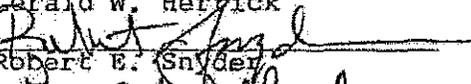
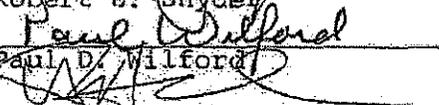
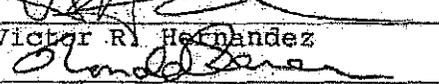
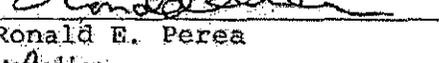
SECTION II. The Board of Directors of the Truckee of Fire Protection District finds that the amendments described above are reasonably necessary due to the findings set forth above.

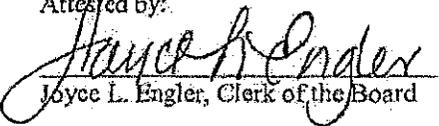
SECTION III. This Resolution is being adopted in order that TFPD may comply with the necessary requirements and procedures to amend the Code to be adopted, in particular, Section 17958.7 of the Health and Safety Code. Adoption of the Code will not be considered until public hearing and comment, including, 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 Staff 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 15, 2013, by the following vote:

Ayes: 
Gerald W. Herrick

Robert E. Snyder

Paul D. Wilford

Victor R. Hernandez

Ronald E. Perea

Attested by: 
Joyce L. Engler, Clerk of the Board

Noes: _____

Absent: _____

Abstain: _____

Dated: October 15, 2013

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

ORDINANCE 2-2013

An Ordinance of the Truckee Fire Protection District of Nevada County (hereafter at times "TFPD") Adopting the 2013 edition of the *California Fire Code*, as amended, 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 01-2010 and all other ordinances and parts of the ordinances in conflict therewith.

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

Section 1. That a certain document, three copies of which are on file in the office of the Clerk of the Truckee Fire Protection District of Nevada County, being marked and designated as the *California Fire Code*, 2013 edition, including all Appendix Chapters (see *California Fire Code* Section 101.2.1, 2013 edition) as published by the International Code Council, be and hereby is amended and adopted as the Fire Code of the Truckee Fire Protection District of Nevada County 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 of Nevada County 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, if any, prescribed in this Ordinance.

Section 2. That the following sections, which need certain information provided in order to be completed, are hereby completed by inserting the following information:

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

Section 109.4. Insert: Misdemeanor, 1,000, and 90; and

Section 111.4. Insert: 100 and 1,000 "for each day the violation continues unabated".

Section 3. That the geographic limits referred to in certain sections of the 2013 *California Fire Code* are hereby established as follows:

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids and above ground tanks outside of buildings is prohibited): throughout all territory within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County.

Truckee Fire Protection District
Ordinance 2-2013

Exception 1: Protected above ground storage tanks installed in accordance with Section 5704.2.9.7 and Chapters 23 and 57 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 23 and 57 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.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above ground storage tanks is prohibited): 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 5704.2.9.6 and Chapters 23 and 57 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 23 and 57 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 5806.2 Geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited:

Throughout 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 6104.2. (Geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): within heavily populated or congested commercial areas.

Truckee Fire Protection District
Ordinance 2-2013

Section 4. The *California Fire Code, 2013 Edition* is amended and changed in the following respects:

A. Section 101.6 is added to read as follows:

"101.6 Headings. Headings are inserted for convenience of reference only and shall not be utilized to define, limit or otherwise construe this code."

B. Section 109.4.2 is added to read as follows:

"109.4.2 Reduction of Penalty. The fire chief, in their sole discretion, may reduce any violation from a misdemeanor set forth above to an infraction, punishable by a fine of not more than \$500."

C. 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. "

D. Section 507.5 shall be amended to read as follows:

507.5 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 fire 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 side of the premises or both to be protected as required and approved by the fire chief."

E. Section 507.5.1 shall be amended to read as follows:

"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 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.

F. 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 that is protected from the elements as approved in advanced in writing by the Fire Code Official.

Truckee Fire Protection District
Ordinance 2-2013

G. 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 Sections 903.2.1 through 903.2.12. Notwithstanding any other provision of this Code, any occupancy other than R occupancies that have a total floor area exceeding 3,600 square feet, regardless of the presence of any area separation walls shall be sprinkled. Where additions increase the total size of the buildings 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. Any structure or occupancy that does not have maintained year-round access for any and all emergency response vehicles shall be sprinkled.

H. 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."

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

"903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station, 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."

J. Section 6101.3 shall be amended to read as follows:

"6101.3 Construction Documents. Where a single LP-gas container is more than 1,200 water gallons in water capacity or the aggregate water capacity of LP-gas containers is more than 1,200 gallons, the installer shall submit construction documents for such installation.

K. Section 6101.3.1 is added to read as follows:

"6101.3.1 Placer County Code. Placer County Building and Development Code Article 15.12 is added as a standard for reference through out the jurisdictional limits of TFPD for the installation, maintenance and inspections of liquefied petroleum gas containers.

L. Section 6107.5 is added to read as follows:

6107.5 Protecting Appurtenances From the Elements. A protective cover shall be installed over all gas meters, regulators, valves and equipment so to provide protection against sliding, drifting and impact of snow and ice. The minimum design

Truckee Fire Protection District
Ordinance 2-2013

for the protective cover shall be equal to, or greater, than the Building Design Load (determined by the appropriate building department) and shall be securely supported to the ground or diagonally to the building wall.

Section 5. That Ordinance No. 01-2010 of the Truckee Fire Protection District of Nevada County, entitled "An Ordinance of the Truckee Fire Protections District of Nevada County adopting the 2010 edition of the *California Fire Code*, as amended, 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 devises, 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 01-2007 of the Truckee Fire Protection District of Nevada County and all other ordinances and parts of the 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." is hereby repealed upon the effective date of this Ordinance except that any enforcement or abatement action under that Ordinance shall remain and be pursued until Resolution.

Section 6. That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors 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, sentences, clauses and phrases be declared unconstitutional.

Section 7. That nothing in this Ordinance or in the *California Fire Code 2013 Edition* hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any other cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 5 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 8. That the Administrative Officer of the Truckee Fire Protection District of Nevada County is hereby ordered and directed to cause this Ordinance to be published and posted in compliance with California law.

Section 9. 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 from and after its publishing, posting and approval as required by California law.

Truckee Fire Protection District
Ordinance 2-2013

PASSED AND ADOPTED at a duly held meeting of the Board of Directors of the Truckee Fire Protection District of Nevada County on December 17, 2013 by the following vote:

Ayes:

Noes:

Paul D. Wilford
Paul D. Wilford
Gerald W. Herrick
Gerald W. Herrick
Robert E. Snyder
Robert E. Snyder
Victor R. Hernandez
Victor R. Hernandez
Ronald E. Perea
Ronald E. Perea

Absent:

Abstain:

Attested by:

Joyce L. Engler
Joyce L. Engler, Clerk of the Board

Dated: December 17, 2013