ORDINANCE NO. 2015-292

AN ORDINANCE OF THE TOWN OF WINDSOR AMENDING TITLE VI, FIRE PREVENTION AND PROTECTION AND ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL ADOPTED BY THE STATE OF CALIFORNIA AND ADOPTING LOCAL AMENDMENTS THERETO

THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1

Pursuant to Health and Safety Code section 13143.5, 17958.5, and 17958.7, the Town Council of the Town of Windsor expressly finds that this chapter and the changes or modifications made herein to the 2013 Edition of the California Fire Code, including the adoption of fire protection sprinkler and fire alarm standards and the minimum fire safety standards for development with the Town, are reasonably necessary because of local climatic, geological, and topographical conditions

SECTION 2

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 Town Council of the Town of Windsor 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 3

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any clause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 4

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 January 1, 2014. The Town Clerk of the Town of Windsor shall cause this Ordinance to be published or to be posted in at least three (3) public places in the Town of Windsor in accordance with Section 36933 of the Government Code of the State of California. Provided however, all building permits and related permits issued on or after January 1, 2014, shall be subject to the terms and conditions of this ordinance. Council authorizes the posting of the full text of the ordinance or publication of a summary of the ordinance pursuant to Government Code Section 36933 (c).

SECTION 5

That Ordinance No. 2010-268 of the Town of Windsor entitled Title VI, Windsor Fire Prevention and Protection Standards and all other ordinances or parts of ordinances in conflict herewith are hereby repealed and Title VI, Windsor Fire Prevention and Protection Standards Code is hereby added to the Town of Windsor Municipal Code.

SECTION 6

FINDING OF FACT & LOCAL CONDITIONS

Pursuant to Health and Safety Code section 13143.5, 17958.5, and 17958.7, the Town Council of the Town of Windsor expressly finds that this chapter and the changes or modifications made herein to the 2013 Edition of the California Fire Code, including the adoption of fire protection sprinkler and fire alarm standards and the minimum fire safety standards for development with the Town, are reasonably necessary because of local climatic, geological, and topographical conditions.

The Town Council makes the following findings pertaining to this chapter and its requirements:

a. This chapter and its requirements are consistent with and in furtherance of the goals, objectives and policies of the public safety element of the General Plan.

b. This chapter and its requirements are necessary because the failure to adopt them would place residents and property within the Town in a condition perilous to health or safety, or both.

c. This chapter and its requirements are necessary because growth and development within the Town has increased the potential for significant losses from wildland and structure fires and adversely impacted rural and wildland firefighting resources.

d. This chapter and its requirements are necessary because wildland fires are becoming an increasing threat to structures and loss of life, where in the past the only threat was to wildland resources.

e. This chapter and its requirements are necessary because structure fires are escaping to the surrounding wildlands and destroying other structures as well as wildland resources.

f. This chapter and its requirements are necessary because there are not enough firefighting resources available, even with mutual aid, to protect both wildland resources and the structures intermingled among such resources, and it is financially infeasible to increase firefighting resources to the level necessary to provide such protection.

g. This chapter and its requirements are necessary because the two fire districts responsible to provide firefighting services within the Town limits also have firefighting services responsibilities that extend well beyond the Town limits, into surrounding wildlands, further diluting available firefighting resources.

h. This chapter and its requirements are necessary because they represent a cost-effective alternative to increasing firefighting resources.

i. This chapter and its requirements will ensure that all new development within the Town will provide a basic level of fire protection around itself, making it easier and safer for firefighters to fight wildland and structure fires.

j. This chapter and its requirements will not totally prevent losses from wildland and structure fires, but will reduce the severity of the losses that do occur through built-in fire protection and better fire response infrastructure.

k. This chapter and its requirements will create an opportunity for firefighters to defend a structure from a threatening wildland fire and protect the wildlands from an escaping structure fire.

l. This chapter and its requirements will increase the safety of firefighters protecting lives, structures and wildland resources.

SECTION 7

Pursuant to Section 50022.2 of the California Government Code, the 2013 California Fire Code, Part 9 is adopted by reference, including the amendments listed in this chapter which are made pursuant to the findings of fact set forth in the adopting ordinance.

FIRE CODE		LOCAL FINDINGS	FIRE CODE		LOCAL FINDINGS
A101.1	is amended	**A,B,C**	903.2.9.1	is deleted	**A,B,C**
A102.1	is amended	**A,B,C**	903.2.9.2	is deleted	**A,B,C**
A103.3.1	is added	**A,B,C**	903.2.10	is deleted	**A,B,C**
A105.3.3.1	is added	**A,B,C**	903.2.10.1	is deleted	**A,B,C**
A105.5.1	is added	**A,B,C**	903.2.11	is deleted	**A,B,C**
A105.6.47	is amended	**A,B,C**	903.2.11.1	is deleted	**A,B,C**
A111.4	is amended	**A,B,C**	903.2.11.1.1	is deleted	**A,B,C**
202	is amended	**A,B,C**	903.2.11.1.2	is deleted	**A,B,C**
503.2.6.1	is added	**A,B,C**	903.2.11.1.3	is deleted	**A,B,C**
503.2.6.2	is added	**A,B,C**	903.2.11.2	is deleted	**A,B,C**
505.1.1	is added	**A,B,C**	903.2.11.3	is deleted	**A,B,C**
901.7.7	is added	**A,B,C**	903.2.20	is added	**A,B,C**
901.7.7.1	is added	**A,B,C**	903.2.21	is added	**A,B,C**
901.7.7.2	is added	**A,B,C**	903.4.2	is amended	**A,B,C**
902	is amended	**A,B,C**	3404.7	is added	**A,B,C**
903.2	is amended	**A,B,C**	3404.8	is added	**A,B,C**
903.2.1	is deleted	**A,B,C**	4904.3	is added	**A,B,C**
903.2.1.2	is deleted	**A,B,C**	4904.4	is added	**A,B,C**
903.2.1.3	is deleted	**A,B,C**	4904.5	is added	**A,B,C**
903.2.1.4	is deleted	**A,B,C**	4906.6	is added	**A,B,C**
903.2.1.5	is deleted	**A,B,C**	6107.5	is added	**A,B,C**
903.2.2	is deleted	**A,B,C**	B102.1	is amended	**A,B,C**
903.2.3	is deleted	**A,B,C**	B103.3	is amended	**A,B,C**
903.2.4	is deleted	**A,B,C**	B105.1	is amended	**A,B,C**
903.2.4.1	is deleted	**A,B,C**	C102.1	is amended	**A,B,C**
903.2.5	is deleted	**A,B,C**	D101.1	is amended	**A,B,C**
903.2.5.1	is deleted	**A,B,C**	D102.1	is amended	**A,B,C**
903.2.5.2	is deleted	**A,B,C**	D103.1	is amended	**A,B,C**
903.2.5.3	is deleted	**A,B,C**	D103.2	is amended	**A,B,C**
903.2.5.4	is deleted	**A,B,C**	D103.3	is amended	**A,B,C**
903.2.6	is deleted	**A,B,C**	D103.4	is amended	**A,B,C**
903.2.6.1	is deleted	**A,B,C**	D103.4.1	is added	**A,B,C**
903.2.6.2	is deleted	**A,B,C**	D102.4	is added	**A,B,C**
903.2.7	is deleted	**A,B,C**	D104.2	is deleted	**A,B,C**
903.2.7.1	is deleted	**A,B,C**	D106.2	is deleted	**A,B,C**
903.2.8	is deleted	**A,B,C**			

FIRE CODE	LOCAL FINDINGS		FIRE CODE		LOCAL FINDINGS
903.2.8.1	is deleted	**A,B,C**			
903.2.9	is deleted	**A,B,C**			

Article 1

GENERAL

6-1-100 - SHORT TITLE

This chapter shall be known and may be cited as the Town of Windsor Fire Safety Standards Ordinance.

Article 2

Adoption of 2013 California Fire Code and Appendices

6-1-200 - CONFLICTING REGULATIONS

The regulations and provision contained in this chapter shall prevail over any inconsistent provision contained in the codes adopted in this article; provided, in the case of inconsistent regulations, no regulation shall prevail which is less stringent than the regulations established by the State of California unless otherwise authorized by the state.

6-1-202 - CALIFORNIA FIRE CODE & ADOPTED-AMENDMENTS

The California Fire Code, including all appendices, being particularly the 2013 edition thereof and the whole thereof, save and except such portions of the California Fire Code as are hereafter deleted, modified or amended by this section, are adopted and incorporated as fully as if set out at length herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion within the Town of Windsor.

Article 10

CALIFORNIA FIRE CODE–TITLE 24, PART 9

7-2-1000 - CITATION OF SECTIONS

This article shall be known as the "CALIFORNIA FIRE CODE" and may be cited as the "CALIFORNIA FIRE CODE". For purposes of citation, the CALIFORNIA FIRE CODE, Part 9, 2013 Edition, published by the National Fire Protection Association; as amended by the State of California and adopted by reference including Appendices Chapters 4, B, C, D, H, and amended by the Town of Windsor, is renumbered by adding "7-2-1000" before each section.

7-2-1002 - CHAPTER 2, SECTION [A] 101.1 – TITLE

[A] 101.1 of the California Fire Code is amended to read as follows:

These regulations shall be known as the Fire Code of the Town of Windsor, hereinafter referred to as "this code".

7-2-1004 - CHAPTER 2, SECTION [A] 102.1 CONSTRUCTION AND DESIGN PROVISIONS

[A] 102.1 of the California Fire Code is amended to read as follows:

The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when identified in specific sections of this code.
4. Existing structures, facilities and conditions, which, in the opinion of the fire and/or building code official, constitute a distinct hazard to life and property.
5. Existing structures to which additions, alterations or repairs are made that involve: the addition, removal or replacement of fire resistive construction related to property lines; additions, alterations or repairs to fire protection systems; additions or alterations made that impact emergency vehicle access; or additions or alterations made that impact the egress system.

7-2-1006 - CHAPTER 2, SECTION [A] 103.3.1 AUTHORITY TO ISSUE CITATIONS

Section 103 of the California Fire Code is amended by adding the following:

[A] 103.3.1 Authority to issue citations. The Fire Chief, the fire code official and his or her deputies who have the discretionary duty to enforce a statute or ordinance may, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, arrest a person without a warrant whenever the Chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the Chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code."

7-2-1008 - CHAPTER 2, SECTION [A] 105.3.3.1 OCCUPANCY PERMITS

Section 105 of the California Fire Code is amended by adding the following:

[A] 105.3.3.1 Occupancy permits. The chief may notify the building official not to authorize temporary or final occupancy of any building for which a permit is required by this code until the building has been inspected and found to be in compliance with this code. The building official shall not authorize temporary or final occupancy of any new commercial building for which a permit is required by this code until the contractor provides a fire flow availability certification to the chief. The fire flow availability certification shall include static pressure, residual pressure, and gallons per minute, as witnessed by or acceptable to the chief.

7-2-1010 - CHAPTER 2, SECTION [A] 105.5.1 REVOCATION PROCEDURE

Section 105 of the California Fire Code is amended by adding the following:

[A] 105.5.1 Revocation procedure. Revocation of any permit issued under this code shall only occur after written notice of the violation has been given by the chief to the permittee at his or her last place of residence as shown on the permit or certificate, which notice shall order the permittee to either correct the violation within ten (10) days or appear before the local fire chief, unless the local fire protection district issues a written notice electing to have the county fire chief hear the matter, at a date and time certain to show cause why the permit or certificate should not be modified, revoked or suspended. At the hearing before the chief, the permittee shall have an opportunity to appear and be heard on the question of whether the permit issued to him should be revoked or suspended. Upon conclusion of the hearing or as soon thereafter as practicable, the chief shall issue a decision in writing to the permittee determining whether to modify, revoke or suspend the permit. Any interested person may appeal the chief's decision to the board of appeals. All appeals shall be filed in writing with the chief within ten (10) calendar days of the date of the decision being appealed.

7-2-1012 - CHAPTER 2, [A] 105.6.47 ADDITIONAL PERMITS

105.6.47 of the California Fire Code is amended to read the following:

In addition to the operational permits required by Section 105.6, the following permits shall be obtained from the division of fire prevention prior to engaging in the following activities, operations, practices or functions:

1. **Bonfires or rubbish fires.** An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.
2. **Change of occupancy.** An operational permit is required for any change in the occupancy, business or tenancy of any building, facility, or structure.
3. **Day Care.** An operational permit is required to operate a day care occupancy with an occupant load over eight (8) persons.
4. **Emergency Responder Radio Coverage System.** An operational permit is required for buildings and/or facilities with emergency responder radio coverage systems and related equipment.
5. **Fire protection systems.** An operational permit is required for buildings and/or facilities with fire protection systems and related equipment such as fire pumps, fire hydrant systems, fire suppression systems, fire alarm systems, smoke management systems, and similar systems governed by this code.
6. **High-rise building.** An operational permit is required to operate a high rise building as defined in the Building Code.
7. **Institutional or residential occupancy (6 or less persons).** An operational permit is required to operate an institutional or residential occupancy for 6 or less persons, except day care and residential care facilities for the elderly.
8. **Institutional or residential occupancy (more than 6 persons).** An operational permit is required to operate an institutional or residential occupancy for more than 6 persons. Exception: A permit is not required for large family day care providing care for less than 9 children.
9. **Medical Gas Systems.** An operational permit is required for buildings and/or facilities with medical gas systems and related equipment, and similar systems governed by this code.

10. **Oil or natural gas well.** An operational permit is required to own, operate or maintain an oil or natural gas well.
11. **Organized Camps.** An operational permit is required to operate an organized camp (Group-C Occupancy).
12. **Public Christmas Tree Lot or Pumpkin Patch.** An operational permit is required to operate a Christmas tree lot or pumpkin patch, haunted house, or similar facility that is open to the public.
13. **Special Event Permit** An operational permit is required for any organized procession or assemblage of 50 or more people, which could significantly impact vehicular traffic or create a safety problem. Examples include but are not limited to: music festivals, outdoor markets, circus, walkathons, runs, marathons, trail rides, bicycle races, celebrations, parades and other similar activities.
14. **Winery Caves – Public Accessible.** An operational permit is required to operate a Type-2 or Type-3 winery cave that is accessible to the public.

7-2-1014 - CHAPTER 2, SECTION [A] 111.4 FAILURE TO COMPLY
[A] 111.4 of the California Fire Code is amended to read the following:

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 by the Building or Fire Code Official to remove a violation or unsafe condition, shall be liable to a fine of not less than $100.00 dollars or more than $500.00 dollars per day for each ongoing violation per Windsor Municipal Code 1-1-250, exclusive of any amounts imposed for recovery of administrative costs.

7-2-1016 - CHAPTER 2, SECTION 202 – DEFINITIONS
Section 202 of the California Fire Code is amended by adding the following:
202 General Definitions:

BUILDING OFFICIAL. Is the officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

CENTRAL ALARM STATION. Is a publicly or privately operated alarm-receiving center that is constantly attended by appropriately trained staff.

CHIEF OR CHIEF OF THE FIRE DEPARTMENT. Is the local fire chief or his or her authorized representative within the fire district of jurisdiction.

FIRE DEPARTMENT. Is the fire protection district having jurisdiction.

FIRE PROTECTION DISTRICT. Is the fire protection district of jurisdiction.

JURISDICTION. Is the Town of Windsor in the County of Sonoma in the State of California.

JURISDICTIONAL AREA. Is the Town of Windsor.

NEW BUILDING. Is any building for which a building permit is issued for the construction thereof after the effective date of this code.

SHALL IS MANDATORY & MAY IS PERMISSIVE. The use of the word "shall" in this code is not intended to, nor shall it be deemed to create a mandatory duty imposed by enactment within the meaning of Government Code section 815.6.

7-2-1018 - CHAPTER 2, SECTION 503.2.6.1 EVALUATION & 503.2.6.2 BRIDGE MAINTENANCE
Section 503 of the California Fire Code is amended by adding 503.2.6.1 and 503.2.6.2 to read as follows:

503.2.6.1 Evaluation. All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for the purposes of safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. Theses evaluations shall be performed at the direction of the fire code official.

503.2.6.2 Bridge maintenance. All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: ``The Manual for Bridge Evaluation," First Edition, 2008, published by the American Association of State Highway and Transportation Officials; or other approved standard.

7-2-1020 - CHAPTER 2, SECTION 505.1.1–PREMISES IDENTIFICATION
Section 505 of the California Fire Code is amended by adding 505.1.1to read as follows:

505.1.1 Numbers for other than one and two- family dwellings. Numbers for other than one and two- family dwellings shall be a minimum of 12 inches high with a minimum stroke width of 1 inch. Suite numbers for other than one and two-family dwellings shall be a minimum of six 6" inches high and 0.5 inches stroke.

Exception: These requirements may be modified with the approval of the fire code official.

7-2-1022 - CHAPTER 2, SECTION 901 – GENERAL
Section 901 of the California Fire Code is amended by adding of 901.7.7 to 901.7.7.2 to read as follows:

901.7.7 Notice of nuisance alarm. The officer in charge of fire units responding to a fire alarm signal shall determine whether a true emergency exists. If the officer determines that an emergency does not exist, the chief of the local fire agency may issue a written notice of nuisance alarm to the owner or person in charge or control of the facility where the alarm signal originated.

901.7.7.1 Unreliable fire alarm systems. The chief of the local fire agency or the County Fire Chief may determine that a fire alarm system is unreliable upon receipt of more than four (4) nuisance alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the chief of the local fire agency or the County Fire Chief may order the following:

For any nuisance alarm where the system is not restored, the chief may require the system owner to provide standby personnel as defined by Section 2501.18 or take such other measures, as the chief deems appropriate. Persons or activities required by the chief shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the chief that the alarm system has been restored to a reliable condition. The chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.

1. Upon the fifth (5th) and sixth (6th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $150.00, plus the cost of fire engine response, for each occurrence.
2. Upon the seventh (7th) and eighth (8th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $300.00, plus the cost of fire engine response.

3. Upon the ninth (9th) and following nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $500.00, plus the cost of fire engine response, for each occurrence.

901.7.7.2 Hearing on notice. Any person receiving a notice of nuisance alarm who contends that the chief erroneously determined that the fire alarm system was not functioning as designed, may file a written request with the chief for a hearing on the determination within ten (10) days after receipt of the notice of nuisance alarm. The chief shall give the requesting party a hearing on the determination within thirty (30) days of receipt of the request. The request shall set forth: (1) that the system functioned as designed, or (2) that the nuisance alarm resulted from an act of God, flooding, or other violent natural condition without fault and beyond the control of the requesting party. Within ten (10) days following the hearing, the chief shall give written notice of his or her decision to the requesting party.

7-2-1024 - CHAPTER 2, SECTION 902–DEFINITIONS
Section 902 of the California Fire Code is amended by adding the following definitions:

EMERGENCY is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

FALSE ALARM is an alarm signal activated by a properly functioning fire alarm system, necessitating response by the fire department when an emergency does not exist.

7.2.1026 – CHAPTER 2, SECTION 903.2
Where required, is amended to read as follows: Approved automatic fire sprinklers in new buildings and structures shall be provided.

7-2-1028 - CHAPTER 2, SECTION 903.2.20 ADDITIONS, REMODEL, ALTERATIONS, REPAIRS
Section 903 of the California Fire Code is amended by deleting Section 903.2.1 through 903.2.11.3 and adding 903.2.20 to read as follows:

An automatic sprinkler system shall be provided to an existing building where any of the following conditions are created:

1. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
2. An automatic fire sprinkler system shall be provided in an existing one or two family dwelling when additions increase the area by 50% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwelling units shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components).. For the purpose of applying this section, the following criteria shall be considered in the 50% threshold evaluation:
    a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
    b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
    c. Removal of interior tenant improvements reducing the building to a "shell" condition shall require the future build-out to comply with fire sprinkler requirements. Or,
    d. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

    Exceptions:
    Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.

    The replacement and upgrading of residential roof coverings or exterior finishes.

5. Any combination thereof to the structure where the improvements equals or exceeds fifty percent (50%) of the structure.

7-2-1030 - CHAPTER 2, SECTION 903.2.21 CHANGES OF OCCUPANCY
Section 903 of the California Fire Code is amended by adding 903.2.21 to read as follows:

When any change of occupancy occurs where the proposed new occupancy classification is more hazardous, as determined by the Fire Code Official and/or Building Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

7-2-1032 - CHAPTER 2, SECTION 903.4.2 ALARMS
903.2.18 of the California Fire Code is amended to read:

At least one exterior approved audible device activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system shall be connected to every automatic fire alarm system in an approved location, and approved audible devices shall be connected to every automatic sprinkler system for the purpose of occupant notification. Actuation of the automatic sprinkler system shall actuate the building fire alarm system in all normally occupied areas for the purpose of occupant notification.

7-2-1034 - CHAPTER 2, SECTION 3404.7 TANKS STORAGE PROHIBITED

Section 3404 of the California Fire Code is amended by adding 3404.7 to 3404.9 to read as follows:

No existing aboveground tanks for the storage of Class I and Class II liquids outside of buildings (except LPG-Propane) shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the fire code official.

3404.8 Tank storage - other locations.

New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to new within one (1) year after written notice from the fire code official.

3404.9 Existing Tank storage.

Existing Tank storage shall meet the requirements of new tank installations within one year of notice from the fire code official.

7-2-1036 - CHAPTER 2, SECTION 4904.3 GENERAL

Section 4904 of the California Fire Code is amended by adding 4904.3 to 4904.6 to read as follows:

A fire protection plan shall be required for any new residential or commercial building within a wildland-urban interface fire area. The plan shall be prepared by a qualified professional and shall be approved by the fire code official. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire resistive vegetation, and a maintenance program for all vegetation. The property owner shall record a covenant, in a form satisfactory to county counsel, which ensures that the approved plan will be implemented and maintained. When required by the code official, the property owner shall record a covenant, in a form satisfactory to fire code official, which ensures that the approved plan will be implemented and maintained.

4904.4 Content.

The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

4904.5 Cost.

The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4906.6 Plan retention.
A copy of the fire protection plan shall be retained by the property owner.

7-2-1038 - CHAPTER 2, SECTION 6107.5 SEISMIC ANCHORING
Section 6107 of the California Fire Code is amended by adding 6107.5 to read as follows:

An approved seismic anchoring system shall be installed on all permanently installed propane/LPG gas containers.

7-2-1065 - CHAPTER 2, APPENDIX B, SECTION B102.1 – DEFINITIONS
B102.1 of the California Fire Code is amended to read as follows:

FIRE-FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure in the water main in the vicinity of the flowing hydrant, that is available for firefighting.

7-2-1040 - CHAPTER 2, APPENDIX B, 103.3 AREAS WITHOUT WATER SUPPLY SYSTEMS
B103.3 of the California Fire Code is amended to read as follows:

For information regarding water supplies for firefighting purposes in rural and suburban areas in which adequate water supply systems do not exist, the fire code official is authorized to utilize the latest edition of NFPA 1142.

7-2-1042 - CHAPTER 2, APPENDIX B, SECTION B105.1 ONE- AND TWO-FAMILY DWELLINGS
B105.1 of the California Fire Code is amended to read as follows:

The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m2) shall be1,000 gallons per minute for 30 min. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m2) shall not be less than that specified in Table B 105.1.
Exception:
A reduction in required fire flow of 50 percent as approved, is allowed when the building is provided with an approved automatic fire sprinkler system.

7-2-1044 - CHAPTER 2, APPENDIX C, SECTION C102.1 FIRE HYDRANT LOCATIONS
C102.1 of the California Fire Code is amended to read as follows:

Where fire hydrants are required, fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets, and a fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), or as approved by the Fire Code Official.

7-2-1046 - CHAPTER 2, APPENDIX D, SECTION D101.1 SCOPE
D101.1 of the California Fire Code is amended to read as follows:

Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code.

Exception:
One and two-family residential dwellings; detached U Occupancy buildings less than 1000 square feet in area accessory to a one or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in area within County unincorporated areas may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

7-2-1048 - CHAPTER 2, APPENDIX D, SECTION D102.1 ACCESS AND LOADING
D102.1 of the California Fire Code is amended to read as follows:

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 weighing at least 75,000 pounds (34050 kg) or as approved by the Fire Code Official.

7-2-1050 - CHAPTER 2, APPENDIX D, SECTION D103.1 ACCESS ROAD WIDTH WITH A HYDRANT
D103.1 of the California Fire Code is amended to read as follows:

The hydrant shall be no closer than 4 feet nor farther than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway.

7-2-1052 - CHAPTER 2, APPENDIX D, SECTION D103.3 TURNING RADIUS
D103.3 of the California Fire Code is amended to read as follows:

The minimum turning radius shall be determined by the fire code official or as approved by local standards.

7-2-1054 - CHAPTER 2, APPENDIX D, SECTION D103.4 DEAD ENDS
D103.4 of the California Fire Code is amended to read as follows:

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by local standards.

7-2-1056 - CHAPTER 2, APPENDIX D, SECTION D103.4.1 DEAD END ROADS
D103 of the California Fire Code is amended by adding D103.4.1 to read as follows:

The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the cumulative lengths according to Table D 103.4, regardless of the number of parcels served.

TABLE D102.4 IS ADDED TO READ:

Table D103.4

Parcel Size	Max Allowable Length
Parcels zoned for less than one acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1320 feet
Parcels zoned for 5 acres to 19.99 acres	2640 feet
Parcels zoned for 20 acres or larger	5280 feet

SECTION D104.2 EXCEPTION IS DELETED

SECTION D106.2 IS DELETED

7-2-1058 - ADMINISTRATION AND ENFORCEMENT OF THE CALIFORNIA FIRE CODE
The Fire Chiefs of the fire protection districts having jurisdiction within the Town shall be responsible for the administration and enforcement of the California Fire Code and amendments thereto within their respective jurisdictions; provided that if said Fire Chief is unable or refuses to do so, the Building Official may, but is not obligated to, administer and enforce the California Fire Code and amendments thereto within the Town of Windsor.

Article 3

Enforcement and Violations

6-1-305 - FEES AND CHARGES
The board of directors of the fire protection district may from time to time establish a schedule of fees and charges following the procedures set forth in California law (currently Health and Safety Code section 13916) to recover the reasonable cost of providing services, issuing permits, and enforcing regulations pursuant to this chapter. Pursuant to Health and Safety Code section 13916, no such fee or charge on new construction or development shall be for construction of public improvements or facilities or the acquisition of equipment.

6-1-310 - RESPONSIBILITY FOR ENFORCEMENT
The Fire Chief of the fire protection district having jurisdiction shall be responsible for enforcing the provision of this Title VI; provided that if said Fire Chiefs are unable or refuse to do so, the Building Official may, but is not obligated to, administer and enforce the California Fire Code and amendments thereto within the Town of Windsor.

6-1-315 - ISSUANCE OF CITATIONS
The fire chief and his or her authorized representative may, pursuant to section 836.5 of the Penal Code, arrest a person without a warrant whenever they have reasonable cause to believe that the person to be arrested has committed a misdemeanor in their presence which is a violation of this chapter or any other ordinance or statute which they have a duty to enforce, and to issue a written notice to appear and to release such person on his or her written promise to appear in court, as prescribed by Chapter 5C (commencing with section 853.6) of the Penal Code.

SECTION 3

Publication or Posting

The Town Clerk of the Town of Windsor shall cause this Ordinance to be published, or to be posted in at least three (3) public places in the Town of Windsor, in accordance with Section 36933 of the Government Code of the State of California.

PASSED, APPROVED, AND ADOPTED this 15th day of July 2015, by the following vote:

AYES:	**COUNCILMEMBERS FOPPOLI, FUDGE, SALMON, VICE MAYOR MILLAN, AND MAYOR OKREPKIE**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

BRUCE OKREPKIE, MAYOR

ATTEST:

MARIA DE LA O, TOWN CLERK