

ORDINANCE NO. 841

AN ORDINANCE OF THE CITY OF PATTERSON ADOPTING THE 2019 EDITION OF THE CALIFORNIA FIRE CODE, PROVIDING FOR THE MODIFICATIONS THEROF, 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 CITY OF PATTERSON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE NO.799 OF THE CITY OF PATTERSON MUNICIPAL CODE AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

FINDINGS AND ADOPTION OF THE 2019 CALIFORNIA FIRE CODE

Findings and Adoption of the 2019 California Fire Code

The City of Patterson does ordain as follows:

1. The City Council of the City of Patterson hereby finds and determines: That the International Code Council is a private organization, which has been in existence for at least three (3) years. That the California Fire Code, 2019 Edition, and 2019 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization.
2. That said 2019 California Fire Code and Fire Code Standards have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the Government Code.
3. That one (1) copy of the 2019 California Fire Code and one (1) copy of the International Fire Code Standards, certified by the Clerk to be true copies, have been filed for use and examination by the public in the office of the Clerk.
4. That the sections of said 2019 California Fire Code and 2019 California Fire Code Standards may be referred to by the number used in said published compilation, preceded by the words "California Fire Code Section," or "Fire Code Section," and may also be referred to by additional reference to Municipal Code and sections therein pertaining to said 2019 California Fire Code and Fire Code Standards.
5. That the additional requirements and standards established herein are needed to properly protect the health, safety, and welfare of the existing and future residents and workers of the City of Patterson.

6. Said requirements and standards are reasonably necessary because of local climatic, geological, and topographical conditions, and comply with existing state laws and regulations.
7. Amendment of the 2019 California Fire Code is necessary so as to provide more stringent standards for fire extinguishing systems, fire hazard and hazardous materials controls is necessary to serve the public interest by reducing the risk to life and property of the citizens of the City of Patterson because of the following local conditions:
 - a. Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;
 - b. Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response.
 - c. Fire response is delayed by railroad crossings and or tracks.
 - d. The Patterson Fire Department also relies on volunteer firefighters who must respond to the scene of emergencies.

THEREFORE, for the above reasons taken individually and cumulatively and in accordance with the authority granted in Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council of the City of Patterson expressly finds there are local climatic and topographical conditions that make the increased fire protection requirements set forth in this article reasonably necessary.

The City Council of the City of Patterson does ordain as follows:

SECTION 1.

15.20.010 Adoption.

A certain document, one (1) copy of which is on file in the office of the City of Patterson Fire Department, being marked and designated as the California Fire Code, 2019 edition, including Appendix Chapter 4, Appendices B, BB, C, CC, D, E, F, G, I, K and Division II administration as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Patterson, 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 City of Patterson Fire Department are hereby referred to, adopted,

and made a part hereof, as if fully set out in this ordinance, with the additions, insertion, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2.

15.20.020 Amendments.

That the following sections of the 2019 California Fire Code are hereby revised:

- A. Title. Section 101.1 of the 2019 California Fire Code is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Patterson, hereinafter referred to as “this code”.

- B. Emergency incident pre-plan. Section 105.4.2.2 of the 2019 California Fire Code is hereby added to read as follows:

105.4.2.2 Emergency incident pre-plan. An 8 ½” x 11” document *and* an electronically submitted “detail” page for emergency responder data files shall be submitted to and approved by fire department before final inspection. Detail page shall include site plan showing:

- a. Property, site layout
- b. Roads, fire access lanes, and building access points including roof access
- c. Premises identification (address, building identification, suites, room numbers, etc.)
- d. Hydrants and Fire Department Connections (FDC) locations
- e. Knox product locations
- f. Fire Alarm Control Panel (FACP) locations
- g. Fire riser locations
- h. Hose valve locations
- i. Main Electrical and Main Gas Disconnect locations
- j. Hazardous materials storage

C. Permit Required for Certain Operations. Section 105.6.15 of the 2019 California Fire Code is hereby deleted.

D. LP-gas. Section 105.6.27 of the 2019 California Fire Code is hereby amended to read as follows:

Exception:

1. Containers not exceeding five (5) gallon water capacity, used for “barbecue” cooking, when used and stored outside of buildings.
2. Approved containers not exceeding sixteen and four-tenths (16.4) ounces when displayed for sale in mercantile occupancies.
3. Factory installed containers for recreational vehicles not exceeding ten (10) gallon water capacity.
4. Factory installed tanks that are permanently attached to recreational vehicles.

Distributors shall not fill an LP-gas container for which a permit is required unless the Fire Code Official has issued a permit for installation for that location.

E. Fees. Section 106.6 of the 2019 California Fire Code is hereby added as follows:

106.6 Permit and Plan Check Fees

1. Permit Fee. The City council of the City of Patterson may, by resolution adopted from time to time, charge a fee for any permit issued pursuant to the Fire Code.
2. Plan Check Fee. When a plan is required to be submitted the plan-checking fee shall be paid at the time of submitting plans and specifications for checking. Where plans are incomplete or changed so as to require an additional plan check, an additional plan-check fee shall be charged at a rate shown in a schedule setting forth fees as adopted from time to time by resolution of the City council of the City of Patterson.

F. Board of Appeals. Section 109.1 of the 2019 California Fire Code is hereby amended to read as follows:

109.1 Appeals. Applicant may appeal the decision of the Chief to the City Council within thirty (30) days from the date of the decision being appealed whenever the Chief:

1. Disapproves an application for use of alternate materials, methods and/or types of construction,
2. Disapproves an application for permit or refuses to grant a permit applied for,
3. When it is claimed that the provisions of the code do not apply, or
4. That the true intent and meaning of the code have been misconstrued or wrongly interpreted.

G. Compliance with Orders and Notices. Section 110.3.2 of the 2019 California Fire Code is hereby amended to read as follows:

110.3.2 Criminal violations. It shall be unlawful for any person to violate any provision or to fail to comply with any of the requirements of this chapter. A violation of any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall constitute a misdemeanor; except that notwithstanding any other provision of this code, any such violation constituting a misdemeanor under this code may, in the discretion of the City of Patterson Attorney, be charged and prosecuted as an infraction. Any person convicted of a misdemeanor under the provisions of this chapter, unless provision is otherwise herein made, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for a period of not more than 180 days or by both fine and imprisonment. Any person convicted of an infraction under the provisions of this code, unless provision is otherwise herein made, shall be punishable by a fine only as follows: Upon a first conviction, by a fine of not exceeding two hundred fifty dollars (\$250.00) and for a second conviction or any subsequent conviction within a period of one year, by a fine of not exceeding five hundred dollars (\$500.00). Each such person shall be charged with a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued or permitted by such person and shall, upon conviction, be punished accordingly.

H. Violation Penalties. Section 110.4 of the 2019 California Fire Code is hereby amended to read as follows:

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

I. Administrative Penalties. Section 110.5 of the 2019 California Fire Code is hereby added as follows:

110.5 Administrative penalties. In addition to any other remedies set forth in this chapter, administrative penalties may be imposed against any person, as defined in Section 202 of this Code, for violating any of the requirements set forth in this code or who are in violation of section 12676 or 12677 of the California Health and Safety Code. Any administrative penalties assessed shall be as follows:

1. For violations of this Code or section 12676 or 12677 of the California Health and Safety Code, Possession, Sale, Use or Discharge of Dangerous Fireworks, the administrative penalty shall be five hundred dollars (\$500.00) for each specific act found to be in violation of that section.
2. For all violations of this code, other than subsection (a) Possession, Sale, Use or Discharge of Dangerous Fireworks, the amount of the administrative penalty shall be one hundred dollars (\$100.00) for the first violation, two hundred dollars (\$200.00) for a second violation within any twelve (12) month period and five hundred dollars (\$500.00) for any subsequent violations within any twelve (12) month period.

J. Failure to Comply. Section 112.4 of the 2019 California Fire Code is hereby amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00).

K. Vegetation. Section 304.1.2 of the 2019 California Fire Code is hereby amended by adding the following:

304.1.2 Vegetation. The Fire Department may recover, from a property owner, those costs associated with the suppression costs incurred in fighting a fire and for providing rescue or emergency medical services should a fire occur on said property after the owner has been notified to abate such public nuisance and has failed to do so.

L. Open Burning, Recreational Fires and Portable Outdoor Fireplaces. Section 307.1 of the 2019 California Fire Code is hereby amended to read as follows:

307.1 Open burning. No person shall kindle, conduct, or maintain any burning of grass, weeds, agricultural trimmings, or other combustibles or authorize any such

fire to be kindled, conducted, or maintained without a permit as required by the San Joaquin Valley Unified Air Pollution Control District and in compliance with all safeguards pursuant thereto including in accordance with Sections 307.1.1 through 307.5. Any such permitted burning shall be restricted to agricultural purposes and confined to areas of the City of Patterson in which agricultural uses are lawful.

M. Posts. Section 312.2 of the 2019 California Fire Code is hereby amended to read as follows:

312.2 Posts. Guard posts, bollards or other approved means shall be provided to protect storage tanks and connected piping, valves and fittings; dispensing areas; and use areas subject to vehicular damage. When guard posts are installed, the posts shall be:

1. Constructed of steel not less than six (6) inches in diameter and concrete filled,
2. Spaced not more than thirty-six (36) inches between posts on center,
3. Set not less than thirty-six (36) inch deep in a concrete footing of not less than a eighteen (18) inch diameter,
4. Set with the top of the posts not less than thirty-six (36) inches above ground, and
5. Located not less than five (5) feet from the protected object.

N. Emergency Preparedness Requirements. Section 403.11.6 of the 2019 California Fire Code is hereby added to read as follows:

403.11.6 Buildings over 100,000 square feet. Buildings over one hundred thousand (100,000) square feet in aggregate floor area. An approved fire safety and evacuation plan in accordance with Section 404 and 406 shall be prepared and maintained for buildings over one hundred thousand (100,000) square feet in aggregate floor area.

O. Access to Building Openings and Roofs. Section 504.5 of the 2019 California Fire Code is hereby added to read as follows:

504.5 Labeling of building access openings. To facilitate emergency response and or as required by the Fire Code Official, exterior doors leading to fire service features or rooms shall be labeled as 'ROOF ACCESS', 'ELECTRICAL ROOM', 'FIRE PUMP ROOM', 'FIRE ALARM CONTROL PANEL', 'FACP' 'FIRE

RISER' or similar approved wording. Letters shall be a minimum of four (4) inch tall with a minimum stroke width of half (1/2) inch.

- P. Premises Identification. Section 505.1 of the 2019 California Fire Code is hereby amended to read as follows:

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or other approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with the background and be illuminated either internally or externally between dusk and dawn daily. Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response. Residential address numbers shall be a minimum of four (4) inch tall with a minimum stroke width of half (1/2) inch. Commercial address numbers shall be a minimum of six (6) inch tall Arabic numerals with a minimum stroke width of three quarter (3/4) inch. Larger numbers, suite and rear door identification, etc. may be required by Fire Code Official to facilitate emergency response. Where access is by means of a private road or building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

- Q. Key Boxes. Section 506.1 of the 2019 California Fire Code is hereby amended to read as follows:

506.1 Where required. All commercial projects (new, remodel, change of occupancy, addition or new business license inspection) shall install a Knox Key Box if one is not already installed. A Knox Key Box capable of containing Safety Data Sheets (SDS) and hazardous materials plans may be required for commercial sites with significant amounts of hazardous materials.

- R. Key Box Installation. Section 506.1.3 of the 2019 California Fire Code is hereby added to read as follows:

506.1.3 Key box installation. Key boxes shall be installed and secured in accordance with manufactures specifications and mounted to the right of the main entrance door with the top of box no higher than six (6) feet above finished grade. Additional key boxes may be required for large facilities.

- S. Security Gates. Section 506.1.4 of the 2019 California Fire Code is hereby added to read as follows:

506.1.4 Security gates. When manually operated gates cross required fire access lanes, or prevent access to building, a Knox padlock or Knox Key Box shall be

installed at access gate. Electrically operated gates that cross fire access lanes shall be required to be equipped with an Opticom type strobe light system or Knox Key Switch used by the Patterson Fire Department. A dual keyed switch to accommodate law enforcement may be required.

- T. Fire Protection Water Supplies. Section 507.3.1 of the 2019 California Fire Code is hereby added to read as follows:

507.3.1 Water supply for pallet yards. Fire protection water supply for pallets shall be in accordance with Section 2809.5.

- U. Fire Protection Water Supplies. Section 507.5.1 of the 2019 California Fire Code is hereby amended to read as follows:

507.5.1 Where required. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of one hundred fifty (150) feet (45 720 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief. Fire hydrants shall be located on the supply side of the fire suppression system check valve. Fire hydrants shall be accessible to the Fire Department apparatus by roads meeting the requirements of Section 503.1 and Appendix D

Exception: For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 500 feet.

- V. Private Fire Service Mains and Water Tanks. Section 507.5.3 of the 2019 California Fire Code is hereby amended by adding:

Private fire service mains and water tanks shall also comply with the current edition of National Fire Protection Association Standard 25, California Edition.

- W. Private hydrants supported by fire pumps. Section 507.5.7 of the 2019 California Fire Code is hereby added to read as follows:

507.5.7 Private hydrants supported by fire pumps. Hydrants installed on a private fire main supported by a fire pump shall have signage or stenciling stating 'CONNECTED TO FIRE PUMP' or similar approved wording. Letters shall be a minimum of four (4) inch tall with a minimum stroke width of half (1/2) inch.

- X. Private water agreements. Section 507.5.8 of the 2019 California Fire Code is hereby added to read as follows:

507.5.8 Private water agreements. Private water agreements shall be required when a private fire protection water supply is required by this code. The agreement shall be entered into by the property owner and the City of Patterson.

- Y. Portable unvented heaters. Section 603.4 of the 2019 California Fire Code is hereby amended to read:

603.4 Portable unvented heaters. Portable listed unvented fuel-fired heating equipment shall be prohibited in all occupancies except S-2 and U occupancies.

- Z. Main Disconnects. Section 604.3.2 of the 2019 California Fire Code is hereby added to read as follows:

604.3.2 Main disconnects. The main electrical service to any commercial building shall be accessible for emergency shut off from the outside of the building. This may be accomplished by providing one (1) main disconnect, a Knox disconnect or shunt trip device. If, out of necessity, there is more than one main service disconnect, these disconnects shall be located in close proximity to each other as approved by the fire code official.

If a generator system activates automatically when a shunt trip or main disconnect shuts down, a control to stop the generator must be located with the main disconnect or shunt trip. Shunt trips, main disconnects and generator controls shall be identified by signs approved by the Fire Code Official.

Exception:

1. Electrical control room with a marked door that is directly accessible from the outside of the building.

- AA. Automatic Sprinkler Systems in New Construction. Section 903.2 of the 2019 California Fire Code is hereby amended to read as follows:

903.2 New construction. An approved automatic fire sprinkler system is required in all new buildings and structures, notwithstanding the use and occupancy thereof, when the total aggregate floor area exceeds five thousand (5,000) square feet.

The means of measuring square footage used to determine if automatic fire sprinklers are required shall be as follows: The total aggregate floor area shall be determined by measuring and totaling the area within the outside walls of the

structure for each floor, or mezzanine and basement; the area beneath all attached projections from the outside walls that are four (4) feet or larger. If the structure has no outside walls, the area shall be measured from the edge of the eaves projection. If structures are within six (6) feet of each other as measured from the outside walls, or any projection therefrom, or are attached by a breezeway or covered walkway, the measured floor area of each shall be aggregated. Area separation walls shall not be used for the purpose of eliminating automatic fire sprinkler systems.

Exception:

1. If the provisions of the 2019 California Fire Code sections 903.2.1 through 903.2.19 are more restrictive, then the more restrictive requirement shall apply.

BB. Automatic Sprinkler Systems in Existing Buildings. Section 903.2.21 of the 2019 California Fire Code is hereby added to read as follows:

903.2.21 Existing buildings. An approved automatic fire sprinkler system shall be installed in all existing buildings and structures when additions or alterations are made that cause said building or structure to exceed five thousand (5,000) square feet.

Exception:

1. Each portion of an existing building or structures is separated by one or more fire walls that limit each fire area to a maximum of five thousand (5,000) square feet.

CC. Automatic Sprinkler Systems in Isolated Buildings. Section 903.2.22 of the 2019 California Fire Code is hereby added to read as follows:

903.2.22 Isolated buildings. For isolated buildings or groups of buildings in rural areas where no water is available from a municipal water system, a fire sprinkler system meeting all of the following criteria shall be considered as an alternative to systems that are in full compliance with the applicable National Fire Protection Association (NFPA) Standard.

1. Sprinklers will be designed and installed per the applicable NFPA Standards.
2. The required sprinkler demand (not including hose stream allowance) shall be provided by a hydro pneumatic tank for a minimum duration of fifteen (15) minutes. The tank may be pressurized by the domestic well

pump and may serve both the fire supply and domestic supply for the building. The tank must have a capacity equal to or greater than the calculated sprinkler demand. Calculations shall be provided to determine the actual size of tank required for each project.

3. A separate storage tank or other water source acceptable to the chief shall be provided to accommodate sprinkler and hose demand for an additional thirty (30) minutes beyond the storage required in 2 above.

DD. Hose Threads. Section 903.3.6 of the 2019 California Fire Code shall be amended to read as follows:

903.3.6 Hose threads. Fire hose threads and fittings used in connection with automatic sprinkler systems shall be “National Hose” (NH).

EE. Standpipe Systems. Section 905.3.1 of the 2019 California Fire Code is hereby amended to read as follows:

905.3.1 Height. Occupancies three (3) or more stories in height shall be provided with a class one standpipe system approved by the Fire Code Official (Except R Division 3).

Occupancies less than three (3) stories in height but greater than twenty thousand (20,000) square feet per floor shall be required to install a class one standpipe system approved by the Fire Code Official.

Garden type apartment complexes may be required to install type one standpipe systems approved by the Fire Code Official.

FF. Fire Alarm System Certification. Section 907.1.6 of the 2019 California Fire Code is hereby added to read as follows:

907.1.6 Certification. A certificate from Underwriters Laboratories (UL) shall be required on all commercial fire alarm systems installed after the effective date of this ordinance. UL certification is required to be maintained for commercial fire alarm systems throughout the life of the alarmed building.

GG. Fire Alarm Systems in Group S Occupancies. Section 907.2.30 of the 2019 California Fire Code is hereby added to read as follows:

907.2.30 Group S Occupancies. In group S occupancies larger than one hundred twenty-five thousand (125,000) square feet, an automatic and manual fire alarm system shall be installed.

HH. False Alarms Section 908.4 of the 2019 California Fire Code is hereby added to read as follows:

908.4 False alarms. False alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted. The City of Patterson may adopt by resolution reasonable fees to recover the costs associated with responses to building or structures that have excessive false alarms.

II. Fire Department Connections. Section 912.2.1 of the 2019 California Fire Code shall be amended to add:

Fire department connections shall be within seventy-five (75) feet of a fire hydrant.

JJ. Locking Fire Department Connection Caps. Section 912.4.1 of the 2019 California Fire Code shall be amended to read as follows:

912.4.1 Locking fire department connection caps. Knox locking caps for fire department connections shall be required on all new construction. The Fire Code Official is authorized to require Knox locking caps on existing fire department connections for water-based systems as deemed necessary.

KK. Clearance to Property Line. Section 2810.6 of the 2019 California Fire Code is hereby amended to read as follows:

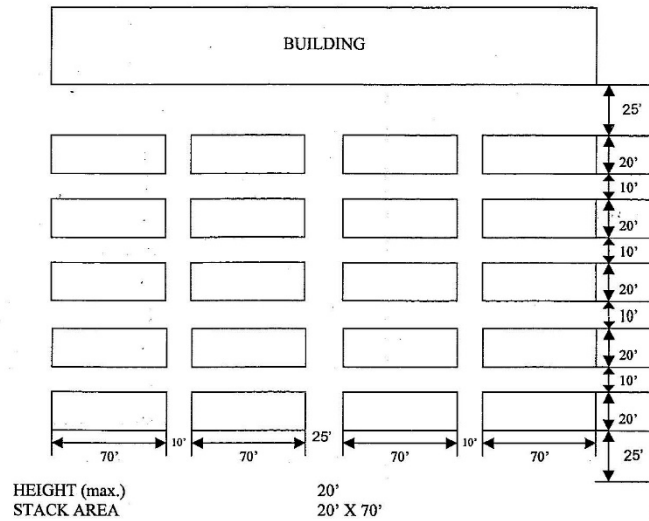
2810.6 Clearances.

1. Open yards required by the California Building Code shall be maintained around structures.
2. Stacks of pallets shall not be located within ten (10) feet of a property line and be surrounded with an approved fence.
3. Stacks of pallets shall be a minimum of twenty-five (25) feet from a structure.
4. Pallets shall not obstruct fire apparatus access roads or access to water supplies including but not limited to fire hydrants.

LL. Clearance to Important Buildings. Section 2810.7 of the 2019 California Fire Code is hereby amended to read as follows:

2810.7 Footprint of Pallet Stacks.

1. The maximum dimensions of a pile shall not exceed twenty (20) feet by seventy (70) feet.
2. There shall be ten (10) feet of aisle ways between piles.
3. Piles shall be placed in grids not to exceed one hundred forty (140) feet by one hundred fifty (150) feet.
4. Each grid shall be separated by an approved fire apparatus access road.



MM. Alternative Approach. Section 2810.11 of the 2019 California Fire Code is hereby amended to read as follows:

2810.11 Additional Requirements.

1. Permanent pallet storage areas shall be surrounded with an approved fence. Fences shall be a minimum of six (6) feet in height.
2. Adequate water supply as required by the Fire Department shall be provided for fire suppression needs.

NN. Responsibility for Cleanup. Section 5003.3.1.4 of the 2019 California Fire Code is hereby amended to read as follows:

5003.3.1.4 Responsibility for cleanup. The person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. When deemed necessary by the Chief,

cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be borne by the owner, operator or other person responsible for the unauthorized discharge. The remedy provided by this section shall be in addition to any other remedies provided by law. For purposes of this section, costs incurred by the City of Patterson shall include, but shall not necessarily be limited to, the following: actual labor costs of City of Patterson personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the City of Patterson; and cost of any contract labor and materials. The authority to recover costs under this section shall not include actual fire suppression services that are normally or usually provided by the Fire Department.

OO. Fireworks. Section 5601.1.3 of the 2019 California Fire Code is amended to read as follows:

5601.1.3 Fireworks. Manufacture, assembly and testing of fireworks is prohibited within the City limits.

PP. Sales, Storage, Use and Handling of Fireworks. Section 5601.1.3.1 of the 2019 California Fire Code is hereby added to read as follows

5601.1.3.1 Sales, storage, use and handling of fireworks. Sales, storage, use and handling of fireworks shall be in accordance with this chapter.

1. Sales. Retail sale or display with the intent to sell fireworks is limited to State of California Fire Marshal approved and labeled "Safe and Sane" fireworks within the City of Patterson by State of California retailers, provided a permit to sell those fireworks has been approved and obtained from the Chief. Fireworks may be sold or offered for sale from 12:00 noon to 10:00 p.m. on June 28, 9:00 a.m. to 10:00 p.m. on June 29 through July 5, and 9:00 a.m. to 12:00 noon on July 6.
 - a. Temporary Fireworks Stands. All retail sales of "Safe and Sane" fireworks shall be permitted only from within a temporary fireworks stand and sales from any other building or structure is hereby prohibited.
 - b. Licensing. City business license, Fire Department Permit, and applicable State licenses shall be displayed in the fireworks stand during hours of operation.
 - c. Temporary fireworks stand shall not be set up before application for permit is approved, nor earlier than June 14.

- d. Fireworks stands shall be located at least twenty (20) feet from other structures.
- e. Fireworks shall not be stored, sold, offered for sale, or discharged within one hundred (100) feet of a location where gasoline, LP-gas, other Class I flammable liquids or flammable gasses are stored or dispensed.
- f. All unsold stock and litter shall be removed from the temporary location by five (5:00) p.m. on the sixth (6th) day of July.
- g. The fireworks stand shall be removed from the temporary location by twelve (12:00) noon on the twelfth (12th) day of July, and all accompanying litter shall be cleared from said location by said time and date.
- h. A penalty of one hundred dollars (\$100.00) per day will be assessed to the permittee of any fireworks stand not removed by twelve (12:00) noon on the twelfth (12th) day of July.
- i. Safety Precautions.
 - 1. No person under the age of eighteen (18) shall sell, or handle for sale, any classification of fireworks.
 - 2. No person under the age of sixteen (16) shall purchase or be allowed to purchase any classification of fireworks.
 - 3. Smoking, open-flame and spark producing equipment shall be prohibited for a distance of twenty (20) feet around any fireworks stand.
 - 4. Dry grass, weeds, trash and other combustible material shall be removed for a distance of twenty (20) feet around any fireworks stand.
 - 5. Fireworks shall not be discharged within fifty (50) feet of a fireworks stand.
- j. Stand Construction.
 - 1. The stand shall be provided with a roof.

2. Walls and roof shall be of plywood at least one quarter (1/4) inch thick or of approved non-combustible material.
 3. Walls shall extend to a minimum height of six (6) feet eight (8) inches, on at least three (3) sides. These three (3) sides shall be without openings, except for an exit door.
 4. An exit door with a minimum width of twenty-four (24) inches, and height of six (6) feet, shall be provided in each stand. Exits shall be maintained clear and unobstructed at all times.
 5. The front wall of the stand shall provide a physical barrier not less than eighteen (18) inches in height between the public and the merchandise on display.
 6. Approved "NO SMOKING" signs shall be prominently displayed in and on the stand.
 7. Approved "NO SALES TO PERSONS UNDER THE AGE OF 16" signs shall be prominently displayed.
 8. An approved fire extinguisher having a minimum UL classification of 2A10BC shall be located in stand, near the exit and readily accessible.
 9. Sellers shall comply with all rules and regulations of Title 19 of the California Code of Regulations and with the rules and regulations of the Fire Code Official.
2. Storage. The storage of fireworks within the City of Patterson is limited to State of California Fire Marshal approved and labeled "Safe and Sane" fireworks by State of California licensed wholesalers and retailers.
 - a. Wholesale Storage. Wholesalers may store "Safe and Sane" fireworks within the City of Patterson solely during the period of June 1 through July 31 of each year. Storage facilities shall comply with H-3 occupancy classification requirements as defined by the 2019 California Building Code.

b. Retailers Storage. Retailers may store “Safe and Sane” fireworks within the City of Patterson solely during the period of June 22, through July 15 of each year.

1. Within the permitted fireworks stand with a reasonable adult on the premises at all times.
2. In a completely enclosed and locked utility type building constructed of at least one-fourth (1/4) inch plywood or other approved noncombustible material.
3. In a completely detached garage on residential property. There shall be no open-flame or spark producing equipment, or Class I flammable liquids stored or used within the garage.
4. Fireworks shall not be stored within forty (40) feet of any building classified or used as a public or private school, day care facility, residential care facility, hospital, place of detention, fueling station, or public garage, or any place of public assembly that can accommodate fifty (50) or more persons.
5. In an approved and permitted fireworks warehouse.

QQ. Revocation of Permit and Seizure of Fireworks. Section 5601.1.3.1.2 of the 2019 California Fire Code is hereby added to read as follows:

5601.1.3.1.2 Revocation of permit and seizure of fireworks. The Fire Code Official or his/her designee may revoke immediately and without notice or hearing, the “Safe and Sane” fireworks sales permit of any location or organization when any of the provisions of the code are violated. The Fire Code Official shall inform the permittee that permittee may seek review of the Fire Code Official’s decision, by the City Manager with written notice that a fireworks sales permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. If requested by the permittee, the City Manager or his/her designee, that day to review the Fire Code Official’s decision. The decision of the City Manager is final. Revocation of any sales permit will be effective for that calendar year.

RR. Permits Required. Section 5601.2 of the 2019 California Fire Code is hereby amended by adding the following:

When permits are required to be issued by the Fire Code Official, the Fire Code Official may grant the authority to the agency having enforcement jurisdiction. Permit shall be obtained:

1. To possess, store, sell, display or otherwise dispose of explosive material at any location.
2. To transport, explosive materials,
3. To use explosive materials.
4. To operate a terminal for handling explosive materials.

SS. Explosive Materials Storage and Handling Section 5604.1.2 of the 2019 California Fire Code is hereby added to read as follows:

5604.1.2 Limits established by law. The storage of explosives is restricted to those areas of the City zoned as Heavy Industrial.

Exception:

1. Temporary storage for use in connection with approved blasting operations conducted in accordance with all applicable provisions of this article.
2. Wholesale and retail storage and display of ammunition and gunpowder shall be in accordance with this code.

TT. Manufacture, Assembly and Testing of Explosives, Explosive Material and Fireworks Section 5605.1 of the 2019 California Fire Code is hereby amended to read as follows.

5605.1 Manufacturing. Explosive materials shall not be manufactured within the City limits of Patterson.

UU. Restricted Locations of Flammable and Combustible Liquids in Tanks. Section 5704.2.9.6.1 of the 2019 California Fire Code is hereby amended to read as follows:

5704.2.9.6.1 Restricted locations of flammable and combustible liquids in tanks Storage of Class I and II Liquids in aboveground tanks outside of buildings is prohibited, with the exception of protected tanks designed, installed and maintained in accordance with the 2019 California Fire Code. The provisions of this section shall not apply to facilities for the production, generation, or

transmission of electric energy that provide power to entities furnishing retail electrical services to the general public within the City of Patterson.

- VV. **Maintenance of Protected Aboveground Tanks.** Section 5704.2.9.8 of the 2019 California Fire Code is hereby added to read as follows:

5704.2.9.8 Maintenance of protected aboveground tanks. Protected aboveground tanks and connected piping shall be maintained in a safe operating condition. Protected aboveground tanks shall be maintained in accordance with their listings. Damage to protected aboveground tanks shall be repaired using material having equal or greater strength and fire resistance or the protected aboveground tank shall be replaced or taken out of service.

- WW. **Manufacture of Biodiesel in Group R Occupancies.** Section 5704.3.4.2 number 7 of the 2019 California Fire Code is hereby amended by adding subsection 7.1.

7.1 Manufacture of biodiesel in Group R Occupancies: The manufacture and storage of biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

- XX. **Manufacture of Ethanol in Group R Occupancies.** Section 5704.3.4.2 number 7 of the 2019 California Fire Code is hereby amended by adding subsection 7.2.

7.2 Manufacture of ethanol in Group R Occupancies: The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

- YY. **Heating, Lighting and Cooking Appliances.** Section 5705.3.3 of the 2019 California Fire Code is hereby amended to read as follows:

5705.3.3 Heating, lighting and cooking appliances. Heating, lighting and cooking appliances that utilize Class I, II and III liquids shall not be operated within a building or structure.

Exception: Operation in single-family dwellings.

- ZZ. **Bulk Plants or Terminals.** Section 5706.4 of the 2019 California Fire Code is hereby amended to by adding the following:

The construction of new bulk plants for storage of flammable or combustible liquids is restricted to areas of the City of Patterson zoned Heavy Industrial. All existing nonconforming bulk plants for storage of flammable or combustible liquids, which substantially comply with the requirements of this Code, may be continued in use if the Chief grants a permit.

AAA. Bulk Transfer and Process Transfer Operations Section 5706.5.1.1 of the 2019 California Fire Code is hereby amended by adding the following:

Tank vehicles and tank cars shall be unloaded as soon as possible after arrival at point of delivery and shall not be used as storage tanks. Unless otherwise approved, a tank car shall not be allowed to remain on a siding at the point of delivery for more than twenty-four (24) hours while connected for transfer operations.

BBB. Location of LP-Gas Containers. Section 6104.2 of the 2019 California Fire Code is amended to read as follows:

6104.2 Maximum capacity within established limits. The outside storage of liquefied petroleum gas (LP-gas) shall conform to the provisions of Stanislaus County zoning ordinances. The outside storage and use of liquefied petroleum gases is restricted as specified in this section.

1. Storage and dispensing of LP-gas for resale purposes, into approved containers and vehicles, is restricted to those areas of the Stanislaus County zoned as Commercial-Light Industrial, Heavy Industrial, and, in addition thereto, to other commercially zoned properties used as automotive service stations. Only qualified persons shall perform dispensing.
2. Dispensing of LP-gas for private use is restricted to those zones identified in subsection 1, and when approved by the Chief, may be permitted in those areas of the Stanislaus County zoned General Commercial. Only qualified persons shall perform dispensing.
3. For cooking, lighting, or heating in a building, only on a property that does not have natural gas service existing on a boundary line of said property or when prohibition of such storage would cause undue hardship.
4. For temporary use on construction sites, when authorized by the Chief.
5. For use as an alternative fuel supply for an emergency standby generator, when authorized by the Chief.
6. For use with certain mobile vending and certain commercial barbecue equipment and other specific uses when authorized by the Chief.
7. For use by Artisans in pursuit of their trade, when authorized by the Chief.

8. Storage of portable containers awaiting exchange may be permitted in commercially zoned areas of the Stanislaus County, including those zoned Neighborhood Commercial, when approved by the Chief and stored in accordance with Section 6109. Such storage shall be located a minimum of twenty (20) feet from any fuel dispenser.
9. Containers that exceed 2,000 gallons shall comply with Stanislaus County procedure FPB 82-01.

SECTION 3.

15.20.030 Geographic Limits.

That the geographic limits referred to in certain sections of the 2019 California Fire Code are hereby established as follows:

- A. Section 5704.2.9.6.1. All R-1, R-2, and R-3 zoning designations as identified by the Title 18 of the City of Patterson Municipal Code.
- B. Section 5706.2.4.4. All R-1, R-2, and R-3 zoning designations as identified by Title 18 of the City of Patterson Municipal Code.
- C. Section 5806.2 add second paragraph to read as follows:

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. All R-1, R-2, and R-3 zoning designations as identified by Title 18 of the City of Patterson Municipal Code.
- D. Section 6104.2. The incorporated boundary within the City of Patterson.

SECTION 4.

That Ordinance No. _____ of the City of Patterson entitled ORDINANCE FOR ADOPTION OF THE 2019 CALIFORNIA FIRE CODE AND PROVIDING FOR THE MODIFICATION THEREOF and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional and such decision shall not affect the validity of the remaining portions of this ordinance. The Patterson City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more

section, subsections, sentences, clauses or phrase. Thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 6.

That nothing in this legislation 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 cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law: nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 7.

That the City of Patterson is hereby ordered and directed to cause notification of this proposed ordinance.

SECTION 8.

That this law 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, 2020 from and after the date of its final passage and adoption.

SECTION 9.

The City Council of the City of Patterson finds its adoption of the 2019 Edition of the California Fire Code as set forth in this ordinance to be exempt from review under provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq., "CEQA") consistent with, among other things, the provisions of CEQA guidelines section 15321 (Class 21) which exempts review of the adoption of a general rule of enforcement under CEQA.

This ordinance shall be published by one insertion in the PATTERSON IRRIGATOR, a newspaper of general circulation printed and published in the City of Patterson, within fifteen (15) days after its final passage and shall take effect and be in force thirty (30) days from and after its final passage.

The foregoing was introduced at a regular meeting of the City Council of the City of Patterson held on March 17, 2020, by Mayor Novelli who moved its introduction, which motion being duly seconded by Councilmember Naranjo. Said Ordinance was given a second reading at a regular meeting of the City Council held on April 7, 2020, and after such reading, Mayor Novelli moved its adoption, seconded by Mayor Pro Tem Farinha and said Ordinance was thereupon adopted by the following roll call vote:

AYES: Councilmembers Farinha, McCord, Naranjo, Homen and Mayor Novelli

NOES: None

EXCUSED: None

APPROVED:



Deborah M. Novelli
Mayor of the City of Patterson

ATTEST:



Maricela L. Vela
City Clerk of the City of Patterson