ORDINANCE NO. 2007 – 15

AMENDING CHAPTER 23.28 OF THE
SAN MATEO MUNICIPAL CODE TO ADOPT THE
2006 EDITION OF THE INTERNATIONAL FIRE CODE

The City Council of the City of San Mateo, California, ordains that:

Section 1. Chapter 23.28 is hereby amended to adopt the 2006 Edition of the International Fire Code, as amended by the 2007 Edition of the California Fire Code Volume I (Code) and Volume II (Standards), to read:

Chapter 23.28
FIRE PREVENTION CODE

Sections:

23.28.010 Adoption
23.28.020 Applicability
23.28.030 Section 302.1 Definitions.
23.28.040 Section 315.1 Miscellaneous Combustible Materials Storage – General.
23.28.050 Section 316.1 Fireworks Displays – General.
23.28.060 Section 316.2 Fireworks Displays – Seizure.
23.28.070 Section 503.3.1 FIRE APPARATUS ACCESS ROADS – Marking.
23.28.080 Section 505.1 PREMISES IDENTIFICATION - Address numbers.
23.28.090 Section 505.1.1 Address Numbers - Multi-Tenant Buildings.
23.28.100 Section 505.1.2 Address Numbers - Rear Addressing.
23.28.110 Section 506.1 KEY BOXES - Where Required.
23.28.120 Section 506.1.1.1 Key Box contents requirements.
23.28.130 Section 506.1.1.2 KEY BOXES - Installation Location.
23.28.140 Section 506.2.1 Hazardous Materials Inventory Statements (HMIS).
23.28.150 Section 510.1.1 FIRE DEPARTMENT ACCESS TO EQUIPMENT - Utility Identification.
23.28.160 Section 607.4 Shunt Trip.
23.28.170 Section 903.3.1.1.1 Exempt locations.
23.28.180 Section 903.2 AUTOMATIC SPRINKLER SYSTEMS – Where required.
23.28.190 Section 903.1.2 Existing Buildings and Structures.
23.28.200 Section 903.1.3 Existing Group R Occupancies.
23.28.210 Section 905.3 Standpipe Systems – Required installation.
23.28.220 APPENDIX CHAPTER 1 – ADMINISTRATION.
23.28.230 Violations.
23.28.240 Fire and Life Safety Inspections.

23.28.010 ADOPTION. (a) Adopted are Codes published by the International Code Council, entitled 2007 California Fire Code, based on the 2006 International Fire Code with

California amendments, including specified appendix chapters. This Code including all amendments thereto, shall hereafter be called the "Fire Prevention Code," and/or this "Code" and are adopted as and for the rules, regulations, and standards within the City as to all matters therein, except otherwise provided. (b) The mandatory requirements of the appendices to the Fire Prevention Code shall be enforced to the same extent s if contained in the body of the Code. (c) Certain sections of the Fire Prevention Code are amended by the City Council, and may hereafter be amended by the City Council, and as amended they are adopted. (d) No section of the Fire Prevention Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the City, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it. (d) A copy of the Fire Prevention Code, as defined herein, shall be kept on file on the office of the City Clerk.

23.28.020 APPLICABILITY. (a) All sections of this Chapter shall apply to all buildings, structures and portions thereof, and to all appurtenances and fixtures thereto, and anything connected with, or by, or in, or on, any premise or building. (b) Whenever any provision of this Chapter or in any other law, ordinance, or resolution of any kind, impose overlapping or contradictory regulations, or contain any restrictions covering the same subject matter, the provision that is more restrictive or imposes higher standards or requirements shall govern.

23.28.030 SECTION 302.1 Definitions.

FIREWORKS. Any composition or device for the purpose of producing a visible or audible effect for entertainment purposes by combustion, deflagration, detonation or any fireworks including "safe and sane" as defined by section 12529 of the State of California Health and Safety Code.

23.28.040 SECTION 315.1 MISCELLANEOUS COMBUSTIBLE MATERIALS STORAGE. - General.

315.1 General. Storage, use and handling of miscellaneous combustible materials shall be in accordance with this section. A permit shall be obtained in accordance with Appendix Chapter 1, Section 105.6.

Exception:

Storage of combustible materials other than motorized vehicles or vessels shall not be permitted in a public parking garage or in a garage or carport serving a Group R, Division 1 Occupancy, unless the method of storage is approved by the Fire Code Official.

23.28.050 SECTION 316 FIREWORKS DISPLAYS - General.

316.1 General. The manufacture, storage, sale, possession, handle or use of all fireworks as defined in Section 302.1 is prohibited.

23.28.060 Section 316.1 FIREWORKS DISPLAYS - Seizure.

316.2 Seizure. The Chief shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this code.

23.28.070 SECTION 503.3.1 FIRE APPARATUS ACCESS ROADS - Marking

503.3.1 Fire Lane Designation. Designation of fire lanes shall be by one of the following means:

1. By a white sign measuring at least 12 inches by 18 (12" x 18") inches posted immediately adjacent thereto and clearly visible. It should clearly state, in red letters not less than one inch (1") in height, that the space is a fire lane and parking is prohibited.
2. By outlining and hash marking the area in contrasting colors clearly marking it with the words "Fire Lane - No Parking."
3. By identifying the space with a red curb upon which the words "Fire Lane - No Parking" are stenciled every 15 feet.
   a. Both sides of fire lanes shall be red curbed when the fire lane is twenty (20) feet in width.
   b. At least one side of a fire lane shall be red curbed and stenciled when the fire lane is over twenty eight (28) and up to thirty-six (36) feet in width.
   c. Curbs need not be painted red nor stenciled when the fire lane is more than thirty-six (36) feet in width.

23.28.080 SECTION 505.1 PREMISES IDENTIFICATION - Address numbers. (Duplicate of SMMC 23.08.020)

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or 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 their background. Address numbers shall be Arabic numerals or alphabet letters. Said numbers shall be either internally or externally illuminated in all new construction. Numbers shall be as follows:

1. Minimum of one inch (1″) stroke by four inches (4″) high for residential buildings.
2. Minimum of two-inch (2″) stroke by six inches (6″) high is required for commercial buildings or when thirty-six (36) to fifty (50) feet from the street or fire department access,
3. When structure is more than fifty (50) feet from the street or fire apparatus access, a minimum of three inch (3") stroke by nine inches (9″) high is required.

23.28.090 SECTION 505.1.1 Address Numbers - Multi-Tenant Buildings. (Duplicate of SMMC 23.08.030)

505.1.1 Multi -Tenant Buildings. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-quarter-inch (1/4″) stroke by four inches (4″) high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be posted at a height no greater than 5 feet, 6 inches (5′ 6″) above the finished floor and shall be either internally or externally illuminated in all new construction.

23.28.100 SECTION 505.1.2 Address Numbers - Rear Addressing. (Duplicate of SMMC 23.080.040)

505.1.2 Rear Addressing. When required by the chief, approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide an acceptable vehicular access. Number stroke and size shall comply with 505.1.

23.28.110 SECTION 506.1 KEY BOXES - Where Required.
506.1 Where Required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain contents as established in Section 506.1.1.1.

23.28.120 SECTION 506.1.1.1 Key Box contents requirements.
506.1.1.1 Key box contents requirements. The keys provided shall be a master key to all spaces including multi-tenant spaces. Additional keys shall be included for card access, elevator control, fire alarm control panels, and fire sprinkler control valve access.
Exceptions:
1. Multi-tenant spaces which provide a key box for each tenant and installed per Section 506.1. Electronic card keys and codes may not be utilized as a substitute for manual keys.
2. When electronic locks release upon loss of electrical power a manual key need not be provided.

23.28.130 SECTION 506.1.1.2 KEY BOXES - Installation Location.
506.1.1.2 Installation Location. When key boxes are required by the Chief, such boxes shall be mounted no higher than 72 inches above finished floor within five feet of the latching side of the main entrance to a structure or facility or as approved by the fire official. In addition, the decal provided shall be installed adjacent to the key lock/latching device.

23.28.140 SECTION 506.2.1 Hazardous Materials Inventory Statements (HMIS).
506.2.1 Hazardous Materials Inventory Statements (HMIS). As required by the Fire Chief, the operator of the business shall update any HMIS stored in the key box.

23.28.150 SECTION 510.1.1 FIRE DEPARTMENT ACCESS TO EQUIPMENT - Utility Identification.
510.1.1 Utility Identification. In multi-unit commercial and residential buildings, gas and electric meters, service switches and shut off valves shall be clearly and legibly marked to identify the unit or space that it serves.

23.28.160 SECTION 607.4 Shunt Trip.
607.4 Shunt trip. Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, Section 3-9.4, Elevator Shutdown, shall be provided to disconnect automatically the main line power supply to the affected elevator car(s) prior to the application of water. This means the shunt trip shall not be self-resetting. Activation of automatic sprinklers outside of the hoistway or elevator machine room shall not disconnect the main line power supply. The shunt trip shall not be required when the provisions of Section 903.3.1.1.1, Item #5 have been complied with.

23.28.170 SECTION 903.3.1.1.1 Exempt locations. (Duplicate of SMMC 23.08.080)
903.3.1.1.1 Exempt locations.

5. At the top of elevator hoistways and elevator machine rooms enclosed by fire barriers as required by the building code.

23.28.180 SECTION 903.2 AUTOMATIC SPRINKLER SYSTEMS - Where required. (Duplicate of SMMC 23.08.090)

903.2 Where required. Approved automatic sprinkler systems shall be installed in all new buildings unless the structure does not require a building permit.

23.28.190 SECTION 903.1.2 Existing Buildings and Structures. (Duplicate of SMMC 23.08.050)

903.1.2 Existing Buildings and Structures. An automatic fire sprinkler system shall be installed throughout an existing building, except Group R occupancies, when any one of the following applies:

1. Additions, alterations, repairs or any combination thereof to more than 25% of the floor area of any floor or story. For purposes of this section, an addition, alteration or repair is defined as any change to a building that requires a building permit other than a mechanical, electrical or plumbing permit.
2. Any change in use or occupancy creating a more hazardous condition as determined by the Fire Chief.

Exception:

Seismic or Accessibility improvements are exempt from these requirements. In addition, any exemption otherwise allowable under this code, as adopted by the City of San Mateo, is here allowable, if in the discretion of the Fire Chief the safety of the public is not compromised.

23.28.200 SECTION 903.1.3 Existing Group R Occupancies. (Duplicate of SMMC 23.08.060)

903.1.3 Existing Group R Occupancies. An automatic sprinkler system shall be installed throughout when any addition, alteration, repair or combination thereof is made to more than 50% of the existing floor area of the building. For purposes of this section, an addition, alteration or repair is defined as any change to a building that requires a permit other than a mechanical, electrical or plumbing permit.

23.28.210 SECTION 905.3 Standpipe Systems – Required installation. (Duplicate of SMMC 23.08.070)

905.3 Required installations. Standpipe systems shall be installed throughout buildings two or more stories and/or in basements and as required in Sections 905.3.1 through 905.3.10.1 except in Group R-3 occupancies and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems shall be combined with automatic sprinkler system and provided 2½" caps fitted with 1½" reducers. The Fire Chief shall determine the requirements for additional outlets.

23.28.220 APPENDIX CHAPTER 1 - ADMINISTRATION. Appendix Chapter 1 is adopted in its entirety and amended to read as follows:

SECTION 101.1 Title.

101.1 Title. These regulations shall be known as the 2007 CALIFORNIA FIRE CODE, and with amendments adopted by the City of San Mateo, will be referred to herein as this "CODE," and/or "FIRE PREVENTION CODE."

SECTION 108 BOARD OF APPEALS.
Section 108 BOARD OF APPEALS.

(a) Except as may be required by state or federal law (including requirements imposed by provisions of the state or federal constitutions) or by the provisions of section 2.22.030 of this Code, the determinations and actions of the Fire Chief interpreting and enforcing the provisions of this CODE shall be final, and are not subject to appeal.

(b) Appeals brought pursuant to subsection (a) are subject to the following requirements:
(1) The appellant shall file a notice of appeal with the City Clerk within 30 days of the Fire Chief's action or determination.
(2) The notice of appeal shall state the basis upon which the appeal is made, including a reference to the provision of law requiring the appeal opportunity.
(3)The appellant shall pay the appeal fee provided for in the City's adopted fee manual.

(c) Appeals brought under subsection (a) shall be heard by the City Council. The appeals shall be processed as expeditiously as is reasonably possible under the circumstances.

SECTION 105.6.47 Additional Permits.
4. Christmas Tree Sales. A permit is required to operate a temporary business for the purpose of selling Christmas Trees.

23.28.230 VIOLATIONS. It is unlawful to violate or fail to comply with any provisions of this Chapter, or violate or fail to comply with any order made under this Chapter or to build in violation of any detailed statement of specification or plans submitted and approved under this Chapter, or any certificate or permit issued under this Chapter.

23.28.240 FIRE AND LIFE SAFETY INSPECTIONS. Inspections by the Fire Department shall periodically be made of buildings and structures that are used for residential or non-residential purposes as follows:

a) The time and frequency of inspections shall be determined by the Fire Chief. No buildings shall be inspected for a fee more than annually except for re-inspections to assure that code corrections have been made or hazards have been corrected.
b) A fee for inspections shall be established in the adopted City Fee Schedule to offset costs of the regulatory inspection program and shall be collected upon inspection from each property subject to this ordinance. Revenues shall be used for the inspection and enforcement program.
c) All properties shall be subject to inspection fees.
d) Nothing in this section is intended to prevent inspections of property under nuisance abatement or other laws.

Section 2. PUBLICATION. This Ordinance shall be published in summary in the San Francisco Examiner, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the Charter and shall be effective 30 days after the date of adoption.

I hereby certify this to be a correct copy of Ordinance 2007-15 of the City of San Mateo, California, introduced on November 5, 2007 and adopted on November 19, 2007, by the following vote of the Council:
AYES: Council Members LEE, EPSTEIN, GROOM, GROTTE and MATTHEWS
NOES: NONE
ABSENT: NONE
(SEAL) /s/ NORMA GOMEZ