

**SAN MATEO CONSOLIDATED FIRE DEPARTMENT
FIRE CODE**

**ORDINANCE NO. ORD-2022-001
ESTABLISHING THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT FIRE
CODE BY ADOPTING THE 2021 INTERNATIONAL FIRE CODE WITH THE 2022
CALIFORNIA FIRE CODE AMENDMENTS AND THE 2021 INTERNATIONAL
WILDLAND URBAN INTERFACE CODE WITH LOCAL FINDINGS AND
MODIFICATIONS**

The San Mateo Consolidated Fire Department Board of Directors HEREBY ORDAINS
THE FOLLOWING:

PARTS

- I. Adoption
- II. Applicability
- III. Modifications
 - a. Division 1- Modifications to the California Fire Code
 - b. Division 2- Adoption and Modifications to the International Wildland Urban Interface Code
- IV. Violations
- V. Fire and Life Safety Inspections
- VI. Local Findings and Amendments
- VII. Environmental Determination
- VIII. Notice Provided; Effective Date

PART I- ADOPTION

- A. The San Mateo Consolidated Fire Department hereby adopts the 2022 California Fire Code (California Code of Regulations, Title 24, Part, 9 [based on the 2021 International Fire Code published by the International Code Council]), with California Amendments and the 2021 International Wildland Urban Interface Code as amended and as specified in part III of this ordinance. Those chapters and appendices not mentioned in section III are only enforceable if adopted by the State Fire Marshal. The 2022 California Fire Code, with the changes, additions, and deletions set forth this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the fire code are controlling and enforceable within the limits of each city within the jurisdiction of the Department.
- B. The 2022 California Fire Code (CFC), California Code of Regulations, Title 24, Part 9, adopting the 2021 International Fire Code of the International Code Council with necessary California amendments, together with the non-building standards reproduced therein except otherwise provided by this ordinance, are adopted by reference as the Fire Code of the San Mateo Consolidated Fire Department. This Code including all amendments thereto, shall hereafter be called the “Fire Code,” and/or this “Code” and are adopted as and for the rules, regulations, and standards within the Jurisdiction as to all matters therein, except otherwise provided.
- C. No section of the Fire Prevention Code shall impose a mandatory duty of enforcement on the Jurisdiction, 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 Jurisdiction, 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 Code, as defined herein, shall be kept on file on with the office of the San Mateo Consolidated Fire Department Fire Marshal.
- E. The San Mateo Consolidated Fire Department has determined that modifications to the 2021 International Fire Code with the 2022 California Amendments are needed and reasonably necessary due to local climatic, geological, and topographical conditions, as set forth in Attachment 1 (Findings in Support of Amendments to the 2022 California Fire Code), which are incorporated fully herein.

PART II- APPLICABILITY

- A. All sections of this Code shall apply to all buildings, structures and portions thereof, and to replace premise or building.
- B. Whenever any provision of this Chapter code 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.

PART III- ADOPTION OF SECTIONS AND MODIFICATIONS

Division 1: Modifications to the California Fire Code

The following sections are adopted as described below.

Chapter 1 is adopted in its entirety as amended below.

SECTION 101.1 TITLE. AMENDED

101.1 Title. These regulations shall be known as the 2022 CALIFORNIA FIRE CODE, and with amendments adopted by the SAN MATEO CONSOLIDATED FIRE DEPARTMENT (SMCFD), will be referred to herein as this “CODE,” and/or “FIRE CODE.”

SECTION 101.6 POLICY MANUAL. ADDED

101.6 Policy Manual. Community Risk Reduction Interpretation Manual shall serve as a supplemental instruction and interpretation manual for the Fire Code and is hereby adopted by reference. The Fire Marshal is responsible to amend this manual as necessary to maintain current instructions and interpretations. The information contained within the Policy Manual shall not be construed to make new code requirements not authorized by this ordinance.

SECTION 102.3 CHANGE OF USE OR OCCUPANCY. AMENDED

102.3 A change of occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code and the California Existing Building Code. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Code Official requires that an automatic fire sprinkler system be installed. For purposes of this section, the relative hazard categories table 1011.5 of the International Existing Building Code, herein incorporated by reference.

SECTION 102.6 HISTORIC BUILDINGS. AMENDED

102.6 The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings where such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings shall be provided in accordance with the California Historic Building Code.

SECTION 103.1 CREATION OF AGENCY. AMENDED

[A] 103.1.1 Creation of agency. The San Mateo Consolidated Fire Department is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

SECTION 103.2 APPOINTMENT. DELETED

SECTION 104.6 OFFICIAL RECORDS. AMENDED

104.6 Official records. The fire code official shall keep official records as required by the San Mateo Consolidated Fire Department's Record Retention Schedule, and Title 24, Part 1, The California Administrative Code. Requests for records shall be in accordance with the California Public Records Act.

SECTIONS 104.6.1 THROUGH SECTION 104.6.4. DELETED

SECTION 105.3.1 EXPIRATION. AMENDED.

An operational permit shall remain in effect until reissued, renewed or revoked, or at the next annual inspection. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work shall be as per the SMCFD Fee Schedule, Permit Reinstatement Fee, provided that changes have not been made and will not be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

SECTION 105.6 REQUIRED CONSTRUCTION PERMITS. AMENDED

Section 105.6 Required Construction Permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.24, as well as all required construction permits in Title 24, Parts 2, 2.5, 3, 4, or 5 where enforced by the California State Fire Marshal.

SECTION 107.2 SCHEDULE OF PERMIT FEES

107.2 Schedule of permit fees. Where a permit Or other inspection fee is required, a fee for each permit shall be paid as required, in accordance with the San Mateo Consolidated Fire Department Master Fee Schedule.

SECTION 109 BOARD OF APPEALS. AMENDED.

109.1 Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be the Board of Directors for SMCFD, and shall render all decisions and findings in writing to the appellant through the fire code official.

109.3 Qualifications. Deleted.

SECTION 112.4 Violation Penalties. AMENDED.

112.4 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 assessed a reinspection fee in accordance with the San Mateo Consolidated Fire Department Master Fee Schedule. Violations that remain unabated after the 5th reinspection shall guilty of an Administrative Violation punishable by a fine of \$130 for the first violation, \$700 for the second violation, and \$1300 dollars for the third and each successive violation in addition to the reinspection fee (Government Code 36900). Each day that a violation continues after due notice has been served shall be deemed a separate offense. Administrative violations shall be appealable thorough the board of appeals in section 109.

Chapter 2 is adopted in its entirety as amended below.

SECTION 202 GENERAL DEFINITIONS. ADDED

All Weather Driving Surface. A roadway designed to carry the imposed weight loads of fire apparatus (Minimum load of 68,000 pounds) and a minimum surface finish of one layer of asphalt or concrete or road pavers.

Alteration. Any work done to a structure that increases the fire area of a room or area.

Driveway. Access road from the public way to a structure that is used for public vehicular access, including fire and emergency vehicles.

LOCAL AGENCY HIGH FIRE HAZARD SEVERITY ZONE. An area designated by the local agency based on a fire assessment conducted by the San Mateo Consolidated Fire Department.

Chapter 3 is partially adopted with adopted sections listed below. (Sections adopted by the State Fire Marshal remain unchanged except as modified below)

SECTION 303 ASPHALT KETTLES IS ADOPTED IN ITS ENTIRETY

SECTION 305 IGNITION SOURCES IS ADOPTED IN ITS ENTIRETY

SECTION 306 MOTION PICTURE PROJECTION ROOMS AND FILM IS ADOPTED IN ITS ENTIRETY

SECTION 307 OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES IS ADOPTED AS AMENDED BELOW

SECTION 307.1.1 PROHIBITED OPEN BURNING. AMENDED

307.1.1 Prohibited open burning. Open burning, other than cooking, shall be prohibited.

Exception: [No change]

SECTION 307.4.1 BONFIRES. AMENDED

307.4.1 Bonfires. Bonfires, other than for cooking purposes, shall be prohibited.

SECTION 307.4.2 RECREATIONAL FIRES. AMENDED

307.4.2 Recreational Fires. When approved by the fire code official, recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of the structure shall be eliminated prior to ignition. If allowed, all such fires shall require a fire code permit.

SECTION 308 OPEN FLAMES IS ADOPTED AS AMENDED BELOW

SECTION 308.1.4 OPEN FLAME COOKING DEVICES. AMENDED

308.1.4 Open Flame Cooking Devices. [No change]

Exceptions:

1. Group R-2, R-3, and R-3.1 occupancies
2. [No change]
3. [No change]

SECTION 308.3.2 THEATRICAL PERFORMANCES. AMENDED

308.3.2 Theatrical performances.

Where approved, open-flame devices used in conjunction with theatrical performances are allowed to be used where adequate safety precautions have been taken in accordance with NFPA 160 and Title 19 CCR.

SECTION 309 POWERED INDUSTRIAL TRUCKS AND EQUIPMENT IS ADOPTED

SECTION 310 SMOKING IS ADOPTED

SECTION 311 VACANT PREMISES IS ADOPTED

SECTION 318 LAUNDRY CARTS IS ADOPTED

SECTION 319 MOBILE FOOD PREPARATION VEHICLES ADOPTED AS AMENDED BELOW

SECTION 319.1.1 HEALTH DEPARTMENT APPROVAL. ADDED

319.1.1 Health department approval. Mobile food preparation vehicles shall display a San Mateo County health department sticker as prescribed by County health.

SECTION 321 ARTIFICIAL COMBUSTIBLE VEGETATION IS ADOPTED

Chapter 4 is partially adopted with adopted sections listed below. (Sections adopted by the State Fire Marshal remain unchanged unless modified below)

SECTION 405 EMERGENCY EVACUATION DRILLS IS ADOPTED

SECTION 406 EMPLOYEE TRAINING AND RESPONSE PROCEDURES IS ADOPTED

Chapter 5 is adopted in its entirety as amended below.

SECTION 501.1 SCOPE. AMENDED

501.1 Scope. Fire service features for buildings, structures and premises shall comply with this chapter, and appendix D.

SECTION 503.1.1 BUILDINGS AND FACILITIES. AMENDED

503.1.1 Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and Appendix D, and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions: *No Changes*

SECTION 503.3.1 FIRE LANE DESIGNATION. ADDED

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 twelve inches by eighteen inches (12" x 18") 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. Fire lane signs shall be spaced at a minimum of 50 feet apart.
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 to twenty-eight (28) 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.

SECTION 505.1.1 MULTI-TENANT BUILDINGS. ADDED

505.1.1 Multi -Tenant Buildings. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-half inch (1/2") 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 visible from the street posted at a minimum height of 5 feet, 6 inches (5' 6") above the finished floor, shall be visible from the street and shall be either internally or externally illuminated in all new construction.

SECTION 505.1.2 MULTIPLE BUILDINGS ON ONE SITE. ADDED

505.1.2 Multiple buildings on one site. Where multiple buildings on one property the buildings cannot be viewed from the public way, a monument sign, or other signs or other approved means shall be used to identify the entry to the given structure. Address identification shall be maintained on each of the buildings within the site.

SECTION 505.1.3 REAR ADDRESSING. ADDED

505.1.3 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.

SECTION 506.1.1.1 KEY BOX CONTENTS REQUIREMENTS. ADDED

506.1.1.1 Key box contents requirements. Master keys shall be provided to all spaces including multi-tenant spaces. Additional keys shall be included as determined by the fire code official or his designee and may include card access, elevator controls, fire alarm control panels and devices, and for fire sprinkler control valve access. If the business/operation is required to have a Hazardous Material Inventory Statement (HMIS), the HMIS shall be included in the key box or other approved location. The number of keys to be provided shall be determined by the inspector.

Exceptions:

1. Multi-tenant spaces which provide a key box for each tenant and installed per Section 506.1. Electronic card keys and codes to individual spaces may not be utilized as a substitute for manual keys.

2. When electronic locks release upon loss of electrical power or fire alarm activation a manual key need not be provided.

SECTION 506.1.1.2 GATES. ADDED

506.1.1.2 Gates. Where a new gate or barrier is installed on a fire access roadway, the fire department shall have emergency access by means of a padlock, key switch or other approved means.

Exception:

1. Driveways serving a single R-3 occupancy

SECTION 508.2 FIRE CONTROL ROOM. ADDED

508.2 Fire control room. An approved fire control room shall be provided for all new buildings or occupancies with a change of use, requiring protection by an automatic fire sprinkler system. The room shall contain the sprinkler riser, fire alarm control panels, ERCES control equipment, and other fire equipment required by the Fire Chief. Fire control rooms shall be located within the building at a location approved by the Fire Chief, and shall be provided at grade with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. Fire Control Rooms shall not be less than 35 square feet.

Exceptions:

1. Group R, Division 3 Occupancies.
2. Occupancies with a fire pump shall have a fire control room that is a minimum of 200 square feet.
3. In high-rise buildings, the fire control room shall not be less than 200 square feet.

SECTION 510.1 EMERGENCY RESPONDER COMMUNICATION. COVERAGE IN NEW BUILDINGS. MODIFIED

510.1 Emergency responder communication coverage in new buildings.

Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

- 1.1. Where approved by the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
- 2.2. Where it is determined by the fire code official that the radio coverage system is not needed.
- 3.3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

510.4.2 System design.

The in-building, two-way emergency responder communication coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.10 and NFPA 1225.

SECTION 510.4.2.9 UL CERTIFICATION. ADDED

510.4.2.9 UL CERTIFICATION. New ERCES systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

SECTION 510.4.2.10 POWER SWITCH. ADDED

510.4.2.10 Power Switch. A keyed power switch shall be installed in the system allowing for power to the system to be easily turned on or off. The default condition will be for the system to be off unless otherwise specified by the inspector during the final inspection.

SECTION 510.5.2-510.2.2.3 MINIMUM QUALIFICATIONS OF PERSONNEL. ADDED

510.5.2 Minimum qualifications of personnel.

510.2.1 Designers. The minimum qualifications of the system designer for both new and existing buildings shall be all of the following:

1. A valid FCC issued general radio operator's license.
2. Certification of in building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.
3. Certification by a nationally recognized testing or certification agency (For example, NICET)

510.2.2 Installing personnel. Installation of approved ERRC systems shall be conducted by a State Licensed C-7, C-10, or C-16 contractor.

510.2.3 Testing personnel. For system acceptance and annual testing, personnel shall be certified by a professional certification agency approved by the authority having jurisdiction. (IEEE, NICET, etc.)

SECTION 510.5.3.1 TEST SPECIFICATION. ADDED

510.5.3.1 Test bands and frequencies. Acceptance and annual testing of ERRC systems shall incorporate all bands and frequencies accounted for in the design of the system.

Chapter 9 is adopted in its entirety as amended below.

SECTION 901.6.3.2 RECORDS REPORTING. ADDED

901.6.3.2 Records Reporting. Fire detection, alarm and extinguishing systems, shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested, and maintained or removed in accordance with the appropriate standard. All inspection, testing and maintenance reports shall be forwarded to the Fire Department using electronic media to the designated third party as assigned in the Policy Manual. Paper (hard copy) reports are not permitted.

SECTION 903.2 AUTOMATIC SPRINKLER SYSTEMS - WHERE REQUIRED. AMENDED

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

Exception: Detached Group U occupancies separated from structures in accordance with Table 705.5 of the California Building Code.

SECTIONS 903.2.1 THROUGH 903.2.10 ARE DELETED

SECTION 903.3.1.2 NFPA 13R SPRINKLER SYSTEMS. AMENDED

903.3.1.2 NFPA 13 sprinkler systems. Automatic sprinkler systems in Group R occupancies shall be installed throughout in accordance with 903.3.1.1.

Exception: R-3 occupancies shall have an automatic sprinkler system installed in accordance with NFPA 13D

SECTION 903.2.20 AUTOMATIC SPRINKLER SYSTEMS - EXISTING BUILDINGS AND STRUCTURES. ADDED

903.2.20 Existing Buildings and Structures. Proposed addition, alterations or fire repairs in existing non-sprinklered buildings over a three-year period exceeding 50% of the original gross floor area square footage shall require the entire building to be installed with an automatic fire sprinkler system as follows;

1. Any additions that increase the existing gross floor area by more than 50% require the entire building to be installed with an automatic fire sprinkler system.
2. Any combination of additions, alterations and/or fire repairs to more than 50% of the existing gross building area requires the entire existing building to be installed with an automatic fire sprinkler system. For purposes of this section, alterations shall only apply to the building area if they increase the size of the fire area of the room or space. See the Policy Manual for further guidance.
3. Any addition, alteration and/or repair within a building that contains an automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of proposed work.
4. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Code Official requires that an automatic fire sprinkler system be installed. For purposes of this section, the relative hazard category shall be in accordance with table 903.2.20 based on table 1011.5 of the International Existing Building Code.

Table 903.2.20

Relative Hazard	Occupancy Class
1 (Highest Hazard)	H, L
2	I-2, I-2.1, I-3, I-4
3	A, C, E, M, R-1, R-2, R-2.1, R-4
4	B, F-1, M, S-1, R-3, R-3.1
5 (Lowest Hazard)	F-2, S-2, U

Exceptions:

1. Seismic or accessibility improvements
2. Any exemption otherwise allowable under the Fire Code, as adopted by the San Mateo Consolidated Fire Department at the discretion of the Fire Marshal.
3. Exterior improvements and work not requiring permits as provided in the Building Code.

4. Detached Group U occupancies or detached carports less than 400 square feet.
5. Work requiring only a mechanical, electrical, plumbing and/or demolition permit.
6. Group R-3.1 occupancies unless already containing a fire sprinkler system.

SECTION 903.3.1.3 NFPA 13D SPRINKLER SYSTEMS. AMENDED

903.3.1.3 NFPA 13D sprinkler systems. Automatic Sprinkler systems installed in one-and two-family dwellings; Group R-3; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D as amended in Chapter 80. NFPA 13D sprinkler systems shall also comply with section 903.4.2 Alarms.

SECTION 903.4.2 ALARMS. AMENDED

903.4.2 Alarms. One approved audible and visual devices shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

SECTION 905.3.1 HEIGHT. AMENDED

905.3 [No Change]

1. [No Change]
2. Buildings that are more than 2 stories in height.
3. [No Change]
4. [No Change]

SECTION 907.1.6 FIRE ALARM CERTIFICATION. ADDED

907.1.6 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate. The protected premise shall be issued a UUFX type certification from Underwriters Laboratories (UL).

SECTION 907.1.6.1 POSTING OF CERTIFICATE. ADDED

907.1.6.1 Posting of Certificate. The UL certificate required in section 907.1.6 shall be posted in a durable transparent cover within 3 feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 10 is adopted in its entirety as amended below.

SECTION 1009.3.1 CONVENIENCE STAIR. ADDED

1009.3.1 Convenience Stair. Convenience stairs (in buildings 4 or more stories in height) that are not required as exits shall be limited to connect only two (2) floors.

Chapter 26 is adopted in its entirety without amendment

Chapter 49 is adopted in its entirety as amended below

Section 4901.1 is amended as follows

4901.1 Scope. The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with this chapter and the 2021 International Wildland Urban Interface Code as adopted by the San Mateo Consolidated Fire Department.

SECTION 4902 DEFINITIONS. ADDED

LOCAL AGENCY HIGH FIRE HAZARD SEVERITY ZONE. An area designated by the local agency based on a fire assessment conducted by the San Mateo Consolidated Fire Department.

SECTION 4904.3 LOCAL FIRE HAZARD SEVERITY ZONES. ADDED.

4904.3 Local Fire Hazard Severity Zones. Local Fire Hazard Severity Zones shall be as determined by the San Mateo Consolidated Fire Department Wildland Fire Assessment conducted in July 2019.

SECTION 4905.2 CONSTRUCTION METHODS AND REQUIREMENTS WITHIN ESTABLISHED LIMITS. AMENDED.

4905.2.1 Construction Methods and Requirements Within Established Limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure

shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

California Building Code, Chapter 7A,
California Residential Code, Section R337,
California Referenced Standards Code, Chapter 12-7A.

4905.2.2 Additions to structures. If an addition to a structure exceeds 50% of the original square footage and the structure is in a designated fire hazard zone of high or very high, the structure shall meet the requirements of California Department of Forestry and Fire Protection's Low Cost Retrofit List. (Attached)

SECTION 4905.3.1 LOCAL FIRE HAZARD SEVERITY ZONE REQUIREMENTS. ADDED

4905.3.1 Local fire hazard severity zone requirements. Buildings constructed in local Agency Fire Hazard Severity Zones considered to be "High" or "Very High" shall comply with section 4905.2.

SECTION 4906.2 APPLICATION. AMENDED

4906.2 Application. [No change]

1. [No change]

1.1. [No change]

1.2. [No Change]

1.3. [No Change]

2. All land designated by the San Mateo Consolidated Fire Department Wildland Fire Assessment in one of the following zones:

2.1. Moderate

2.2. High

2.3. Very High

SECTION 4907.1 GENERAL. AMENDED

4907.1 General. Defensible space will be maintained around all buildings and structures in State Responsibility Areas (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government code sections 51175 through 51189 in moderate, high, and very high fire hazard severity zones as designated by the San Mateo Consolidated Fire Department Wildland Fire Assessment.

Chapter 56 is adopted in its entirety as amended below

SECTION 5601.1.3 FIREWORKS. AMENDED

Section 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the jurisdiction of the department.

Exceptions:

1. Storage and handling of fireworks has allowed in section 5604.
2. The use of fireworks for fireworks displays, pyrotechnics before proximate audience, pyrotechnic special effects in motion pictures, television, theatrical, or group entertainment productions as allowed by title 19, Division I, chapter 6 fireworks reprinted in section 5608 and the Health & Safety Code division 11.
3. Snap caps and party poppers classified by the state fire marshal as pyrotechnic devices.

SECTION 5601.1.3.1 FIREWORKS – SEIZURE. ADDED

5601.1.3.1 Fireworks-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.

SECTION 5601.2.4 FINANCIAL RESPONSIBILITY. AMENDED

5601.2 .4 Financial responsibility. Before a permit is issued pursuant to section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2 million or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: fireworks in accordance with California code of regulations, title 19, Division I, chapter 6, see section 5608.

SECTION 5601.9 PROHIBITED AND LIMITED ACTS. ADDED

5601.9 Prohibited and limited acts. The storage of explosive materials is prohibited in all zoning districts except district zone for industrial or agricultural uses. In districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with California fire code section 5601.8

Chapter 57 is adopted in its entirety as amended below.

SECTION 5704.2.9.6.1 LOCATIONS WHERE ABOVE GROUND TANKS ARE PROHIBITED. AMENDED

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of class I and 2 liquids in above-ground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural use.

SECTION 5706.2.4.4 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED. AMENDED

5706.2.4.4 Locations where above-ground tanks are prohibited. Locations where above-ground tanks are prohibited. Storage of class I and 2 liquids in above-ground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural use

Chapter 58 is adopted in its entirety as amended below.

SECTION 5806.2 LIMITATIONS. AMENDED

5806.2 Limitations. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Hydrogen fuel systems in compliance with section 5806.3 or 5806.4.

Chapter 61 is adopted in its entirety as amended below.

SECTION 6104.2 MAXIMUM CAPACITY WITHIN ESTABLISHED LIMITS. AMENDED

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gases prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2000 gallons (7570 L).

Appendix B fire flow requirements for buildings is adopted in its entirety as amended below.

TABLE B105.2 REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE AND 2 FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOMES. AMENDED.

**TABLE B105.2
REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE AND 2
FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND
TOWNHOUSES**

Automatic Sprinkler System (Design Standard)	Minimum Fire Flow (Gallons Per Minute)	Flow Duration (Hours)
No automatic sprinkler system	Value in Table B 105.1 (2)	Duration in Table B 105.1 (2)
Section 903.3.1.1 of the California Fire Code	50% of the value in table B105.1 (2) ^a	Duration in table B105.1 (2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code ^c	50% of the value in table B105.1 (2) ^b	Duration in table B105.1 (2) at the reduced flow rate

For SI: 1 gallon per minute equals 3.785 L per minute

- a. The reduced fire flow shall not be less than 1000 gallons per minute.
- b. The reduced fire flow shall not be less than 1500 gallons per minute.
- c. Section 903.3.1.2 of the California Fire Code has been amended by the San Mateo Consolidated Fire Department

Appendix C number and distribution of fire hydrants is adopted in its entirety as amended below.

TABLE C 102.1 OF APPENDIX C. AMENDED

TABLE NO. C102.1

NUMBER AND DISTRIBUTION OF FIRE HYDRANTS^f

FIRE FLOW REQUIREMENT (GPM)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS^{a, b, c, d, e} (Ft.)	MAXIMUM DISTANCE FROM HYDRANT TO ANY POINT ON STREET OR ROADWAY FRONTAGE (Ft.)
1750 or less	1	250	150
2000-2250	2	250	150
2500-3250	3	250	150
3500-4250	4	250	150
4500-5250	5	250	150
5500-5750	6	250	150
6000-6250	6	250	150
6500-7250	7	250	150
7500 or more	8 or more ^c	200	120

For SI: 1 foot equals 304.8 mm, 1 gallon per minute equals 3.785 L per minute.

- a. Reduce by 100 feet for dead-end streets or roadways.
- b. Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:
 - i. Street has a median center divider that makes access to hydrants difficult, causes a time delay or creates an undue hazard;
 - ii. There are four or more lanes of traffic;
 - iii. Width of the street is in excess of 88 feet; or
 - iv. The existing street will be widened or will have a raised median center divider installed in the future pursuant to the General Plan Roadway Improvement Plans.
- c. One hydrant for each 1,000 GPM or fraction thereof.
- d. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants should be provided every 1,000 feet of street to provide for transportation hazards. In addition, there shall be at least one hydrant at each intersection.
- e. Average spacing between hydrants may be extended to 500 feet on streets serving one- and two-family dwellings.
- f. The fire code official is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints and hazards.

Appendix D Fire Apparatus Access Roads is adopted in its entirety.

Appendix O temporary haunted houses, ghost walks and similar amusement uses is adopted in its entirety

Division 2- Adoption and Modifications to the International Wildland Urban Interface Code

The following sections of the 2021 International Wildland Urban Interface Code are adopted and modified as described below.

Chapter 1 is partially adopted with adopted sections and modifications listed below.

SECTION 101 IS ADOPTED EXCEPT AS MODIFIED AND DELETED AS BELOW:

SECTION 101.1 TITLE. AMENDED

101.1 Title. These regulations shall be known as the Wildland Urban Interface Code of SAN MATEO CONSOLIDATED FIRE DEPARTMENT, will be referred to herein as this "CODE," and/or "WUI CODE."

SECTION 101.4 RETROACTIVITY. AMENDED

SECTION 101.5 IS NOT ADOPTED

SECTION 102 IS ADOPTED IN ITS ENTIRETY

SECTION 103 IS REPLACED BY SECTION 103 OF THE CALIFORNIA FIRE CODE AS ADOPTED BY SAN MATEO CONSOLIDATED FIRE DEPARTMENT

SECTION 104 IS REPLACED BY SECTION 104 OF THE CALIFORNIA FIRE CODE AS ADOPTED BY SAN MATEO CONSOLIDATED FIRE DEPARTMENT

SECTION 105 IS ADOPTED AS AMENDED BELOW:

105.3 Alternate Materials, design, and methods. Where alternate materials, design, and methods are to be used, the process listed in section 104.9 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department shall be used.

SECTION 106 IS ADOPTED AS AMENDED BELOW

106.1 Permits shall be as set forth in section 105 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department shall be used.

SECTIONS 106.2 THROUGH 106.10 ARE DELETED

SECTION 107 IS ADOPTED IN ITS ENTIRETY AS AMENDED BELOW

SECTION 107.3 IS AMENDED BELOW

107.3 Site Plan. In addition to the requirements for plans in the California Building Code and California Fire Code, site plans shall include topography, width, and percent of grade of access roads, landscape, and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures, and their appendages, roof classification of buildings and site water supply systems. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

SECTION 107.4 IS AMENDED BELOW

107.4 Hazardous Vegetation and Fuel Management. Vegetation and fuel management plans required by this code, Chapter 7A of the California Building Code or the California Fire Code shall comply with Section 4906 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department

SECTION 107.5 IS AMENDED BELOW

107.5 Fire protection plan. Where required by the code official pursuant to Section 405, a fire protection plan shall be prepared and shall be submitted to the code official for review and approved as a part of the plans required for a permit.

SECTION 108 IS ADOPTED WITHOUT MODIFICATION

SECTION 109 IS ADOPTED AS AMENDED BELOW

109.1 Fees. Fees shall be in accordance with the San Mateo Consolidated Fire Department Master Fee Schedule.

SECTIONS 109.2 THROUGH 109.6 IS DELETED

SECTION 110 IS ADOPTED WITH AMENDMENTS BELOW

SECTION 110.4.5.2.1 IS AMENDED AS FOLLOWS

110.4.5.2.1 Method of service. Such notice shall be deemed properly served where a copy thereof is served by one of the following methods:

1. Delivered to the owner or the owner's authorized agent personally.
2. Sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with a return receipt requested.
3. Delivered by email at an email address provided by the property owner or their designated representative.
4. Delivered in any other manner as prescribed by local law.

SECTION 110.4.7 IS AMENDED AS FOLLOWS

110.4.7 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 *code official*, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.7.1 Summary Abatement. If conditions set forth in the notice of violation are not abated within a reasonable amount of time, the Department may hire a contractor to abate the violations. All expenses will be billed to the property owner, and if not paid, a lien on the property shall be placed on the property.

110.4.7.2 Any violations of this code shall be considered a public nuisance in accordance with Government Code section 38773.

SECTION 111 IS ADOPTED WITHOUT MODIFICATION

SECTION 112 IS NOT ADOPTED

SECTION 113 IS NOT ADOPTED

SECTION 114 IS ADOPTED WITHOUT MODIFICATION.

Chapter 2 is adopted in its entirety as amended below.

Local agency fire hazard severity zone. An area in the jurisdiction designated as having a low, medium, high, or very high fire risk as determined by the San Mateo Consolidated Fire Department Wildland Hazard Assessment.

Chapter 3 is adopted in its entirety as amended below

SECTION 302.1 IS AMENDED AS BELOW

302.1 Declaration. The San Mateo Consolidated Fire Department conducted a study with the Anchorpoint Group which identified hazard zones. This study will be referred to as the San Mateo Consolidated Fire Department Wildland Assessment. The zones identified in the assessment shall be used for enforcement of this code.

302.2 Mapping. The San Mateo Consolidated Fire Department Wildland Assessment shall be posted online and maintained by the Fire Marshal.

Chapter 4 is adopted in its entirety

Chapter 5 is replaced by the following

SECTION 501 GENERAL

501.1 Buildings constructed in a high or very high fire hazard severity zone shall comply with section 502.

SECTION 502 CONSTRUCTION STANDARDS

502.1 Construction Methods and Requirements Within Established Limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure

shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

- California Building Code, Chapter 7A
- California Residential Code, Section R337
- California Referenced Standards Code, Chapter 12-7A

Chapter 6 is adopted in its entirety and amended as below.

SECTION 602.1 IS AMENDED AS BELOW

602.1 Automatic Sprinkler Systems. Automatic Sprinkler systems shall be installed in accordance with Chapter 9 of the California Fire Code as amended by the San Mateo Consolidated Fire Department.

TABLE 603.2 IS MODIFIED AS FOLLOWS

Table 603.2 Required Defensible Space

Fire Hazard Severity Zone	Fuel Modification Distance (Feet)^a
Moderate	30
High	50
Very High	100

^a Distances may be increased due to site specific analysis based on local conditions.

Chapter 7 is adopted in its entirety

PART IV- VIOLATIONS.

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

PART V- 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 Master 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.

PART VI – LOCAL FINDINGS AND AMENDMENTS

The Fire Department has determined that modifications to the 2021 International Fire Code with the 2022 California Amendments are needed and reasonably necessary due to local climatic, geological, and topographical conditions, as set forth in Attachment 1 (Findings in Support of Amendments to the 2022 California Fire Code), which are incorporated herein as substantive provisions of this Ordinance.

PART VII- ENVIRONMENTAL DETERMINATION.

The Department Board of Directors finds that the modifications to California building standards, adopted by reference by the proposed ordinance, are enacted to provide a safer, more protected environment in response to local conditions, including local climatic, geological, and topographical conditions. The adoption of this ordinance is exempt from review under the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*, “CEQA”) as the Ordinance is not a “project” as defined under CEQA. Moreover, the Ordinance is exempt from review pursuant to the CEQA Guidelines (California Code of Regulations Title 14, Chapter 3) consistent with, among other things, CEQA Guidelines Section 15061(b)(3), Section 15308, and Section 15321.

PART VIII- NOTICE PROVIDED; EFFECTIVE DATE.

This Ordinance shall be published in summary in the San Francisco Examiner, posted in the Departments administrative offices, and posted on the Department’s Website, and shall be effective on January 1, 2023.

I hereby certify this to be a correct copy of Ordinance 2022-001 of the San Mateo Consolidated Fire Department, which was introduced on August 31, 2022 and adopted on October 12, 2022 at a regular meeting of the Department Board of Directors by the following vote:

AYES: **Goethals, Lieberman, Froomin**

NOES:

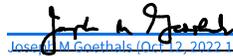
ABSENT: **Awasthi**

ABSTAIN:

ATTEST:



Board Secretary



Board President

APPROVED AS TO FORM:



William D. Ross, General Counsel