ORDINANCE NO. 2013-15

AN ORDINANCE OF THE CITY OF SANTA CRUZ REPEALING CHAPTER 19.05 OF THE SANTA CRUZ MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 19.05 INCORPORATING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS AS THE FIRE CODE OF THE CITY OF SANTA CRUZ

BE IT ORDAINED by the City Council of the City of Santa Cruz as follows:

Section 1. Chapter 19.05 of the Santa Cruz Municipal Code is hereby repealed.

Section 2. A new Chapter 19.05 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

"Chapter 19.05
Fire Code

19.05.010 California Fire Code adopted.
19.05.020 Section [A] 101.1 is amended – Title.
19.05.030 Section [A] 104.1 is amended – General.
19.05.040 Section [A] 105.1.1 is amended – Permits required.
19.05.050 Section [A] 106.1 is amended – Inspection authority.
19.05.060 Section [A] 107.5 is amended – Overcrowding.
19.05.070 Section [A] 109.4 is amended – Violation penalties.
19.05.080 Section [A] 111.4 is amended – Failure to comply.
19.05.090 Section 202 is amended – Definition of a driveway.
19.05.100 Section 202 is amended – Definition of wildfire risk area.
19.05.110 Section 202 is amended – Definition of imposed loads.
19.05.120 Section 202 is amended – Definition of state responsibility area (SRA).
19.05.130 Section 304.1.2 is amended – Vegetation.
19.05.140 Section 305.4 is amended – Deliberate or negligent burning
19.05.150 Section 307.2 – 307.5 is amended - Open burning, recreational fires, and portable outdoor fireplaces.
19.05.160 Section 308.1.2.is amended – Throwing or placing sources of ignition.
19.05.170 Section 308.1.7 is amended – Religious ceremonies.
19.05.180 Section 311.2.2 is amended – Fire Protection.
19.05.190 Section 311.5 is amended – Placards.
19.05.200 Section 315.3.5 is added – Storage under fixed bleachers.
19.05.210 Section 503 is amended – Fire apparatus access roads.
19.05.220 Section 507.1 is amended – Required water supply.
19.05.230 Section 507.5.4 is amended – Obstruction.
19.05.240 Section 507.5.5 is amended – Clear space around fire hydrants.
19.05.250 Section 507.5.6 is amended – Physical protection.
19.05.260 Section 508.5.7 is added – Painting.
19.05.270 CFC Sections 903.1 through 903.2.10.1 are deleted – Automatic sprinkler systems.
19.05.280 Section 903.3.1.3 is amended – NFPA 13D sprinkler systems
19.05.290 Section 1103.5.1 is amended – Pyroxylin plastics.

19.05.300 Section 5303.5.3 is amended – Securing compressed gas containers, cylinders and tanks.
19.05.310 Chapter 56 – Explosives and fireworks.
19.05.320 Chapter 90 is added – Suppression and control of wildfire risk areas.

19.05.010 CALIFORNIA FIRE CODE ADOPTED

An ordinance of the City of Santa Cruz adopting the 2013 edition of the *California Fire Code with local amendments*, 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 Santa Cruz; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 2010-19 & (part) 2010 of the City of Santa Cruz and all other ordinances and parts of the ordinances in conflict therewith.

The City Council of the City of Santa Cruz does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Santa Cruz City Clerk of the City of Santa Cruz, being marked and designated as the California Fire Code, 2013 edition including "Appendix Chapters 4, B, BB, C, CC, D) as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Santa Cruz, 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; for the issuance of permits and collection of fees therefor; 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 Santa Cruz are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections are hereby revised:

19.05.020 SECTION [A] 101.1 IS AMENDED – TITLE.

Section [A] 101.1 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 101.1 Title. These regulations shall be known as the Fire Code of the City of Santa Cruz, hereinafter referred to as "this code."

19.05.030 Section [A] 104.1 IS AMENDED – GENERAL

Section [A] 104.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 104.1 – General. The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such

interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

19.05.040 SECTION [A] 105.1.1 IS AMENDED – PERMITS REQUIRED

Section [A] 105.1.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 105.1.1 – Permits required. Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment which is regulated by this code, or to cause any such work to be done, shall first make application to the fire code official and obtain the required permit.

When required by the fire code official, a permit shall be obtained. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

19.05.050 SECTION [A] 106.1 IS AMENDED – INSPECTION AUTHORITY

Section [A] 106.1 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 106.1 – Inspection authority. The fire code official is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code.

19.05.060 SECTION [A] 107.5 IS AMENDED – OVERCROWDING

Section [A] 107.5 of Chapter 1 of the Fire Code of the City of Santa Cruz is amended to read as follows:

[A] 107.5 – Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

19.05.070 SECTION [A] 109.4 IS AMENDED – VIOLATION PENALTIES.

Section [A] 109.4 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 109.4 – 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 of a permit or certificate used under provisions of this code, shall be guilty of an infraction.

Acts denominated as infractions shall not be punishable by imprisonment. Every violation determined to be an infraction is punishable by:

1. A fine not exceeding one hundred dollars for a first violation;

2. A fine not exceeding two hundred dollars for a second violation of the same provision of this code within one year;

3. A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within one year.

A person charged with an infraction shall not be entitled to a trial by jury. A judgment that a person convicted of an infraction be punished by fine may also provide for the payment to be made within a specified time or in specified installments, contingent upon the person giving his written promise to either pay the fine as provided or to appear in court on the due date. Any person who willfully violates any such written promise is guilty of a misdemeanor. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

19.05.080 SECTION [A] 111.4 IS AMENDED – FAILURE TO COMPLY.

Section [A] 111.4 of Chapter 1 of the Fire Code of the city of Santa Cruz is amended to read as follows:

[A] 111.4 Failure to comply. It is unlawful for any person, firm or corporation to violate or fail to comply with any lawful order of the fire code official; fail to comply with an order by the Board of Appeals; or, fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation shall be deemed a misdemeanor and shall be punishable by a fine of not more than $500.00 plus court assigned fees or by imprisonment not exceeding 1 year in the county jail, or both such fine and imprisonment.

19.05.090 SECTION 202 IS AMENDED – DEFINITION OF A DRIVEWAY

Definition of “Driveway” in Section 202 of Chapter 2 of the Fire Code of the City of Santa Cruz is added after “Draft Stop” to read as follows:

Driveway. DRIVEWAY is vehicular ingress and egress routes that serve no more than 2 residential buildings or structures, not including accessory structures, on one parcel, containing no more than 3 dwelling units.

(a) All driveways shall provide a minimum unobstructed width of 12 feet and minimum unobstructed vertical clearance of 13 feet 6 inches. Exception: Driveways serving parcels which are not considered a flag lot by the City Planning Department may be 10 feet wide when approved by the Fire Code Official.

(b) All curb cuts at entrances to driveways or other private ways shall be of sufficient width to permit safe travel by emergency vehicles at all times of the year.

(c) Turnouts shall be designed and constructed every 400 feet along the driveway’s length or at the midpoint when the driveway is over 400 but not more than 800 feet in length.

(d) A turnaround shall be provided at all building or structure sites on driveways over 300 feet in length and shall be at 50 feet from the structure.

(e) In addition, where applicable, all driveways shall conform to N.F.P.A. Standard 1141, the standard for planned building groups.

19.05.100 SECTION 202 IS ADDED – DEFINITION OF WILDFIRE RISK AREA.

Definition of "Wildfire Risk Area" in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after "Wharf" to read as follows:

WILDFIRE RISK AREA. Land that is covered with grass, grain, brush, or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great or unusual damage through fire or resulting erosion as defined by the Fire Code Official.

19.05.110 SECTION 202 IS AMENDED – DEFINITION OF IMPOSED LOADS.

Definition of "Imposed Loads" in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after "Impairment Coordinator" to read as follows:

IMPOSED LOADS OF APPARATUS is a minimum of 40,000 pounds for a fire engine and 75,000 pounds for an aerial ladder fire truck.

19.05.120 SECTION 202 IS AMENDED – DEFINITION OF STATE RESPONSIBILITY AREA (SRA).

Definition of "State Responsibility Area (SRA)" in Section 202 of Chapter 2 of the Fire Code of the city of Santa Cruz is added after "Spraying Space" to read as follows:

STATE RESPONSIBILITY AREA (SRA) shall mean lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State of California.

19.05.130 SECTION 304.1.2 IS AMENDED – VEGETATION.

Section 304.1.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

304.1.2 – Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be maintained around and adjacent to buildings and structures. A firebreak shall be made by removing and clearing away, for a distance of not less than 30 feet on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This does not apply to single specimens of trees or other vegetation that is well-pruned and

maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any building or structure.

When required by state law, or local ordinance, rule or regulation, an additional fire protection zone or firebreak may be made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building or structure to maintain a firebreak of more than 100 feet around the building or structure. Grass and other vegetation located more than 30 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.

No owner, agent, lessee or other person occupying or having charge or control of any building, lot or premises within the city shall permit weeds to remain upon said premises or public sidewalk, or street or alleys between said premises and the centerline of any public street or alley after May 15th.

Whenever any such weeds are growing upon any private property or properties or in any street or alley within the city, the chief of the fire department shall give notice to the owner, agent, lessee or other person occupying or having charge or control of any building, lot or premises within the city, that unless such nuisance be abated without delay by the destruction or removal of such weeds, the work of abating such nuisance will be done by the city authorities, and the cost thereof assessed upon the lots and lands from which weeds shall have been destroyed or removed.

Method of Abatement

(a) The chief of the fire department shall cause weeds to be abated through mowing, cutting, disking, removal or any other approved method except spraying.

(b) When the chief determines that total removal of weed growth is impractical due to size or environmental factors, approved fuel breaks shall be established. Designated areas shall be cleared of combustible vegetation to establish fuel breaks.

(c) The chief of the fire department, and its deputies, assistants, employees, contracting agents, or other representatives are hereby expressly authorized to enter upon private property for the purpose of destroying weeds.

(d) Any property owner shall have the right to abate such weeds themselves, or have the same abated at their own expense provided that such weeds shall have been destroyed or removed prior to May 15th and the arrival of the chief of the fire department or his/her agents or representative to abate them.

(e) Combustible rubbish which hampers or otherwise obstructs city weed abatement efforts may also be removed by the chief of the fire department or his/her agents or authorized representative at the owner’s expense under the reimbursement and collection provisions of this chapter.

19.05.140 SECTION 305.4 IS AMENDED - DELIBERATE OR NEGLIGENT BURNING

Section 305.4 of Chapter 3 of the Fire Code of the city of Santa Cruz is amended to read as follows:

305.4 Deliberate or negligent burning. It shall be unlawful to deliberately or through negligence set fire to or cause the burning of combustible material in such a manner as to endanger the safety of persons or property.

19.05.150 Section 307.2 – 307.5 OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES

Section 307.2 – 307.5 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

307.2 Permit required. When required by the fire chief, a permit shall be obtained prior to kindling a fire for recognized agricultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such permit shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

The open burn season for Santa Cruz County unless otherwise declared shall be December 1st through April 30th of the calendar year. The dates may only be changed by Monterey Bay Area Unified Air Pollution Control District.

Exceptions:

1. During the “Declared open burn season” (As declared by the Monterey Bay Area Unified Air Pollution Control District) pile burning is allowed, at the discretion of the Fire Chief, when the “Guidelines for Pile Burning” (published by the California Department of Forestry and Fire Protection or Monterey Bay Area Unified Air Pollution Control District) are strictly adhered to.

SECTION 307.2.1 - AUTHORIZATION.

Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

SECTION 307.3 - EXTINGUISHMENT AUTHORITY.

The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

SECTION 307.4 - LOCATION

The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet from a structure.
2. The minimum required distance from a structure shall be 25 feet when the pile size is 3 feet or less in diameter and 2 feet or less in height.

SECTION 307.4.1 - AMENDED - BONFIRES

A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

SECTION 307.4.2 - RECREATIONAL FIRES

Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

SECTION 307.4.3 - PORTABLE OUTDOOR FIREPLACES

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one and two family dwellings.

SECTION 307.5 - ATTENDANCE

Open burning; bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire – extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

19.05.160 SECTION 308.1.2 IS AMENDED – Throwing or placing sources of ignition

Section 308.1.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

308.1.2 – Throwing or placing sources of ignition. No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.

19.05.170 SECTION 308.1.7 IS AMENDED – Religious ceremonies

Section 308.1.7 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

308.1.7 – Religious ceremonies. When, in the opinion of the fire code official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry hand-held candles. Hand-held candles shall not be passed from one person to another while lighted.

19.05.180 SECTION 311.2.2 IS AMENDED – Fire Protection

Section 311.2.2 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

311.2.2 Fire protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

19.05.190 SECTION 311.5 IS AMENDED – PLACARDS.

Section 311.5 of Chapter 3 of the Fire Code of the city of Santa Cruz is amended to read as follows:

311.5 – Placards. When required by the fire code official, any building or structure determined to be unsafe pursuant to Section 110 of this code shall be marked as required by Sections 311.5.1through 311.5.5.

19.05.200 SECTION 315.3.5 IS ADDED – STORAGE UNDER FIXED BLEACHERS.

Section 315.3.5 of Chapter 3 of the Fire Code of the City of Santa Cruz is added to read as follows:

315.3.5 - Storage Under Fixed Bleachers. Storage under fixed bleachers shall meet the same requirements as section 304.1.3.

19.05.210 SECTION 503 IS AMENDED - FIRE APPARATUS ACCESS ROADS

Section 503 of Chapter 3 of the Fire Code of the City of Santa Cruz is amended to read as follows:

503 Fire apparatus access roads.

503.1 Where required.

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities.

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 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.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is 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.

2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access.

The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage.

Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications.

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7.

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority.

The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius.

The required turning radius of a fire apparatus access road shall be determined by the fire code official.

503.2.5 Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces.

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade.

The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking.

Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads.

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.4.1. Traffic calming devices

Traffic calming devices shall be prohibited unless approved by the fire code official.

503.5 Required gates or barricades.

The fire code official is authorized to require the installation and maintenance of gates or the approved barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways.

503.5.1 Secured gates and barricades.

When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

[B] 503.5.2 Fences and gates.

School grounds may be fenced and gates therein may be equipped with locks, provided that safe dispersal areas based on 3 square feet (0.28 m2) per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet (15 240 mm) from school buildings.

Every public and private school shall conform with Section 32020 of the Education Code which states:

The governing board of every public school district, and the governing authority of every private school, which maintains any building used for the instruction or housing of school pupils on land entirely enclosed (except for building walls) by fences, or walls, shall, through cooperation with the local law enforcement and fire protection agencies having jurisdiction of the area, make provision for the erection of gates in such fences or walls. The gates shall be of sufficient size to permit the entrance of the ambulances, police equipment and fire-fighting apparatus used by the law enforcement and fire protection agencies. There shall be no less than one such access gate and there shall be as many such gates as needed to ensure access to all major buildings and ground areas. If.such gates are to be equipped with locks, the locking devices shall be designed to permit ready entrance by the use of the chain or bolt-cutting devices with which the local law enforcement and fire protection agencies may be equipped.

503.6 Security gates.

The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

19.05.220 SECTION 507.1 IS AMENDED – REQUIRED WATER SUPPLY.

Section 507.1 of Chapter 5 of the Fire Code of the city of Santa Cruz is amended to read as follows:

507.1 – Required Water Supply. 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.

The minimum water supply for all new dwellings within State Responsibility Areas (SRA) shall be capable of supplying a flow of 500 gallons per minute for 20 minutes (10,000 gallons) for each parcel. Privately owned water that is not supplied by a licensed water purveyor shall: (1) serve no more than two dwellings and no more than 10,000 square feet of habitable dwelling space, and (2) be provided pursuant to a recorded covenant that runs with the land if the water supply originates from another parcel. If a water purveyor supplies the water, the applicant must submit with the building plan written verification from the licensed purveyor that the water supply meets the flow requirement.

Exceptions:

1. A 2% reduction will be allowed for flow supplied by approved stationary water tanks, to account for the nominal standardized capacity of such tanks.

2. The Fire Chief may reduce the flow requirement to 250 gallons per minute for 20 minutes by substituting approved enhanced access, defensible space, and/or ignition-resistant material requirements.

19.05.230 SECTION 507.5.4 IS AMENDED - OBSTRUCTION

Section 507.5.4 of the Fire Code of the City of Santa Cruz is amended to read as follows:

Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

19.05.240 SECTION 507.5.5 IS AMENDED – CLEAR SPACE AROUND HYDRANTS

Section 507.5.5 of the Fire Code of the City of Santa Cruz is amended to read as follows:

A 3-foot (914) mm clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved.

19.05.250 SECTION 507.5.6 IS AMENDED – PHYSICAL PROTECTION

Section 507.5.6 of the Fire Code of the City of Santa Cruz is amended to read as follows:

Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

19.05.260 SECTION 507.5.7 IS ADDED – PAINTING.

Section 508.5.7 of Chapter 5 of the Fire Code of the city of Santa Cruz is added to read as follows:

507.5.7 – Painting. When required by the fire code official, fire hydrants shall be painted in accordance with NFPA 291.

19.05.270 CFC SECTIONS 903.1 THROUGH 903.2.10.1 ARE DELETED – AUTOMATIC SPRINKLER SYSTEMS.

Sections 903.1 through 903.2.10.1 of Chapter 9 of the Fire Code of the city of Santa Cruz are deleted and replaced to read as follows:

903.1 General. Automatic sprinkler systems shall comply with this section.

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

903.2.1 New Structures. An automatic fire sprinkler system shall be provided in all new occupancies as defined in Chapter 3 of the California Building Code, regardless of type of construction and/or floor area, unless otherwise pre-empted by the California Health and Safety Code. Any occupancy not specifically mentioned shall be included in the group that it most nearly resembles based on the proposed life and fire hazard.

EXCEPTIONS: 1. Private garages, carports, sheds not more than 1,000 square feet (93 $m^2$) of total floor area shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.

2. Sheds exceeding 1,000 square feet, (93 $m^2$) but not exceeding 3,000 square feet (278 $m^2$) shall not require fire sprinklers at the discretion of the Fire Chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.

3. Agricultural buildings as defined in Appendix Chapter C, of the California Building Code not exceeding 2,000 square feet (186 $m^2$), not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, or as exempted by the Fire Chief, shall not require fire sprinklers.

Additionally, agricultural buildings exceeding 2,000 square feet (186 $m^2$) but not exceeding 5,000 square feet, not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, shall not require fire sprinklers at the discretion of the Fire Chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.

4. Group B and Group M Occupancies not more than 500 square feet (46.5 $m^2$) shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code, Table 508.4.

5. Greenhouses of non-combustible construction shall not require fire sprinklers.

903.2.2 Existing Structures. An automatic sprinkler system shall be provided in existing structures when, after the effective date of this code, a building permit is issued to allow additions to be made to existing structures which either:

1. Are already six thousand (6,000) square feet or greater in total floor area; or

2. Will increase the total floor area of a structure by 10% or more; or

3. When there is a change in the character of the occupancy or use of any building which in the opinion of the fire chief increases or may cause to increase the hazard of fire or threat to life or safety.

4. When additions are made to a structure which contains an existing fire sprinkler system. The fire sprinkler system shall be augmented, thus, creating fire sprinkler protection in the entire structure.

Exceptions:

1. Group U occupancies not more than one thousand (1,000) square feet.

2. Group B and Group M occupancies not more than five hundred (500) square feet.

3. Group R-3 dwellings where additions do not increase the total existing square footage by more than 50%.

4. Group A-2 occupancies not more than five thousand (5,000) square feet.

903.2.3 During construction. Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Section 1413.

903.2.4 Other hazards. Automatic sprinkler protection shall be provided for the hazards indicated in Sections 903.2.4.1 through 903.2.4.8.

903.2.4.1 Windowless stories in all occupancies. An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.4.1.1 through 903.2.4.1.4.

Exception: Group R-3 and Group U.

903.2.4.1.1 Stories and basements without openings. An automatic sprinkler system shall be installed in every story or basement of all buildings where the floor area exceeds 1,500 square feet (139.4$m^2$) and where there is not provided at least one of the following types of exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1009 or an outside ramp complying with Section 1010. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side.

2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 $m^2$) in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side.

903.2.4.1.2 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

903.2.4.1.3 Openings on one side only. Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system or openings as specified above shall be provided on at least two sides of the story.

903.2.4.1.4 Basements. Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by Section 903.2.4.1.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

903.2.4.2 Rubbish and linen chutes. An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Chute sprinklers shall be accessible for servicing.

903.2.4.3 Buildings 55 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.

2. Open parking structures.

3. Occupancies in Group F-2.

903.2.4.4 Ducts conveying hazardous exhausts. Where required by the California Mechanical Code, automatic sprinklers shall be provided in ducts conveying hazardous exhausts, flammable or combustible materials.

Exception: Ducts where the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

903.2.4.5 Commercial cooking operations. An automatic sprinkler system shall be installed in a commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

903.2.4.6 Change of hazard. The fire code official may require the installation of an automatic fire system when there is a change in the character of the occupancy or use of any building which increases or may cause to increase the hazard of fire or threat to life or safety.

903.2.4.7 Change in access. The fire code official may require the installation of an automatic fire system when any alteration or change in the use of a building or portion thereof changes access to property so as to impede the fire department's ability to control a fire.

19.05.280 SECTION 903.3.1.3 IS AMENDED – NFPA 13D SPRINKLER SYSTEMS.

Section 903.3.1.3 of Chapter 9 of the Fire Code of the city of Santa Cruz is amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one and two-family dwellings shall be installed throughout in accordance with NFPA 13D, and installation guidelines as promulgated by the Santa Cruz County Fire Chiefs Association.

19.05.290 SECTION 1103.5.1 IS AMENDED – PYROXYLIN PLASTICS.

Section 1103.5.1 of Chapter 11 of the Fire Code of the city of Santa Cruz is amended to read as follows:

1103.5.1 Pyroxylin plastics. An automatic sprinkler system shall be provided in all existing buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg). Vaults located within buildings for the storage of raw pyroxylin shall be protected with an approved automatic sprinkler system capable of discharging 1.66 gallons per minute per square foot (68 L/min/$m^2$) over the area of the vault.

19.05.300 SECTION 5303.5.3 IS AMENDED – SECURING COMPRESSED GAS CONTAINERS, CYLINDERS AND TANKS.

Section 5303.5.3 of Chapter 53 of the Fire Code of the city of Santa Cruz is amended to read as follows:

5303.5.3 Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods:

1. Securing containers, cylinders and tanks to a fixed object with two or more non-combustible restraints. The object used to anchor the restraint to shall be capable of withstanding the anticipated load(s) imposed. Anchor(s) shall be attached to a structural framing member or similar.

2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.

3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in seller's warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress.

4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use.

Exception: Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

19.05.310 CHAPTER 56 – EXPLOSIVES AND FIREWORKS.

CFC Chapter 56 is deleted in entirety. The following shall become Chapter 56:

5601.1 Scope. For explosives requirements see California Code of Regulations, Title 19, Division 1, Chapter 10. For fireworks requirements see California Code of Regulations, Title 19, Division 1, Chapter 6.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.

2. Explosives in forms prescribed by the official United States Pharmacopoeia.

3. The possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.

4. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.

5. Items preempted by federal regulations.

5601.1.2 Fireworks. Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

5602 – Display Fireworks

5602.1 Permit Restrictions. The fire code official is authorized to limit the quantity of fireworks permitted at a given location. No person, possessing a permit for storage of fireworks at any place, shall keep or store an amount greater than authorized in such permit.

5602.2 – Financial Responsibility. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire code official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. The permit holder shall comply with all provisions of Title 19 California Code of Regulations, Chapter 6.

5602.3 – Special Effects and other Proximate Displays. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with all provisions of Title 19 California Code of Regulations, Chapter 6.

19.05.320 CHAPTER 90 IS ADDED – SUPPRESSION AND CONTROL OF WILDFIRE RISK AREAS.

Chapter 90 of the Fire Code of the city of Santa Cruz is added to read as follows:

9001 — SCOPE. The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire that might be caused by recreational, residential, commercial, industrial or other activities shall be in accordance with Chapter 90.

9002 — DEFINITIONS. For the purpose of this chapter, certain terms are defined as follows:

TRACER is any bullet or projectile incorporating a feature which marks or traces the flight of said bullet or projectile by flame, smoke or other means which results in fire or heat.

TRACER CHARGE is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which result in fire or heat and shall include any incendiary bullets and projectiles.

9003— PERMITS. The fire chief is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

9004— RESTRICTED ENTRY. The fire chief shall determine and publicly announce when wildfire risk areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildfire risk areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the wildfire risk area is closed to entry, is prohibited.

EXCEPTIONS: 1. Residents and owners of private property within wildfire risk areas and their invitees and guests going to or being upon their lands.

2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

9005 — TRESPASSING ON POSTED PROPERTY.

9005.1 General. When the fire chief determines that a specific area within a wildfire risk area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

9005.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to Appendix II-A shall be placed on every closed area.

9005.3Trespassing. Entering and remaining within areas closed and posted is prohibited.

EXCEPTION: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

9006 — SMOKING. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildfire risk areas is prohibited.

EXCEPTION: Places of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official.

9007— SPARK ARRESTERS. Chimneys used in conjunction with fireplaces, barbecues, incinerators or heating appliances in which solid or liquid fuel is used, upon buildings, structures or premises located within 200 feet (60 960 mm) of wildfire risk areas, shall be provided with a spark arrester constructed with heavy wire mesh or other noncombustible material with openings not to exceed 1/2 inch (12.7 mm).

9008 — TRACER BULLETS, TRACER CHARGES, ROCKETS AND MODEL AIRCRAFT. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildfire risk areas.

Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildfire risk areas.

9009— APIARIES. Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildfire risk areas except by permit from the fire chief.

9010— OPEN-FLAME DEVICES. Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildfire risk areas, except by permit from the fire chief.

EXCEPTION: Use within habited premises or designated campsites which are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

Flame-employing devices, such as lanterns or kerosene road flares, shall not be operated or used as a signal or marker in or upon wildfire risk areas.

EXCEPTION: The proper use of fuses at the scenes of emergencies or as required by standard railroad operating procedures.

9011 — OUTDOOR FIRES. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas, except by permit from the fire code official.

EXCEPTION: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill manufactured for such use.

Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas under the following conditions:

1. When high winds are blowing,

2. When a person age 17 or over is not present at all times to watch and tend such fire, or

3. When public announcement is made that open burning is prohibited.

Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

9012 — INCINERATORS AND FIREPLACES. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in wildfire risk areas without prior approval of the fire chief.

Incinerators, outdoor fireplaces, permanent barbecues and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrester, screen or door.

EXCEPTION: When approved, unprotected openings in barbecues and grills necessary for proper functioning.

9013— CLEARANCE OF BRUSH AND VEGETATIVE GROWTH FROM ELECTRICAL TRANSMISSION LINE.

9013.1 General. Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section 9013.

EXCEPTION: Section 9013 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

9013.2 Support Clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the fire chief.

EXCEPTION: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

9013.3 Electrical Distribution and Transmission Line Clearances.

9013.3.1 General. Clearances between vegetation and electrical lines shall be in accordance with Section 9013.3.

9013.3.2 Trimming clearance. At the time of trimming, clearances not less than those established by Table 9013-A should be provided. The radial clearances shown below are minimum clearances that should be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

EXCEPTION: The fire chief is authorized to establish minimum clearances different than those specified in Table 9013-A when evidence substantiating such other clearances is submitted to the fire code official and approved.

9013.3.3 Minimum clearance to be maintained. Clearances not less than those established by Table 9013-B shall be maintained during such periods of time as designated by the fire code official. The site specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company specific trim cycle, the potential line sway due to wind, line sway due to electrical loading and ambient temperature, and the tree’s location in proximity to the high voltage lines.

EXCEPTION: The fire code official is authorized to establish minimum clearances different than those specified by Table 9013-B when evidence substantiating such other clearances is submitted to the fire code official and approved.

TABLE 9013-A
—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL LINES AT TIME OF TRIMMING

| LINE VOLTAGE | MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet) |
|---|---|
| | x 304.8 mm |
| 2,400-72,000 | 4 |
| 72,001-110,000 | 6 |
| 110,001-300,000 | 10 |
| 300,001 or more | 15 |

TABLE 9013-B
—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL LINES TO BE MAINTAINED

| LINE VOLTAGE | MINIMUM CLEARANCE (inches) |
|---|---|
| | x 25.4 mm |
| 750-35,000 | 6 |
| 35,001-60,000 | 12 |
| 60,001-115,000 | 19 |
| 115,001-230,000 | 30 1/2 |
| 230,001-500,000 | 115 |

9013.3.4 Electrical power line emergencies. During emergencies, the utility company shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table 9013-B.

9013.4 Correction of Condition. The fire chief is authorized to give notice to the owner of the property on which conditions regulated by Section 9013 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

9014 — CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM STRUCTURES.

9014.1 General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining wildfire risk areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall:

9014.1.1 Clearance. Maintain an effective firebreak through clearance of brush and vegetation in accordance with Section 304.1.2.

9014.1.2 Trees and Deadwoods. Maintain trees adjacent to or overhanging a building free of deadwood.

9014.2 Corrective Actions. The executive body is authorized to instruct the fire chief to give notice to the owner of the property upon which conditions regulated by Section 9014.1 exist to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

9015 — CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM ROADWAYS. The fire chief is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

EXCEPTION: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

9016 — UNUSUAL CIRCUMSTANCES. If the fire chief determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 9013, 9014 or 9015 is undesirable or impractical, enforcement thereof may be suspended and reasonable alternative measures shall be provided.

9017 — DUMPING. Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon wildfire risk areas or in, upon or along trails, roadways or highways in wildfire risk areas.

EXCEPTION: Approved public and private dumping areas.

9018 — DISPOSAL OF ASHES. Ashes and coals shall not be placed, deposited or dumped in or upon wildfire risk areas.

EXCEPTIONS: 1. In the hearth of an established fire pit, camp stove or fireplace.

2. In a noncombustible container with a tight-fitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from combustible vegetation or structures.

3. Where such ashes or coals are buried and covered with 1 foot (304.8 mm) of mineral earth not less than 25 feet (7620 mm) from combustible vegetation or structures.

9019 — USE OF FIRE ROADS AND FIREBREAKS. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

EXCEPTION: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (4877 mm) or more above such fire road or firebreak.

9020 — USE OF MOTORCYCLES, MOTOR SCOOTERS AND MOTOR VEHICLES. Motorcycles, motor scooters and motor vehicles shall not be operated within wildfire risk areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

9021 — TAMPERING WITH FIRE DEPARTMENT LOCKS, BARRICADES AND SIGNS. Locks, barricades, seals, cables, signs and markers installed within wildfire risk areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the fire chief shall not be unlocked.

9022 — LIABILITY FOR DAMAGE. The expenses of fighting fires which result from a violation of this chapter shall be a charge against the person whose violation caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the fire chief in the same manner as in the case of an obligation under a contract, expressed or implied."

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

"Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): City of Santa Cruz.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): City of Santa Cruz.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): City of Santa Cruz

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): City of Santa Cruz."

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Santa Cruz City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. This ordinance shall be in force and take effect on January 1, 2014.

ORDINANCE NO. 2013-15

PASSED FOR PUBLICATION this 24th day of September, 2013, by the following vote:

AYES: Councilmembers Terrazas, Comstock, Lane, Mathews, Posner; Vice Mayor Robinson, Mayor Bryant.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: ss/Hilary Bryant, Mayor

ATTEST: ss/Bren Lehr, City Clerk Administrator

PASSED FOR FINAL ADOPTION this 8th day of October, 2013, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2013-15 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

_____
City Clerk Administrator