



Folsom City Council Staff Report

MEETING DATE:	1/10/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1335 – An Ordinance of the City of Folsom Repealing and Re-enacting Chapter 8.36 of the Folsom Municipal Code Concerning the Folsom Fire Code (Second Reading and Adoption)
FROM:	Fire Department

RECOMMENDATION / CITY COUNCIL ACTION

The Fire Department recommends that the City Council conduct the second reading and adopt Ordinance No. 1335 - An Ordinance of the City of Folsom repealing and re-enacting Chapter 8.36 of the Folsom Municipal Code concerning the Folsom Fire Code

BACKGROUND / ISSUE

The purpose of this Ordinance is to complete a triennial update to the City of Folsom fire and life safety regulations and adopt the 2022 edition of the California Fire Code, based on the 2021 edition of the International Fire Code, with local amendments, pursuant to state law.

Folsom Municipal Code (FMC) Chapter 8.36 Folsom Fire Code currently contains provisions relative to building inspections and fire safety as written in the 2019 edition of the California Fire Code, based on the 2018 edition of the International Fire Code, with local amendments.

On January 14, 2020, the City Council adopted Ordinance Number 1297, and the 2019 edition of the California Fire Code. The 2022 edition of the California Fire Code has been published by the California Building Standards Commission and is mandated for use statewide on January 1, 2023. It will be applicable for the next three years ending December 31, 2025.

On December 13, 2022, the introduction and first reading of Ordinance 1335 concerning the Fire Code was presented to council and the public. There have been no changes to the amendments as initially presented.

POLICY / RULE

The California Building Standards Commission has amended and adopted the 2021 edition of the International Fire Code as the 2022 edition of the California Fire Code. California Health & Safety Code Section 18938(b) mandates that Building Standards Codes, including the California Fire Code, are applicable to all occupancies in the State of California. Government Code Section 50022.2 grants local agencies the authority to adopt codes by reference.

ANALYSIS

The purpose of this ordinance is to adopt a fire code for the City of Folsom as required by state law. The State of California requires a triennial update to the statewide fire code and requires all municipalities to complete the same review. By adopting the 2022 edition of the California Fire Code, the City of Folsom will be compliant with state law and consistent with other cities and counties throughout California by enforcing the latest available edition of the California Fire Code.

Adoption of the 2022 edition of the California Fire Code provides the City of Folsom with the ability to make certain local amendments to that code. Pursuant to California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5, the City of Folsom must supply findings of fact that support the determination that amendments to building standards are necessary because of local climatic, geological, or topographical conditions. The following are the findings of fact:

1. CLIMATIC:

- (a.) Climate has one of the greatest impacts to fire behavior and other major emergency events, because it cannot be controlled. Average yearly rainfall for Folsom is approximately 18 inches and typically occurs from October to April. Low-level fog is present throughout the winter months and frequently causes visibility to be reduced. Fog, in conjunction with cold temperatures, may also cause freezing and slick roadways. These weather-related conditions may cause delays for emergency responders.
- (b.) Summers are arid and warm and there is generally no measurable precipitation. Temperatures for this dry period range from 70 to 112 degrees Fahrenheit and are frequently accompanied by light to gusty winds. The relative humidity during summer months ranges from 2 to 30 percent, which is arid. The City contains thousands of acres of open space, which, in conjunction with the dry

and windy conditions, create hazardous situations culminating in grass and brush fires. Wind-driven fires have led to serious consequences in similar areas of the state.

- (c.) The Sacramento region has extreme variations in weather patterns, too. Summers are arid and warm, winters are cool to freezing, and fall and spring can bring any combination of weather patterns together. It is this cyclical uncertainty that allows weather events such as rapid melting of the snowpack, which causes flooding in the low-lying valley areas of Sacramento County. The doubling of average rainfall called an "El Nino" event has occurred from time to time and causes the grass to mature and grow in excess of six feet high before it dries out.
- (d.) Climate is one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. The lower humidity causing the drying of wildland fuels in the summer months allows for a higher ignition probability.

2. **GEOLOGICAL:**

- (a.) The City is susceptible to seismic hazards resulting from movement along any one of several known faults in Northern California. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines, or heat producing appliances and the unavailability of water for fire control due to broken water mains.
- (b.) In addition, unstable slopes have been identified in the City, which present a significant potential for landslides. In the event of a major earthquake or landslide, some areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.

3. **TOPOGRAPHICAL:**

- (a.) Several topographical features bisect the City, including the American River, Lake Natoma, and Folsom Lake, as well as creeks, natural parkways, open space, bridges, and railroad tracks. Traffic has to be channeled around several of these topographical features and limitations, which create traffic congestion and delays in emergency response. These features are located between the fire stations located within the City of Folsom.
- (b.) The California Division of Occupational Safety and Health, better known as Cal/OSHA, requires two firefighters to be located outside when two or more

firefighters are inside of a burning structure. This is known as the “two in-two out” rule. It is imperative to minimize the impact of delays affecting the timely response of the firefighters.

- (c.) Increasingly heavy traffic congestion on the City’s major streets acts as a barrier to timely response for fire and emergency vehicles. Several roadways are expected to have an increased traffic flow as the City continues to increase in population.
- (d.) Preservation of wetland areas, natural parkways, riparian corridors along rivers/streams, vernal pools, open spaces, and endangered species habitats have all contributed to access problems as well as exemption from vegetation abatement programs. These situations, though very environmentally important, do increase the demands on the fire service due to the extreme fire hazard created by fuel loading, limited access, and reduced setbacks.
- (e.) More development is extending from the urban core into the grass-covered sloped areas and brush/tree covered canyons such as the East Area and Folsom Plan Area, where an increase in slope increases the rate of fire spread.
- (f.) Large areas of rural open space and rolling hills with residential development significantly increase response times. The rural geographical areas not yet provided with adequate fire protection are subject to a higher degree of risk without mitigating measures.

In summary, staff believes that the amendment and adoption of the 2022 edition of the California Fire Code, based on the 2021 International Fire Code, with local amendments, is necessary to provide a reasonable and prudent level of fire and life safety to residents, businesses, and visitors of the City of Folsom.

FINANCIAL IMPACT

Adopting the 2022 edition of the California Fire Code, based on the 2021 International Fire Code, with local amendments, as required by state law, and should not cause any financial impact.

ENVIRONMENTAL REVIEW

This action is not considered a project under Section 15061(b)(3) of the California Environmental Quality Act Guidelines, and as such is exempt from environmental review.

ATTACHMENTS

1. Ordinance No. 1335 - An Ordinance of the City of Folsom Repealing and Re-Enacting Chapter 8.36 of the Folsom Municipal Code Concerning the Folsom Fire Code (Second Reading and Adoption)

Submitted,

Ken Cusano, Fire Chief

ORDINANCE NO. 1335

AN ORDINANCE OF THE CITY OF FOLSOM REPEALING AND RE-ENACTING CHAPTER 8.36 OF THE FOLSOM MUNICIPAL CODE CONCERNING THE FOLSOM FIRE CODE

The City Council of the City of Folsom hereby does ordain as follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to repeal Chapter 8.36 of the Folsom Municipal Code (the “Code”) in its entirety and re-enact Chapter 8.36 pertaining to the Folsom Fire Code.

Chapter 8.36 pertaining to the Folsom Fire Code shall be repealed in its entirety and re-enacted to adopt the 2022 edition of the California Fire Code, based on the 2021 edition of the International Fire Code, with local amendments, to provide for the safeguarding of life, property, and the environment from hazardous conditions within the City of Folsom.

SECTION 2 FINDINGS

In connection with the amendments enacted by Section 8.36.080 relating to the 2022 edition of the California Fire Code and its appendices, the Folsom City Council makes the following findings pursuant to Health and Safety Code Section 17958.5, 17958.7 and 18941.5. Such changes are reasonably necessary because of local climatic, geological, or topographical conditions. The Folsom City Council hereby adopts, pursuant to Section 18941.5 of the California Health and Safety Code, the following findings of fact:

- A. Under this adopting ordinance, specific amendments to building standards are more restrictive than those contained within the 2022 edition of the California Fire Code, based on the 2021 edition of the International Fire Code. These amendments have been recognized by the City of Folsom to address the fire problems, hazards, concerns, and future direction by which the City can establish and maintain an environment that will afford an acceptable level of fire and life safety to all who live, work, or visit within its boundaries.
- B. The 2022 edition of the California Fire Code and the 2021 edition of the International Fire Code have been printed and published as a Code in book form within the meaning of Section 50022.1 of the Government Code of the State of California.
- C. The International Code Council promulgates the International Fire Code. The International Code Council has conducted open code hearings that permit participation by National, State, and local code officials; as well as industry representatives, consultants, and other private parties with an interest in the International Fire Code.

- D. The International Fire Code, being the 2021 edition thereof, published by the International Code Council is a nationally recognized compilation of proposed rules, regulations and standards promulgated through an open and participatory process.
- E. Under the provisions of Section 18941.5 of the Health and Safety Code, local amendments are based on climatic, geological, or topographical conditions. The findings of fact contained herein address each of these situations and present the local situation, which, either singularly or in combination, cause amendments to be adopted.

1. CLIMATIC:

- (a.) Climate has one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. Average yearly rainfall for Folsom is approximately 18 inches and typically occurs from October to April. Low-level fog is present throughout the winter months and frequently causes visibility to be reduced. Fog, in conjunction with cold temperatures, may also cause freezing and slick roadways. These weather-related conditions may cause delays for emergency responders.
- (b.) Summers are arid and warm and there is generally no measurable precipitation. Temperatures for this dry period range from 70 to 112 degrees Fahrenheit and are frequently accompanied by light to gusty winds. The relative humidity during summer months ranges from 2 to 30 percent, which is arid. The City contains thousands of acres of open space, which, in conjunction with the dry and windy conditions create hazardous situations culminating in grass and brush fires. Wind-driven fires have led to serious consequences in similar areas of the State.
- (c.) The Sacramento region has extreme variations in weather patterns, too. Summers are arid and warm, winters are cool to freezing, and fall and spring can bring any combination of weather patterns together. It is this cyclical uncertainty that allows weather events such as rapid melting of the snowpack, which causes flooding in the low-lying valley areas of Sacramento County. The doubling of average rainfall called an "El Nino" event has occurred from time to time and causes the grass to mature and grow in excess of six feet high before it dries out.
- (d.) Climate is one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. The drying out of wood and wildland fuels in the summer months allows for easy ignition.

2. GEOLOGICAL:

- (a.) The City is susceptible to seismic hazards resulting from movement along any one of several known faults in Northern California. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines, or heat producing appliances and the unavailability of water for fire control due to broken water mains.
- (b.) In addition, unstable slopes have been identified in the City, which present a significant potential for landslides. In the event of a major earthquake or landslide, some areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.

3. TOPOGRAPHICAL:

- (a.) Several topographical features bisect the City, including the American River, Lake Natoma, and Folsom Lake, as well as creeks, natural parkways, open space, bridges, and railroad tracks. Traffic has to be channeled around several of these topographical features and limitations, which create traffic congestion and delays emergency response. These features are located between the fire stations located within the City of Folsom.
 - (b.) The California Division of Occupational Safety and Health, better known as Cal/OSHA, requires two firefighters to be located outside when two or more firefighters are inside of a burning structure. This is known as the “two in-two out” rule. It is imperative to minimize the impact of delays affecting the timely response of the firefighters.
 - (c.) Increasingly heavy traffic congestion on the City’s major streets acts as a barrier to timely response for fire and emergency vehicles. Several roadways are expected to have an increased traffic flow as the City continues to increase in population.
 - (d.) Preservation of wetland areas, natural parkways, riparian corridors along rivers/streams, vernal pools, open spaces, and endangered species habitats have all contributed to access problems as well as exemption from vegetation abatement programs. These situations, though very environmentally important, do increase the demands on the fire service due to the extreme fire hazard created by fuel loading, limited access, and reduced setbacks.
 - (e.) The rural geographical areas not yet provided with adequate fire protection are subject to a higher degree of risk without mitigating measures.
- F. The City’s proximity to adjoining agencies reduces the amount of fire and medical resources that are typically available within more densely populated areas. A seamless fire protection system within Sacramento County and mutual-aid agreements with neighboring county fire

agencies allow for additional support but also reduces coverage of fire stations during initial and multiple response incidents either in the City or other jurisdictions. Resources from both El Dorado and Placer Counties are limited mainly by the size of the fire agencies, the rural/urban development, and extended response times.

- G.** The City is located in the northeastern portion of Sacramento County and is bordered by Folsom Lake, Placer, and El Dorado Counties. The City is made up of several distinct areas, each unique in its own way. Some of these areas are gated communities designed for security, not for expedient emergency response. Some of these access points are remote from main emergency response routes, extending response times. A first alarm residential structure fire assignment draws three fire engines, two ladder trucks, a medic unit, and two battalion chiefs. Commercial structure fires require one additional fire engine, therefore emptying all fire stations in the City of Folsom. If the situation intensifies, through simultaneous requests for service, long term commitments to emergencies, out-of-service emergency vehicles, etc., extended response times will occur.
- H.** The water supply in the City of Folsom makes extensive use of automatic fire sprinkler systems feasible. The area is favored with sources of high-quality water from private and municipal water companies.
- I.** The National Fire Protection Association statistics indicate that automatic fire sprinkler systems have established an efficiency record of approximately 96% satisfactory performance in the United States since 1925.
- J.** Based on the aforementioned local climatic, geological, or topographical, conditions, those specific amendments as specified in the amendments to this ordinance for the 2022 California Fire Code, are considered reasonable and necessary modifications to the requirements established pursuant to Section 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence of fire or other hazards, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property, and protection of the environment.

K. California Health and Safety Code Section 17958.7 requires that modifications or changes to building standards as defined in Health and Safety Code Section 18909 be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table provides code sections that have been modified, and the associated conditions for modification due to local climatic, geological, and topographical reasons.

<u>Section Number</u>	<u>Local Climatic/ Geological/Topographical Condition</u>
105	1a-d, 2a-b, 3a-f
106	1a-d, 2a-b, 3a-f
108	1a-d, 2a-b, 3a-f
109	1a-d, 2a-b, 3a-f
110	1a-d, 2a-b, 3a-f
112	1a-d, 2a-b, 3a-f
202	1a-d, 2a-b, 3a-f
304	1a-d, 2a-b, 3a-f
311	1a-d, 2a-b, 3a-f
317	1a-d, 2a-b, 3a-f
321	1a-d, 2a-b, 3a-f
321	1a-d, 2a-b, 3a-f
503	1a-d, 2a-b, 3a-f
504	1a-d, 2a-b, 3a-f
901	1a-d, 2a-b, 3a-f
903	1a-d, 2a-b, 3a-f
907	1a-d, 2a-b, 3a-f
912	1a-d, 2a-b, 3a-f
1031	1a-d, 2a-b, 3a-f
1204	1a-d, 2a-b, 3a-f
4905	1a-d, 2a-b, 3a-f
4906	1a-d, 2a-b, 3a-f
4907	1a-d, 2a-b, 3a-f
Appendix C	1a-d, 2a-b, 3a-f
Appendix D	1a-d, 2a-b, 3a-f

L. In connection with the amendments enacted by Section 2 relating to the 2022 edition of the California Fire Code, with local amendments, the City Council makes the following findings pursuant to Health and Safety Code Section 17958.5, 17958.7, and 18941.5.

1. The changes are reasonably necessary because of local climatic, geological, or topographical conditions. The City Council hereby adopt pursuant to Section 18941.5 of the California Health and Safety Code, the following findings of fact:
 - (a.) Under this adopting ordinance, specific amendments have been established which are more restrictive than those adopted by the State of California (California Building Standards Code) commonly referred to as Title 24 of the California Code of Regulations.
 - (b.) These amendments to the 2022 edition of the California Fire Code have been recognized by the City of Folsom to address the fire problems, hazards, concerns, and future direction by which the City can establish and maintain an environment which will afford a level of fire and life safety to all who live, work, or visit within its boundaries.
 - (c.) The Findings of Fact are filed separately with the California Building Standards Commission and City Clerk for the City of Folsom.

SECTION 3 ADOPTION OF THE FOLSOM FIRE CODE

Chapter 8.36 is repealed and re-enacted to the Municipal Code to read as follows:

Chapter 8.36 FOLSOM FIRE CODE

8.36.010 Short title.

This chapter shall be known and cited as the “Folsom Fire Code.”

8.36.020 California Fire Code—Adopted by reference.

There is hereby adopted by the city council of the City of Folsom for the purpose of prescribing regulations governing the safeguarding of life, property, and the environment 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, that certain code known as the 2022 edition of the California Fire Code with those amendments adopted by the California Building Standards Commission and based on the 2021 edition of the International Fire Code, in its entirety, and with all other supplements, errata, and such portions as hereunder deleted, modified, or amended.

8.36.030 Enforcement.

The fire chief of the city is designated as the chief fire official of the city. The fire chief and his/her designated representatives shall have all the powers of peace officers in enforcing this

chapter and may issue orders, notices, citations and make arrests for violations within the incorporated area of the City of Folsom.

8.36.040 Definitions.

- A. Whenever the words “fire code” are used in this chapter, it shall mean the 2022 edition of the California Fire Code with those amendments adopted by the California Building Standards Commission and based on the 2021 edition of the International Fire Code, in its entirety, and with all other supplements, errata, and such portions as hereunder deleted, modified, or amended.
- B. Wherever the word “municipality” is used in the fire code, it shall mean the incorporated areas in the City of Folsom.
- C. Wherever the words “fire code official” are used in the fire code, they shall mean the fire chief of the City of Folsom, or the designated representatives.

8.36.060 Penalties.

Any person who violates any of the provisions of the code adopted by Section 8.36.020, or fails to comply therewith, or who violates or fails to comply with any order made hereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved hereunder, or any certificate or permit issued hereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction within the required time, may be severally for each and every such violation and noncompliance respectively guilty of a misdemeanor, unless that provision has been identified as an infraction, and punishable as provided in Section 8.36.080. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

8.36.070 Repeal of conflicting ordinances.

All former fire prevention ordinances or parts thereof conflicting or inconsistent with the provisions of this chapter or of the code adopted by this chapter are repealed.

8.36.080 Amendments, additions, deletions.

Chapter 1, being adopted in its entirety, is amended as follows:

Section 101, General, is hereby amended to read as follows:

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

Section 102, Applicability, is hereby amended by adding the following to read:

102.7.3 International codes. All references in this code to “International” codes such as Building, Residential, Mechanical, Plumbing, and Electrical Codes shall mean the appropriate code adopted by the City of Folsom and/or State of California.

Section 104, Duties and Powers of the Fire Code Official, is hereby amended by adding the following to read:

104.8.2.1 Contract Inspector. The fire code official or his/her designated representatives may require the owner or the person in possession or control of the building or premise to provide, without charge to the fire department, a special inspector (“Contract Inspector”), when the department has no technical expertise available to conduct the required inspections. The Contract Inspector shall be a qualified person who shall demonstrate his/her competence to the satisfaction of the fire code official, for inspection of a particular type of construction, operations, fire extinguishing or detection system, or process. Duties and responsibilities of the Contract Inspector shall include but not be limited to the following:

- (a.) The Contract Inspector shall observe the work assigned for conformance with the approved design drawings and specifications.
- (b.) The Contract Inspector shall furnish inspection reports to the fire code official, building code official, and other designated persons as required by the fire code official. All discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority, fire code official, and to the building code official.
- (c.) The Contract Inspector shall submit a final signed report stating whether the work requiring inspection was, to the best of his/her knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of this code.

Section 105, Permits, is hereby amended to read:

105.5.29 LP-gas. An operational permit is required for the storage and use of LP-gas.

EXCEPTIONS:

1. A permit is not required for outdoor containers with a total aggregate water capacity of 500-gallons (1893 L) water capacity or less serving a Group R-3 occupancy.
2. Operation of cargo tankers that transport LP-gas.
3. A permit is not required to install or maintain outdoor portable containers of less than 125-gallon (473.2 L) aggregate water capacity.

Section 105, Permits, is hereby amended by adding the following to read:

105.5.55 Activities in hazardous fire areas. An operational permit is required to conduct activities in hazardous fire areas when, in the opinion of the fire code official, it is necessary to preserve the public health, safety, or welfare. Hazardous fire area shall mean land 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 and unusual damage through fire or resulting erosion.

105.5.56 Motion picture and other filming. An operational permit is required to conduct activities related to the production of motion pictures, televisions, commercials, and similar productions.

105.5.57 Christmas tree lots. An operational permit is required to operate a Christmas tree lot.

105.6.25 Fire apparatus access roads. A construction permit is required to construct, alter, or remove a private fire apparatus access road or other emergency vehicle access road required by Section 503.1 or Folsom Municipal Code Section 17.57.080. For purposes of this requirement, altering shall include the installation of traffic calming systems such as stop signs, speed bumps, humps, pillows, roundabouts, traffic circles, diverters, and other traffic delaying measures.

105.6.26 Roof top obstructions. A construction permit is required for the installation of a roof top garden or a landscaped roof when constructed on a building's roof.

Section 107, Fees, is hereby amended by adding the following to read:

107.7 Administrative costs. When a test or inspection is scheduled and the contractor fails to perform to the satisfaction of the fire code official or their designee, the contractor will be liable for all costs incurred by the Fire Department for that test or inspection and the fire code official may submit a bill for said costs.

107.8 Fee schedule. Fees for plan reviews, services, and inspections conducted by the fire department shall be charged as set forth in a resolution adopted and amended from time to time by the city council. A copy of the fee schedule shall be placed on file with the city clerk. For items where there is no specific fee established, the fire code official shall determine the appropriate fee based upon consideration of the items listed in the fee schedule that most resemble the work proposed and the expected staff time involved to perform the required plan reviews, services, and inspections.

Section 109, Maintenance, is hereby amended by adding the following to read:

109.7 Occupant Count. The supervisor of each place of assembly shall have an effective system to keep count of the number of occupants present in the assembly area. If at any time, the fire

code official determines that an accurate count of occupants is not being maintained, the occupancy shall be cleared until an accurate count can be made.

109.8 Fire Safety Officers. When in the opinion of the fire code official it is necessary for the preservation of life or property, due to the hazardous nature of an event, production, operation or function, the fire code official shall require the owner or lessee to employ or cause the employment of one or more approved fire safety officers to be on duty at such place during the hazardous activity.

Section 111, Means of Appeals, is hereby amended to read:

111.5 Appeals. Whenever the fire code official, or their designee, disapproves an application, refuses to grant a permit applied for, or when it is claimed that the provisions of this Chapter or the Fire Code do not apply or that the true intent and meaning have been misconstrued or wrongly interpreted, the affected party shall follow the procedures set forth in Chapter 1.09 of the Folsom Municipal Code.

Section 112, Violations, is hereby amended by adding the following to read:

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, may be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

112.5 Citations. The Fire Chief, and his or her duly authorized representative, may issue citations for infractions or misdemeanor violations of the Fire Code pursuant to Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code of the State of California.

Section 113, Stop Work Order, is hereby amended to read:

113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to remove a violation or unsafe condition, is guilty of a misdemeanor and shall be liable for a fine of not less than 500 dollars or more than 1000 dollars.

Chapter 2, Section 202, Definitions, is hereby amended by adding the following to read:

ELECTRONIC MONITORING SYSTEM shall mean an approved method to electronically detect and transmit to an approved alarm service provider's Type A (listed) Central Station, information indicating that the automatic fire sprinkler system or electronic fire detection system has been activated and shall have the ability to relay the alarm to the Sacramento Regional Fire/EMS Communications Center in an approved manner.

FUEL MODIFICATION PLAN. A fuel modification plan shall consist of a set of scaled plans that includes a plot plan showing fuel modification zones indicated with applicable assessment notes, a detailed landscape plan, and an irrigation plan. A fuel modification plan submitted for approval shall be prepared by a state licensed landscape architect, state licensed landscape contractor, a landscape designer or an individual with expertise acceptable to the fire code official.

QUALIFIED ATTENDANT shall mean an individual that has been trained in the proper methods of the handling, storage and dispensing of any material, product or substance regulated by the code. These shall include, but not be limited to ammonia, chlorine, cryogenic fluids, flammable and combustible liquids and gases. Said attendant must be able to demonstrate to the satisfaction of the fire code official that he or she possesses adequate knowledge in the subject area.

SINGLE-PREMISES is a contiguous property under one ownership.

TRAINED CROWD MANAGER. Standby personnel, usually security or usher personnel, who are trained in the proper procedure to exit people from a tent or other place of public assemblage in an orderly and calm fashion in the event of an emergency.

WASTE OIL is a Class III-B waste liquid resulting from the use of Class III-B combustible liquids such as waste motor oil, hydraulic oil, lubricating oil, brake fluids and transmission fluids. It does not include the products classified as Class I, II or III-A liquids or corrosives, toxic or highly toxic materials as defined in Chapter 2.

Chapter 3, Section 304, Combustible Waste Material, is hereby amended to read:

304.1.1.1 Waste material near ground mounted photovoltaic array. Accumulation of waste material shall not be permitted underneath nor within 10 feet from a ground mounted photovoltaic array.

304.1.2 Vegetation. Weeds, grass, vines, brush, branches, trees, or other growth that is capable of being ignited and/or endangering property, shall be cut down and removed by the owner or occupant of the property. Vegetation clearance requirements shall also be in accordance with Chapter 49 of this code and Folsom Municipal Code Chapter 8.37.

Chapter 3, Section 311, Vacant Premises, is hereby amended by deleting Exceptions 1, 2, and 3 to Section 311.2.2 to read:

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

Chapter 3, Section 315, General Storage, is hereby amended by adding the following to read:

315.4.3 Maximum pile size. The maximum single pile dimension for outside storage of combustible materials, including pallets, shall be 25 feet X 100 feet or 2,500 square feet.

Chapter 3, Section 317, Rooftop Gardens and Landscaped Roofs, is hereby amended to read:

317.1 General. Rooftop gardens and landscaped roofs shall be installed and maintained in accordance with Sections 317.2 through 317.6.4 of the California Fire Code and Sections 1505.0 and 1507.16 of the California Building Code.

Chapter 3, Section 317, Rooftop Gardens and Landscaped Roofs, is hereby amended by adding the following to read:

317.6 Access pathways and emergency ventilation. Access and spacing requirements shall be provided in order to ensure firefighter access to the roof, provide access pathways to specific areas of the roof, provide for venting cut out areas, and to provide emergency egress from the roof. For the purpose of access pathways and emergency ventilation, designation of ridge, hip, and valley does not apply to roofs with 2-in-12 or less pitch. All roof dimensions are measured to centerlines.

317.6.1 Alternative materials and methods. Alternative materials and methods per Section 104.9 for access pathways or venting cut outs may be requested for approval by the fire code official due to:

1. Unique site-specific limitations.
2. Alternative access opportunities (as from adjoining roofs).
3. Ground level access to the roof area in question.
4. Other adequate venting cut out opportunities when approved by the fire code official.
5. Adequate venting cut out areas afforded by panel set back from other roof top equipment (for example: shading or structural constraints may leave significant areas open for ventilation near HVAC equipment).
6. Automatic ventilation device.
7. New technology, methods, or other innovations that ensure adequate fire department access pathways and ventilation opportunities.

317.6.2 Single and two dwelling unit residential buildings. Installation of roof gardens and landscaped roofs on single and two dwelling unit residential buildings shall be in accordance with Section 317.6.2.1 through 317.6.2.3.

317.6.2.1 Hip roof design. Planted sections shall be located in a manner that provides a three (3') foot wide clear access pathway from the eave to the ridge on each roof slope where the planted sections are located. The access pathway shall be located at a structurally strong location on the building such as a bearing wall.

317.6.2.2 Single ridge roof design. Planted sections shall be located in a manner that provides two three (3') foot wide access pathways from the eave to the ridge on each roof slope where the planted sections are located.

317.6.2.3 Hips and valleys. Planted sections shall be located no closer than one and one half (1.5') feet to a hip or a valley if planted sections are to be placed on both sides of a hip or valley. If the planted sections are to be located on only one side of a hip or valley that is of equal length, then the planted sections may be placed directly adjacent to the hip or valley. Planted sections shall not be located closer than three feet (3') below the ridge.

317.6.3 Commercial and industrial buildings and multi-residential buildings containing three or more dwelling units required access pathways and venting cut outs. Access pathways and venting cut outs for commercial and industrial buildings and multi-residential buildings containing three or more dwelling units. Access pathways shall be provided in accordance with Section 317.6.3.1 through 317.6.3.6.

EXCEPTION:

1. If the fire code official determines that the roof configuration is similar to that found in single and two dwelling unit residential buildings, the design requirements found in section 317.6.2 may be utilized.

317.6.3.1 Planted dimension. Planted sections shall be no greater than 150 feet by 150 feet in distance in either axis.

317.6.3.2 Access pathways. Access pathways shall be established in the design of the roof garden or landscaped roof installation. Access pathways shall meet the requirements of this section.

317.6.3.2.1 Access pathways perimeter of the roof. There shall be a minimum six (6') foot wide clear perimeter around the edges of the roof.

EXCEPTION:

1. If either axis of the building is 250 feet or less, there shall be a minimum four (4') feet wide clear perimeter around the edges of the roof.

317.6.3.2.2 Access pathway location. The center line axis of access pathways shall run on structural members or over the next closest structural member nearest to the center lines of the roof.

317.6.3.2.3 Access pathway center line. The center line axis of the access pathways shall be provided in both axis of the roof.

317.6.3.2.4 Access pathway alignment. Access pathways shall be in a straight line and provide not less than four (4') feet clear to skylights, ventilation hatches or roof standpipes.

317.6.3.5 Access pathway around roof access hatches. Access pathways shall provide not less than four (4') feet of clearance around roof access hatch with at least one not less than four feet (4') clear pathway to parapet or roof edge.

317.6.3.6 Venting cut out areas. Venting cut outs between planted sections shall be either:

1. An access pathway eight (8') feet or greater in width.
2. An access pathway that is four (4') feet or greater in width and bordering on existing roof skylights or ventilation hatches.
3. An access pathway that is four (4') feet or greater in width and bordering four (4') feet by eight (8') feet venting cut outs every twenty (20') feet on alternating sides of the access pathway.

317.6.4 Roof garden or landscaped roof maintenance plan. The fire code official is authorized to require an approved maintenance plan for vegetation placed on roofs due to the size of the garden or landscaping area, or if materials and plants used may create a fire hazard to the building or exposures.

Chapter 3, General Requirements, is hereby amended by adding the following to read:

SECTION 321—CLEARANCE OF WEEDS, BRUSH AND VEGETATIVE GROWTH

321.1 Defensible space around structures. Any person owning, leasing, controlling, operating, or maintaining any building or structure upon or adjoining any grass- or brush-covered land or land covered with flammable growth, and any person owning, leasing, or controlling any land adjacent to such structures, shall at all times:

1. Maintain around and adjacent to such building, structure, or apiary an effective fire protection or firebreak made by removing and clearing away, for a distance of not less

than 30 feet on each side thereof, all flammable vegetation or other combustible growth. This includes ornamental plants and trees known to be flammable, including but not limited to: Acacia, Cedar, Cypress, Eucalyptus, Juniper, Pine, and Pampas Grass.

EXCEPTIONS:

- A. Ornamental plants and trees that are individually planted, spaced, and maintained in such a manner that they do not form a means of transmitting fire from native growth to the structure.
 - B. Cultivated ground cover such as green grass, ivy, succulents, or similar plants provided that they are maintained in a condition that does not form a means of transmitting fire from native growth to the structure.
2. Maintain any tree adjacent to or overhanging any building or structure free of dead wood.
 3. Maintain the roof of any building or structure free of leaves, needles, or other dead vegetative growth.

321.2 Extra hazard. When the fire code official finds that because of extra hazardous conditions, a firebreak of only 30 feet around such building or structure is not sufficient to provide reasonable fire safety, the person owning, leasing, controlling, operating, or maintaining the building or structure shall maintain around or adjacent to any building or structure an additional fire protection or firebreak made by removing all brush, flammable vegetation, or combustible growth located from 30 to 100 feet from such building or structure, as may be required by the fire code official. Grass and other vegetation located more than 30 feet from such 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.

321.3 Roadway clearance. The fire code official may require removal and clearance of all flammable vegetation or other combustible growth for a minimum of 10 feet on each side of every roadway, whether public or private. The fire code official may enter upon private property to inspect, remove and clear vegetation and growth as required by this section and may charge the responsible party for the cost of such action. This section shall not apply to single specimens of trees, ornamental shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground cover, provided that they do not form a means of readily transmitting fire. As used in this section, "roadway" means that portion of a highway, private street, or paved trail improved, designed, or ordinarily used for vehicular travel. The minimum clearance of 10 feet may be increased if the fire code official determines additional distance is required to provide reasonable fire safety.

321.4 Fuel modification plan. A fuel modification plan shall be submitted and have preliminary approval prior to the construction of a structure or any subdivision of land where the structure or subdivision of land is located within areas designated as a Very High Hazard Severity Zone or where a structure is located within 30 feet of an open space area or natural area. The fuel

modification plan shall have final approval prior to the issuance of a permit for any new construction, remodeling, modification, or reconstruction.

321.5 Notice to correct. All notices to clear flammable vegetation and other combustible growth shall be in writing and in accordance with Folsom Municipal Code Chapter 8.37.

321.6 Abatement and penalties. The procedures for the abatement of hazardous vegetation and penalties thereof shall be in accordance with Folsom Municipal Code Chapter 8.37.

Chapter 5, Section 503, Fire Apparatus Access Roads, is hereby amended to read:

503.2.1 Dimensions. Fire apparatus and emergency vehicle access roads required by this section and Folsom Municipal Code Section 17.57.080 shall have an unobstructed continuous width of not less than 27 feet (8230 mm) for all major / primary driveway aisles and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

EXCEPTIONS:

1. Vertical clearance may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.
2. Vertical clearances or widths shall be increased when, in the opinion of the chief, vertical clearances or widths are not adequate to provide fire apparatus access.

Chapter 5, Section 503, Fire Apparatus Access Roads, is hereby amended by adding the following to read:

503.2.1.1 Group R-3 subdivisions. Fire apparatus and emergency vehicle access roads in subdivisions comprised solely of Group R-3 occupancies shall have an unobstructed continuous width of not less than 24 feet (7315 mm) and unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.1.2 Emergency Vehicle Access (EVA) roads. All other fire apparatus access roads, temporary or permanent, when approved by the fire code official, shall have an unobstructed width of not less than 20 feet (6096 mm) and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall have a minimum dimension of 25 feet on the inside and 50 feet on the outside.

503.2.5.1 Length. The maximum length of any dead end shall not exceed 500 feet.

503.2.7 Grade. The gradient for a fire apparatus access road shall not exceed 12.5%. Where said fire apparatus access road directly fronts the exterior of a building two or more stories in height, the gradient for a fire apparatus access road shall not exceed 9%.

503.2.8 Angles of approach. The angle of approach and angle of departure of fire apparatus access roads shall not exceed 12.5% or as approved by the fire code official.

503.2.9 Center median islands. Center median islands, such as those used for gate access, shall provide for a drive lane width of not less than 13 feet 6 inches, or 12 feet for R-3 subdivisions, in each direction.

503.5.3 Obstruction of gates and barricades. Gates or barricades required by Section 503 shall not be obstructed in any manner, including the parking of vehicles. A “FIRE DEPARTMENT ACCESS – DO NOT BLOCK” sign shall be posted on the gate or barricade when required by the fire code official.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard.

Chapter 5, Section 504, Access to Building Openings and Roofs, is hereby amended by adding the following to read:

504.1.1 Required access walkways. Required access walkways shall have a minimum clear width of 5 feet, and shall not have permanent items such as heating and air conditioning units within them.

EXCEPTIONS:

1. Subdivisions with previous approval of less than 5-foot access walkways due to reduced setback requirements.
2. City-provided solid waste and recycling containers will be allowed within the access walkway. The containers shall not be placed under a required emergency escape or rescue opening.

504.5 Building projections. Cornices, parapets, eave openings, and similar projections from a building shall be designed to support a 330-pound horizontal and vertical load to the leading edge of the projection. This represents a 250-pound firefighter carrying 80 pounds of equipment stepping off of a ladder placed against the projection onto the top of the projection.

Chapter 5, Section 505, Premises Identification, is hereby amended by adding the following to read:

505.3 Numbers for one- and two- family dwellings. Numbers for one- and two-family dwellings shall be a minimum of 4 inches high. Numbers for all other buildings shall be no less than 6 inches high. The fire code official may require an increase in building address or number size when necessary due to building size or arrangement, or due to distance from the public way.

Chapter 5, Section 505, Premises Identification, is hereby amended by adding the following to read:

505.3.1 Multiple tenant buildings. Multiple tenant spaces serviced by vehicular access to the rear through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way when deemed necessary by the fire code official. Multiple tenant spaces serviced by rear access through a corridor, exit court, or exit yard shall have approved numbers or addresses displayed on the rear of the tenant space, when deemed necessary by the fire code official. Multiple tenant spaces that front on interior walkways or pedestrian malls shall have approved numbers or addresses placed over the entrance door in all new and existing buildings. An illuminated annunciator or directory board shall be required at every entrance where deemed necessary by the fire code official.

505.3.2 Illumination. Address numbers shall be illuminated at night in all new buildings. Signs shall be internally or externally illuminated. When the luminance or the face of a sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles. Internally illuminated signs shall provide equivalent luminance.

Chapter 5, Section 507, Fire Protection Water Supplies, is hereby amended by adding the following to read:

507.5.7 Fire hydrant markers. Fire hydrants and other firefighting water sources shall be identified by the installation of blue raised reflective pavement markers or identified by other approved means.

Chapter 5, Section 509, Fire Protection and Utility Equipment Identification and Access, is hereby amended by adding the following to read:

509.3 Fire control room. Fire sprinkler risers and fire alarm control panels shall be located inside a room with minimum dimensions of five feet by seven feet. The room shall only be accessible from the exterior and provided with a door with a clear width of not less than 32 inches and height of not less than 80 inches. A durable sign shall be affixed to the exterior of the door with the words "FIRE CONTROL ROOM" in letters not less than 3 inches in height. A key box complying with Section 506 shall be installed adjacent to the door.

The room must be capable of maintaining a minimum temperature of 40 degrees Fahrenheit. A clearance of 12 inches shall be provided from the fire sprinkler risers to any adjacent walls. This room can be shared with other building utilities or fire protection equipment that is not incompatible. An approved cabinet or container shall be provided to store record plans of the fire sprinkler system and other fire protection equipment. This room shall not be used for any other storage.

Chapter 6, Section 603, Fuel-Fired Appliances, is hereby amended by adding the following to read:

603.6.6 Spark arrestors. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the Mechanical Code.

Chapter 9, Section 901, General, is hereby amended by adding the following to read:

901.6.4 Service contracts. A service contract shall be secured and maintained by the building owner to provide for maintenance, inspection and testing of all fire protection systems. A copy of the contract shall be provided to the fire code official prior to occupancy.

Chapter 9, Section 903, Automatic Sprinkler Systems, is hereby amended by adding the following to read:

903.2.22 Required locations. An approved automatic fire sprinkler system shall be installed in all buildings 3,600 square feet in floor area or larger.

- A. For the provisions of this section, two or more buildings, except one and two family dwellings, existing entirely within the property lines of one parcel shall be considered a single building when exterior wall protection is not provided and the aggregate floor area exceeds 3,599 square feet (334.48 m²) when applying California Building Code Section 503.1.2
- B. For the provisions of this section, fire barriers or fire walls shall not apply to eliminate the installation of an automatic fire sprinkler system.

EXCEPTIONS:

- 1. Non-combustible, detached canopies open on four sides, not exceeding the basic allowable square footage in CBC Table 503, used exclusively for the parking or storage of private or pleasure vehicles and non-combustible storage (includes fuel islands).

903.2.23 Existing buildings. In existing buildings, except one and two family dwelling buildings, where an automatic fire extinguishing system does not exist, and the floor area of the building or structure is increased by more than fifty percent (50%) or 1,800 square feet, whichever is less, or when alterations or repairs within any 12-month period exceed fifty percent

(50%) of the value of the existing building or structure, such building or structure shall be made to conform to Section 903.2.20.

903.3.5.3 Passive purge system. A residential sprinkler system designed to the NFPA 13D standard shall be installed as a loop system (multi-purpose system) and have all toilets connected as points of passive purge. A standalone residential sprinkler system without points of passive purge may be installed with approval of the fire code official.

903.3.5.4 Check valve location. A residential sprinkler system designed to the NFPA 13D standard, with the passive purge requirements, shall have an approved check valve located between the water meter and the shut-off valve. For standalone residential sprinkler systems, a separate check valve shall be installed in accordance with design standards.

903.3.5.5 Shut-off valve location. A residential sprinkler system designed to the NFPA 13D standard shall have a clearly marked shut-off valve located on the exterior of the structure before the sprinkler system bifurcation.

903.3.5.6 Pressure reducing valve location. A residential sprinkler system designed to the NFPA 13D standard, with the passive purge requirements, shall have a pressure reducing valve, when required, located on the exterior of the structure, after the shut-off valve, and before the sprinkler system bifurcation. The pressure reducing valve shall be installed, with a maximum static pressure of 80 psi, to prevent the over-pressurization of the fixtures.

903.3.5.7 Hose bib location. A residential sprinkler system designed to the NFPA 13D standard, with the passive purge requirements, shall have hose bib on the exterior of the structure. It shall be located after the shut-off valve and after the pressure reducing valve, if provided. For standalone residential sprinkler systems, the hose bib shall be located after the shut-off valve and before the sprinkler system check valve.

903.4 Sprinkler system monitoring and alarms. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

903.4.2 Alarms. Approved audible and visual alarm notification devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. An audible and visual alarm notification device shall be provided on the exterior of the building in an approved location. An audible and visual alarm notification device shall be provided in the interior of the building within each dwelling unit or tenant space and on each level in approved locations.

903.5.1 Water Supply Test Adjustment. A water supply test required for the design of a fire protection system shall be adjusted to 90% to account for seasonal and daily pressure

fluctuations. The adjustment percentage may be further reduced by the Fire Code Official for areas expected to have a significant water supply demand in the future.

Chapter 9, Section 907, Fire Alarm and Detection Systems, is hereby amended by adding the following to read:

907.2.30 All buildings. An approved monitored fire alarm and detection system shall be installed in all buildings not protected by an automatic sprinkler system with the exception of R-3 occupancies. Buildings with a floor area less than 500 square feet may be exempt, as determined by the fire code official, based on building construction material and features, location, occupancy type, and distance to exposures.

907.2.30.1 Fire alarm control panel location. The fire alarm control panel shall be located inside of a room or closet with an exterior access door with a clear opening width of no less than 32 inches. This room may be shared with other building utilities. Durable signage shall be provided on the exterior of the door stating "FIRE ALARM PANEL" in letters 3 inches in height and contrasting to the background.

907.8.5 Obstruction of fire alarm equipment. Fire alarm initiating devices, alarm notification appliances and annunciators shall not be concealed from view, obstructed, or impaired in any manner.

907.9.1 All existing buildings. In existing buildings, other than one or two-family dwellings, where a monitored fire alarm and detection system does not exist and the floor area of the building or structure is increased by more than fifty percent (50%) or 1,800 square feet, whichever is less, or when alterations or repairs within any 12-month period exceed fifty percent (50%) of the value of the existing building or structure, such building or structure shall be made to conform to Section 907.2.30.

Chapter 9, Section 912, Fire Department Connections, is hereby amended by adding the following to read:

912.2.3 Fire department connections. Fire department connections (FDC's) shall be located within 50 feet of a fire hydrant, and no closer than 50 feet from the buildings they supply, or other locations as approved by the fire code official.

Chapter 10, Section 1032, Maintenance of means of egress, is hereby amended by adding the following to read:

1032.7.1 Emergency escape and rescue opening access for 2 and 3 story buildings. Exterior emergency escape and rescue openings on the second story shall have a minimum clear access of not less than 5 feet wide X 5 feet deep below the opening(s) for the placement of a ground ladder. Exterior emergency escape and rescue openings on the third story shall have a minimum

clear access of not less than 5 feet wide X 7 ½ feet deep below the opening(s) for the placement of a ground ladder.

EXCEPTION:

1. Subdivisions with previous approval of reduced set back requirements.

1032.7.2 Emergency escape and rescue access for buildings 4 stories or more. Exterior emergency escape and rescue access for buildings 4 stories or more in height shall have an approved access road no closer than 15 feet from the building and with a width of at least 27 feet for the proper placement of a ladder truck.

Chapter 12, Section 1205, Solar Photovoltaic Power Systems, is hereby amended by adding the following to read:

1205.6 Remote electrical disconnect. Photovoltaic circuits shall be equipped with a means for remote electrical disconnect located downstream from the photovoltaic array at the point where the photovoltaic circuit first enters the structure, or at another approved location. The manual control to operate the remote electrical disconnect shall be located within five feet of the building's main electrical panel. The remote electrical disconnect shall be listed and meet the requirements of the California Electrical Code.

EXCEPTIONS:

1. Photovoltaic circuits contained in rigid or electrical metallic tubing running between the array combiner box and the main electrical panel which are entirely exterior to the building need not be equipped with a means of remote electrical disconnect other than the disconnects intrinsic to the system.
2. Photovoltaic circuits contained in rigid or electrical metallic tubing running between the array combiner box and the main electrical panel that run through the interior of the building when installed a minimum of 18" below the roof assembly when measured parallel to the surface of the roof.
3. The photovoltaic system inverter may be used for remote electrical disconnect when the inverter is located immediately upstream of the roof penetration where the circuit enters the structure

Chapter 33, Section 3311, Access for Firefighting, is hereby amended to read:

3311.1 Required access. Fire and emergency access roads shall be installed and maintained in accordance with Section 503 and Folsom Municipal Code Section 17.57.080.

EXCEPTION:

1. When approved, temporary fire and emergency vehicle access roads may be used until permanent roads are installed. Temporary access roads shall be provided with an all-weather road surface of 2 inches of asphalt concrete over 6 inches of 95% compacted aggregate base from October 1st through April 30th each year. Temporary access roads may be provided with an all-weather road surface of 6 inches of 95% compacted aggregate base from May 1st through September 30th each year.

3311.3 Premise identification. Prior to and during construction, an approved address sign shall be provided at each fire and emergency vehicle access road entry into the project.

Chapter 33, Section 3313, Water Supply for Fire Protection, is hereby amended to read:

3313.1 When required. Required fire hydrants shall be installed and accepted prior to combustible materials arriving on site or vertical construction commencing.

Chapter 49, Section 4905, Wildfire Protection Building Construction, is hereby amended by adding the following to read:

4905.3.1 Local agency establishment of limits. The establishment of limits for the Wildland Urban Interface Fire Area’s required construction methods shall be applied to land within the City of Folsom designated as a Local Agency Very-High Fire Hazard Severity Zone and/or to buildings or structures that are located within 30 feet of an open space area or natural area.

Chapter 49, Section 4906, Vegetation Management, is hereby amended by adding the following to read:

4906.2.1 Local agency application. Buildings or structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. Land designated within the City of Folsom as a Local Agency Very-High Fire Hazard Severity Zone.
2. Land within 30 feet of an open space area or natural area.

Chapter 49, Section 4907, Defensible Space, is hereby amended by adding the following to read:

4907.1.1 Local agency defensible space. Buildings or structures located within 30 feet of an open space area or natural area shall maintain defensible space as outlined in Government Code 51175 – 51189, Folsom Municipal Code Section 8.36, and Folsom Municipal Code Section 8.37.

Chapter 90, Section 9001-9010, Suppression and Control of Wildfire Risk Areas, is hereby amended by adding the following to read:

9001 – Scope. The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential hazard 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 – 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.

Section 9003, Trespassing on Posted Property.

9003.1 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.

9003.2 Signs. Approved signs prohibiting entry by unauthorized persons shall be placed on every closed area.

9003.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

EXCEPTION:

1. 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.

9004 – Smoking. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes, cigars, or other smoking materials 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.

9005 – Spark Arrestors. 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).

9006 - Small Unmanned Aircraft. Small, unmanned aircraft liable to start or cause fire shall not be possessed, flown, projected, or caused to be projected into or across wildfire risk areas.

9007 – 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.

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:

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

9008 – 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:

1. Public officers acting within their scope of duty.

9010 – 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.

Appendix B, Section B105, Fire Flow Requirements for Buildings, is hereby amended to read:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

EXCEPTION:

1. A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

Appendix C, Table C102.1, Required Number and Spacing of Fire Hydrants, is amended to read:

**TABLE C102.1
REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS**

FIRE-FLOW REQUIREMENT	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS ^{a,b,c} (feet)	MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO HYDRANT^d
1,750 or less	1	300	150
1,751 – 2,250	2	300	150
2,251 – 3,250	3	300	150
3,251 – 4,000	4	300	150
4,001 – 5,000	5	300	150
5,001 – 5,500	6	300	150
5,501 – 6,000	6	250	150
6,001 – 7,000	7	250	150
7,001 or more	8 or more ^e	200	120

Appendix D, Fire apparatus access roads, is amended by adding the following to read:

The minimum fire apparatus and emergency vehicle access road widths throughout this appendix will be 27 feet (24 feet for subdivisions comprised solely of Group R-3 occupancies).

SECTION 4 SEVERABILITY

If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on December 13, 2022 and the second reading occurred at the regular meeting of the City Council on January 10, 2023.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this tenth day of January 2023 by the following vote, to wit:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSTAIN:** Councilmember(s):
- ABSENT:** Councilmember(s):

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK