

**RESOLUTION NO. 22-13**

**A RESOLUTION OF THE NORTH CENTRAL FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MAKING AND ADOPTING EXPRESS FINDINGS THAT MODIFICATIONS OR CHANGES TO THE CALIFORNIA FIRE CODE ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS**

WHEREAS, the State of California has adopted the 2021 edition of the International Fire Code, with amendments, which was entitled the 2022 California Fire Code. The 2022 California Fire Code has been incorporated into Title 24, Part 9 of the California Code of Regulations and will take effect on January 1, 2023; and,

WHEREAS, California Health & Safety Code Section 13869.7(a) authorizes the District, by ordinance, to make changes or modifications to the requirements contained in the provisions of the California Fire Code and other regulations adopted pursuant to California Health & Safety Code Sections 17958.7 and 18941.5 that result in more stringent local requirements; and,

WHEREAS, California Health & Safety Code Sections 17958.7 and 18941.5 requires more stringent local requirements be supported by express findings made by a fire protection district that such modifications or changes are "reasonably necessary because of local climatic, geological or topographical conditions"; and,

WHEREAS, the Board of Directors of the North Central Fire Protection District intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding modifications or changes to the California Fire Code including express findings of reasonable necessity because of local climatic, geological or topographical conditions.

NOW, THEREFORE, BE IT RESOLVED that the North Central Fire Protection District Board expressly finds each of the various proposed modifications or changes to the California Fire Code, which are enumerated below, are reasonably necessary because of local climatic, geological and topographical conditions in the area encompassed by the North Central Fire Protection District, as follows:

**A. LOCAL CONDITIONS:**

Pursuant to Health and Safety Code, Sections 17958.7 and 18941.5, local climatic, topographical, or geological conditions make the amendments to the California Fire Code reasonably necessary. The District is contiguous with the City of Fresno as well the City of Kerman metropolitan area and has nearly identical climate, geology, and topography. The District's water supply for firefighting is provided exclusively from pumped ground water sources. The local conditions for the findings for both the District as well as, the City of Fresno, and City of Kerman are very similar.

air masses. The large number of sunny days per year, and high temperatures in the summer, favor the formation of ozone. The area is so sunny the City of Fresno was ranked the second highest major California city for sunshine, with an estimated 79% annual average of possible sunshine for more than a forty-year period. In the winter, inversions form that often trap particulate matter.

3.2 The Federal EPA and California Air Resources Board have classified the San Joaquin Valley Air Basin as severe non-attainment for Ozone and serious non-attainment (Federal) non-attainment (State) for PM<sub>10</sub>. Ozone is formed by a complex series of chemical reactions between reactive organic gases (ROG), oxides of nitrogen and sunlight. PM<sub>10</sub> is suspended particulate matter that is less than 10 microns in size. Given its small size, PM<sub>10</sub> can remain airborne for long periods and can be inhaled, pass through the respiratory system, and lodge in the lungs. In general, nonattainment means that the Federal standard has been exceeded more than twice per year.

3.3 Smoke is composed primarily of carbon dioxide, water vapor, carbon monoxide, particulate matter, hydrocarbons and other organic chemicals, nitrogen oxides, trace minerals and several thousand other compounds. Particulate matter is the principal pollutant of concern from some for the relatively short-term exposures (hours to weeks) typically experienced by the public. Particulate matter in wood smoke has a size range near the wavelength of visible light (.4-.7 micrometers). Since these particles can be inhaled into the deepest recesses of the lungs they are thought to represent a greater health concern than larger particles. Another pollutant of concern during some events is carbon monoxide. The San Joaquin Valley Air Pollution Control District states "Emissions from burning include fine particulate, hydrocarbons, oxides of nitrogen, oxides of sulfur, carbon monoxide, and toxic air contaminants that contribute to our air quality problems."

#### 4. TOPOGRAPHICAL – DEVELOPMENT PATTERN

4.1 Due to the relatively low-density growth pattern in the District, its six fire stations are spaced over four miles apart resulting in an above average of a running distance for the designated first-in engine company. This above average travel distance increases the response time to fires, which result in an increase in the size and intensity of fires.

#### B. REASONABLE NECESSITY

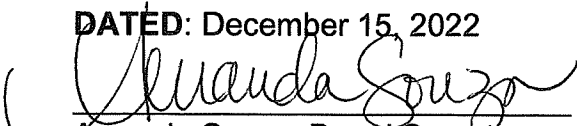
As set forth in detail in the attached proposed Resolution, each of the local amendments to the California Fire Code are reasonably necessary because of these climatic, topographical, and geological conditions. The amendments may be generally characterized as relating to; (1) luminous exit markings and (2) recycling and waste handling facilities. Below is a brief summary of the reasons these amendments are necessary.

**CERTIFICATE**

**STATE OF CALIFORNIA     )**  
**COUNTY OF FRESNO     ) ss.**  
**CITY OF KERMAN        )**

I, Amanda Souza, Board Secretary of the North Central Fire Protection District, do hereby certify the foregoing Resolution of the Board of Directors of the North Central Fire Protection District was duly passed and adopted at a Regular Meeting of the Board of Directors on December 15, 2022

**DATED:** December 15, 2022

  
\_\_\_\_\_  
Amanda Souza, Board Secretary

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING THE 2022 CALIFORNIA FIRE CODE AND THE 2021 INTERNATIONAL FIRE CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE, HAZARDOUS MATERIALS, OR EXPLOSION; AND ESTABLISHING A DIVISION OF FIRE PREVENTION AND INVESTIGATION, PROVIDING OFFICERS THEREFORE, AND DEFINING THEIR POWERS AND DUTIES.

Be it ordained by the North Central Fire Protection District finds as follows:

AN ORDINANCE OF THE BOARD OF THE  
NORTH CENTRAL FIRE PROTECTION DISTRICT PROPOSED AND INITIATED BY  
Fire Chief Timothy V. Henry  
MOVED BY \_\_\_\_\_ SECONDED BY \_\_\_\_\_

The 2022 California Fire Code and 2021 International Fire Code as amended by the North Central Fire Protection District are hereby adopted.

FIRE PREVENTION

Section	
100	Adoption of the California Fire Code
101.1	Title
101.1.2	Limits Established by Law
101.1.3	Responsibility for Enforcement
102.3	Change of Use or Occupancy
102.6	Historic Buildings
102.13	Application of Performance Code for Buildings and Facilities
103	Code Compliance Agency
103.1	General
103.2	Appointment
103.3	Deputies
104.3	Right of entry
104.3.1	Warrant
104.3.2	Inspection Frequency
104.4	Identification
104.7	Liability
104.7.1	Legal Defense
105.5	Required Operational Permits
105.5.15	Exhibits, Trade Shows, and Special Events
105.6.17	Fire Hydrants

912.2.3	Address Identification
1025	Means of Egress
1025.1	General
1025.1.1	Maintenance
1104	Construction Requirements for Existing Buildings
1104.7.1.	Door Swing
1104.7.2	Door Hardware
2306.2.3	Above-Ground Tanks Located Outside of Buildings, Above Grade
2401	Flammable Finishes
2401.1.2	Location
2810	Recycling and Waste Handling Facilities
2810.1	Scope
2810.2	Storage Site
2810.5	Security
2810.6	Pile Separation
2810.7	Clearance to Important Buildings
2810.9	Pile Fire Protection Water Supply
2810.10	Fire Extinguishers
2810.12	Sizes of Piles
2810.13	Exterior Storage of Recycled Materials, Industrial Waste and Idle Pallets
5602	Fireworks Ordinance
5604	Prohibition of Explosives
5704	Flammable and Combustible Liquids Storage
5704.3.5.1	Basement Storage
5706.2.4	Permanent and Temporary Tanks
5706.2.4.4	Locations Where Above-Ground Tanks are Prohibited
Appendix B	Fire-Flow Requirements for Buildings
B103.4	Additional Modifications.
Appendix C	Fire Hydrant Locations and Distribution
C103.4	Additional Modifications.
8-103	Historic Buildings
6101	Liquefied Petroleum Gases
6101.3	Construction Documents

## SECTION 101.1.3 RESPONSIBILITY FOR ENFORCEMENT.

101.1.3 of the California Fire Code is added to read:

**101.1.3 Responsibility for Enforcement.** Enforcement of building standards and fire protection requirements adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety, and other regulations of the State Fire Marshal, shall be the responsibility of the fire code official. This shall include R-3 occupancies, including one and two-family dwellings.

## SECTION 102 APPLICABILITY

### SECTION 102.3 CHANGE OF OCCUPANCY.

Section 102.3 of the California Fire Code is amended to read:

**102.3 Change of Use or Occupancy.** No change shall be made in the use or occupancy of any structure, which would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the California Building Code. Subject to the approval of the fire and building code officials, the use or occupancy of an existing structure shall be allowed to be changed, and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the California Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

### SECTION 102.6 HISTORIC BUILDINGS.

Section 102.6 of the California Fire Code is amended to read:

**102.6 Historic Buildings.** The provisions of this Code relating to the construction, alteration, repair, enlargement, restoration, relocation, or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings and structures shall be provided with an approved fire protection plan as required in Section 1103.1.1.

## SECTION 103.3 DEPUTIES.

Section 103.3 of the California Fire Code is amended to read:

**103.3 Deputies.** In accordance with the prescribed procedures of the North Central Fire Protection District and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees.

## SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

### SECTION 104.3 RIGHT OF ENTRY.

Section 104.3 of the California Fire Code is amended to read:

**104.3 Right of Entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or where the fire code official has reasonable cause to believe that there exists in a building or on any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the fire code official or designee shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed on the fire code official by this code. If such building or premises is occupied, the fire code official or designee shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire code official or designee shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the fire code official has recourse to every remedy provided by law to secure entry.

#### SECTION 104.3.1 WARRANT.

Section 104.3.1 of the California Fire Code is amended to read:

**104.3.1 Warrant.** Where the fire code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official or designee for the purpose of inspection and examination pursuant to this code.

## SECTION 105 PERMITS

### SECTION 105.5 REQUIRED OPERATIONAL PERMITS.

Section 105.5 of the California Fire Code is amended to read:

**105.5 Required Operational Permits.** The fire code official is authorized to issue operational permits for the operations set forth in Section 105.5.1 through Section 105.6.24. Required permits will be issued only for those operations where a permit fee has been established by Master Fee Schedule.

### SECTION 105 5.15 EXHIBITS, TRADE SHOWS AND SPECIAL EVENTS.

Section 105.5.15 of the California Fire Code is amended to read:

**105.5.15 Exhibits, Trade Shows, and Special Events.** An operational permit is required to operate exhibits, trade shows, and special events.

### SECTION 105 5.17 FIRE HYDRANTS.

Section 105.5.17 of the California Fire Code is amended to read:

**105.5.17 Fire Hydrants.** A permit is required to use fire hydrants intended for fire suppression purposes, which are installed on water systems and accessible to public roadways, alleys, or public utility easements on private property. Such permit shall be obtained from the City of Fresno Water Division, the City of Kerman Public Works, or persons responsible for providing water to such hydrants or water systems within a waterworks or community services district. Also see Sections 901.5 and 901.8.

Exception: A permit is not required for authorized employees of the water company, which supplies the system or the fire department to use or operate fire hydrants or valves.

### SECTION 105.6.34 OPEN BURNING.

Section 105.6.34 of the California Fire Code is amended to read:

**105.5.34 Open Burning.** An operational permit is required for any open burning, including for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground, including recreational fires. Instructions and stipulations of the permit shall be adhered to.

An operational permit may only be issued after a permit has been obtained from the San Joaquin Valley Air Pollution Control District.



## **SECTION 109 MAINTENANCE**

### **SECTION 109.6 OVERCROWDING.**

Section 109.6 of the California Fire Code is amended to read:

**109.6 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 or designee, on finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or on finding any condition that constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

## **SECTION 110.2 SERVICE UTILITIES**

### **SECTION 110.2 AUTHORITY TO REQUIRE CONNECTION TO SERVICE UTILITIES.**

Section 110.2 of the California Fire Code is added to read:

**110.2 Authority to require connection to service utilities.** The fire code official shall have the authority to require connection of utility services to the building, structure or system to a recognized service utility provider in order to ensure the safety of occupants and the preservation of the structure. Utility services may include, but are not limited to, water service, electrical service, gas service, or any other utility service. The fire code official may refuse to issue any permits until the owner of the building, structure or system provides proof of connection to the utility service.

## **SECTION 111 BOARD OF APPEALS**

### **SECTION 111.2 LIMITATIONS ON AUTHORITY.**

Section 111.2 of the California Fire Code is amended to read:

**111.2 Limitations on Authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall not have authority to waive requirements of this code. An economic condition shall not be considered as a basis for an appeal of the provisions of this Code.

## SECTION 113 STOP WORK ORDER

### SECTION 113.4 FAILURE TO COMPLY.

Section 113.4 of the California Fire Code is amended to read:

**113.4 Failure to Comply.** Any persons who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to an administrative citation or other judicial or administrative action in accordance with Section 115.2.

## SECTION 114 UNSAFE STRUCTURES OR EQUIPMENT

### SECTION 114.1 General.

Section 114.1 of the California Fire Code is amended to read:

**114.1 General.** If during the inspection of a premises, a structure, or any building system, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, and shall refer the building to the building official for any repairs, alterations, remodeling, removing or demolition required.

#### SECTION 114.1.1 Unsafe Conditions.

Section 114.1.1 of the California Fire Code is amended to read:

**114.1.1 Unsafe Conditions.** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress, inadequate light and ventilation, or that constitute a fire hazard, are otherwise dangerous to human life or the public welfare, or involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the fire code official deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

#### SECTION 114.1.2 Structural Hazards.

Section 114.1.2 of the California Fire Code is amended to read:

**114.1.2 Structural Hazards.** Where an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with Section 114.1.

## DEFINITIONS

### SECTION 202 GENERAL DEFINITIONS

The following definitions are added to Section 202 of the California Fire Code to read:

**FIRE DEPARTMENT BYPASS KEY.** An approved key used by authorized emergency services personnel to bypass secured access locations.

**FIRE MARSHAL.** A chief fire officer of the fire department or a duly authorized representative, who is charged with either the prevention or investigation of fires.

**RECYLCING AND INDUSTRIAL WASTE.** Any material which has been recycled, including post-consumer or industrial waste, wood by-products or other similar products.

**RECYLCING AND INDUSTRIAL WASTE HANDLING FACILITY.** Any site that stores, manufactures, processes or handles wood by-products, recycled materials, including post-consumer waste, industrial waste, or other similar materials.

## GENERAL REQUIREMENTS

### SECTION 304 COMBUSTIBLE WASTE MATERIAL

#### SECTION 304.4 RECYCLING AND INDUSTRIAL WASTE HANDLING FACILITIES.

Section 304.4 of the California Fire Code is added to read:

**304.4 Recycling and Industrial Waste Handling Facilities.** See Chapter 28 of the CFC and this ordinance for specific requirements related to recycling and industrial waste handling facilities. Recycling and industrial waste handling facilities shall also be in accordance with applicable fire department policies.

#### SECTION 304.5 DUMPING OF COMBUSTIBLE WASTE MATERIAL.

Section 304.5 of the California Fire Code is added to read:

**304.5 Dumping of Combustible Waste Material.** No owner or occupant of any Lot, site or premises shall maintain thereon any rubbish or waste material likely to become easily ignited, and, provided further, no person shall place, deposit, or leave any piles of dirt, metallic cans, combustible waste, or rubbish on any property not owned or controlled by such person or persons.

## SECTION 315.4.3. ADDITIONAL REQUIREMENTS FOR OUTSIDE STORAGE.

Section 315.4.3 of the California Fire Code is added to read:

**315.4.3. Additional Requirements for Outside Storage.** Outside storage of tires shall be in accordance with Chapter 34 of the CFC. Outside storage of recycled materials, industrial waste, idle pallets, plastic or wooden finished products, baled material, or other similar products shall be in accordance with Chapter 28 of the CFC and fire district policy. Outdoor storage at sites that store, manufacture, process or handle wood by-products, recycled materials, industrial waste, and other similar materials shall be in accordance with Chapter 28 of the CFC. An approved water supply, including on site storage, for firefighting purposes shall be provided in accordance with Section 507 of the CFC.

## FIRE SERVICE FEATURES

### SECTION 503 FIRE APPARATUS ACCESS ROADS

#### SECTION 503.5 REQUIRED GATES OR BARRICADES.

Section 503.5 of the California Fire Code amended to read:

**503.5 Required Gates or Barricades.** The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. Entrances to roads, trails or other access ways which have been closed with gates and barriers shall not be obstructed by parked vehicles. Any vehicle parking in violation of this section shall be subject to being towed away and stored. The registered owner of any vehicle parked in violation of this section shall be responsible for all expenses incurred in connection with the towing and storage of such vehicle.

### SECTION 506 LOCKED PREMISES ACCESS.

Section 506 of the California Fire Code is renamed and amended to read:

**506.1 Where Required.** Where access to, or within a structure or an area is restricted because of secured openings, the fire code official is authorized to require key boxes to be installed in approved locations. Installation requirements and key box contents shall be in accordance with fire department policy.

## **FIRE PROTECTION AND LIFE SAFETY SYSTEMS**

### **SECTION 901 GENERAL**

#### **SECTION 901.4.5 ADDITIONAL FIRE PROTECTION SYSTEM.**

Section 901.4.5 of the California Fire Code is added to read:

**901.4.5 Additional Fire Protection Systems.** In any occupancies of a hazardous nature, where special hazards exist in addition to the normal hazards of the occupancy, or where the fire code official determines that access for fire apparatus is unduly difficult, the fire code official shall have the authority to require additional fire protection systems, equipment or a combination thereof. Such systems include, but shall not be limited to, the following: automatic fire detection systems, fire alarm systems, automatic fire extinguishing systems, standpipe systems, or portable or fixed extinguishers. Any additional fire protection systems or equipment required under this section shall be installed in accordance with this Code, the applicable referenced standards, fire district policy and be considered a required system in accordance with Section 901.4.1.

#### **SECTION 901.6.3.2 PROBLEMATIC SYSTEMS.**

Section 901.6.3.2 of the California Fire Code is added to read:

**901.6.3.2 Problematic Systems.** In the event of multiple fire alarm, fire detection, or fire sprinkler monitoring system activations, the fire code official is authorized to charge the property owner for the direct and indirect costs of each emergency response. After responding to two (2) false alarm at the same facility in any calendar year from July 1 through June 30<sup>th</sup>, the cost of each response will be billed at the base rate established in the Master Fee Schedule or actual time spent on the response, whichever is greater. Action and administration to recover these costs shall be in accordance with Section 115.2

## **SECTION 903 AUTOMATIC SPRINKLER SYSTEMS**

### **SECTION 903.1 GENERAL.**

Section 903.1 of the California Fire Code is amended to add the following sub-sections:

**903.1.2 Determination of Building Area.** For purposes of determining building area for automatic fire sprinkler system requirements, the following criteria shall be used:

1. Fire walls, fire barriers, fire partitions, or horizontal fire assemblies as defined in this Code shall not be considered to create separate buildings or fire areas for determining automatic fire sprinkler requirements.

2. Group R-1 or R-2 occupancies with accessory occupancy groups that do not require installation of fire sprinklers by Section 903.2.

**903.3.1.1.4. Joint Live/Work Units Quarters.** Where joint live/work residential dwelling units are constructed in accordance with California Fire Code, Chapter 9, Section 903, automatic sprinkler systems shall be designed in accordance with Section 903.3.1.1 (NFPA 13).

#### SECTION 903.4.3. FLOOR CONTROL VALVES.

Section 903.4.3 of the California Fire Code is amended to read:

**903.4.3. Floor Control Valves.** Approved supervised indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in buildings with three or more levels or where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access. The building fire alarm, dedicated function fire alarm system or remote annunciator panel shall be provided at an approved location, readily accessible to the fire department and shall indicate the floor of activation of these devices.

Exception: NFPA 13R and 13D systems.

#### SECTION 903.6. WHERE REQUIRED IN EXISTING BUILDINGS AND STRUCTURES

Section 903.6 of the California Fire Code is amended to read:

**903.6 Where Required in Existing Buildings and Structures.** An approved automatic fire extinguishing system shall be provided in existing buildings and structures, including R3 occupancies, in those circumstances described in this Section and where required in Chapter 1 1. Installation requirements shall be as set forth for new buildings by Sections 903.2 through 903.2.12 and, where applicable, the California Residential Code.

1. Building Additions. When additions exceed 25% of the existing building square footage and the total proposed building area is 7,500 square feet or larger, an approved automatic fire extinguishing system shall be installed throughout the building. The 25% threshold shall be cumulative over the life of the building. Exception: Building additions of entirely non-combustible construction and noncombustible uses such as covered pedestrian walkways.

2. Change of Occupancy. In existing buildings 7,500 square feet or larger, when a Change of Occupancy, in accordance with the California Building Code, is made and the proposed new occupancy is more hazardous to life and safety than the existing occupancy, an approved automatic fire extinguishing system shall be installed throughout the building.

## **SECTION 912 FIRE DEPARTMENT CONNECTIONS**

### **SECTION 912.2.3 ADDRESS IDENTIFICATION.**

Section 912.2.3 of the California Fire Code is added to read:

**912.2.3 Address Identification.** For new and existing buildings, the fire code official is authorized to require approved address or building area identification signage as needed to readily determine the building or area of a building protected by fire department connections.

## **MEANS OF EGRESS**

### **SECTION 1025 LUMINOUS EGRESS PATH MARKINGS**

#### **SECTION 1025.1. GENERAL.**

Section 1025.1 of the California Fire Code is amended to read:

**1025.1 General.** Approved luminous egress path markings delineating the exit path shall be provided in all new buildings three or more stories above grade or below grade in accordance with Sections 1025.1 through 1025.5.

1. Luminous egress path markings shall not be required on the level of exit discharge in lobbies that serve as part of the exit path in accordance with Section 1028.1.
2. Luminous egress path markings shall not be required in open parking garages that serve as part of the exit path in accordance with Section 1028.1.
3. R-3 occupancies.

**1025.1.1. Maintenance.** Luminous egress path markings required in this section shall be maintained in accordance with Sections 1025.1 through 1025.5 and fire department policy as applicable.

## **CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**

### **SECTION 1104.7.1. DOOR SWING.**

Section 1104.7.1 of the California Fire Code is added to read:

**1104.7.1. Door Swing.** When, in the opinion of the fire code official, it is essential for public safety in any existing building or occupancy, because of the number of persons served, or the nature of the operation, an owner, agent or lessee shall install doors that swing in the direction of egress travel, as required and approved when such places are open to the public, or when such operation is being conducted.

## **SECTION 2810 RECYCLING AND WASTE HANDLING FACILITIES**

### **SECTION 2810.1 SCOPE.**

Section 2810.1 of the California Fire Code is added to read:

**2810.1 Scope.** The storage, manufacturing, processing or handling of wood byproducts, recycled materials, industrial waste, and other similar materials not otherwise regulated by this code shall be in accordance with this section and fire department policy. The title of this Section shall be "RECYCLING AND WASTE HANDLING FACILITIES."

### **SECTION 2810.2. STORAGE SITE**

Section 2810.2 of the California Fire Code is added to read:

**2810.2 Storage Site.** Storage, manufacturing, processing or handling sites shall be level and on solid ground, elevated soil lifts or other all-weather surface. Sites shall be thoroughly cleaned before transferring regulated products to the site.

### **SECTION 2810.5 SECURITY**

Section 2810.5 of the California Fire Code is added to read:

**2810.5 Security.** Site pile areas shall be surrounded with an approved fence. Fences shall be not less than 6 feet (1829 mm) in height.

### **SECTION 2810.6. PILE SEPARATION**

Section 2810.6 of the California Fire Code is added to read:

**2810.6 Pile Separation.** Piles shall be separated from adjacent piles or other exposures (including but not limited to, property lines, other storage, and buildings) by means of fire district access roads.

### **SECTION 2810.7. CLEARANCE TO IMPORTANT BUILDINGS**

Section 2810.7 of the California Fire Code is amended to read.

**2810.7 Clearance to Important Buildings.** Stacks of pallets shall not be stored within 0.75 times the stack height of any important building on site or shall comply with Section 2810.11.

### **SECTION 2810.9 PILE FIRE PROTECTION WATER SUPPLY**

Section 2810.9 of the California Fire Code is added to read:

**2810.9 Pile Fire Protection Water Supply.** An approved water supply, including on site storage, for firefighting purposes shall be provided in accordance with Section 507.



**SECTION 2810.13 EXTERIOR STORAGE OF RECYCLED MATERIALS, INDUSTRIAL WASTE, AND IDLE PALLETS.**

**2810.13 Exterior Storage of Recycled Materials, Industrial Waste and Idle Pallets.** For exterior storage of recycled material, industrial waste and idle pallets, see Section 315.4.3 and fire district policy.

**EXPLOSIVES AND FIREWORKS**

**SECTION 5602 FIREWORKS ORDINANCE.**

Section 5602 of the California Fire Code is amended to read:

**5602.1 Fireworks Ordinance.** This Section shall be known and cited as the "Fireworks Ordinance." When used, "this Section" means the Fireworks Ordinance.

5602.1.1 Definitions. The following terms are defined in Charter 2.

**5602.2 Findings and Intent.**

(a) This Section governs the imposition, enforcement, collection and administrative review of all administrative fines related to: the possession, use, storage, sale and/or display of those fireworks classified as dangerous fireworks in California Health and Safety Code, Section 12505 et seq. or the possession, use, storage, sale and/or display of Safe and Sane fireworks on or at dates, times, and/or locations other than those permitted by this Section. The administrative fines are imposed under authority of Government Code, Section 53069.4; Health and Safety Code, Section 12557; and, the police power of the North Central Fire Protection District.

(b) The issuance of an administrative citation to any person or property owner constitutes but one remedy of the District to redress violations of this Section. By adopting this Section, the District does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violation of this Section which the District may otherwise pursue.

(c) The imposition of administrative fines under this Section shall be limited to persons who possess, use, sell and/or display, or the seizure of 25 pounds or less of dangerous fireworks or persons who possess, use, sell and/or display Safe and Sane fireworks on or at the dates, times, and/ or locations other than those permitted by this Section.

(d) Administrative fines collected pursuant to this Section shall not be subject to Health and Safety Code, Section 12706. The administrative fines collected shall be allocated in compliance with Health and Safety Code, Section 12557, which requires the District to

(iii) The organization must be one which provides direct and regular community services and benefits to the citizens of the North Central Fire Protection District.

(iv) The organization must hold its regularly scheduled meetings within the North Central Fire Protection District.

(c) "Exempt fireworks" means any special item containing pyrotechnic compositions which the California State Fire Marshal, with the advice of the State Fire Advisory Board, has investigated and determined to be limited to industrial, commercial, and agricultural use, or religious ceremonies when authorized by a permit granted by the authority having jurisdiction.

(d) "Fireworks" means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment. These items include, but are not limited to:

(i) Devices designated by the manufacturer as fireworks.

(ii) Torpedoes, skyrockets, roman candles, rockets, Daygo bombs, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, and fireworks kits.

(e) "Safe and Sane fireworks" means any fireworks which do not come within the definition of "dangerous fireworks" or "exempt fireworks." All Safe and Sane fireworks shall be labeled with the Safe and Sane fireworks seal as authorized by the California State Fire Marshal.

#### **5602.4 General Prohibition Against Possession, Sale, Use and/or Display of Fireworks.**

Except as otherwise provided in this Section, no person shall possess, sell, use, display, explode or discharge any fireworks within the North Central Fire Protection District.

#### **5602.5 Safe and Sane Fireworks: Exceptions.**

(a) The sale and/or display of Safe and Sane Fireworks shall be permitted only during that period beginning at noon on June 28 and ending at noon on July 6 of the same year.

(b) Safe and Sane fireworks shall not be sold to any person under the age of sixteen (16).

(c) The use and discharge of Safe and Sane fireworks within the North Central Fire Protection District is permitted 365 days a year, between the hours of 7:00 a.m. and 10:00

(f) Each new participant, as well as the previously permitted participants, shall submit additional information as required by the fire department which shall be reviewed prior to issuance of any permits to sell Safe and Sane fireworks for the upcoming fireworks season

**5602.8 Safe and Sane Fireworks. Issuance of Permits:**

(a) No permit to sell Safe and Sane fireworks shall be issued to any organization except non-profit and tax-exempt organizations or corporations organized primarily for charitable, religious, civic, patriotic, or community service as defined in Section 5602.3(b).

(b) Upon notification that the organization has been selected by lottery to participate in the upcoming fireworks season, each organization shall provide additional information as required by the fire department including, but not limited to:

(i) A non-refundable fee established by ordinance of the North Central Fire Protection District and set forth in the Master Fee Schedule. This fee shall be in addition to any fee or tax imposed by any other chapter or article of the North Central Fire Protection District ordinance adopting the 2022 California Fire Code.

(ii) An executed Indemnification and Hold Harmless Agreement as required by the North Central Fire Protection District Attorney or designee.

(iii) Throughout the life of the permit, the applicant shall pay for and maintain in full force and effect policies of insurance as required by the North Central Fire Protection District Attorney or designee. The policies of insurance shall name the North Central Fire Protection District, its officers, officials, agents, employees and authorized volunteers as additional insured. The applicant shall submit proof of insurance in a manner authorized by the North Central Fire Protection District Attorney or designee.

(iv) Other information as may be required by the fire department or North Central Fire Protection District, pursuant to administrative rules and procedures promulgated by the fire code official pursuant to Section 5602.6(b).

(c) Permits shall be issued upon review of all information submitted by the organization and inspection and approval of the organization's temporary fireworks stand.

**5602.9 Safe and Sane Fireworks. Operator Safety Seminar:**

Each year, one or more representatives from each organization that is granted a permit to sell or display fireworks shall attend a stand operator safety seminar conducted by the North Central Fire Protection District or the fireworks industry. Failure of an organization to have a responsible individual attend the seminar shall result in the revocation of the permit.

## SECTION 5604 PROHIBITION OF EXPLOSIVES.

Section 5604.1 of the California Fire Code is amended to read:

**5604.1 Prohibition of Explosives.** The possession, storage, use and handling of explosives are prohibited within the limits established by law.

Exception: Storage and sale of small arms ammunition, small arms primers, smokeless powder and black sporting powder in accordance with Title 19, Chapter 10, Article 12 of the California Code of Regulations and Section 307 of the California Building Code.

## FLAMMABLE AND COMBUSTIBLE LIQUIDS

### SECTION 5704 STORAGE

#### SECTION 5704.3.5.1 BASEMENT STORAGE.

Section 5704.3.5.1 of the California Fire Code is amended to read:

**5704.3.5.1 Basement Storage.** Class I liquids shall not be stored in basements. Class II and IIIA liquids shall be allowed to be stored in basements, provided that automatic fire suppression and other fire protection are provided in accordance with Chapter 9.

### SECTION 5706.2.4. PERMANENT AND TEMPORARY TANKS

Section 5706.2.4 of the California Fire Code is amended to read:

**5706.2.4 Permanent and Temporary Tanks.** The aggregate capacity of permanent and temporary above-ground tanks containing Class I and II liquids shall not exceed 1,100gallons (4163.9L). Tanks shall be constructed in accordance with Section 5704.2 (et. al.). Exception: Protected above-ground tanks meeting the requirements of Section 2306.2.3.

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

Section 5706.2.4.4 of the California Fire Code is amended to read:

**5706.2.4.4 Locations Where Above-Ground Tanks Are Prohibited.** The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited North Central Fire Protection District.

**8-302.2 Change in occupancy.** The use or character of the occupancy of a qualified historical building or property may be changed from or returned to its historical use or character, provided the qualified historical building or property conforms to the requirements applicable to the new use or character of occupancy as set forth in the CHBC and North Central Fire Protection District Fire Code Sections 903.1 through 903.3.5.1.2. Such change in occupancy shall not mandate conformance with new construction requirements as set forth in regular code.

## **LIQUIFIED PETROLEUM GASES**

### **SECTION 6101 GENERAL**

#### **SECTION 6101.3 CONSTRUCTION DOCUMENTS.**

Section 6101.3 of the California Fire Code is amended to read:

**6101.3 Construction Documents.** Where a single container or aggregate of containers is more than 500 gallons in water capacity, the installer shall submit construction documents for such installation.

**CERTIFICATE**

**STATE OF CALIFORNIA )**

**COUNTY OF FRESNO ) SS.**

**CITY OF KERMAN )**

I, \_\_\_\_\_, Board Secretary of the North Central Fire Protection District, do certify that the foregoing Ordinance of the Board of Directors of the North Central Fire Protection District was duly passed and adopted at a regular meeting of the Board of Directors on January 26, 2023.

**DATED:** January 26, 2023

\_\_\_\_\_  
Board Secretary