

ORDINANCE NO. 3093

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE
ADOPTING THE CALIFORNIA FIRE CODE, 2007 EDITION

The City Council of the City of Chula Vista does ordain as follows:

SECTION I. That Chapter 15.36 of the Chula Vista Municipal Code is hereby amended to read as follows:

**Chapter 15.36
FIRE CODE**

Sections:

- 15.36.010 California Fire Code, 2007 Edition, adopted by reference.
- 15.36.025 Operational permit for Christmas tree lots.
- 15.36.030 Operational permit for waste handling.
- 15.36.035 Violation penalties.
- 15.36.040 Failure to comply provisions.
- 15.36.045 Definitions for Chief of the Bureau of Fire Prevention, Fire Department, Fire Authority Having Jurisdiction, Fire Hazard and Fire Service Features.
- 15.36.050 Fire service features -- Where required.
- 15.36.055 Fire hydrant spacing.

15.36.010 California Fire Code, 2007 Edition, adopted by reference.

There is hereby adopted by reference the California Fire Code, 2007 Edition, known as the California Code of Regulations, Title 24 part 9, including Appendix Chapter 1, and Appendix B through H is as copyrighted by the International Code Council, and the California Building Standards Commission. Said document is hereby adopted as the Fire Code of the City of Chula Vista, prescribing the regulations governing conditions hazardous to life and property from fire or explosion, and each and all such regulations, provisions, penalties, conditions and terms of said California Fire Code are hereby referred to, adopted and made a part hereof as though fully set forth herein, excepting such portions as are hereinafter deleted, modified or amended as set forth in this chapter.

15.36.025 Operational permit for Christmas tree lots.

Appendix Chapter 1 - Subsection 105.6.5.1 Christmas tree lots is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

Subsection 105.6.5.1 Christmas tree lots. To operate a Christmas tree lot with or without flame proofing services.

15.36.030 Operational permit for waste handling.

Appendix Chapter 1 - Subsection 105.6.45 Waste handling of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

Subsection 105.6.45 Waste handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities (green waste recycling, mulching, composting operations and storage).

15.36.035 Violation penalties.

Appendix Chapter 1 - Subsection 109.3 Violation penalties of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

Subsection 109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than the greater of \$1,000 dollars or as established by the City of Chula Vista Policy and Procedures Manual for Civil Penalties or by imprisonment not exceeding six (6) 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.

15.36.040 Failure to comply provisions.

Appendix Chapter 1 - Subsection 111.4 Failure to comply of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

111.4 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 perform to remove a violation or unsafe condition, shall be subject to a fine of not less than \$250.00 dollars or more than \$1,000 dollars.

15.36.045 Definitions for Chief of the Bureau of Fire Prevention, Fire Department, Fire Authority Having Jurisdiction, Fire Hazard and Fire Service Features.

Chapter 2 Definitions - Section 202 is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

“Chief of the Bureau of Fire Prevention” means Fire Marshal.

“Fire Department” means any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San Diego, or Fire Company regularly charged with the responsibility of providing fire protection to the jurisdiction.

“Fire Authority Having Jurisdiction (FAHJ)” means the designated entity providing enforcement of fire regulations as they relate to planning, construction and development. This entity may also provide fire suppression and other emergency services.

“Fire Hazard” means anything that increases or could cause an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or any thing or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of occupants in the event of fire.

“Fire Service Features” is a general term inclusive of all other terms such as driveway, fire lane, public street, private street, parking lot, lane and access roadway.

15.36.050 Fire service features -- Where required.

Chapter 5 Fire Service Features - Subsection 508.5.1 of the Fire Code portion of the California Building Standards Code is hereby revised to read as follows:

Subsection 508.5.1 Where required. Where a portion of a facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 250 feet.

15.36.055 Fire hydrant spacing.

Chapter 5 Fire Service Features - Subsection 508.5.1.1 is hereby added to the Fire Code portion of the California Building Standards Code to read as follows:

Subsection 508.5.1.1 Water supplies and fire hydrants. In multi-family zones and in commercial and industrial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs, and every 300 feet (on-center) of fire access roadways, regardless of parcel size. In single-family zones, fire hydrants shall be installed every 500 feet (on-center).

SECTION II. FINDINGS AND DECLARATION

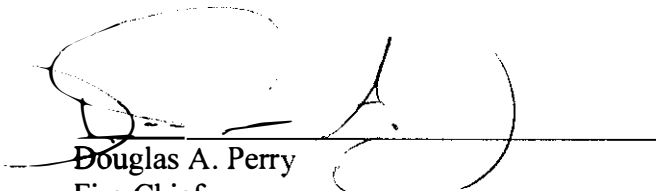
The City Council of the City of Chula Vista specifically and expressly finds and declares that each of the additions and amendments noted above to the 2007 Edition of the California Fire Code is necessary due to local climatic, geological and topographical conditions.

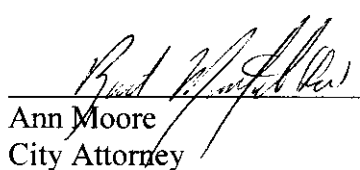
SECTION III. EFFECTIVE DATE.

This ordinance will take effect and be in force thirty days after final passage.

Submitted by

Approved as to form by


Douglas A. Perry
Fire Chief


Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 4th day of December 2007, by the following vote:

AYES: Councilmembers: Castaneda, McCann, Ramirez, Rindone, and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None


Cheryl Cox, Mayor

ATTEST:


Susan Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3093 had its first reading at a regular meeting held on the 13th day of November, 2007 and its second reading and adoption at a regular meeting of said City Council held on the 4th day of December 2007; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

Executed this 4th day of December 2007.


Susan Bigelow, MMC, City Clerk