

ORDINANCE NO. 3538

ORDINANCE OF THE CITY OF CHULA VISTA REPEALING EXISTING CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE BASED UPON THE 2022 CALIFORNIA FIRE CODE AND LOCAL AMENDMENTS THERETO

WHEREAS, Health and Safety Code Section 17958 mandates that the City Council of the City of Chula Vista adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the 2022 California Fire Code; and

WHEREAS, the State of California has adopted and published California Code of Regulations Title 24, Part 9 as the California Fire Code, effective January 1, 2023; and

WHEREAS, on January 1, 2023, all existing fire code adoptions and amendments of local agencies automatically reverted to the new state code unless new local adoptions and local amendments are made; and

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the 2022 California Fire Code, and together with the Chula Vista Fire Department local amendments, these shall be the Fire Code of the City of Chula Vista; and

WHEREAS, code amendments adopted by the State of California shall take precedence over the 2022 California Fire Code language; and

WHEREAS, the 2022 California Fire Code language shall be used for those code sections not adopted by the State; and

WHEREAS, local amendments adopted by the City Council of the City of Chula Vista shall take precedence over the 2022 California Fire Code; and

WHEREAS, Health and Safety Code Section 17958.5 permits the City Council of the City of Chula Vista to make local amendments to the Code as are reasonably necessary because of local conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council of the City of Chula Vista before making any local amendments make express finding that such local amendments are needed due to climatic, geological, or topographical conditions; and

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WHEREAS, the City Council of the City of Chula Vista, California does herewith find that the City of Chula Vista has certain climatic, geologic, and topographic features that can have a deleterious effect on emergency services such as fire protection and emergency medical services; and

WHEREAS, the City Council of the City of Chula Vista finds that the local amendments to the 2022 California Fire Code are reasonably necessary because of the local climatic, geological, and topographical conditions; and

WHEREAS, this geologic finding recognizes regional geological conditions and the likelihood of numerous structure fires following a greater magnitude seismic event. It also considered the limited ability of local emergency services to provide fire protection due to extraordinary service demands following such events; and

WHEREAS, this topographic finding recognizes concern for local topographical conditions along primary travel routes throughout the City of Chula Vista. These conditions impede egress and the rapid deployment and effectiveness of emergency resources; and

WHEREAS, both climatic and topographic findings recognize respective conditions that can create an extreme fire danger and certain amendments to the 2022 California Fire Code serve to mitigate to the extent possible said deleterious effects and modification to the California Fire Code is necessary for community health and safety; and

WHEREAS, Section 50022.1 through 50022.10, inclusive, of the Government Code and Section 13869 of the Health and Safety Code, provide authority for the adoption by reference of codes, or a portion of such codes.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

Section I. Repeal Chapter 15.36

That existing chapter 15.36 of the Chula Vista Municipal Code is repealed in its entirety.

Section II. New Chapter 15.36

That new chapter 15.36 of the Chula Vista Municipal Code is adopted to read as follows:

**Chapter 15.36
FIRE CODE**

Sections:

- 15.36.005 Adoption
- 15.36.010 California Fire Code Chapter 1 - Scope and Administration - Adopted and amended
- 15.36.015 California Fire Code Chapter 2 - Definitions - Adopted and amended
- 15.36.020 California Fire Code Chapter 3 - General Requirements - Adopted in part and amended

- 15.36.025 California Fire Code Chapter 4 - Emergency Planning and Preparedness - Adopted in part
- 15.36.030 California Fire Code Chapter 5 - Fire Service Features - Adopted and amended
- 15.36.035 California Fire Code Chapter 6 - Building Services and Systems - Adopted
- 15.36.040 California Fire Code Chapter 7 - Fire and Smoke Protection Features - Adopted
- 15.36.045 California Fire Code Chapter 8 - Interior Finish, Decorative Materials and Furnishings - Adopted
- 15.36.050 California Fire Code Chapter 9 - Fire Protection and Life Safety Systems - Adopted and amended
- 15.36.055 California Fire Code Chapter 10 - Means of Egress - Adopted
- 15.36.060 California Fire Code Chapter 11 - Construction Requirements for Existing Buildings - Adopted in part
- 15.36.065 California Fire Code Chapter 12 - Energy Systems - Adopted
- 15.36.070 California Fire Code Chapter 20 - Aviation Facilities - Adopted
- 15.36.075 California Fire Code Chapter 21 - Dry Cleaning - Adopted
- 15.36.080 California Fire Code Chapter 22 - Combustible Dust - Producing Operations - Adopted
- 15.36.085 California Fire Code Chapter 23 - Motor Fuel-Dispensing Facilities and Repair Garages - Adopted
- 15.36.090 California Fire Code Chapter 24 - Flammable Finishes - Adopted
- 15.36.095 California Fire Code Chapter 25 - Fruit and Crop Ripening - Adopted
- 15.36.100 California Fire Code Chapter 26 - Fumigation and Insecticidal Fogging - Not adopted
- 15.36.105 California Fire Code Chapter 27 - Semiconductor Fabrication Facilities - Adopted
- 15.36.110 California Fire Code Chapter 28 - Lumber Yards and Agro-industrial, Solid Biomass and Woodworking Facilities - Adopted
- 15.36.115 California Fire Code Chapter 29 - Manufacture of Organic Coatings - Adopted
- 15.36.120 California Fire Code Chapter 30 - Industrial Ovens - Adopted
- 15.36.125 California Fire Code Chapter 31 - Tents, Temporary Special Event Structures and Other Membrane Structures - Adopted
- 15.36.130 California Fire Code Chapter 32 - High-Piled Combustible Storage - Adopted
- 15.36.135 California Fire Code Chapter 33 - Fire Safety During Construction and Demolition - Adopted
- 15.36.140 California Fire Code Chapter 34 - Tire Rebuilding and Tire Storage - Adopted
- 15.36.145 California Fire Code Chapter 35 - Welding and Other Hot Work - Adopted
- 15.36.150 California Fire Code Chapter 36 - Marinas - Adopted
- 15.36.155 California Fire Code Chapter 37 - Combustible Fibers - Adopted
- 15.36.160 California Fire Code Chapter 39 - Processing and Extraction Facilities - Adopted
- 15.36.165 California Fire Code Chapter 40 - Storage of Distilled Spirits and Wine - Adopted

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- 15.36.170 California Fire Code Chapter 48 - Motion Picture and Television Production Studio Sound Stages, Approved Production Facilities and Production Locations - Adopted
- 15.36.175 California Fire Code Chapter 49 - Requirements for Wildland-Urban Interface Fire Areas – Adopted and amended
- 15.36.180 California Fire Code Chapter 50 - Hazardous Materials - General Provisions - Adopted
- 15.36.185 California Fire Code Chapter 51 - Aerosols - Adopted
- 15.36.190 California Fire Code Chapter 53 - Compressed Gases - Adopted
- 15.36.195 California Fire Code Chapter 54 - Corrosive Materials - Adopted
- 15.36.200 California Fire Code Chapter 55 - Cryogenic Fluids - Adopted
- 15.36.205 California Fire Code Chapter 56 - Explosives and Fireworks - Adopted and amended
- 15.36.210 California Fire Code Chapter 57 - Flammable and Combustible Liquids - Adopted
- 15.36.215 California Fire Code Chapter 58 - Flammable Gases and Flammable Cryogenic Fluids - Adopted
- 15.36.220 California Fire Code Chapter 59 - Flammable Solids - Adopted
- 15.36.225 California Fire Code Chapter 60 - Highly Toxic and Toxic Materials - Adopted
- 15.36.230 California Fire Code Chapter 61 - Liquefied Petroleum Gases - Adopted
- 15.36.235 California Fire Code Chapter 62 - Organic Peroxides - Adopted
- 15.36.240 California Fire Code Chapter 63 - Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids - Adopted
- 15.36.245 California Fire Code Chapter 64 - Pyrophoric Materials - Adopted
- 15.36.250 California Fire Code Chapter 65 - Pyroxylin (Cellulose Nitrate) Plastics - Adopted
- 15.36.255 California Fire Code Chapter 66 - Unstable (Reactive) Materials - Adopted
- 15.36.260 California Fire Code Chapter 67 - Water-Reactive Solids and Liquids - Adopted
- 15.36.265 California Fire Code Chapter 80 - Referenced Standards - Adopted
- 15.36.270 California Fire Code Appendices - Adopted in part and amended

15.36.005 Adoption.

The City of Chula Vista hereby adopts by reference the 2022 Edition of the California Fire Code, including Appendix Chapters B, BB, C, CC, H, and O, and the California Standards, with the amendments contained in the following sections of Chapter 15.36. As adopted and amended herein, the 2022 California Fire Code (hereinafter “California Fire Code”) becomes the Fire Code of the City of Chula Vista. The City of Chula Vista further amends the provisions of the California Fire Code to include the requirements of the California Fire Code for those occupancies not subject to the 2022 California Fire Code.

15.36.010 California Fire Code Chapter 1—Scope and Administration—Adopted and amended.

California Fire Code, Chapter 1, Scope and Administration, is adopted in its entirety with the following amendments:

A. Chapter 1, Section 105.5, Required operational permits, is amended to read as follows:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in all of Section 105.5: Sections 105.5.1 through Sections 105.5.57.

B. Chapter 1, Section 105.5, Required operational permits, is amended to add Section 105.5.55 General use permit, to read as follows:

105.5.55 General use permit. An operational permit is required for the issuance of a general use permit and its respective inspection. A general use permit is required for any activity or operation not specifically described therein, to include high occupant loads and or when in the judgment of the Fire Code Official is likely to produce conditions hazardous to life or property. Mercantile occupancies 10,000sqf or greater, with no other permits, are required to have a general-use operational permit.

C. Chapter 1, Section 105.5, Required operational permits, is amended to add Section 105.5.56 State-mandated, to read as follows:

105.5.56 State-mandated. An operational permit is required for California state-mandated inspected occupancies.

D. Chapter 1, Section 105.5, Required operational permits, is amended to add Section 105.5.57 General use certificate, to read as follows:

105.5.57 General use certificate. A temporary operational permit is required for the issuance of a general use certificate and its respective inspections. A general use certificate is required for each new business within the City that is applying for a business license or for an existing business that is changing operations or expanding business operations into new suites and is revising their respective business license (with a physical commercial address within city limits).

E. Chapter 1, Section 106.1, Submittals and requirements, is amended to read as follows:

106.1 Submittals and requirements. Construction documents and supporting data shall be submitted in three or more sets, or in an approved electronic format, with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

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Construction documents, plans, submittals, and other documents associated with building or remodeling a structure, including fire and life safety systems and fire service features, shall be in accordance with adopted codes, Sections 106.1 through 106.4, and the Fire Department's Fire Safety Engineering Standard Details and Requirements.

Exception. The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that a review of construction documents is not necessary to obtain compliance with this code.

F. Chapter 1, Section 108.2, Inspections, is amended to add Section 108.2.3 Re-inspection, to read as follows:

108.2.3 Re-inspection. Following an inspection, whether initial, annual, or other, during which it is determined that a violation exists, fire code re-inspections may be conducted at the discretion of the Fire Department until such violations have been corrected.

G. Chapter 1, Section 112.4, Violation penalties, is amended to read as follows:

112.4 Violation penalties. Persons who shall violate a provision of this code, including non-compliance with stop work and or, do not occupy orders, 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.

H. Chapter 1, Section 113.4, Failure to comply, is amended to read as follows:

113.4 Failure to comply. Any person, who continues any work after having been served with a stop work order, except for 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 dollars or more than \$1,000 dollars.

15.36.015 California Fire Code Chapter 2—Definitions—Adopted and amended.

California Fire Code, Chapter 2, Definitions, is adopted in its entirety with the following amendments:

Chapter 2, Section 202, is amended to add the following definitions:

FIRE AUTHORITY HAVING JURISDICTION (FAHJ). Designated entity providing enforcement of fire regulations as they relate to planning, construction and development, and maintenance.

FIRE DEPARTMENT. Any regularly organized fire department, fire protection district, 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 HAZARD. 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 anything or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of occupants in the event of a fire.

FIRE SERVICE FEATURES. Is a general term inclusive of all other terms such as a driveway, fire lane, public street, private street, parking lot, lane, access roadway, or the like.

VEGETATION. Weeds, grass, vines, or other organic (cellulose) growth that is capable of being ignited and endangering property.

15.36.020 California Fire Code Chapter 3—General Requirements—Adopted in part and amended.

California Fire Code, Chapter 3, General Requirements, is adopted in its entirety except for Section 303, Asphalt Kettles, and includes the following amendment:

Chapter 3, Section 308.1.4, Open-flame cooking devices, is amended to read as follows:

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

- 1. Group R-2 and Group R-3 occupancies.*
- 2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.*
- 3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2¹/₂ pounds [nominal 1 pound (0.454 kg) LP-gas capacity].*

15.36.025 California Fire Code Chapter 4—Emergency Planning and Preparedness—Adopted in part.

California Fire Code, Chapter 4, Emergency Planning and Preparedness, is amended to adopt only the sections and subsections listed below:

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- A. 401—401.9
- B. 402
- C. 403.1
- D. 403.2
- E. 403.4—403.4.4
- F. 403.10.2.1.1
- G. 403.10.6
- H. 403.12—403.12.3
- I. 404.5—404.6.6
- J. 407.

Respective to Cannabis businesses and the licensing thereof, Emergency Action and Fire Prevention Plans are required and shall comply with the provisions as set forth in Chula Vista Municipal Code, 5.19.050.B.1.e, and as further outlined under the City's Cannabis Regulations, §0502. Cannabis business Emergency Action and Fire Prevention Plans shall show compliance with California Fire Code, Chapter 4, Emergency Planning and Preparedness, Sections 404 through 407.

15.36.030 California Fire Code Chapter 5—Fire Service Features—Adopted and amended.

California Fire Code, Chapter 5, Fire Service Features, is adopted in its entirety with the following amendment:

Chapter 5 is amended to add Section 511 Preplanning response maps and data, and Section 511.1 Requirements, to read as follows:

511 PREPLANNING RESPONSE MAPS AND DATA

511.1 Requirements. Applicants submitting permits for and building any new development or project, which necessitates updating of emergency response maps by virtue of new structures and their respective appurtenances, hydrants, roadways, and or similar features, shall be required to provide electronic files with respective layers, in an approved format, to the FAHJ.

15.36.035 California Fire Code Chapter 6—Building Services and Systems—Adopted.

California Fire Code, Chapter 6, Building Services and Systems, is adopted in its entirety without amendments.

15.36.040 California Fire Code Chapter 7—Fire and Smoke Protection Features—Adopted.

California Fire Code, Chapter 7, Fire and Smoke Protection Features, is adopted in its entirety without amendments.

15.36.045 California Fire Code Chapter 8—Interior Finish, Decorative Materials, and Furnishings—Adopted.

California Fire Code, Chapter 8, Interior Finish, Decorative Materials, and Furnishings, is adopted in its entirety without amendments.

15.36.050 California Fire Code Chapter 9—Fire Protection and Life Safety Systems—Adopted and amended.

California Fire Code, Chapter 9, Fire Protection and Life Safety Systems, is adopted in its entirety with the following amendments:

A. Chapter 9, Section 901.6.3, Records, is amended to add Section 901.6.3.2 Records reporting, to read as follows:

901.6.3.2 Records reporting. All inspection, testing and maintenance reports shall be forwarded and made accessible to the Fire Department using the electronic media and platform of the designated third party as approved by the City. Paper (hard copy) reports are not permitted.

B. Chapter 9, Section 903.2.8.1, Group R-3, is amended to add Section 903.2.8.1.1 NFPA 13-D meter size, to read as follows:

903.2.8.1.1 NFPA 13-D meter size. The minimum water meter size serving NFPA 13-D (dwelling) fire sprinkler systems shall be no less than one (1) inch in diameter.

Exceptions:

1. Minimum meter size can be dependent upon hydraulic analysis, including safety factors, for second dwelling units and accessory structures to group R3 occupancies.

C. Chapter 9, Section 905.4, Location of Class I standpipe hose connections, is amended to read as follows:

905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at intermediate floor level landings between floors or as approved by the fire code official. *See Section 909.20.2.3 of the California Building Code for additional provisions in smokeproof enclosures.*

Exception to Item 1 of 905.4 shall remain in full force and effect along with Exceptions 2 through 6.

15.36.055 California Fire Code Chapter 10—Means of Egress—Adopted.

California Fire Code, Chapter 10, Means of Egress, is adopted in its entirety without amendments.

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15.36.060 California Fire Code Chapter 11—Construction Requirements for Existing Buildings—Adopted in part.

California Fire Code, Chapter 11, Construction Requirements for Existing Buildings, is amended to adopt only the sections and subsections listed below:

- A. 1103.3.3
- B. 1103.7
- C. 1103.7.3
- D. 1103.7.3.1
- E. 1103.7.8—1103.7.8.2
- F. 1103.7.9—1103.7.9.10
- G. 1103.8—1103.8.5.3
- H. 1103.9.1
- I. 1107
- J. 1113
- K. 1114
- L. 1115
- M. 1116

15.36.065 California Fire Code Chapter 12—Energy Systems—Adopted.

California Fire Code, Chapter 12, Energy Systems, is adopted in its entirety without amendments.

15.36.070 California Fire Code Chapter 20—Aviation Facilities—Adopted.

California Fire Code, Chapter 20, Aviation Facilities, is adopted in its entirety without amendments.

15.36.075 California Fire Code Chapter 21—Dry Cleaning—Adopted.

California Fire Code, Chapter 21, Dry Cleaning, is adopted in its entirety without amendments.

15.36.080 California Fire Code Chapter 22—Combustible Dust-Producing Operations—Adopted.

California Fire Code, Chapter 22, Combustible Dust-Producing Operations, is adopted in its entirety without amendments.

15.36.085 California Fire Code Chapter 23—Motor Fuel-Dispensing Facilities and Repair Garages—Adopted.

California Fire Code, Chapter 23, Motor Fuel-Dispensing Facilities and Repair Garages, is adopted in its entirety without amendments.

15.36.090 California Fire Code Chapter 24—Flammable Finishes—Adopted.

California Fire Code, Chapter 24, Flammable Finishes, is adopted in its entirety without amendments.

15.36.095 California Fire Code Chapter 25—Fruit and Crop Ripening—Adopted.
California Fire Code, Chapter 25, Fruit and Crop Ripening, is adopted in its entirety without amendments.

15.36.100 California Fire Code Chapter 26—Fumigation and Insecticidal Fogging—Not adopted.
California Fire Code, Chapter 26, Fumigation and Insecticidal Fogging, is not adopted.

15.36.105 California Fire Code Chapter 27—Semiconductor Fabrication Facilities—Adopted.
California Fire Code, Chapter 27, Semiconductor Fabrication Facilities, is adopted in its entirety without amendments.

15.36.110 California Fire Code Chapter 28—Lumber Yards and Agro-industrial, Solid Biomass and Woodworking Facilities—Adopted.
California Fire Code, Chapter 28, Lumber Yards and Agro-industrial, Solid Biomass and Woodworking Facilities, is adopted in its entirety without amendments.

15.36.115 California Fire Code Chapter 29—Manufacture of Organic Coatings—Adopted.
California Fire Code, Chapter 29, Manufacture of Organic Coatings, is adopted in its entirety without amendments.

15.36.120 California Fire Code Chapter 30—Industrial Ovens—Adopted.
California Fire Code, Chapter 30, Industrial Ovens, is adopted in its entirety without amendments.

15.36.125 California Fire Code Chapter 31—Tents, Temporary Special Event Structures and Other Membrane Structures—Adopted.
California Fire Code, Chapter 31, Tents, Temporary Special Event Structures and Other Membrane Structures, is adopted in its entirety without amendments.

15.36.130 California Fire Code Chapter 32—High-Piled Combustible Storage—Adopted.
California Fire Code, Chapter 32, High-Piled Combustible Storage, is adopted in its entirety without amendments.

15.36.135 California Fire Code Chapter 33—Fire Safety During Construction and Demolition—Adopted.
California Fire Code, Chapter 33, Fire Safety During Construction and Demolition, is adopted in its entirety without amendments.

15.36.140 California Fire Code Chapter 34—Tire Rebuilding and Tire Storage—Adopted.
California Fire Code, Chapter 34, Tire Rebuilding and Tire Storage, is adopted in its entirety without amendments.

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15.36.145 California Fire Code Chapter 35—Welding and Other Hot Work—Adopted.
California Fire Code, Chapter 35, Welding and Other Hot Work, is adopted in its entirety without amendments.

15.36.150 California Fire Code, Chapter 36—Marinas—Adopted.
California Fire Code, Chapter 36, Marinas, is adopted in its entirety without amendments.

15.36.155 California Fire Code, Chapter 37—Combustible Fibers—Adopted.
California Fire Code, Chapter 37, Combustible Fibers, is adopted in its entirety without amendments.

15.36.160 California Fire Code, Chapter 39—Processing and Extraction Facilities—Adopted.
California Fire Code, Chapter 39, Processing and Extraction Facilities, is adopted in its entirety without amendments.

15.36.165 California Fire Code Chapter 40—Storage of Distilled Spirits and Wine—Adopted.
California Fire Code, Chapter 40, Storage of Distilled Spirits and Wine, is adopted in its entirety without amendments.

15.36.170 California Fire Code Chapter 48—Motion Picture and Television Production Studio Sound Stages, Approved Production Facilities and Production Locations—Adopted.
California Fire Code, Chapter 48, Motion Picture and Television Production Studio Sound Stages, Approved Production Facilities and Production Locations, is adopted in its entirety without amendments.

15.36.175 California Fire Code Chapter 49—Requirements for Wildland-Urban Interface Fire Areas—Adopted and amended.
California Fire Code, Chapter 49, Requirements for Wildland-Urban Interface Fire Areas, is adopted in its entirety with the following amendments:

A. Chapter 49, Section 4907.2, Application, is amended to read as follows:

4907.2 Application. Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as a State Responsibility Area (SRA).
2. Land designated as a Very High Fire Hazard Severity Zone by the Director.
3. Land designated in ordinance by local agencies as a Very High Fire Hazard Severity Zone pursuant to Government Code Section 51179.
4. Designated areas by the Fire Code Official.

B. Chapter 49, Section 4907.3, Requirements, is amended to add Section 4907.3.1 Designated areas, to read as follows:

4907.3.1 Designated areas. All non-maintained combustible vegetation, and or other such accumulations of non-maintained combustible vegetation materials in open space areas, as determined by the Fire Code Official, shall be maintained in an approved manner within one hundred (100) feet of any building or structure designed or intended for occupancy by humans or animals.

15.36.180 California Fire Code Chapter 50—Hazardous Materials—General Provisions—Adopted.

California Fire Code, Chapter 50, Hazardous Materials—General Provisions, is adopted in its entirety without amendments.

15.36.185 California Fire Code Chapter 51—Aerosols—Adopted.

California Fire Code, Chapter 51, Aerosols, is adopted in its entirety without amendments.

15.36.190 California Fire Code Chapter 53—Compressed Gases—Adopted.

California Fire Code, Chapter 53, Compressed Gases, is adopted in its entirety without amendments.

15.36.195 California Fire Code Chapter 54—Corrosive Materials—Adopted.

California Fire Code, Chapter 54, Corrosive Materials, is adopted in its entirety without amendments.

15.36.200 California Fire Code Chapter 55—Cryogenic Fluids—Adopted.

California Fire Code, Chapter 55, Cryogenic Fluids, is adopted in its entirety without amendments.

15.36.205 California Fire Code Chapter 56—Explosives and Fireworks—Adopted and amended.

California Fire Code, Chapter 56, Explosives and Fireworks, is adopted in its entirety with the following amendments:

A. Chapter 56, Section 5601.1.3, Fireworks, is amended to add Section 5601.1.3.1 Retail fireworks, to read as follows:

5601.1.3.1 Retail fireworks. The storage, use, sale, possession, and handling of fireworks 1.4G (commonly referred to as Safe & Sane) and fireworks 1.3G are prohibited unless they are being used as part of a public display when permitted and conducted by a licensed pyrotechnic operator.

B. Chapter 56, Section 5601.1.3, Fireworks, is amended to add Section 5601.1.3.2 Seizure of fireworks, to read as follows:

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5601.1.3.2 Seizure of fireworks. The fire code official shall have the authority to seize, take, or remove all fireworks possessed, stored, sold, offered for sale, used or handled in violation of the provisions of this Ordinance and Title 19 California Code of Regulations.

15.36.210 California Fire Code Chapter 57—Flammable and Combustible Liquids—Adopted.

California Fire Code, Chapter 57, Flammable and Combustible Liquids, is adopted in its entirety without amendments.

15.36.215 California Fire Code Chapter 58—Flammable Gases and Flammable Cryogenic Fluids—Adopted.

California Fire Code, Chapter 58, Flammable Gases and Flammable Cryogenic Fluids, is adopted in its entirety without amendments.

15.36.220 California Fire Code Chapter 59—Flammable Solids—Adopted.

California Fire Code, Chapter 59, Flammable Solids, is adopted in its entirety without amendments.

15.36.225 California Fire Code Chapter 60—Highly Toxic and Toxic Materials—Adopted.

California Fire Code, Chapter 60, Highly Toxic and Toxic Materials, is adopted in its entirety without amendments.

15.36.230 California Fire Code Chapter 61—Liquefied Petroleum Gases—Adopted.

California Fire Code, Chapter 61, Liquefied Petroleum Gases, is adopted in its entirety without amendments.

15.36.235 California Fire Code Chapter 62—Organic Peroxides—Adopted.

California Fire Code, Chapter 62, Organic Peroxides, is adopted in its entirety without amendments.

15.36.240 California Fire Code Chapter 63—Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids—Adopted.

California Fire Code, Chapter 63, Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids, is adopted in its entirety without amendments.

15.36.245 California Fire Code Chapter 64—Pyrophoric Materials—Adopted.

California Fire Code, Chapter 64, Pyrophoric Materials, is adopted in its entirety without amendments.

15.36.250 California Fire Code Chapter 65—Pyroxylin (Cellulose Nitrate) Plastics—Adopted.

California Fire Code, Chapter 65, Pyroxylin (Cellulose Nitrate) Plastics, is adopted in its entirety without amendments.

15.36.255 California Fire Code Chapter 66—Unstable (Reactive) Materials—Adopted.
California Fire Code, Chapter 66, Unstable (Reactive) Materials, is adopted in its entirety without amendments.

15.36.260 California Fire Code Chapter 67—Water-Reactive Solids and Liquids—Adopted.
California Fire Code, Chapter 67, Water-Reactive Solids and Liquids, is adopted in its entirety without amendments.

15.36.265 California Fire Code Chapter 80—Referenced Standards—Adopted.
California Fire Code, Chapter 80, Referenced Standards, is adopted in its entirety without amendments.

15.36.270 California Fire Code Appendices—Adopted and amended.
The Appendices to the California Fire Code are adopted as follows:

A. Appendix B, Fire-Flow Requirements for Buildings, is adopted in its entirety with the following amendments:

Appendix, Table B105.1(1), Required fire flow for one- and two-family dwellings, group R-3 and R-4 buildings and townhouses, is amended to read as follows:

TABLE B105.1(1).

TABLE B105.1(1) REQUIRED FIRE FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES^b

Fire-Flow Calculation Area (sqf)	Automatic Sprinkler Systems (design-standard)	Minimum Fire-Flow (gallons per minute) ^a	Flow Duration (hours)
0-3,600	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
3,601 and greater	Section 903.3.1.3 of the California		Duration in Table B105.1(2) at the

	Fire Code or Section 313.3 of the California Residential Code	Value in Table B105.1(2)	required fire-flow rate
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For SI: 1 square foot = 0.0929 m². 1 gallon per minute = 3.785 L/m.

a. The fire flow rates as listed in Table B105.1(2) are capped at 5,000gpm.

b. When the existing water main cannot supply the minimum required fire flow rate, the FHAIJ may require a fire sprinkler system to be installed, if not required by other portions of adopted codes, or a fire sprinkler system hazard classification upgrade in lieu of water main upsizing.

Table B105.2, Required fire flow for buildings other than one- and two-family dwellings, group R-3 and R-4 buildings and townhouses, is amended to read as follows:

TABLE B105.2.

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

Automatic Sprinkler Systems (design-standard)	Minimum Fire-Flow (gallons per minute) ^b	Flow Duration (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	75% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the original flow rate
Section 903.3.1.2 of the California Fire Code	75% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the original flow rate

For SI: 1 gallon per minute = 3.785 L/m

a. The reduced fire-flow rate shall not be less than 1,500 gallons per minute.

b. The fire flow rates as listed in Table B105.1(2) are capped at 5,000gpm.

c. When the existing water main cannot supply the minimum required fire flow rate, the FHAIJ may require a fire sprinkler system to be installed, if not required by other portions of adopted codes, or a fire sprinkler system hazard classification upgrade in lieu of water main upsizing.

B. Appendix BB, Fire-Flow Requirements for Buildings, is adopted in its entirety with the following amendment:

Appendix BB, Section BB105, Fire-Flow Requirements for Buildings, is amended to read as follows:

BB105.1 The minimum fire flow and flow duration for school buildings shall be as specified in Table BB105.1.

Exception. A reduction in required fire flow of up to 25 percent is allowed when the building is provided with an approved automatic sprinkler system. When a reduction in fire flow is used, fire flow shall not be less than 1500 GPM.

C. Appendix C, Fire Hydrant Locations and Distribution, is adopted in its entirety with the following amendment:

Appendix C, Table C102.1, Required number and spacing of fire hydrants - Footnotes, is amended to read as follows:

TABLE C102.1

REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS

a. The fire code official is authorized to modify the locations, number and distribution of fire hydrants based upon site-specific conditions, constraints, and hazards.

Footnotes b through h are deleted.

D. Appendix CC, Fire Hydrant Locations and Distribution, is adopted in its entirety with the following amendment:

Appendix CC, Table CC105.1, Number and distribution of fire hydrants - Footnotes, is amended to read as follows:

TABLE CC105.1

NUMBER AND DISTRIBUTION OF FIRE HYDRANTS

Footnotes a through e are deleted.

E. Appendix H, Hazardous Materials Management Plans and Hazardous Materials Inventory Statements is adopted in its entirety.

F. Appendix O, Temporary Haunted Houses, Ghost Walks, and Similar Amusement Uses, is adopted in its entirety.

G. Appendices not listed herein are not adopted as part of this Ordinance.

Section III. Findings and Declarations

The City Council of the City of Chula Vista specifically and expressly finds and declares that each of the additions and amendments listed in Chula Vista Municipal Code, 15.36, Fire Code, are necessary due to local climatic, geological, or topographical conditions. Local climatic, geologic, and topographic findings for each of the Fire Code additions and amendments are as follows:

A. Local climatic conditions. Climate is one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. The local seasonal climatic conditions during the summer months and fall create severe fire hazards to the public health and welfare in the city. The hot, dry weather in combination with Santa Ana winds frequently results in vegetation fires. Additionally, several consecutive years of local and state-wide drought conditions have and

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continue to occur, which reduces vegetation fuel moisture. With little moisture in the fuel, fires can more easily start, and wind and other driving forces may cause rapid and intense fire spread. These local conditions combined with the geological and topographical characteristics within the city create hazardous conditions for which departure from the California Building Standard Code is required.

B. Local geological conditions. The city is subject to earthquake hazards caused by its location on the La Nacion fault zone and Chula Vista fault, and its proximity to the Rose Canyon fault. Seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, increase the likelihood of numerous structure fires, and place extreme demands on both private fire protection systems and equipment. The extreme demands also extend to the Fire Department and its ability to meet and provide the fire protection and life safety needs of the community. Being that the city is within a seismic area that includes earthquake faults, the modifications and changes cited herein are designed to limit property damage as a result of seismic activity.

C. Local topographical conditions. The city has several topographical features, including bordering by a bay, a lake, Otay River Valley, and Sweetwater river, parkways, narrow streets, open space, varying elevations, bridges, overpasses, freeways, and railroad tracks including light rail. These conditions can impede the rapid deployment and effectiveness of emergency resources; further, these conditions and increasing populations can slow evacuation. Additionally, the varying elevations across the city increase wind effects and can have significant negative impacts during vegetation and other fires. The modifications and additions to the California Building Standards Code are reasonably necessary to mitigate to the extent possible the respective deleterious effects and for community health and safety.

California Health and Safety Code section 17958.7 requires that the modifications or changes be expressly marked and identified as to which each finding refers. The following table provides the City of Chula Vista Municipal Code Sections and the associated conditions for modification due to local climatic, geological, and /or topographical reasons.

Findings Related to Local Amendments

Section Number	Local Climatic / Geological / Topographical Conditions
15.36.005	Section III: A, B, C
15.36.010	Section III: A, B, C
15.36.015	Section III: A, B, C
15.36.020	Section III: A, B, C
15.36.025	Section III: A, B, C
15.36.030	Section III: A, B, C
15.36.035	Section III: A, B, C
15.36.040	Section III: A, B, C
15.36.045	Section III: A, B, C
15.36.050	Section III: A, B, C
15.36.055	Section III: A, B, C
15.36.060	Section III: A, B, C

15.36.065	Section III: A, B, C
15.36.070	Section III: A, B, C
15.36.075	Section III: A, B, C
15.36.080	Section III: A, B, C
15.36.085	Section III: A, B, C
15.36.090	Section III: A, B, C
15.36.095	Section III: A, B, C
15.36.100	Section III: A, B, C
15.36.105	Section III: A, B, C
15.36.110	Section III: A, B, C
15.36.115	Section III: A, B, C
15.36.120	Section III: A, B, C
15.36.125	Section III: A, B, C
15.36.130	Section III: A, B, C
15.36.135	Section III: A, B, C
15.36.140	Section III: A, B, C
15.36.145	Section III: A, B, C
15.36.150	Section III: A, B, C
15.36.155	Section III: A, B, C
15.36.160	Section III: A, B, C
15.36.165	Section III: A, B, C
15.36.170	Section III: A, B, C
15.36.175	Section III: A, B, C
15.36.180	Section III: A, B, C
15.36.185	Section III: A, B, C
15.36.190	Section III: A, B, C
15.36.195	Section III: A, B, C
15.36.200	Section III: A, B, C
15.36.205	Section III: A, B, C
15.36.210	Section III: A, B, C
15.36.215	Section III: A, B, C
15.36.220	Section III: A, B, C
15.36.225	Section III: A, B, C
15.36.230	Section III: A, B, C
15.36.235	Section III: A, B, C
15.36.340	Section III: A, B, C
15.36.245	Section III: A, B, C
15.36.250	Section III: A, B, C
15.36.255	Section III: A, B, C
15.36.260	Section III: A, B, C
15.36.265	Section III: A, B, C
15.36.270	Section III: A, B, C

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Section IV. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable, or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability, or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses, or phrases of the Ordinance be declared invalid, unenforceable, or unconstitutional.

Section V. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law, and this Ordinance shall be construed in light of that intent.

Section VI. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage but not before January 1, 2023.

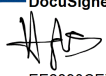
Section VII. Publication

The City Clerk shall certify the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

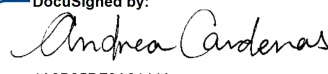
DocuSigned by:

 EE2890CE77064B6...
 Harry Muns
 Fire Chief

DocuSigned by:

 CF40650850444BF...
 Glen R. Googins
 City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 6th day of December 2022, by the following vote:

AYES: Councilmembers: Cardenas, Galvez, McCann, and Casillas Salas
 NAYS: Councilmembers: None
 ABSENT: Councilmembers: None

DocuSigned by:

 1A0B25DF3A8144A...
 For
 Mary Casillas Salas, Mayor

ATTEST:

DocuSigned by:

 3074D104FAF342E...
 Kerry K. Bigelow, MMC, City Clerk

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

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3538 had its first reading at a regular meeting held on the 8th day of November 2022, and its second reading and adoption at a regular meeting of said City Council held on the 6th day of December 2022; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

2/14/2023

 Dated

DocuSigned by:

 3074D104FAF342E...
 Kerry K. Bigelow, MMC, City Clerk