

ORDINANCE NO._16-OR0848-1_____

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING
CHAPTER 6 AND CHAPTER 11 OF THE OCEANSIDE CITY
CODE BY THE ADOPTION OF THE 2016 EDITIONS OF THE
CALIFORNIA ADMINISTRATIVE, BUILDING, FIRE,
PLUMBING, MECHANICAL, ELECTRICAL, ENERGY,
RESIDENTIAL, HISTORICAL, AND GREEN BUILDING
CODES

WHEREAS, the California Building Standards Codes are published every three years by
the Building Standards Commission; and

WHEREAS, the California Building Standards Commission has published the 2016
California Building Standards Codes by amending Title 24 of the California Code of
Regulations, effective January 1, 2017; and

WHEREAS, the California Building Standards Codes may be adopted by cities by
incorporation by reference; and

WHEREAS, cities may establish more restrictive building standards than those set forth
in the California Building Standards Codes, if certain findings are made pertaining to local
climatic, geologic or topographic conditions; and

WHEREAS, the City Council of the City of Oceanside has adopted a resolution of local
findings supporting modifications to the technical provisions of the California Building Code,
2016 edition; California Fire Code, 2016 edition; California Electrical Code, 2016 edition, and
the California Residential Code, 2016 edition.

NOW THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as
follows:

SECTION 1. Articles I, II, III, IV, VI, VIII, XII and XIII of Chapter 6 of the Oceanside
City Code are hereby amended by the amendment of Sections 6.1, 6.2(a)-(c), 6.3, 6.6, 6.7 (first
line only), 6.8, 6.10, 6.14, 6.15 (first line only), 6.32, 6.70(a), 6.71 (first line only), and 6.80(a)
to read as follows:

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Sec. 6.1. Adoption by reference.

(a) The Administrative Code hereinafter referred to is the California Building Code, 2016 Edition, Volume 1, Chapter 1, Division II, Scope and Administration, published by the California Building Standards Commission; one copy of the Administrative Code shall be kept on file in the office of the city clerk.

(b) All the provisions of said Administrative Code including such provisions as are herein added, deleted or amended, are hereby adopted by reference and shall constitute the Administrative Code for the City of Oceanside, establishing the rules and regulations for the following technical codes: California Building Code, 2016 edition; California Residential Code, 2016 edition; California Electrical Code, 2016 edition; California Mechanical Code, 2016 edition; California Plumbing Code, 2016 edition; California Energy Code, 2016 edition; California Green Building Standards Code, 2016 edition.

Sec. 6.2. Modifications to the Administrative Code.

The Administrative Code, 2016 edition, is hereby modified by the amendments, deletions and additions of various sections, subsections and paragraphs as follows:

(a) *SECTION 101 - GENERAL* is modified by deleting subsection 101.4.3 and adding subsection 101.4.3 and deleting subsection 101.4.4 and adding subsection 101.4.4 as follows:

101.4.3 PLUMBING. The provisions of the California Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the California Plumbing Code Appendix H shall apply to private sewage disposal systems.

101.4.4 PROPERTY MAINTENANCE. The provisions of the Uniform Housing Code 1997 edition and the Uniform Code for the Abatement of Dangerous Buildings 1997 edition shall apply as is applicable to existing structures and premises; equipment and facilities; light, ventilation, space heating, life and fire safety hazards;

responsibilities of owners, operators, and occupants; and occupancy of existing premises and structures.

(b) *SECTION 105.2 WORK EXEMPT FROM PERMITS* is modified by deleting exceptions 1 and 2 and adding new exceptions 1 and 2 and by adding paragraphs 14, 15, and 16 to subsection 105.2 as follows:

1. When located in rear yards of property zoned for single-family dwellings and for property zoned for agriculture use, one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet. Limited to one accessory structure per single-family dwelling. The maximum height for any portion of the structure is 10 feet above ground level for flat lots or 10 feet above grade plane for sloping lots.

2. Fences not over 6 feet high do not require a building permit but must conform to City of Oceanside zoning regulations for maximum allowed height, permissible materials and location.

14. A skylight or other similar roof penetration, which does not require cutting of structural members other than roof sheathing, provided that the skylight is located in relation to property lines and fire walls. Any electrical work associated with such installations, is not exempt from a permit.

15. Seasonal plastic/hoop agricultural crop cover structures that do not exceed six (6) feet in height regardless of area, provided that the structures are located in accord with required zoning setbacks from property lines.

16. Minor roof repairs that do not exceed 200 square feet of roof area.

(c) *SECTION 105 - PERMITS* is modified by deleting subsections 105.3.2 and 105.5 and adding a new subsections 105.3.2 and 105.5 as follows:

105.3.2 Time limitation of application. An application for a permit shall expire two (2) years after the date of application for a permit. The Chief Building Official is authorized to grant, in writing, one or more extensions of time for additional periods not

1 exceeding 90 days each. Such extensions shall be requested in writing and demonstrate
2 justifiable cause for such extension.

3 *105.5 Permit Expiration.* Every permit issued by the Chief Building Official
4 under provisions of this article and of the technical codes shall expire by limitation and
5 become null and void if the work authorized by such permit is not completed within
6 three (3) years from date of permit issuance. The Chief Building Official is authorized to
7 grant, in writing, one or more extensions of time, for periods not more than 180 days
8 each. All extension requests must be in writing and demonstrate justifiable cause for the
9 time extension.

10 **Sec. 6.3. Technical codes.**

11 The California Building Code, 2016 Edition, Title 24 Part 2; California Fire Code, 2016
12 Edition, Title 24 Part 9; California Residential Code, 2016 Edition, Title 24 Part 2.5; California
13 Plumbing Code, 2016 Edition, Title 24 Part 5; California Mechanical Code, 2016 Edition, Title
14 24 Part 4; California Electrical Code, 2016 Edition, Title 24 Part 3; California Energy Code,
15 2016 Edition, Title 24 Part 6; California Green Building Standards Code, 2016 Edition, Title 24
16 Part 11; Uniform Housing Code, 1997 Edition; Uniform Code for the Abatement of Dangerous
17 Buildings, 1997 Edition; and the Uniform Code for Building Conservation, 1997 Edition, as
18 adopted by reference by this chapter, are hereby designated as the technical codes.

19 **ARTICLE II. BUILDING CODE**

20 **Sec. 6.6. Adoption by reference.**

21 (a) The Building Code hereinafter referred to is the 2016 California Building Code
22 including Appendix G, flood resistant construction, published by order of the California
23 legislature. One (1) copy of the Building Code shall be kept on file in the office of the city
24 clerk.

25 (b) All the provisions of said Building Code including such provisions as are
26 hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the
27 Building Code of the City of Oceanside, establishing rules and regulations covering the subjects
28 and matters therein referred to.

1 **Sec. 6.7. Modifications to the Building Code.**

2 [The first line of Section 6.7 is hereby modified as follows:]

3 “The 2016 California Building Code is hereby modified in the following respects:”

4 **ARTICLE III. PLUMBING CODE**

5 **Sec. 6.8. Adoption by reference.**

6 (a) The Plumbing Code hereinafter referred to is the 2016 California Plumbing Code,
7 published by order of the California legislature. One (1) copy of the Plumbing Code shall be
8 kept on file in the office of the city clerk.

9 (b) All the provisions of said Plumbing Code including such provisions as are
10 hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the
11 Plumbing Code of the City of Oceanside, establishing rules and regulations covering the
12 subjects and matters therein referred to.

13 **ARTICLE IV. MECHANICAL CODE**

14 **Sec. 6.10. Adoption by reference.**

15 (a) The Mechanical Code hereinafter referred to is the 2016 California Mechanical
16 Code, published by order of the California legislature. One (1) copy of the Mechanical Code
17 shall be kept on file in the office of the city clerk.

18 (b) All the provisions of said Mechanical Code including such provisions as are
19 hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the
20 Mechanical Code of the City of Oceanside, establishing rules and regulations covering the
21 subjects and matters therein referred to.

22 **ARTICLE VI. ELECTRICAL CODE**

23 **Sec. 6.14. Adoption by reference.**

24 (a) The Electrical Code hereinafter referred to is the 2016 California Electrical Code,
25 published by order of the California legislature. One (1) copy of the Electrical Code shall be
26 kept on file in the office of the city clerk.

27 (b) All the provisions of said Electrical Code including such provisions as are
28 hereinafter added, deleted or amended, are hereby adopted by reference and shall constitute the

Electrical Code of the City of Oceanside, establishing rules and regulations covering the subjects and matters therein referred to.

Sec. 6.15. Modifications to the California Electrical Code.

[The first line of Section 6.15 is hereby modified as follows:]

“The California Electrical Code, 2016 edition, is hereby modified as follows:”

ARTICLE VIII. MISCELLANEOUS REGULATIONS

Sec. 6.32. Coordination.

6.32.1 Prior to issuance of permits. The building official shall not issue building permits until the following city/county functions, as appropriate, have reviewed and approved in writing the proposed construction as it affects laws and ordinances they are charged with enforcing:

- (1) Planning
- (2) Engineering
- Fire prevention
- (4) Water and sewer
- (5) Health (food handling facilities only)
- (6) Redevelopment (construction in redevelopment area only)

6.32.2. Prior to release of occupancy of structure.

(a) When the structure is ready for final inspection and occupancy, the permit holder shall notify the building official. The building official will coordinate with other appropriate city/county functions noted above so they may verify compliance with various laws and ordinances they are charged with enforcing.

(b) The building official shall not release the utilities or the occupancy of the building until in receipt of written approvals of the final construction by the appropriate city/county functions. The various city/county functions may release the structure to the building department for utilities [and/or] occupancy without total completion of the project if they are substantially assured of the completion within a reasonable time limit.

(c) Exceptions:

1 (1) The building official may allow the release of temporary utilities for
2 commercial/industrial structures which require testing of equipment, or those which
3 necessitate the starting up of refrigeration equipment for food handling facilities prior to
4 final inspection [and/or] occupancy. If temporary utilities are released, the contractor, the
5 owner of the property and the tenant shall agree, in writing, on a form provided by the
6 building official, that the structure will not be occupied until released by all appropriate
7 city/county functions.

8 (2) The building official may release electrical house meters for security
9 purposes prior to final inspection and/or occupancy of the structure.

10 **ARTICLE XII. RESIDENTIAL CODE**

11 **Sec. 6.70. Adoption by reference.**

12 (a) The Residential Code hereinafter referred to is the California Residential Code,
13 2016 Edition, published by order of the California Legislature. One (1) copy of the Residential
14 Code shall be kept on file in the office of the city clerk.

15 **Sec. 6.71. Modifications to the Residential Code.**

16 [The first line of Section 6.71 is hereby modified as follows:]

17 “The 2016 California Residential Code is hereby modified in the following respects:”

18 **ARTICLE XIII. GREEN BUILDING CODE**

19 **Sec. 6.80. Adoption by reference.**

20 (a) The Green Building Code hereinafter referred to is the California Green Building
21 Standards Code, 2016 Edition, published by order of the California legislature. One (1) copy of
22 the Green Building Code shall be kept on file in the office of the city clerk.

23 **SECTION 2.** Article XV is hereby added to Chapter 6 of the Oceanside City Code, to
24 read as follows:

25 **ARTICLE XV. ELECTRIC VEHICLE CHARGING STATIONS**

26 **Sec. 6.100. Electrical Charging Stations.**

27 (a) Purpose. The purpose of this section is to adopt an expedited permitting process
28 for electric vehicle charging stations pursuant to AB1236 Electric Vehicle Charging Stations

1 Open Access Act and Government Code 65850.7(g). The provisions of this chapter are intended
2 to supplement and not supersede other regulations and requirements imposed by chapter 6 of
3 this Code.

4 (b) Application. Applicants desiring to qualify for the expedited review shall submit
5 an application to the City, in a form approved by the City's building official. The building
6 official is authorized to administratively act on such applications, pursuant to this section. The
7 use of electric vehicle charging systems is encouraged by streamlining processes, minimizing
8 costs to property owners and the city, and expanding the ability of property owners to install
9 electric vehicle charging stations while protecting public health and safety.

10 (c) Checklists. The City building official is authorized and directed to develop
11 checklists of all requirements with which electric vehicle charging stations shall comply to be
12 eligible for expedited review. An application that satisfies the requirements of the eligibility
13 checklists, as determined by the building official, shall be deemed complete and eligible for the
14 expedited permitting process. Upon receipt of an incomplete application, the building official
15 shall issue a written correction notice detailing all deficiencies in the application and any
16 additional information required to be eligible for the expedited permitting process.

17 (d) Permit review. An electric vehicle charging station shall meet all applicable safety
18 and performance standards established by the California Electrical Code, the Society of
19 Automotive Engineers, the National Electrical Manufacturers Association, and accredited
20 testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public
21 Utilities Commission regarding safety and reliability. Upon confirmation by the building
22 official of the application and supporting documentation are complete and that the electric
23 vehicle charging station substantially conforms to all requirements, the building official shall
24 administratively approve the application and issue required permits.

25 (e) Electronic submittal. In compliance with government code 65850.7 (g), the
26 building official shall allow for electronic submittal of a permit application and associated
27 documentation, and shall authorize the electronic signature on all forms, applications, and other
28 documentation in lieu of a wet signature by an applicant.

1 (f) Use Permit. If the building official makes a finding, based on substantial
2 evidence, that the proposed project could have a specific, adverse impact on the public health
3 and safety, the building official may require the applicant to apply for a use permit.

4 (g) Fees. Fees for each permit shall be as set for in a resolution adopted by the city
5 council.

6 **SECTION 3.** Article II, Fire Prevention, of Chapter 11 of the Oceanside City Code is
7 hereby amended by the deletion of existing sections 11.15, 11.16, 11.17, 11.18, 11.19, 11.20,
8 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.28 and replacement with new sections 11.15,
9 11.16, 11.17, 11.18, 11.19, 11.20, 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.28 to read
10 as follows:

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12 Chapter 11, Section 11.15 of the Oceanside City Code is amended to read as follows:

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14 “Section 11.15 California Fire Code – Adopted by reference.

15 That certain document, one (1) copy of which is on file in the office of the City Clerk of
16 the City of Oceanside, being marked and designated as the 2016 California Fire Code, including
17 the following Appendices - Chapter 4, B, BB, C, CC, D, E, F, G, H, I, and K, as published by
18 the International Code Council, and its amendments, is hereby adopted as the Fire Code of the
19 City of Oceanside, in the State of California regulating and governing the safeguarding of life
20 and property from fire and explosion hazards arising from the storage, handling and use of
21 hazardous substances, materials and devices, and from conditions hazardous to life or property
22 in the occupancy of buildings and premises and in the erection, construction, enlargement,
23 alteration, repair, moving, removal, conversion, demolition, equipment use, and maintenance of
24 buildings and structures; providing for the issuance of permits and collection of fees thereof;
25 and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code
26 on file in the office of the City Clerk of the City of Oceanside are hereby referred to, adopted,
27 and made a part hereof, as if fully set out in this ordinance, with the additions and/or revisions
28 prescribed in section 11.18 of the Oceanside City Code.”

Chapter 11, Section 11.16 of the Oceanside City Code is amended to read as follows:

“Sec. 11.16 Definitions.

- A. *California Fire Code* - The 2016 California Fire Code and all of its appendices and standards as adopted by reference in section 11.15.
- B. *Jurisdiction* - The City of Oceanside.
- C. *Fire Marshal* - A Chief Fire Officer appointed as the Chief of the Fire Prevention Division.
- D. Wherever the terms "this Code" or "2015 International Fire Code" are used, they shall be held to mean the 2016 California Fire Code as modified by the City of Oceanside with the additions and revisions set forth in the amendments.”

Chapter 11, Section 11.17 of the Oceanside City Code is amended to read as follows:

“Sec. 11.17. Fire Code Enforcement

The California Fire Code shall be enforced by the Fire Department of the City of Oceanside and other officials of the city as may be determined pursuant to section 1.12 of the Oceanside City Code.”

Chapter 11, Section 11.18 of the Oceanside City Code is amended to read as follows:

“Sec. 11.18. Amendments to the California Fire Code.

The California Fire Code is hereby revised in the following respects:

Chapter 1 - Administration is hereby amended by adding to (A) and/or revising (R) the Fire Code portion of the California Building Standards Code to read as follows:

1 (R) **Section 101.1 Title.** These regulations shall be known as the Fire Code of the
2 City of Oceanside, herein after referred to as “this code.”

3 (R) **Section 104.8 Modifications.** Where there are practical difficulties involved in
4 carrying out the provision of this code, the Fire Code Official shall have the
5 authority to grant modifications for individual cases, provided the Fire Code
6 Official shall first find that special individual reason makes the strict letter of this
7 code impractical and the modification is in compliance with the intent and
8 purpose of this code and that such modification does not lessen health, life, and
9 fire safety requirements. In-lieu fees may be charged to re-coup costs associated
10 with properly equipping the Fire Department with additional apparatus or
11 equipment needed due to the modifications. The details of action granting
12 modifications shall be recorded and entered in the files of the Fire Prevention
13 Bureau.

14 (A) **Section 104.12 Cost Recovery.**

15 (A) **Section 104.12.1 Purpose.** The purpose of this section is to establish authority to
16 obtain reimbursement from responsible individuals for the expenses of any
17 emergency response and/or code enforcement action by the City of Oceanside
18 Fire Department to protect the public from fire or hazardous situations.

19 (A) **Section 104.12.2 Reimbursement.**

- 20 1. In accordance with the Health and Safety Code Section 13000 et seq., an
21 individual who acts negligently or in violation of the law and thereby
22 requires the jurisdiction to provide an emergency response to a danger
23 posed by a fire or hazardous substance shall be liable for reimbursement to
24 the agency for the costs incurred.
- 25 2. In accordance with Government Code Sections 53150 through 53158, any
26 individual who is under the influence of an alcoholic beverage or any drug
27 or the combined influence of an alcoholic beverage or any drug, and whose
28 negligent operation of a motor vehicle, boat or vessel, or civil aircraft

caused by that influence, proximately causes any incident and thereby requires the agency to provide an emergency response shall reimburse the agency for the cost incurred.

3. In accordance with Health and Safety Code Section Sections 13146 (b) and 13146(f), the City of Oceanside Fire Chief, and his or her authorized representatives, shall enforce within its jurisdiction the building standards and other regulations of the State Fire Marshal and charge a fee not to exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section 66014 of the Government Code.

(R) **Section 105.4.1 Submittals.** Construction documents and supporting data shall be submitted in three or more sets 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 or, when required by the State of California, an appropriately classified contractor, when required by the Fire Code Official, without charge to the jurisdiction. The Fire Code Official shall reserve the right to deny submittals from entities not meeting such form and detail as required by the Fire Code Official.

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 review of construction documents is not necessary to obtain compliance with this code.

(A) **Section 105.6.50 Christmas tree lots.** An operational permit is required to operate a Christmas tree lot with or without flame-proofing services.

(A) **Section 105.6.51 Green waste recycling, mulching, composting operations, and storage.** An operational permit is required to conduct commercial mulching and composting operations.

1 (R) **Section 109.4 Violation penalties.** Persons who shall violate a provision of this
2 code or shall fail to comply with any of the requirements thereof or who shall
3 erect, install, alter, repair or do work in violation of the approved construction
4 documents or directive of the Fire Code Official, or of a permit or certificate used
5 under provisions of this code, shall be guilty of a misdemeanor, punishable by a
6 fine of not more than \$1,000 or by imprisonment not exceeding 180 days, or both
7 such fine and imprisonment. Each day that a violation continues after due notice
8 has been served shall be deemed a separate offense.

9 (R) **Section 111.4 Failure to comply.** Any person who shall continue any work after
10 having been served with a stop work order, except such work as that person is
11 directed to perform to remove a violation of unsafe condition, shall be liable to a
12 fine of not less than \$100 or more than \$1000.

13 (R) **Section 113.2 Schedule of construction, operational permit, and Inspection**
14 **fees.** A reasonable fee for each construction and operational permit and/or
15 associated inspection shall be paid as required, in accordance with the schedule as
16 established by resolution of the Oceanside City Council. For items where there is
17 no specific fee established, the Fire Code Official shall determine the appropriate
18 fee based upon consideration of the items listed in the fee schedule that most
19 resemble the work proposed and the expected staff time involved to perform the
20 required construction plan processing and review and/or inspections.

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22 Chapter 2 – Definitions - Section 202 General Definitions is hereby amended by adding
23 to (A) and/or revising (R) the Fire Code portion of the California Building Standards
24 Code to read as follows:

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26 (A) FIRE AUTHORITY HAVING JURISDICTION (FAHJ) OR AUTHORITY
27 HAVING JURISDICTION (AHJ). The Oceanside Fire Department who is the
28 designated entity providing enforcement of the California Fire Code and other standards

1 or regulations. This entity may also provide fire suppression and other emergency
2 services.

3
4 (R) FIRE CODE OFFICIAL. The Fire Chief, Fire Marshal, or Authorized Fire
5 Department Representative as appointed by the Fire Chief, of the City of Oceanside
6 charged with the administration and enforcement of the California Fire Code and other
7 standards or regulations.

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9 (A) FIRE HAZARD. Any thing that increases or could cause an increase of the hazard
10 or menace of fire to a greater degree than customarily recognized as normal by persons
11 in the public service regularly engaged in preventing, suppressing or extinguishing fire
12 or any thing or act which could obstruct, delay, hinder or interfere with the operations of
13 the Fire Department or egress of occupants in the event of fire.

14
15 (A) HAZARDOUS FIRE AREA. Any geographic area mapped by the State or local
16 jurisdiction as a high or very high fire hazard area, or as set forth by the FAHJ, that
17 contains the type and condition of vegetation, topography, weather, and structure density
18 to potentially increase the possibility of vegetation conflagration fires shall be considered
19 a hazardous fire area.

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21 (A) HAZARDOUS SITUATION. Any situation deemed by the Fire Department, and
22 any of its authorized representatives, to pose a threat to life safety, property, or the
23 environment.

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25 (A) MID-RISE BUILDING. A building four stories or more high, but not exceeding
26 75 feet in height and not defined as a high-rise building by section 202 of the California
27 Building Code.

Chapter 3 - General Precautions Against Fire is hereby amended by adding to (A) and/or revising (R) the Fire Code portion of the California Building Standards Code to read as follows:

(A) **Section 305.6 Rockets, model aircraft and similar devices.** Rockets, model airplanes, gliders, balloons, sky lanterns, floating luminary or similar devices powered with an engine, propellant, open flame or other feature liable to start or cause a fire shall not be projected into or across hazardous fire areas without prior approval of the fire code official.

(R) **Section 307.5 Attendance.** Open burning, bonfires, recreational fires and the use of portable outdoor fireplaces shall be constantly attended by an adult until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

(A) **Section 316.7 Smoke Evacuation System in Below-ground Parking Garages.** A provision shall be made for all below grade parking structures to have a smoke removal system. A manual switch shall be provided above grade at an approved location to remove smoke from the parking structure in the event of a fire.

Chapter 5 - Fire Service Features is hereby amended by adding to (A) and/or revising (R) the Fire Code portion of the California Building Standards Code to read as follows:

(R) **Sec. 501.3 Construction documents.** Construction documents for proposed, or modification of existing, fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

(R) **Section 503.2.1 Dimensions.** The dimensions of fire apparatus access roads shall be in accordance with the following:

1. Fire apparatus access roads shall have an unobstructed improved curb-face to curb-face minimum width of:
 - a. 28 feet minimum – with no parking on either side of the street, or
 - b. 32 feet minimum – allowing parking on one side of the street, or
 - c. 36 feet minimum – allowing parking on both sides of the street.
 - d. Private driveways serving no more than two single family residences within 150 feet from a fire apparatus access roadway, measured from the rear of the structure(s), shall have an unobstructed improved width of not less than 16 feet.
 - e. Private driveways serving three or more single family residences, or any single family residences that are more than 150 feet from a fire apparatus access roadway, measured from the rear of the structure(s), shall comply with requirements set forth in the City of Oceanside Engineering Design Manual.
2. All fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches.
3. Vertical clearances or road widths shall be increased when the fire code official determines that vertical clearances or road widths are not adequate to provide fire apparatus access.

EXCEPTIONS:

1. Upon approval by the Fire Code Official, clearances may be reduced, provided such reduction does not impair access by fire apparatus.
2. Fire access roads, gated entrances with card readers, guard stations, or center medians that have separated lanes of one-way traffic, shall be not less than 14 feet wide per lane.

- 1 (R) **Section 503.2.3 Surface.** Fire apparatus access roads, including bridges, shall be
2 designed and maintained to support the imposed loads of fire apparatus, rated at
3 not less than 78,000 lbs. unless authorized by the Fire Code Official and shall be
4 provided with an approved paved surface so as to provide all-weather driving
5 capabilities. Paved surfaces shall be asphalt, concrete or other approved materials.
- 6 (R) **Section 503.2.4 Turning radius.** The required turning radius of a fire apparatus
7 access road or required private driveway shall have a minimum dimension of 30
8 feet on the inside and 50 feet on the outside.
- 9 (R) **Section 503.2.7 Grade.** The grade for the fire apparatus access roadway shall not
10 exceed 15%. Grades exceeding 12.0% (incline or decline) shall not be permitted
11 without mitigation. Minimal mitigation shall be the installation of fire sprinkler
12 systems and a surface of Portland cement concrete. The Fire Code Official may
13 require additional mitigation measures where deemed appropriate.
- 14 (R) **Section 503.2.8 Angles of approach and departure.** The angle of approach and
15 angle of departure of a fire access roadway shall not exceed seven (7) degrees (12
16 percent) or as approved by the Fire Code Official.
- 17 (R) **Section 503.3 Marking.** Where required by the Fire Code Official, approved
18 signs or other approved notices or markings that include the words NO
19 PARKING- FIRE LANE shall be provided for fire apparatus access roads to
20 identify such roads or prohibit the obstruction thereof. The Fire Code Official
21 may designate existing roadways as fire lanes consistent with California Vehicle
22 Code Section 22500.1, where the Fire Code Official determines that such
23 designation is necessary to ensure adequate fire access. All new public roads, all
24 private roads within subdivisions, and all private road easements serving four or
25 more parcels shall be named. Road name signs shall comply with City of
26 Oceanside naming requirements. The Fire Code Official may require the posting
27 of a fire lane where parking has obstructed or could obstruct the required width.
28

1 (R) **Section 503.4.1 Traffic calming devices.** Traffic calming devices shall be
2 prohibited unless approved by the Fire Code Official and in accordance with the
3 City of Oceanside Neighborhood Traffic Calming Program Manual.

4 (R) **Section 503.6. Security gates and other roadway obstructions.** No person shall
5 install a security gate, security device, or other roadway obstruction across a fire
6 access roadway without the fire code official's approval.

7 1. Automatic gates across a fire access roadway or driveway shall be
8 equipped with an approved emergency key-operated switch overriding all
9 command functions and opening the gate.

10 2. Gates accessing multiple residences or residential lots or a gate accessing
11 hazardous, institutional, educational or assembly occupancy group
12 structure, shall also be equipped with an approved emergency traffic
13 control-activating strobe light sensor or other device approved by the fire
14 code official, which will activate the gate on the approach of emergency
15 apparatus in both directions of travel.

16 3. Automatic gates shall be provided with a battery back-up or manual
17 mechanical disconnect in case of power failure.

18 4. Automatic gates shall meet fire department policies deemed necessary by
19 the fire code official for rapid, reliable access.

20 5. When required by the fire code official, an automatic gate in existence at
21 the time of adoption of this chapter is required to install an approved
22 emergency key-operated switch or other mechanism approved by the fire
23 code official, at an approved location, which overrides all command
24 functions and opens the gate. A property owner shall comply with this
25 requirement within 90 days of receiving written notice to comply.

26 6. Where this section requires an approved key-operated switch, it may be
27 dual-keyed or equipped with dual switches provided to facilitate access by
28 law enforcement personnel.

7. All gates providing access from a road to a driveway shall be located a minimum of 30 feet from the nearest edge of the roadway and shall be at least two feet wider than the width of the traffic lane(s) serving the gate.

8. Electric gate openers, 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 F2200.

(R) **Section 505.1 Address Identification.** Approved address numbers, building numbers, building identification and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations, plainly visible and legible from the street or roadway fronting the property when approaching from either direction. The numbers shall contrast with their background and shall meet the following minimum size standards: 4" high with a ½" stroke for residential buildings, 6" high with a ½" stroke for commercial and multi-residential buildings and 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners and entrances to commercial centers. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. The Fire Code Official may establish different minimum sizes for numbers for various categories of projects. Address identification shall be maintained.

(A) **Section 505.3 Multiple tenant building signs.** Multiple tenant spaces serviced by vehicular access to the rear through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way. Multiple tenant spaces serviced by rear access through a corridor, exit passageway, exit court, or exit yard shall have approved numbers or addresses displayed on the rear of the tenant space. Multiple tenant spaces that front on the interior walkways or

pedestrian malls shall have approved numbers or addresses placed near the entrance door in all new and existing buildings. Illuminated directory boards shall be provided at vehicular access entrances to multiple building complexes.

(A) **Section 505.4 Map/Directory.** A lighted directory map, meeting current fire department standards, shall be installed at the driveway entrance to a residential project or a mobile home park, with more than 15 units. Alternative locations and types are subject to approval of the Fire Code Official.

(A) **Section 505.5 Response Map Updates.** Any new development that necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways, or similar features, shall be required to provide map updates in a format (PDF, GIS, and/or CAD) as approved by the Fire Code Official or compatible with current department mapping services. The Fire Department is authorized to charge a reasonable fee for updating all response maps.

(A) **Section 506.2.1 Emergency Key Access.** All central station-monitored fire detection systems and fire sprinkler systems shall have an approved emergency key access box on-site in an approved location. The owner or occupant shall provide and maintain current keys for the structure(s) for Fire Department placement in the box, and shall notify the Fire Department in writing when the building is re-keyed.

(A) **Section 507.2.3 Looping of water mains.** All water mains which support fire hydrants will be looped as required in the City of Oceanside Engineering Design Manual.

(R) **Section 507.4 Water Supply Test.** The Fire Code Official shall be notified prior to a required water supply test. Water supply tests shall be witnessed by the Fire Code Official or an authorized representative. The Fire Code Official may require an approved consultant to provide a water supply test report indicating fire-flow capabilities at no cost to the City of Oceanside.

1 (A) **Section 507.5.1.2 Location, Type, and Number.** The location, type, and number
2 of fire hydrants connected to a water supply capable of delivering the required fire
3 flow shall be provided on the public or private street, or on the site of the
4 premises to be protected, or both, as required in the California Fire Code,
5 including appendices, and in the City of Oceanside Engineering Design Manual,
6 whichever is more restrictive. An approved water supply for fire protection, either
7 temporary or permanent, shall be made available at construction sites prior to
8 combustible material arriving on the site.

9
10 Chapter 6 - Building Services and Systems is hereby amended by adding to (A) and/or
11 revising (R) the Fire Code portion of the California Building Standards Code to read as
12 follows:

13
14 (A) **Section 603.6.6 Spark arresters.** All structures having a chimney, flue or
15 stovepipe attached to a fireplace, stove, barbecue or other solid or liquid fuel
16 burning equipment or device shall have the chimney, flue or stovepipe equipped
17 with an approved spark arrester. An approved spark arrester is a device intended
18 to prevent sparks from escaping into the atmosphere, constructed of welded or
19 woven wire mesh, 12 gauge thickness or larger, with openings no greater than ½
20 inch, or other alternative material the FAHJ determines provides equal or better
21 protection.

22 (R) **Section 605.11.2 Ground-mounted photovoltaic arrays.** Ground-mounted
23 photovoltaic array installations shall meet the requirements of sections 605.11.2.1
24 through 605.11.2.4.

25 (A) **Section 605.11.2.1 Fire apparatus access roads.** Fire apparatus access roads to
26 ground-mounted photovoltaic arrays, associated equipment structures and
27 operations/maintenance buildings shall comply with section 503.
28

EXCEPTION: Private residential and agricultural systems less than 10 acres in size and where the energy generated is primarily for on-site use are exempt from this requirement.

(A) **Section 605.11.2.1.1 Perimeter fire apparatus access roadway.** Ground-mounted photovoltaic arrays 10 acres or larger in size shall provide a fire apparatus access roadway around the perimeter of the project. The perimeter fire apparatus access roadway shall comply with section 503.

(A) **Section 605.11.2.2 Fuel modification.** Combustible vegetation within the array and to a distance of 30 feet from the array and associated equipment shall be reduced to a height of no more than 6 inches. The fuel modification zone may be increased when required by the fire code official or as recommend by a fire protection plan.

EXCEPTION: For private residential and agricultural systems less than 10 acres in size and where the energy generated is used primarily on-site, the required fuel modification zone may be reduced to 10 feet from the array and associated equipment.

(A) **Section 605.11.2.3 Water supply.** Water supply for fire protection and suppression shall be provided for equipment structures and operations/maintenance buildings as required by section 507.

(A) **Section 605.11.2.4 Identification.** Ground-mounted photovoltaic arrays with multiple equipment structures shall include a means of readily identifying each equipment structure. The fire code official may require a lighted directory map of the project to be installed on-site near the entrance to the facility for projects of 10 or more acres in size.

Chapter 9 - Fire Protection Systems is hereby amended by adding to (A) and/or revising (R) the Fire Code portion of the California Building Standards Code to read as follows:

1 (A) **Section 903.1.2 Access.** Automatic fire sprinkler systems meeting National Fire
2 Protection Association (NFPA) Standard 13 shall not be obstructed in any
3 manner. If a system riser is to be concealed by means of a wall, soffit, column, or
4 other building construction: (1) there must be eighteen-inch (18") clearance to
5 each side and to the front of the system riser; (2) access shall be provided by
6 means of a door with minimum dimensions of thirty (30) inches wide by eighty
7 (80) inches high; (3) the system riser shall be provided with a means of access to
8 the room directly from the exterior of the building; and (4) durable signage shall
9 be provided on the exterior side of the access door to identify the fire sprinkler
10 riser and alarm room. Fire alarm control panels shall be located in the same room,
11 and share the same access, as the fire sprinkler riser room or as required by the
12 Fire Code Official.

13 (A) **Section 903.1.3 Smoke control systems.** Mechanical smoke control systems,
14 such as those in high-rise buildings, buildings containing atria, covered mall
15 buildings and mechanical ventilation systems utilized in smoke-proof enclosures
16 and for smoke removal systems utilized in high-piled combustible storage
17 occupancies, shall be maintained in an operable condition at all times. Unless
18 otherwise required by the Fire Code Official, quarterly tests of such systems shall
19 be conducted by approved persons. A written record and current approved plans
20 shall be maintained and shall be made available to the inspection authority.

21 (A) **Section 903.4.2.1 Alarm locations.** Duct or area detectors used for plenum
22 detection, when located in areas which are not readily visible, shall have a remote
23 visual indicator installed in the ceiling visible from the floor area and adjacent to
24 the detector. Detectors which are not readily accessible from the floor shall have a
25 remote test switch. Locations for both remote visual indicators and remote test
26 switches shall be approved by the Fire Department. Activation of a duct detector
27 shall enunciate a supervisory signal only to the building's fire alarm system.
28

1 (A) **Section 903.4.2.2 Duct detectors.** Duct detectors shall be shown on fire alarm
2 plans, and devices shall be tested by the Fire Department.

3 (A) **Section 903.4.2.3 Signage.** Any company providing monitoring for any electronic
4 monitoring system, fire suppression, or detection system shall post an approved
5 visible sign at all control valves, control panels and monitoring panels. The sign
6 shall state the name of the monitoring company, the 24-hour phone number of the
7 central station, and instructions to call the central station before doing any work or
8 testing on any system being monitored.

9 (A) **Section 903.4.2.4 Exterior audible devices in new R-3 occupancies.** One
10 approved audible device, located on the street address side of the building in an
11 approved location, shall be connected to each new R-3 Occupancy automatic
12 sprinkler system.

13 (A) **Section 912.2.3 Fire department connections.** Fire Department connections
14 (FDC's) shall be located within forty (40) feet of a fire hydrant, and no closer than
15 forty (40) feet from the buildings they supply or other locations as approved by
16 the Fire Code Official. The FDC or FDC's shall also be located on the same side
17 of the access road or driveway as the building it serves and marked with the
18 address and/or area supplied by the FDC.

19 Chapter 33 – Fire Safety During Construction and Demolition is hereby amended by
20 adding to (A) and/or revising (R) the Fire Code portion of the California Building
21 Standards Code to read as follows:

22 (R) **Section 3310.1 Required access.** Approved vehicle access for firefighting shall
23 be provided to all construction or demolition sites. Vehicle access shall be
24 provided to within 100 feet of temporary or permanent fire department
25 connections. Vehicle access shall be provided by paved roads, either temporary or
26 permanent, capable of supporting 78,000 pounds under all weather conditions.
27 Vehicle access shall be maintained until permanent fire apparatus access roads are
28

1 available. The Fire Code Official may allow unpaved roads that meet the
2 requirements of the City of Oceanside Engineering Department.

3
4 Chapter 61 - Liquefied Petroleum Gases is hereby amended by adding to (A) and/or
5 revising (R) the Fire Code portion of the California Building Standards Code to read as
6 follows:

7
8 (A) **Section 6107.5 Securing LPG tanks.** When required by the FAHJ, LPG tanks
9 shall be secured to prevent the tank from rolling or moving.”

10
11 Chapter 11, Section 11.19 of the Oceanside City Code is amended to read as follows:

12
13 “Sec. 11.19. Mid-Rise Buildings.

14 In addition to other applicable provisions of the California Fire Code, the City Code, other laws
15 and regulations, and any policies of the Fire Code Official, the provisions of this article apply to
16 every newly constructed mid-rise building of any type construction, or any mid-rise building
17 which undergoes a complete renovation that requires the complete vacancy of the building to
18 complete the renovation.

19
20 EXCEPTION: Vehicle parking garages, towers, steeples and other similar occupancies that are
21 not used for continuous human occupancy.

22
23 **Building access.** Building access must be provided and approved by the Fire Code Official.

24
25 **Automatic fire sprinklers/standpipes.** Every mid-rise building must be protected throughout
26 by an automatic fire sprinkler system that is designed and installed in conformance with the
27 adopted edition of NFPA 13 and in accordance with the following:

1. Shutoff valves and a water-flow alarm device must be provided for each floor. Each shutoff valve and flow device must be electronically supervised. Every mid-rise building must be provided with a class I standpipe system that is interconnected with the fire sprinkler system. The system must consist of two and one-half-inch (2½") hose valves that must be located in each stair enclosure on every floor level. Two (2) hose outlets must also be located on the roof, outside of each stair shaft enclosure that penetrates the roof. The standpipe system must be designed, installed, and tested in accordance with the adopted edition of NFPA 14.

Smoke detection. Smoke detectors must be provided in accordance with this section. Smoke detectors must be connected to an automatic fire alarm system installed in accordance with the adopted edition of NFPA 72. The actuation of any detector required by this section will operate the emergency voice alarm signaling system and will place into operation all equipment necessary to prevent the circulation of smoke through air return and exhaust ductwork. Smoke detectors must be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, unmanned computer equipment, elevator machinery or similar room and in all elevator lobbies. Elevator lobby detectors must be connected to an alarm verification zone or be listed as a releasing device.
In the main return-air and exhaust-air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute. Such devices must be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two (2) or more stories from a return-air duct or plenum of an air conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return-air riser carrying not more than five thousand (5,000) cubic feet per minute and serving not more than ten (10) air inlet openings.

1 4. In all corridors serving as a means of egress.

2 **Fire alarm system.** An approved and listed, automatic and manual, fully addressable and
3 electronically supervised fire alarm system must be provided in conformance with the
4 California Fire Code and California Building Code.

5
6 **Emergency voice alarm communication system.** An emergency voice alarm communication
7 system shall be designed and installed in accordance with NFPA 72 and California Building
8 Code 907.5.2.2, and its subsections, and 11B-215.

9
10 **Locking of stairway doors.** All stairway doors that are locked to prohibit access from the
11 interior of the stairway must have the capability of being unlocked simultaneously, without
12 unlatching, upon a signal from the main fire panel area. Upon failure of normal electrical
13 service, or activation of any fire alarm, the locking mechanism must automatically retract to the
14 unlocked position.”

15
16 Chapter 11, Section 11.20 of the Oceanside City Code is amended to read as follows:

17
18 “Sec. 11.20. Plans.

19 In addition to the submittal of hard-copy plan sets, a digitized copy of the approved as-built
20 drawings for new buildings and tenant improvements shall be submitted to the fire department.
21 As-built plans shall be submitted in an acceptable format (PDF, and or CAD format as approved
22 by the Fire Code Official) to the fire department prior to the final acceptance testing.”

23
24 Chapter 11, Section 11.21 of the Oceanside City Code is amended to read as follows:

25
26 “Sec. 11.21. Geographic limits established.

27 The geographic limits referred to in certain sections of the 2016 California Fire Code are hereby
28 established as follows:

Section 5504.3.1.1.3.1 Locations where the storage of flammable cryogenic fluids outside of buildings is prohibited. The storage of flammable cryogenic fluids in stationary containers is prohibited within the City of Oceanside except for areas zoned for commercial use, industrial use, or agricultural use, as determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Code Official when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Section 5704.2.9.6.1 Locations where the storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the City of Oceanside except for areas zoned for commercial use, industrial use, or agricultural use, as determined by the City's General Plan. Exceptions to these limits may be granted by the Fire Code Official when it can be demonstrated that the proposed exception poses no significant risk to life or property.

EXCEPTIONS: In addition to the exceptions for Section 5704.2.9.6.1 of the 2016 California Fire Code, the following exceptions apply:

1. 2,000 gallon maximum temporary above-ground tanks meeting UL 2085 for private use on farms, agricultural and rural property, remote construction sites, earthmoving projects, gravel pits, or borrow pits.
Crankcase draining may be stored in specially constructed aboveground storage tanks, approved by the Fire Code Official, with a maximum capacity of 550 gallons. Such tanks may be located within a building when the Fire Code Official deems appropriate and the container meets the following: specially designed, approved and listed containers which have features incorporated into their design that mitigate concerns for exposure to heat, ignition sources and mechanical damage. Containers must be installed and used in accordance with their listing,

and provisions must be made for leak and spill containment. In no case shall such storage be permitted in residential or institutional property.

3. With the Fire Code Official's approval, Class I and II liquids may be stored aboveground outside of buildings in specially designed, approved, and listed containers which have features incorporated into their design which mitigate concerns for exposure to heat, ignition sources, and mechanical damage. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. The Fire Code Official may disapprove the installation of such containers when in his or her opinion, their use presents a risk to life or property.

4. With the Fire Code Official's approval, temporary storage of a maximum of 10,000 gallons Class II liquids may be permitted for a period not to exceed 90 days at remote construction sites, earthmoving projects, gravel pits or borrow pits, consistent with 2016 California Fire Code Chapter 57.

Section 5706.2.4.4 Locations where the storage of Class I or II liquids in above-ground tanks is prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited in residential areas within the City of Oceanside. Exceptions to these limits may be granted by the Fire Code Official when it can be demonstrated that the proposed exception poses no significant risk to life or property.

Section 6104.2 Locations where the storage of liquefied petroleum gas is prohibited. The storage of liquefied petroleum gas (LPG) is prohibited within the City of Oceanside, except for areas zoned for commercial use, industrial use, or agricultural use, as determined by the City's General Plan. Storage shall be in accordance with the California Fire Code and NFPA 58. The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons unless approved by the Fire Code Official. This section shall not prohibit the use of LPG for the purpose of cooking on a grill when use and storage are in accordance with the California Fire Code and NFPA 58. Additional locations and maximum quantities may be considered by the

1 Fire Code Official when it can be demonstrated that the proposed exception poses no significant
2 risk to life or property and there is a sufficient response capability by the Oceanside Fire
3 Department.”

4
5 Chapter 11, Section 11.22 of the Oceanside City Code is amended to read as follows:

6
7 “Sec. 11.22. Appeals.

8 Whenever the Fire Code Official disapproves an application or refuses to grant a permit applied
9 for, or when it is claimed that the provisions of the Code do not apply or that the true intent and
10 meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal
11 as per the California Fire Code, Section 108.”

12
13 Chapter 11, Section 11.23 of the Oceanside City Code is amended to read as follows:

14
15 “Sec. 11.23. New materials, processes, or occupancies requiring permits.

16 The Fire Chief, the Fire Marshal, and the Building Official shall act as a committee to
17 determine and specify, after giving affected persons an opportunity to be heard, any new
18 materials, processes, or occupancies, which shall require permits, in addition to those now
19 enumerated in this code.”

20
21 Chapter 11, Section 11.24 of the Oceanside City Code is amended to read as follows:

22
23 “Sec. 11.24. Plan review and inspection fees.

24 Fees for plans reviewed and inspections conducted by the fire department shall be charged as
25 set forth in a resolution adopted and amended from time to time by the City Council. A copy of
26 same shall be placed on file with the City Clerk. For items where there is no specific fee
27 established, the Fire Code Official shall determine the appropriate fee based upon consideration
28 of the items listed in the fee schedule that most resemble the work proposed and the expected

1 staff time involved to perform the required construction plan processing and review and/or
2 inspections.”

3
4 Chapter 11, Section 11.25 of the Oceanside City Code is amended to read as follows:

5
6 “Sec. 11.25. Fireworks.

7 The sale, discharge, firing or use of all firecrackers, party poppers, bombs, rockets, torpedoes,
8 roman candles or other fireworks or substances designed and intended for pyrotechnic display,
9 and of all firework pistols/cannons, or other appliances using blank cartridges or caps
10 containing chlorate of potash mixture or other mixtures designed to make an explosive sound, is
11 hereby prohibited within the City of Oceanside. The City of Oceanside’s Special Events
12 Committee may permit the public display of fireworks by properly qualified individuals or
13 organized bodies under the direct supervision of experts in the handling of fireworks.”

14
15 Chapter 11, Section 11.26 of the Oceanside City Code reads as follows:

16
17 “Sec. 11.26. Legal right or remedy is maintained.

18 Nothing in this article or in the Fire Code hereby adopted shall be construed to affect any suit or
19 proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or
20 causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any
21 just or legal right or remedy of any character be lost, impaired or affected by this ordinance.”

22
23 Chapter 11, Section 11.27 of the Oceanside City Code is amended to read as follows:

24
25 “Sec. 11.27. Repealing of conflicting ordinances.

26 All former ordinances or part thereof conflicting or inconsistent with the provisions of this
27 chapter or of the 2016 California Fire Code as adopted and amended herein are hereby
28 repealed.”

Chapter 11, Section 11.28 of the Oceanside City Code is amended to read as follows:

“Sec. 11.28. Severability.

If any section, subsection, sentence, clause or phrase of this chapter or the 2016 California Fire Code as adopted and amended herein is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The city council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared invalid or unconstitutional.”

The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in a newspaper of general circulation published in the City of Oceanside.

SECTION 3. This ordinance shall take effect and be in force January 1, 2017.

SECTION 4. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in a newspaper of general circulation published in the City of Oceanside.

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1 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
2 California, held on the 7th day of December, 2016, and, thereafter,

3 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
4 Oceanside California, held on the 21st day of December, 2016, by the following vote:

5 AYES: WOOD, FELLER, KERN, LOWERY, SANCHEZ

6 NAYS: NONE

7 ABSENT: NONE

8 ABSTAIN: NONE

9 /s/ Jim Wood

10 MAYOR OF THE CITY OF OCEANSIDE

11
12
13 ATTEST:

APPROVED AS TO FORM:

14
15
16
17 /s/ Zack Beck

18 CITY CLERK

/s/ John P. Mullen

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26
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28 CITY ATTORNEY