

# CITY OF COLUSA

## Ordinance No. 460

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUSA REPEALING AND REPLACING ARTICLES II, III, IV, and V OF CHAPTER 6 OF THE COLUSA CITY CODE AND ADOPTING CHAPTERS 15.02 TO 15.06 “BUILDINGS AND CONSTRUCTION” WHICH ADOPTS BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, AND LOCAL AMENDMENTS AS SET FORTH IN THE ORDINANCE, INCLUDING THE FOLLOWING PARTS:

- § PART 1 - California Administrative Code
- § PART 2 - California Building Code including listed Appendix Chapters
- § PART 2.5 – California Residential Code and listed Appendix Chapters
- § PART 3 - California Electrical Code including listed Appendix Chapters
- § PART 4 - California Mechanical Code including listed Appendix Chapters
- § PART 5 - California Plumbing Code including the listed Appendix Chapters
- § PART 6 - California Energy Code including the listed Appendix Chapters
- § PART 8 - California Historical Code including the listed Appendix Chapters
- § PART 9 - California Fire Code including the listed Appendix Chapters
- § PART 10 - California Existing Building Code including the listed Appendix Chapters
- § PART 11 – California Green Building Standards Code including the listed Appendix Chapters
- § PART 12 - California Referenced Standards Code including the Appendix Chapters

THE CITY COUNCIL OF THE CITY OF COLUSA DOES ORDAIN AS FOLLOWS:

### **SECTION ONE:** Findings.

Pursuant to Sections 17958.5, 17958.7, and 18941.5 of the Health and Safety Code, the City Council has determined and finds that the attached changes or modifications to the 2010 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions. The local conditions have an adverse effect (1) on the prevention of major loss fires, and (2) major flood damage, and increase the potential for life and property loss, making changes or

modifications to the codes making up the 2010 California Building Standards Code necessary to provide a reasonable degree of property security and fire and life safety in this jurisdiction.

The adverse local climatic, geographic and topographic conditions requiring such changes are:

Climatic:

Precipitation. Precipitation ranges from 17 to 21 inches per year with an average of approximately 19 inches per year, although higher level of rainfall have been recorded. Approximately ninety-five percent (95%) falls during the months of November through April, and 5% from May through October.

Relative Humidity. Humidity generally ranges from 40% during daytime to 70% at night. It drops to 20% or lower.

Temperature. Temperatures have been recorded as high as 113 degrees during the summer months. Average summer highs are in the 80-degree to 95-degree range.

Winds. Prevailing winds are from the northwest during the summer months and from the Southwest during the winter months. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-15 mpg range, gusting to 7.4 to 30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

Summary. These local climatic conditions affect the acceleration, intensity, and size of fire in Colusa. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous condition, particularly as they relate to the urban-wild land interface. The winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another, and to areas of vegetation commonly found in the City of Colusa.

Geographic and Topographic:

The fire environment of a community is primarily a combination of two factors: the area's physical geographic characteristics and the historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments that ultimately determines the area's fire protection needs.

Flooding. The basic geographical boundaries of Colusa include the Sacramento River along the Eastern border of the City and agricultural crop fields West, South and North of the City. These fields have a high potential for flooding during periods of heavy rainfall.

Colusa has a varied vegetative cover. A combination of urban residential, light and medium commercial and industrial structures are mixed with areas of vegetation newly annexed into the City Limits but remain currently undeveloped. Development has occurred in the Southern area of the City with the potential of more development to the Easter area as well as continued development to the South.

Size and Population. The Colusa Fire Department service area covers 5 square miles with a population estimated at 5,700. Colusa Fire Department is responsible for fire protection as well as emergency medical services within the City Limits. Within our service area is one (1) fire stations and a total of 5 paid and 25 volunteer firefighting personnel.

Topography. Colusa consists of relatively flat lands (9-5% slope).

Summary. The above local geographic and topographic conditions increase the magnitude of and, exposure to, accessibility problems and fire hazards presented to the fire department.

Other variables may tend to intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to potential flooding to nearby agricultural crop fields;
- 3) The extent of roadway damage and/or amount of debris blocking the roadways;
- 4) Climatic conditions (hot, dry weather and high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
- 6) The availability of timely mutual aid;
- 7) The large portion of dwellings with wood shingle roof coverings could result in conflagrations.

Local climatic, geographic and topographic conditions noted above impact fire prevention efforts, and the frequency, spread, acceleration, intensity and size of fire involving buildings in Colusa. Further, they impact potential damage to all structures from fire. Therefore it is found to be reasonably necessary that the California Building Standards Code be changed or modified as provided in this ordinance to mitigate the effects of the above conditions.

**SECTION TWO:** Article II of Chapter 6 of the Colusa City Code is hereby repealed and replaced to read as follows:

## **ARTICLE II CALIFORNIA BUILDING STANDARDS CODE**

Section 6.5.05. Adoption of California Building Standards Codes. Pursuant to Sections 50022.1 through 50022.10 inclusive of the Government Code, the City Council adopts and enacts the 2010 California Building Standards Code, Title 24 – Part 1 – Administrative Code, Part 2.5 Residential Code, Part 6 – Energy Code, Part 8, Historical Code, Part 10 Existing Building Code, Part 11 – Green Building Standards Code, and Part 12 – Referenced Standards Code, as adopted by the California Building Standards Commission. This Ordinance is adopted under the authority of Government Code Subsection 50022.2 and Health and Safety Code Section 18941.5

Section 6-5.1 Adoption of California Building Code. The 2010 California Building Code (California Code of Regulations, Title 24, Part 2 including all state-adopted Appendices), except as otherwise amended in below, as the Building Code of the City of Colusa, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

Section 6-5.2 Amendments to California Building Code. The following sections of the 2010 California Building Code are amended as follows:

Section 101.1 Title is amended to read as follows:

Section 101.1. Title. These regulations shall be known as the Building Code of the City of Colusa, hereinafter referred to as “this code”.

Section 105.5 “Expiration” is amended to read as follows:

Section 105.5. Expiration. Every permit issued by the Building Official under the provisions of this code shall expire and become null and void after one year from the date of issuance of said permit.

Any permit holder holding an unexpired permit for which work has commenced may apply for an extension provided no changes have been made to the original plans. The fee will not be charged for a one-time extension provided the permit is not expired subsequent extensions shall be charged based on the valuation for the work that is left to perform under the original permit issued. No permit shall be extended without first being approved by the Building Official or his or her designee.

If a permit expires without commencement of work, a new permit shall be obtained before work can commence. This shall constitute a new application, complete plans, and full payment of all permit fees.

For the purpose of this section, commencement of work shall be defined as “the inspection and successful completion of the entire foundation system for the permitted structure, including the placing of the concrete. If the permit is for something other than a structure, the Building Official will determine if the amount of work completed shows good faith effort was made to complete work authorized by the permit.

Section 1612.3 is amended to read as follows:

Section 1612.3. The date of the flood insurance study is May 2003.

Section 903.2 is amended to read as follows:

Section 903.2. An automatic sprinkler fire extinguishing system shall be installed in the occupancies and locations as set forth in this section. For provisions on special hazards and hazardous materials, see the California Fire Code. An automatic sprinkler system shall be installed:

1. In all new construction in excess of 3,599 square feet.
2. In every existing building, except existing single-family dwellings, when:
  - (a) There are new alterations or repairs within to any existing buildings or structure that would increase the size over 25% and cause the size of the building or structure to exceed 3,599 square feet; or
  - (b) The building is in excess of 3,599 square feet, and there are alterations or repairs within any period which would cumulatively increase the building size by twenty five percent (25%) from it's existing size at the time of the adoption of this code; or
  - (c) The building is over 3,599 square feet and where major renovations are being made that are not necessarily increasing the size. Major renovations include movement of walls, ceilings heights, addition of rooms, combining two separated sections of a single building into one non separated use.

Installers of residential automatic sprinkler systems shall hold a C-16 license.

Residential Automatic Sprinkler system external audible flow alarm shall be accompanied by an external visual notification appliance that is readily visible from the street or road fronting the property.

Section 903.4.2 is amended by adding the following language to the end of the section, and shall read as follows:

903.4.2 ...In addition to when required by Section 907, Visual alarm notification shall be installed and visible from the primary road fronting a residential property with sprinklers. This requirement is in addition to the audible alarm device on residential sprinklers.

Section J101.1.1 is added to read as follows:

Section J101.1.1 Scope. All references to the “Building Official” within this appendix are hereby amended to read “City Engineer”. All grading operations within the City of Colusa shall be performed in accordance with the provisions of this Code and any other regulations of the City pertaining to grading operations.

Section J101.2 is amended to read as follows:

Section J101.2. Flood hazard areas. The provisions of this Appendix shall not apply to grading, excavation and earthwork construction, including fills and embankments, in floodways within flood hazard areas where design flood elevations are specified. All grading in flood hazard areas shall be performed in accordance with the City of Colusa Flood Ordinance and any other regulations pertaining to grading operations.

Section J101.3 is added to read as follows:

Section J101.3. Other hazards. Whenever the City Engineer determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use, stability or capacity of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the City Engineer, shall within the period specified therein repair or eliminate the hazard and be in conformance with the requirements of the California Building Code and any other grading regulations of the City of Colusa. The City Engineer or his designee shall have the authority to issue a “Stop Work Notice” for violations of the grading provisions of this code.

Section J101.4 is added to read as follows:

Section J101.4. Grading designation. If the City Engineer determines that special conditions or unusual hazards exist, grading shall conform to the requirements for engineered grading.

Section J103.1 is added to read as follows:

Section J103.1 Permits required. Except as specified and amended in Section J103.2 of this chapter, no person shall perform and grading without first having obtained a grading permit from the City Engineer, Department of Public Works. A separate permit shall be obtained for each site, and may cover both excavations and fills. Any site disturbance/grading over five (5) acres in size requires an additional storm water permit from the State Water Resources Department (National Pollutants Discharge Elimination System, NPDEDS). In the event of any conflict between this code and any law, rule or regulation of the State of California, that requirement which established the higher standard of safety shall

govern. Failure to comply with such standard of safety shall be a violation of this code.

Section J103.3 is added to read as follows:

Section J103.3. Fees. Fees shall be assessed in accordance with the applicable schedule established by the City of Colusa and this section.

Section J103.4 is added to read as follows:

Section J103.4. Plan review fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be 1% of the contractor's cost for the grading project. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code.

Section J103.5 is added to read as follows:

Section J103.5. Grading permit fees. A fee for each grading permit shall be paid to the City Engineer. Said permit fee shall be 2% of the contractor's cost for the grading project. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

Section J104.5 is added to read as follows:

Section J104.5. Preparation of ground. The preparation of ground shall be determined at the time of plan review by the City Engineer.

Section J106.1 is amended to read as follows:

Section J106.1. Maximum slope. Except as specified elsewhere in this section, cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. All setbacks shall be approved by the City Engineer.

Section J110.1.1 is added to read as follows:

Section J110.1.1 General.

Erosion control shall be in accordance with the Erosion and Sediment Control Guidelines of the High Sierra Resource Conservation District and the City of Colusa Erosion Control grading requirements. Storm Water Protection Plans shall be enforced in accordance with the Department of Public Works regulations and all other Federal and State requirements.

Section B101. Entire Appendix B, of Section B101, entitled “Board of Appeals”, is repealed and replaced with the following language:

Appendix B  
City of Colusa Building Board of Appeals

Section B101.1. Establishment. In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, there is established a City of Colusa Building Board of Appeals, consisting of five members, who shall be qualified by experience and training to pass upon matters pertaining to building construction and code enforcement matters.

Section B101.2. Terms. The terms of each board member shall be four years except for the initial appointments, and shall run concurrently with the term of the City Council member who nominated that board member.

Section B101.3. Powers and duties-appeals. The City of Colusa Building Board of Appeals shall have the authority as provided in Section 112 of this code and shall hear appeals from the decisions of the Building Official, including the denial of a variance from the provisions of this chapter, and shall also hear requested for variances from any provision of this chapter referred to it by the Building Official or community development director. Upon such references, or upon appeal, it shall have the same power as the Building Official to grant such variances and impose conditions thereon.

Section B101.4. Appeals to the City of Colusa Building Board of Appeals shall be in writing and shall be filed with the City Clerk no later than ten days from the date of the decision of the Building Official.

Section B101.5. Members of the City of Colusa Building Board of Appeals shall serve without compensation; however, the City Council may reimburse said members for reasonable expenses incurred in the performance of their duties.

Section B101.6. Any person, including city staff, may appeal a decision of the City of Colusa Building Board of Appeals to the City Council. The appeal shall be in writing and filed with the City Clerk no later than ten days from the date of the decision of the board and shall be accompanied by a fee in an amount established by resolution of the City Council.

Delete entire Appendix D entitled “Fire District”, and replace with “Appendix D “Moving Of Buildings” which shall read in its entirety as follows:

Appendix D  
Moving of Buildings



Section D101.1. Permit required. Any person who desires to move a building into the city from other localities, or who desire to move buildings within the city, shall first apply for and receive a permit to do so from the Building Official.

Section D101.2. Hearings-approval or disapproval.

A. Upon the filing of an application for permission to move a building into or within the city, the secretary of the planning commission shall set the same for hearing before the planning commission and give notice of the hearing of the application by causing notice thereof to be published in at least one regular issue of a newspaper of general circulation in the city at least ten days before the hearing on the application. The notice shall contain the name and post office address of the applicant, the type of buildings sought to be moved, street address or block location where the building is proposed to be permanently located and the date, hour and place of the hearing. At least seven days before the hearing of the application by the planning commission and the secretary shall mail a copy of the notice to the applicant and to owners of property any part of which lies within a radius of five hundred feet of the exterior boundaries of the property on which the building will be permanently located.

B. Upon receipt of each recommendation of the planning commission regarding the moving of buildings into or within the city, the city council shall set the same for hearing by the city council and give notice of hearing by a notice thereof to be published in at least one regular issue of a newspaper of general circulation within the city at least ten days before the first hearing on the recommendation prior to the adoption of a resolution of approval or disapproval of the recommendation.

Section D101.3. Information required; bond; inspection.

A. Anyone who moves a building on a public street shall have a valid C-21 contractors license.

B. As a condition to the filing of an application with the Building Official for permission to move a building into or within the city, the applicant shall furnish the Building Official with a correct description of the building, showing the floor plan and dimensions, and also shall furnish the Building Official with three current photographs of the building, the photographs to be not more than ninety days old and to be of a size not less than five inches by eight inches; one shall show the front view, another a side view and the other a rear view of the building.

C. At the time of the filing of an application with the Building Official, the applicant shall post a bond in the amount of three thousand to five thousand dollars (\$3,000-5,000) or deposit cash in the amount of one thousand to two thousand five hundred dollars (\$1,000-2,500) with the city clerk to guarantee that he will comply with all regulations of the City of Colusa.

D. The applicant shall furnish the Building Official with the present location of the building proposed to be moved into or within the city prior to their being moved. The applicant shall deposit with the city clerk a cash deposit sufficient to defray all expenses of the Building Official necessarily incurred in making this inspection at the present location of the building proposed to be moved, such as travel and other incidental expenses.

Section D101.4. Report by Building Official. The Building Official shall make a detailed report to the planning commission regarding any application for the moving of a building into or within the city.

Section 3109.1.5 is added to read as follows:

Section 3109.1.5. Abandonment of swimming pools. For the abandonment of such pools, the following minimum requirement shall be observed:

- A. A demolition permit is required prior to the abandonment of a pool structure.
- B. The sides of the pool structure must be completely removed, including all debris.
- C. The remaining pool area must be filled with suitable material in accordance with this code for soils compaction and grading requirements.
- D. If the filled pool area will be used to support a structure, a soils engineer must provide a soils report to the Building Official prior to obtaining a demolition permit.

Section 3109.4.1 is amended to read as follows:

Section 3109.4.1 Barrier height and clearances. An outdoor pool shall be provided with a barrier that is to be installed and inspected prior to filling with water. The top of the barrier shall be at least sixty inches above grade measured on the side of the barrier, which faces away from the pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches measured on the side of the barrier, which faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to four-inches when grade is a solid surface. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure and the bottom of the barrier shall be four inches. Isolation fencing (fencing that completely encloses the pool and separates the pool from the house and remaining yard) shall meet the requirements of this section and Section 3109.4.1.1 through 3109.4.1.7, where applicable.

**SECTION THREE:** Article III of Chapter 6 of the Colusa City Code is hereby repealed and replaced to read as follows:

### **ARTICLE III**

#### **CALIFORNIA BUILDING STANDARDS CODE, PART 4 (CMC)**

Section 6-6.1. Adoption of California Mechanical Code. The 2010 California Mechanical Code (California Code of Regulations Title 24, Part 4 including all state-adopted Appendices), is hereby adopted as the Mechanical Code of the City of Colusa for the safeguarding of life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances within the city of Colusa, California; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter.

**SECTION FOUR:** Article IV of Chapter 6 of the Colusa City Code is hereby repealed and replaced to read as follows:

### **ARTICLE IV**

#### **CALIFORNIA BUILDING STANDARDS CODE, PART 3 (CEC)**

Section 6-7.1 Adoption of California Electrical Code. The 2010 California Electrical Code (California Code of Regulation, Title 24, Part 3, including all state-adopted Appendices), and as amended 3 below, is hereby adopted as the Electrical Code of the City of Colusa, for the safeguarding of life or limb, health, property, and public welfare, and to protect against hazards that may arise from the use of electricity by regulating and controlling the design, construction, installation, quality of materials, location, and operation of electrical equipment, wiring, and systems to ensure that structures are safe, and fit for occupation and use; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as is fully set out in this chapter.

Section 6-7.2. Amendments to the 2010 California Electrical Code. The following sections of the 2010 California Electric Code are hereby amended as follows:

Section 80.19(F)(1-5) is amended to read as follows:

Section 80.19 (F)(1-5). Inspection and Approvals.

When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of

parts of the building, the person, firm or corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has been approved by the Electrical Inspector or until 30 days have elapsed from the time of such notification, provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work.

Section 80.23 is amended to read as follows:

Section 80.23 (B)(3). Penalties.

Any person, firm, or corporation who shall willfully violate any of the applicable provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one-hundred dollars (\$100.00) or more than five-hundred dollars (\$500.00) for each offense, together with the costs of prosecution, imprisonment, or both, for not less than six (6) months, or both. A person is guilty of a separate offense each day during which he or she commits, continues or permits a violation of any provision of, or any order, rule or regulation of this code.

**SECTION FIVE:** Article V of Chapter 6 of the Colusa City Code is hereby amended to read as follows:

#### **ARTICLE V**

#### **CALIFORNIA BUILDING STANDARDS CODE, PART 5**

Section 6-8 Adoption of California Build Standards Code. The California Plumbing Code, 2010 (Title 24 of ten California Code of Regulations) , is hereby adopted as the Plumbing Code of the City of Colusa, in the State of California for the safeguarding of life or limb, health, property and public welfare, and protect against the hazards that may arise from the use of plumbing piping and systems by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of plumbing piping systems within the city of Colusa, California; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter.

**SECTION SIX:** Article I of Chapter 9 of the Colusa City Code is hereby amended to read as follows:

#### **ARTICLE I**

## **CALIFORNIA BUILDING STANDARDS CODE, PART 9 (CFC)**

Section 9-1 . The 2010 California Fire Code, including all state-adopted appendices, including its Appendix Chapters 1-4 and Appendices B-H, is hereby adopted as the Fire Code of the City of Colusa, in regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

Section 9-2 . The following sections of the 2010 California Fire Code are hereby amended or added and adopted as follows:

Section 101.1 is amended to read as follows:

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

Section 104.11.4 is added to read as follows:

Section 104.11.4. Unauthorized driving across fire hose. No Person shall drive, ride or cause any motor vehicle, motorcycle or other operable equipment to pass over or across any fire hose or coupling while the same is in use at any emergency or training exercise in the city of Colusa, unless such hose is fully protected from injury or damage, or otherwise directed to do so from a duly member of the fire or police department.

Section 104.11.5 is added to read as follows:

Section 104.11.5. Obstruction of access ways. No person shall cause the obstruction of any street, road, lane, path or alley that is intended for the use by fire or police as an unobstructed response route (permanent or temporary) to an area needed to be served by the Police or Fire Departments.

Section 105.1.4 is added to read as follows:

Section 105.1.4. Fees. The City Council may, by ordinance, establish a schedule of fees to be charged and collected for plan review, inspection services, and for the issuance of permits.

Section 105.3.1 is amended to read as follows::

Section 105.3.1. Expiration. A permit issued pursuant to this section shall be renewable annually except when the Fire Chief or the Chief's representative designates a specific time limit of less than one year for any permit.

Section 109.3 is amended to read as follows:

Section 109.3. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Nevertheless, any such violation or offense may be deemed an infraction as defined by Penal Code Section 19 and charged as such at the discretion of the prosecuting attorney, in which event, the punishment therefore shall not be imprisonment, but a fine not to exceed the amounts specified by Government Code Section 36900 as then in effect. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4 is amended to read as follows:

Section 111.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars.

Section 3204.3.1.1.3 is amended to read as follows:

Section 3204.3.1.1.3. Location. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.

The storage and use of flammable cryogenic fluids in stationary containers in any amount is prohibited within the limits of the city of Colusa without prior approval. Prior approval requires the submittal of a proposed storage use and will require technical assistance as specified in section 104.7.2.

Section 3404.2.9.6.1.1 is amended to read as follows:

Section 3404.2.9.6.1.1. Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited.

Exception: Storage of Class I and II liquids in tanks above ground and outside of buildings in A, M-1, M-2, C-3, C-3-F, P-F, and O-S zones as defined in Zoning

Ordinance No. 191 of the City of Colusa shall be permitted if conforming with all of the following:

1. A permit for installation from the City of Colusa Fire Department is required. If the Fire Chief or his/her representative determines that such an installation is unsafe to the area it is to be installed, a permit will not be issued.
2. Two (2) sets of plans shall be submitted to the City of Colusa Fire Department illustrating all locations of all buildings, property lines, utilities (electrical, plumbing, etc.), location of the vault, distance to the nearest fire hydrant or water supply, fire department access, any height restrictions (a minimum of 13.5 feet of clearance shall be provided), and the foundation pad for the vault. Plans shall be drawn with clarity and to scale. The scale shall be noted on all drawings.
3. Obtain necessary Building Permits for the tank installation.
4. Individual tank capacity shall not exceed 2000 gallons.
5. Aggregate installation capacity per parcel shall not exceed 6000 gallons.
6. Tanks shall not be installed closer than ten (10) feet to a property line that is, or can be, built upon.
7. Tanks shall not be installed closer than ten (10) feet to any building unless the adjacent building is a least 2-hour fire resistive construction. If the adjacent wall is of at least 2-hour fire resistive construction, the distance may be reduced to five (5) feet.
8. The minimum distance between tanks shall be five (5) feet.
9. Tanks must be marked with the product name and the words "FLAMMABLE, KEEP FIRE AND FLAME AWAY". Lettering must be a minimum of 2-inches in height. The dispensing area must have signs posted stating, "NO SMOKING OR OPEN FLAMES ALLOWED WITHIN 25 FEET, STOP YOUR ENGINE DURING FUELING OPERATIONS".
10. The grade of the land shall be such that a fuel spill will drain away from the tank, all building or other exposures, and will not enter the city storm drain or sewer system.
11. A fire extinguisher with a minimum classification of 2A20BC shall be provided and so located that it will not be more than 50 feet from any dispenser.
12. A clearly labeled manually operated pump master switch shall be provided in an approved location, within 75 feet of, but not closer than 15 feet to any dispenser. Where such master switch is not visible from all dispensers, the locations thereof shall be indicated by approved signs. Signs identifying the pump master switch shall be labeled "EMERGENCY PUMP SHUTOFF".
13. Electrical wiring and equipment in the dispensing area shall be installed in accordance with the Electrical Code.
14. Dispensing must be located so that the nozzle, when the hose is fully extended, cannot reach within five (5) feet of any building opening.

15. Vents shall terminate twelve (12) feet above the ground.
16. Vents shall discharge only upward or horizontally.
17. Minimum vent size shall be 1 ¼ inches inside diameter.
18. Vent lines shall not terminate within five (5) feet of building openings nor within five (5) feet of a property line that can be built upon.
19. Vent pipes shall be arranged so that flammable vapors will not enter the building openings, be trapped under eaves or other obstructions, or discharge into hazardous locations.
20. The tank shall be equipped with emergency venting in accordance with the California Fire Code. (Note: The normal vent may be used if engineering data is submitted showing that the vent is adequate for both requirements.)
21. Tank openings for filling and gauging must be covered with vapor tight caps and must be secured against tampering at all times except during filling or gauging operations. Fill pipes must terminate within 6 inches of the bottom of the tank.
22. All tanks shall be approved for Phase I and Phase II Vapor Recovery by the California Air Resources Board.
23. If the installation of the tank is approved, a training program must be provided to employees of the business. The training shall include, but not limited to, the following:
  - a) Use and care of the tank.
  - b) Procedures taken in the event of a spill or leak of the product.
  - c) Training in the use of portable fire fighting equipment.
  - d) Initial training for new employees.
  - e) Annual employee retraining program.

*Note: It is the intent of this subsection that the business owner/operator comply with the requirements of California Fire Code, Appendix H for Hazardous Materials Inventory Statements (HMIS) and Hazardous Materials Management Plans (HMMP).*

24. The tank assembly, including the pump, shall be tested and approved by a nationally recognized testing laboratory. Proof of approval shall be submitted to the Fire Department.
25. Exterior of tank shall be coated with a weather resistive finish.
26. Tanks shall be double wall construction, and shall meet all federal, state and local requirements.
27. The tank shall have the capability for monitoring between primary and secondary containment.
28. Tanks shall be placed on six (6) inch reinforced concrete pads.
29. Pads shall extend beyond tanks at least two (2) inches in all directions.
30. Tanks shall be provided with six (6) inch wide by four (4) inch high concrete supports.
31. Tank openings shall be threaded except for monitoring tube.



32. Tanks assembly shall provide a minimum of 2-hour fire protection for the contents of the tank when exposed to a pool fire for 2-hours in accordance with procedures established in Underwriters Laboratories, Inc. (UL) Standard 1709.
33. Tanks and dispensing unit shall be protected in accordance with Section 312.1 of this code.
34. Posts on access side shall be removable.
35. Above ground fuel tanks are not intended for use in lieu of underground storage tanks at public or private gasoline service stations, and such use is prohibited within the city of Colusa.
36. These tanks may be used outside of the zones listed above under special permit from the Colusa Fire Department in accordance with the following:
  - a) During large-scale disasters.
  - b) For fuel for emergency standby generators that are required by federal, state or local laws, ordinances, rules or regulations.
  - c) At government/quasi-government facilities where fuel is essential to the operation of that facility of public health, safety or welfare.

Section 3406.2.4.4 is amended to read as follows:

Section 3406.2.4.4. Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in aboveground tanks inside of buildings is prohibited.

Section 207.1.1 is amended to read as follows:

Section 307.1.1. Prohibited open burning. No rubbish, garbage, brush, grass, tree trimmings or other materials shall be burned outside of any building in the City of Colusa.

Exception 1: Burning of agricultural waste is permitted on land devoted to agricultural use which is annexed to the City of Colusa provided that the agricultural use to which land is devoted or the zoning designation is not changed subsequent to annexation. A burn permit is required and may be issued by the Fire Chief or his/her authorized representative and could be subject to revocation for cause at any time.

Exception 2: Any materials approved for burning by the local air pollution control office will be allowed on a case by case basis provided that a burning permit is obtained from the Fire Chief or his/her authorized representative, and an on site inspection is conducted prior to any ignition. Case by case examples include but are not limited to; Fairgrounds, Cemetery, School district, Sub Division clearing, etc.

Exception 3: Outdoor fireplace burning.

Manufactured retail containers sold for the purpose of outdoor burning are allowed and restrictions on their use are:

1. Burning shall be prohibited between 12 midnight to 700 am.
2. The size shall be no larger than 3 feet in diameter and has a spark arrestor screen cover for the top.
3. Limited to 3 (three) natural firewood or commercial logs contained to the area intended for burning. Burning of any other materials is prohibited such as tree trimmings, scrap wood, leaves, yard waste, paper, garbage and similar items.
4. The closest edge at least 10 foot distance from any combustible materials, fence, structure or vehicle and not under any tree, canopy or covering when operated.
5. Embers shall be not be emitted.
6. Allowed only in a fenced in side or back yard. If there is no back or side yard that allows for the minimum distance requirements, then they are allowed in the front yard with an additional restriction of the closest edge no closer than 5 foot from the public right of way.
7. When in use an adult over the age of 18 shall be in constant attendance.
8. The burning materials shall be completely extinguished when no adult is in attendance.
9. A ready source of water to fully extinguish the fire safely shall be in the immediate area.

Individual outdoor fireplaces are prohibited at multi family residential complexes such as apartment complexes, mobile home and trailer parks. The complex management at their discretion may provide a designated area(s) within the complex for the use of portable outdoor fireplaces complying with the restrictions.

The container at no time shall be used as a “bon fire”. Misuse of the outdoor fireplace during burning may result in a written or verbal warning, citation or revocation of use.

Should the Fire Chief or his/her authorized representative determine the operation of the outdoor fire place to be a hazard or objectionable to the community, the fire shall be extinguished.

Section 505.1.1 is added to read as follows:

Numbering for businesses shall be a minimum of 6 inches. In complexes containing numerous buildings, such as an apartment complex, a fire department approved directory board shall be required at the entrance (driveway) to the complex. In some cases more than one directory board may be required. In buildings having multiple (five or more) suite numbers, an approved directory board shall be placed on the wall immediately inside the main entrance.

Section 506.1 is amended to read as follows:

Section 506.1. Key boxes. All new commercial buildings shall have approved key boxes (knox) installed in a manner and location approved by the Fire Chief. When an occupancy contains hazardous materials or is otherwise required to by the Fire Chief to have available on site pre-fire plans, the fire chief may require an approved information box to be installed in an approved location and the enclosed information shall be periodically updated by the occupant. Where access to or within a structure or an area is restricted because of secure openings or immediate access is necessary for live-saving or firefighting purposes, the Fire Chief is authorized to require knox boxes to be installed in an appropriate location.

All existing commercial buildings shall have installed approved key boxes (knox) in a location approved by the Fire Chief when;

1. A change of occupancy type for the building
2. A renovation / remodel or tenant improvement is completed on the building
3. The storage of hazardous materials are on the premises
4. An automatic sprinkler system is installed
5. At the discretion of the Fire Chief

Amend Section 903.2 to read as follows:

Section 903.2. An automatic sprinkler fire extinguishing system shall be installed in the occupancies and locations as set forth in this section. For provisions on special hazards and hazardous materials, see the California Fire Code. An automatic sprinkler system shall be installed:

1. In all new construction in excess of 3,599 square feet;
- 2.. In every existing building except existing single-family dwellings, when:
  - (a) There are new alterations or repairs within to any existing buildings or structure that would increase the size over 25% and cause the size of the building or structure to exceed 3,599 square feet; or
  - (b) The building is in excess of 3,599 square feet, and there are alterations or repairs within any period which would cumulatively increase the building size by twenty five percent (25%) from it's existing size at the time of the adoption of this code; or
  - (c) The building is over 3,599 square feet and where major renovations are being made that are not necessarily increasing the size. Major renovations include movement of walls, ceilings heights, addition of rooms, combining two separated sections of a single building into one non separated use.

Installers of residential automatic sprinkler systems shall hold a C-16 license.

Residential Automatic Sprinkler system external audible flow alarm shall be accompanied by an external visual notification appliance that is readily visible from the street or road fronting the property.

Section 3301.1.1 is added to read as follows:

Section 3301.1.1. Safe and Sane Fireworks. The retail sales and use of “Safe and Sane” fireworks as defined in the California Health and Safety Code are permitted within the city limits of Colusa when all of the requirements set forth in Chapter 9, Article III of the Colusa City Code are met, in addition to the requirements of the Health and Safety Code, Title 19, California Code of Regulations, and the California Fire Code. At the discretion of the Fire Chief, a permit shall be required for the storage of Safe and Sane Fireworks. The site for the retail sale of Sane and Sane Fireworks shall be inspected and approved by the Colusa Fire Department.

Section 3301.1.2 is added to read as follows:

Section 3301.1.2. Manufacturing of explosives. The manufacture of explosives shall be prohibited within the City of Colusa.

Section 3301.1.3 is added to read as follows:

Section 3301.1.3. Storage of explosives. Storage of explosive materials is prohibited within the City of Colusa.

Exception: Small arms ammunition and primers, smokeless powder and black sporting powder stored in accordance with Title 19, California Code of Regulations Section 1550 et seq. The Fire Chief is authorized to limit the quantity of explosive material permitted at any location.

Section 3801.4 is added to read as follows:

Section 3801.4. Propane tanks. The use of propane in place of natural gas is prohibited for residential structures. Propane for the use in outdoor cooking is allowed but the quantity of propane stored on the premises is limited to the equivalent of four 5-gallon tanks. Commercial propane distribution is permitted in certain areas. The commercial use of propane is permitted at the discretion of the Fire Chief.

## **SECTION SIX . Severability.**

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Colusa City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION SEVEN .** All other ordinances or parts of ordinances in conflict with this Ordinance 460 are hereby repealed.

**SECTION EIGHT.** Effective Date.

This Ordinance shall be in full force and effect thirty (30) days after its adoption and shall be published and/or posted as required by law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Colusa, California, held on \_\_\_\_\_, and was passed and adopted at a regular meeting of the City Council held on \_\_\_\_\_, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

1562544.2