

ORDINANCE NO. 1411

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY
REPEALING AND REPLACING CHAPTER 15.32 OF THE MUNICIPAL CODE
RE: ADOPTION OF THE 2016 CALIFORNIA FIRE CODE BASED ON THE 2015 EDITION
OF THE INTERNATIONAL FIRE CODE WITH CHANGES, ADDITIONS,
AMENDMENTS AND DELETIONS

WHEREAS, pursuant to California Government Code Section 50022.1 et seq., the City Council of the City of Daly City (“City”) may adopt by reference the 2016 California Fire Code based on the International Fire Code , 2015 Edition, with errata, published by the International Code Council, as adopted by the State of California pursuant to Title 24, Part 9 of the California Code of Regulations (“2016 California Fire Code”); and

WHEREAS, California Health & Safety Code Section 17958.5 and 18941.5 authorize cities to adopt the 2013 California Fire Code, with changes and modifications determined to be reasonably necessary because of local climatic, topographic or geologic conditions; and

WHEREAS, the City desires to adopt the 2016 California Fire Code, based on the International Fire Code, 2015 Edition, with errata, published by International Code Council, with necessary amendments to assure the 2016 California Fire Code is tailored to the particular fire protection needs of the City as required by local climatic, topographic and geologic conditions and assure the maximum level of fire protection is provided to residents, businesses and other occupants; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DALY CITY DOES ORDAIN as follows:

The City Council of the City of Daly City, DOES ORDAIN as follows:

SECTION 1. Findings. The Findings of Fact are contained in Exhibit “A”, attached and herein incorporated to this ordinance by reference.

SECTION 2. Chapter 15.32 of the Municipal Code is hereby repealed.

SECTION 3. Chapter 15.32 of the Municipal Code is hereafter added to read as follows:

CHAPTER 15.32

FIRE CODE

Sections:

15.32.010 2016 California Fire Code, Title 24, Part 9, 2015 and International Fire Code Adopted—Amended

15.32.020	Bureau of Fire Prevention—Established-Enforcement Duties—Amended
15.32.030	New Materials, processes or occupancies which may require permits- Amended
15.32.040	Section 108--Amended
15.32.050	Section 105--Amended
15.32.060	Section 105.1.1--Amended
15.32.070	Section 505--Amended
15.32.080	Section 507.5.1--Amended
15.32.090	Section 914.3.8--Added
15.32.100	Section 903.2--Amended
15.32.110	Section 903.4.2--Amended
15.32.120	Section 904.2.2--Added
15.32.130	Section 907.19--Amended
15.32.140	Section 907.9.5--Amended
15.32.150	Section 319--Added
15.32.160	Section 5608.1--Amended
15.32.170	Section 5608--Amended
15.32.180	Violations--Penalty
15.32.190	Authority to Cite
15.32.200	Appendix D Fire Apparatus Access Roads
15.32.210	Vegetation Management Program for Southern Hills Area

15.32.010 - 2016 California Fire Code, Title 24, Part 9 and 2015 International Fire Code adopted.

There is hereby adopted by the City of Daly City, for the purpose of prescribing regulations governing conditions hazardous to the life and property and for protection from fire or explosion, those non-building standards contained within the International Fire Code and Building Standards contained within the California Fire Code, 2016 Edition [California Code of Regulations, Title 24, Part 9], published by the International Code Council, amended by the State of California and as adopted and/or amended by the Office of the State Fire Marshal, and the whole thereof, including Appendix B ("Fire-Flow Requirements for Buildings"), Appendix C ("Fire Hydrant Locations and Distributions") Appendix D (Fire Apparatus Access Roads"), Appendix F ("Hazard Ranking"), and Appendix L ("Requirements for Fire Fighter Air Replenishment Systems save and except such portions as are hereinafter deleted, modified or amended by this chapter, of which code and standards not less than one copy has been and is now filed in the office of the city clerk of the city and the same is adopted and incorporated as fully set out at length in this chapter, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city.

15.32.020 - Bureau of fire prevention—Established—Enforcement duties.

- A. This code shall be enforced by the fire prevention serviced bureau in the fire department which is established and which shall be operated under the supervision of the chief of the fire department.
- B. The fire marshal in charge of the fire prevention services bureau shall be appointed by the city manager on the basis of examination to determine his/her qualifications.

15.32.030 - New materials, processes, or occupancies which may require permits:

The city manager, or designated representative, the chief and the fire marshal of the fire prevention services bureau, shall act as a committee to determine and specify, after giving affected persons the opportunity to be heard, any new materials, processes, or occupancies which shall require permits, in addition to those now encumbered in the code. The fire marshal of the Fire Prevention Services Bureau shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons.

15.32.040 Section 108—Amended:

Section 108 of this code is deleted in its entirety and replaced by the following sections to read as follows:

Section 108 Appeals

- A. If a person is aggrieved by the decision of the fire chief or fire marshal, he/she shall have the right to appeal said decision to the city council
- B. Said appeal shall be in writing and shall be submitted to the city council within ten days of the decision of the fire chief or fire marshal. The city council shall, thereafter, at the next regular meeting of the city council after receipt of notice of appeal, set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of the regular meeting.
- C. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk.
- D. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.
- E. Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.
- F. Notice of the decision of the city council shall be delivered to appellant personally, or sent by certified mail, return receipt requested.
- G. The effective date of such decision shall be the date of mailing of such notice of the decision, or the date the same is personally delivered to the appellant.
- H. Failure of any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of his/her right to an administrative hearing an adjudication of the notice and order, or to any portion thereof.

15.32.050 Section 105--Amended:

Section 105 of this code is amended by adding the following required permits:

105.6.48 Christmas Tree Lot. To operate a Christmas tree lot for the seasonal sale of Christmas trees.

105.6.49 Fire Alarm. To operate a manually or automatically actuated fire alarm in any building. Exception: smoke detectors in one and two-family dwellings.

105.6.50 Institutions and day care. To operate any and all occupancies that are set forth under Group I Occupancies, and Group E Occupancy of Title 24 of the California Code of Regulations, each accommodating more than six people.

105.6.51 Residential care facility. To operate a residential care/assisted living facility as set forth under Group R, Division 4 Occupancies.

15.32.060 Section 105.1.1--Amended:

Section 105.1.1 is amended by adding the following paragraph at the end of the section:

The city council of the city of Daly City may if it so desires, establish by resolution permit fees in connection with any permit required or authorized to be issued by the fire chief or any other authorized representative of the fire department.

15.32.070 Section 505.1--Amended:

Section 505.1 is amended by adding the following at the end of the section:

Said numbers shall be internally or externally illuminated in all new construction, or when alterations or repairs of existing construction occur.

The size and location of address numbers for multi-family dwellings and all other occupancies shall be as designated by the fire marshal.

Buildings shall be placarded in accordance with NFPA 704. The locations and size of placards shall be as required by the fire marshal.

15.32.080 Section 507.5.1—Amended:

Section 507.5.1 of this code is amended to read as follows:

Section 507.5.1 Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions: For group R-3 and U occupancies, the distance requirements shall be 250 feet.

15.32.090 - Section 914.3.8—Added.

Section 914.3.8 is added to this code and shall read as follows:

Section 914.3.8 Multistoried. High-rise Safety Requirements.

All Group B and Group R occupancies, each having floors used for human occupancy located more than seventy-five feet (75') above the lowest level of fire department vehicular access, shall be equipped with an approved Firefighter Breathing Air Replenishment System as outlined in Appendix L. Such a system shall provide an adequate pressurized fresh air supply through a permanent piping system for the replenishment of portable life sustaining air equipment carried by fire department, rescue, and other personnel in the performance of their duties. Location and specifications of access stations to, and the installation of, such air replenishment systems shall be made in accordance with the requirements of the fire chief.

15.32.100 - Section 903.2.

Section 903.2 of this code is deleted in its entirety and is replaced with the following:

Section 903.2 Where Required.

A fire extinguishing system shall be installed in all occupancies and locations as set forth in this section.

- A. All Occupancies. All occupancies shall be protected throughout by an automatic fire sprinkler system installed in accordance with NFPA 13.

Exceptions: Detached garages less than 400 square feet in size. Detached carports and greenhouses. Sheds and auxiliary structures under 200 square feet in size and not used for human habitation.

- B. Existing Occupancies. When an existing building undergoes any alteration, renovation, addition, or repair which exceeds 50% of the building's original gross area, the entire building shall be protected by an automatic fire sprinkler system. Gross area shall be the area included within surrounding exterior walls.

Exceptions: Work involving exterior surfaces only, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.

- C. Other Areas. An automatic fire sprinkler system shall be installed in all garbage compartments, rubbish and linen chutes, linen rooms, incinerator compartments, dumb waiter shafts, and storage rooms when located in all occupancies except Group R, Division 3. An accessible indicating shut off valve shall be installed.

- D. Condominium Conversions. An automatic fire sprinkler system shall be installed for all condominium conversions.

15.32.110 Section 903.4.2 - Sprinkler System Supervision and Alarms.

Section 903.4.2 is amended by added the following to the end of the paragraph:

In addition to the audible device(s) required by this section, an approved strobe light shall be located on the exterior of the building in an approved location.

15.32.120 Section 904.2.2 – Added

Section 904.2.2 Floor Markings

The location(s) of all cooking appliances that are protected by an approved automatic fire extinguishing system shall be permanently identified either by a wall mounted “approved” appliance floor plan or marked on the floor in a manner approved by the Fire Marshal.

15.32.130 Section 907.7.3.

Section 907.7.3 of this code is amended by adding the following paragraph:

Each fire alarm system shall have posted at the main control panel instructions for silencing and resetting the system, the day and night phone numbers of the person responsible for the property, and the company or individual providing maintenance services for the alarm system.

15.32.140 Section 907.8.5

Section 907.8.5 of this code is amended by adding the following paragraph:

Each operator of a fire alarm system is required to have a maintenance/inspection contract with a company or individual licensed by the California Department of Consumer Affairs to perform work on a fire alarm system. Individuals performing maintenance or inspection services must be appropriately licensed or directly employed by an appropriately licensed contractor. A current copy of the maintenance/inspection contract shall be submitted to the fire department each year before the issuance of an annual fire alarm permit. This contract shall provide for inspections and service in accordance with NFPA 72.

15.32.150 Section 319.

Section 319 is added to this code to read as follows:

Section 318 Utility Marking All gas and electric utility services in multi-family tenant buildings shall be visibly and legibly marked with the unit identification.

15.32.160 Section 5608.1

Section 5608.1 of this code is amended by adding the following paragraph:

The sale and discharge of fireworks is permitted only as provided in Title 8, Chapter 8.24 et seq., of the Daly City Municipal Code.

15.32.170 Section 5608.

Section 5608 of this code is amended by adding Section 5608.1.2 as follows:

Section 5608.1.2. The foregoing provisions of Chapter 33 shall be subject to the provisions of Title 8, Chapter 8.24 of the Daly City Municipal Code whenever same are in conflict therewith.

15.32.180 Violation--Penalty.

Any person who shall violate any provision of this code adopted by this chapter, or fail to comply therewith, or who shall build in violation of any detailed statement of specifications or plans submitted and approved hereunder, and from which no appeal has been taken, or shall fail to comply with such and order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non compliance respectively, be guilty of a misdemeanor, punishable as set forth in section 1.12.010 of the Daly City Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

15.32.190 Authority to Cite

The fire chief and/or fire marshal may, pursuant to section 836.5 of the Penal Code, and subject to the provisions thereof, cite a person whenever he/she has reasonable cause to believe that the person to be cited has committed a misdemeanor in his/her presence which is a violation of the International/California Fire Code adopted by the city and any amendments thereto, which the fire chief and/or fire marshal have duty to enforce.

15.32.200 Appendix D – Fire Apparatus Access Roads.

Appendix D is amended by deleting figure D103.1 Dead-End Fire Apparatus Access Road Turnaround and replacing it with a new Amended Figure D103.1 Dead-End Fire Apparatus Access Road Turnaround, Attached at the end of the Ordinance.

15.32.210 Appendix D – Fire Apparatus Access Roads

– Amendment Appendix D Section D102

Section D102.2 is added to read as follows:

Section D102.2 - Fire department access shall extend to within 50 feet (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.

Exception: one- or two-family dwellings or townhouses protected with 13D or 13R may be permitted to be increased to 150 ft (46 m)

15.32.220– Amendment Appendix D Section D102

Section D102.3 is added to read as follows:

Large Buildings - Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more

than 150 ft. (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

15.32.230 – Amendment Appendix D Section D102

Section D102.4 is added to read as follows:

Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m)

15.32.240– Amendment Appendix D Section D102

An Exception is added to Appendix D is added to read as follows:

Exception: When a fire department access roads cannot be installed due to location on the property, topography, waterways, non-negotiable grades, or other similar conditions the AHJ shall be authorized to require fire protection features in addition to those already required.

15.32.250– Amendment Appendix D Section D101

Section D101.2 is added to read as follows:

D101.2 – Definition - Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to at facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane, access road way and drive way.

15.32.260 Append 903.1 Alternative protection

Add Sections 903.3.1.1

Purpose: To establish requirements for sprinkler protection of car stackers not specifically addressed in NFPA 13.

Parking garage areas containing car stackers shall be protected by an automatic wet-pipe sprinkler system designed to Extra Hazard Group 1. In addition, non-extended coverage standard sidewall sprinklers listed for Ordinary Hazard shall be provided under each parking level, including the bottom level if the stacker is provided with a pit. Each sidewall sprinkler shall cover an area of 80 sq. ft or less.

The area of application may be reduced from the required 2500 sq. ft. to as low as 1500 sq. ft. if:

1. 1-hour fire rated walls are provided to separate the car stacker areas from the standard parking stalls,
2. The car stacker areas are divided up into 1500 sq. ft. areas via 1-hour fire rated walls, and
3. One-hour fire rated walls are provided to separate the car stacker areas from any other areas in the garage.

One-hour fire rated walls are not required in the driveway areas. For the hydraulic calculation, flow from all sprinklers, upright or pendent sprinklers at ceiling and all sidewall sprinklers at all levels, located in the area of application shall be included in the calculation.

15.32.270 Vegetation Management Program for the Southern Hills Area.

Purpose and Intent. The purpose and intent of these regulations is to identify areas which present a fire hazard due to the accumulation of gorse plants near residential areas so that public officials are able to identify measures that will retard the rate of spread and reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Designation of vegetation management program areas. Areas identified by the fire chief shall be deemed a fire hazard and it is the duty and responsibility of property owners within such area(s) to maintain such designated property in accordance with this section.

Authority to designate and designation of vegetation management program areas.

The Daly City fire chief is authorized to designate area(s) within the boundaries of the city, as area(s) meeting the criteria governed section B.

The Daly City fire chief has designated the following area as an area meeting the criteria governed by section B:

Southern Hills: located in the northeast portion of Daly City north and east of Crocker Avenue including but not limited to South Hill Boulevard, Alta Vista Way, Oakridge Street and surrounding areas abutting San Bruno Mountain County Park which lies to the south. An exact area is delineated upon a map attached to the ordinance codified in this section as Appendix 1. An original map of the area is located within the administrative offices of the Daly City fire department.

General Requirements as to Dwellings or Structures In, Upon or Adjoining Specified Areas or Lands Within an Area(s) Meeting Criteria Governed by section B – Maintenance.

Any person who owns, leases, controls, operates, or maintains any land within an area meeting criteria governed by Section B and designated by the fire chief pursuant to this section shall at all times do all of the following:

All properties shall be entirely cleared of all flammable vegetation including but not limited to gorse, grass, weeds, and brush. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as groundcover, if they do not form a means of rapidly transmitting fire from native growth to any dwelling or structure; grass and other vegetation less than twelve inches in height above the ground may be maintained to stabilize the soil and prevent erosion;

Remove that portion of any trees that extend within ten feet of the outlet of any chimney or stovepipe;

Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size;

Maintain any tree adjacent to or overhanging any building free of dead or dying wood; and

Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.

A person is not required under this section to maintain a clearing on any land if that person does not have legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by any other person without the consent of the owner of the property.

Application of maintenance standards to specified land or water areas.

This section shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:

Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government;

Lands kept in a predominately natural state as habitat for wildlife, plant or animal communities; and

Open space lands that are environmentally sensitive parklands.

This exemption applies whether the land or water area is held in fee title or any lesser interest.

This exemption applies to any public agency, any private entity that had dedicated the land or water areas to one or more of those purposes or uses, or any combination of public agencies, and private entities making that decision.

Enforcement

The provisions for Section 1507 and any subsequent subsections or local amendments to Section 1507 (roof coverings) of the latest edition of the California (International) Building Code as adopted by the city, shall apply in all areas so designated in the city. The building official shall enforce the provisions of Section 1507 in all areas so designated by the fire chief and as locally amended.

The Daly City fire department shall have authority to enforce all requirements in this section as well as the enabling statutes. Violations of this section, or of the enabling state statutes may be prosecuted under Sections 51185 through 51187 of the Government Code, or alternatively under the general penalty provisions of Chapter 1.12 of this code, or under this section as specified below.

Notification of violation. Whenever the fire department determines that any property within the city is being maintained contrary to one or more of the provisions of this section, (s)he shall give written notice to the owners and/or tenant of the property stating the sections being violated.

Referral to City Attorney. In the event an owner shall fail, neglect, or refuse to comply with the notice to correct a violation, the fire department may refer the violation to the city attorney for legal action, including the institution of a civil or criminal proceeding to achieve compliance, as an alternative to the administrative appeal committee process set out in the sections below.

Referral to Administrative Appeal Committee. In the event an owner shall fail, neglect or refuse to comply with the notification, the fire department may seek compliance through the administrative appeal committee process as set forth in Part II of this section, in addition to, or as an alternative to any other remedy allowed by law or by this section.

Referral to City Council for abatement. In the event an owner shall fail, neglect, or refuse to comply with this notification, the fire department may seek compliance through abatement or physical security of the property as set forth in Part III of this section in addition to, or as an alternative to any other remedy allowed by law or by this section.

Part II – Administrative Appeals, Hearings, Orders, Penalties, and Costs.

Applicability of administrative appeal process.

This subsection provides for administrative remedies, which are in addition to all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this section.

Use of this subsection shall be at the sole discretion of the city in general, and of the fire department in particular.

Purpose of administrative appeal process.

The administrative appeal process serves to provide the full opportunity of a person subject to a notification of violation to object to the determination that a violation has occurred and/or that the violation has continued to exist. The failure of any person subject to a notification of violation, pursuant to this section, to appear at the hearing shall constitute a failure to exhaust administrative remedies.

In the absence of an appeal, the administrative appeal process is provided to review the facts of any issued notification of violation, where necessary, and upon review of such facts the administrative appeal board may:

Discharge the notification of violation

Re-issue the notification of violation; or

Without further hearing, declare such property to be a violation, and order abatement, issue administrative orders, impose administrative penalties, and recover administrative costs pursuant to the provisions of this section.

In appropriate cases, the administrative appeals board may decide or order the direct abatement of the subject property, subject to the property owner's right to timely appeal that decision to the Daly City Council.

Administrative Appeal Committee.

The administrative appeal committee shall be the body designated to conduct an administrative hearing to ascertain whether the violation exists, the abatement of which is appropriate under the police powers of the city.

The membership of the administrative appeal committee shall consist of one or more city employees appointed by the city manager or his or her designated representative, with sufficient supervisory, professional or practical experience to review the matters brought before the administrative appeals committee.

Notices.

Notice of administrative appeal committee hearing, or other actions shall be served upon the owner in accordance with the provisions of this section, and shall be served upon the property owner not less than fourteen days before the time fixed for the hearing.

Notice shall be given by delivering a written notice personally to the owner(s) of the property upon which the violation is located, or by depositing such notice in the United States mail, postage prepaid, and addressed to the owner(s) thereof at his or her last known address as the same appears on the last equalized assessment roll of the county. In the event a notice is given to the person(s) in apparent possession or control of the property, such notice shall be given in either manner specified in this section and may be addressed to "occupant" or "to whom it may concern", if the name of such person(s) is unknown.

Notice of hearing before the administrative appeal committee or notice of an action by the administrative appeal committee shall substantially contain the information as set forth below:

The date and location of the violation;

The section of this code, the adopted International codes, state law or regulations or other such statutes violated and a description of the violation;

The actions required to correct the violation;

The time period after which administrative penalties will begin to accrue if compliance with the notification has not been achieved;

Either a copy of this section or an explanation of the consequences of noncompliance with this section and a description of the hearing procedure and appeals process, or

The fact that this matter will be sent to the city attorney's office to seek compliance if the matter poses an immediate threat or danger.

The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken under this section of this section.

Hearing – Findings and Order.

At the place and time set forth in the notice set out above, the administrative appeal board shall conduct a hearing on the notification of violation issued pursuant to this section.

The board shall consider any written or oral evidence consistent with its rules and procedures regarding the violation and compliance by the violator or by the real property owner.

Within a reasonable time following the conclusion of the hearing, the board shall make findings and issue its determination regarding:

The existence of the violation;

The failure of the violator/owner to take required corrective action within the required time period.

The board shall issue written findings. The findings shall be supported by evidence received at the hearing.

If the board finds by a preponderance of the evidence that a violation has occurred and that the violation was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order. Such administrative order may direct abatement by the City.

If the board finds that no violation has occurred or that the violation was corrected within the time period specified in the notification of violation, the board shall issue a finding of those facts.

Administrative Order. If the administrative appeal board determines that a violation occurred which was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order which imposes any or all of the following:

An order to correct, including a schedule for correction where appropriate;

An order to abate, by city forces or contract, with allowance for timely appeal to the city council, and cost recovery for the costs of abatement;

Administrative penalties provided below;

Administrative costs as provided below;

Administrative penalties.

The administrative appeal board may impose administrative penalties for the violation of any provision of this code in an amount not to exceed a maximum of two thousand five-hundred dollars per day for each ongoing violation, except that the total administrative penalty shall not exceed ten thousand dollars exclusive of administrative costs, interest and restitution for compliance inspections, for any related series of violations.

In determining the amount of the administrative penalty, the board may take any and all of the following factors into consideration:

The duration of the violation;

The good-faith efforts of the violator to come into compliance;

The economic impact of the penalty on the violator;

The impact of the violation on the community;

Such other factors as justice may require.

Administrative penalties imposed by the board shall accrue from the date specified in the notification of violation and shall cease to accrue on the date the violation is corrected as determined by the fire department or the board.

The board, in its discretion, may suspend the imposition of applicable penalties for any period of time during which the violator had made good-faith efforts to achieve compliance.

Administrative penalties assessed by the board shall be due by the date specified in the administrative order.

Administrative penalties assessed by the board are a debt owed to the city, and, in addition to all other means of enforcement, may be enforced by means of a lien against the real property on which the violation occurred.

If the violation is not corrected as specified in the board's administrative order, administrative penalties shall continue to accrue on a daily basis until the violation is corrected, subject to the maximum amount set forth.

If the violator gives written notice to the fire department that the violation has been corrected and if the fire department finds that compliance has been achieved, the city shall deem the date the written notice was postmarked or personally delivered to the fire department or the date of the city's site inspection, whichever first occurred, to be the date the violation was corrected. If no written notice is provided, the violation will be deemed corrected on the date of the city's site inspection.

Administrative Costs.

The administrative appeal board may assess administrative costs against the violator when it finds that a violation has occurred, and that compliance has not been achieved within the time specified in the notification of violation.

The administrative costs may include any and all costs incurred by the city in connection with the matter before the administrative appeal board, including but not limited to costs of investigation, staffing costs incurred in the preparation for the hearing and for the hearing itself, and costs for all re-inspections necessary to enforce the notification of violation.

Failure to comply with administrative compliance order. Failure to pay the assessed administrative penalties and administrative costs specified in the administrative order of the administrative appeals board may be enforced as;

A personal obligation of the violator, and/or

A lien upon the real property. The lien shall remain in effect until all of the administrative penalties, interest and administrative costs are paid in full.

Right to city council review. Any person aggrieved by an administrative order or determination following a hearing by the administrative appeal board on a compliance dispute, may obtain review of the administrative order with the Daly City council as set out below.

Recovery of abatement costs and/or administrative civil penalties. The City may collect abatement costs and/or the assessed administrative penalties and administrative costs by use of all available means, including recordation of a lien.

Compliance dispute.

If a violator believes that compliance has been achieved but not agreed to or accepted as complete by the fire department, he or she may request a compliance hearing before the administrative appeal board by filing a request for a hearing with the fire department.

The hearing shall be noticed and conducted in the same manner as a hearing on a notification of violation as provided in earlier subsections of the section. The board shall determine if compliance has been achieved and, if so, when it was achieved.

Part III – Appeals to City Council and Abatement

Appeals Procedure – Hearing by City Council.

The owner receiving an abatement order, administrative order, or an order of the administrative appeal board following a compliance hearing, may request a hearing before the city council (“council”) by filing its request with the city clerk within ten calendar days of the date of service of the administrative order or an order of the administrative appeal board following a compliance hearing. The request shall contain:

A specific identification of the subject property;

The names and addresses of all legal parties requesting the hearing;

A statement of the parties legal interest in the subject property;

A statement in ordinary and concise language of the specific order or action protested and the grounds for the hearing, together with all material facts in support thereof;

The date and signatures of all requesting parties;

The verification of at least one party as to the truth of the matters stated in the request.

As soon as practical after receiving the request, the city clerk shall set a date for the council to hear the matter which date shall not be less than ten calendar days nor more than thirty calendar days from the date the appeal was filed. The city clerk shall give each party written notice of the time and place of the hearing, either by causing a copy of such notice to be delivered to the party personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his or her address shown on the request. Continuances of the hearing may be granted by the council on the council’s own motion.

For each appeal to the city council, there shall be assessed a fee at the time of the filing of the appeal of one hundred dollars, which fee will be refunded should the person prevail in the appeal.

Property owners who have not availed themselves of the administrative appeal process of the previous section of this ordinance shall not have right to appeal to the council the issues concerning the notification of violation, any administrative orders, administrative penalties, administrative costs, compliance matters or other issues provided for in the previous section of this section.

Decision by City Council. Upon conclusion of the hearing, the council shall determine whether the property or any part thereof, as maintained, constitutes a violation. If the council so finds, the council shall adopt a resolution declaring such property to be in violation, setting forth its findings and ordering or confirming the abatement of the violation. The decision and order of the council shall be final.

Service of order to abate. A copy of the resolution of the council shall be served upon the owner(s) of the property in accordance with the provisions of this section. Upon abatement or compliance in full by the owner, the proceedings hereunder shall terminate.

Abatement by the City.

If such violation is not abated as ordered by the administrative appeals board or by the city council, the fire chief, or his/her designee shall cause the same to be abated by city employees or private contract. The city manager or his/her designee is expressly authorized to enter upon the property for such purposes. The cost, including incidental expenses, of abating the violation shall be billed to the owner and shall become due and payable thirty days thereafter. The term “incidental expenses” shall include, but not be limited to, personnel costs incurred in documenting the violation, the actual expenses and cost of the city in preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder.

A person shall not obstruct, impede or interfere with the fire chief, or his/her designee, or his/her representative, or with any person who owns, or holds any interest or estate in, any property in the performance of any necessary act, preliminary to or incidental to, carrying out an abatement order issued pursuant to this section.

Filing of judicial action. Any action appealing the council's decision and order shall be commenced within thirty calendar days of the date of service of the decision.

Recording cost of abatement. The fire chief or his/her designee shall keep an account of the cost, including incidental expenses, of abating such violation on such private lot or parcel of land where the work of abatement is done by the city or under private contract, and shall render an itemized statement showing the cost of abatement. The cost accounting of abatement, including expenses, shall be provided to any person liable to be assessed for the cost of abatement.

Protests and objection to cost report. Any person liable to be assessed for the cost of an abatement action may file written protest or objection to the fire chief's statement with the city clerk within fourteen days following mailing of such cost to the assessee. The city clerk shall endorse each protest or objection received and shall present such protest or objections to the city council at the time set forth for the hearing upon the imposition of a lien, in accordance with the lien and cost recovery procedures of Part IV of this section. No other protests or objections shall be considered.

Part IV – Liens and Cost Recovery

Lien Procedure.

Whenever:

The amount of any administrative penalty and/or administrative cost is imposed by the administrative appeal board pursuant to this section in connection with real property has not been satisfied in full within ninety days and/or has not been successfully challenged by a timely appeal to the city council; or

Any cost of abatement and/or costs imposed by means of the administrative appeals board or the city council as a result of the abatement proceedings have not been satisfied in full within ninety days of issuance of a cost report by the city clerk for such abatement proceedings; then these obligations may constitute a lien against the real property on which the violation occurred.

The lien provided herein shall have no force and effect until recorded with the county recorder. Once recorded, the administrative order or abatement cost report shall have the force and effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 and 683.220, inclusive, of the Code of Civil Procedure.

Interest shall accrue on the principle amount of the judgment remaining unsatisfied pursuant to law.

Prior to recording any such lien, city staff shall prepare and file with the city clerk, a report stating the amounts due and owing.

The city clerk shall fix a time, date and place for hearing the cost report and any protests or objections thereto by the city council.

The fire chief or his/her designee shall cause the written notice to be served on the property owner not less than ten days prior to the time set for the hearing.

Public hearing and protests.

Any person whose real property is subject to a lien pursuant to this section may file a written protest with the city clerk and/or may protest orally with the city clerk and/or may protest orally at the city council meeting.

Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds for such protest or objection.

The City Council, after the hearing, shall adopt a resolution confirming, discharging, or modifying the amount of the lien.

Recording of lien. Thirty days following the adoption of a resolution or other determination imposing a lien, the city clerk shall file the same as a judgment lien in the office of the county recorder of San Mateo County, California. The lien may carry such additional administrative charges as set forth herein.

Satisfaction of lien. Once payment in full is received by the city for outstanding penalties and costs the city shall either record a notice of satisfaction or provide the property owner or financial institution with the notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the city's lien.

Abatement proceedings costs – collections. All costs associated with abatement proceedings or as a result of the administrative appeal process either before the administrative appeals board or the city council which are not satisfied through the procedures of the above sections shall be collected on behalf of the city by the city attorney using the appropriate legal remedies.

Part V – Criminal Enforcement

Alternative actions available.

Nothing in this section shall be deemed to prevent the administrative appeals board or the city council from ordering the commencement of alternative civil or criminal proceedings to abate or otherwise address a violation in conjunction with the proceedings set forth in this section.

Violation and penalties.

Violation of this section shall constitute a misdemeanor; however, any city official with citation authority may prosecute such violations as infractions wherein each infraction may be punishable by a fine not exceeding one hundred dollars for a first violation, two hundred and fifty dollars for a second violation within one year and five hundred dollars for each additional violation within one year.

Every day that any such violation continues shall constitute a separate offense.

Each violation shall be re-inspected until compliance with this section is completed. A cost of not less than one hundred dollars may be assessed for each inspection of the property beginning with the third inspection.

Criminal enforcement authority.

The City Council authorizes the fire department to issue citations (notice to appear) for any violation of:

This ordinance of the City of Daly City;

The adopted and amended fire code(s), and/or any appendices or standards of such code(s).

This ordinance may be enforced by the sworn personnel of the Daly City Police Department.

The Daly City city manager may further designate any Daly City employee with the full or limited authority to issue criminal citations for any violations of this section.

The Daly City city attorney's office is authorized to criminally prosecute and/or civilly enforce any violations of this section.

Liability for Damage. The expenses for fighting fires which result from a violation of this section shall be a charge against the person whose violation caused and/or contributed to the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the city in the same manner as in the case of an obligation under contract, expressed or implied.

SECTION 3. Severability. If any section, subsection, sentence, clause, or portion of this ordinance or any part thereof is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Daly City hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 4. Environmental Determination. The City Council finds pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is categorically and statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, California Code of Regulations, Section 15378(a);

In that it is further exempt under the definition of Project in Section 15378(b)(3) in that it concerns general policy and procedure making;

In that it can be seen with certainty that there is no possibility that the activity may have a significant effect upon the environment pursuant to Title 14, California Code of Regulations, Section 15061(b)(3); and

In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and therefore is categorically exempt pursuant to Title 14, California Code of Regulations, Section 15308.

SECTION 5. Compliance.

Compliance with the requirements set forth in this ordinance will commence with the initial inspections conducted by the Daly City Fire Department. Thereafter all properties shall be maintained free of all flammable vegetation or other combustible growth as spelled out in this ordinance. Inspections and verification of compliance will be undertaken by the Daly City Fire Department of such other agency as the Fire Chief may so indicate.

SECTION 6. Publication/Summary.

Pursuant to the provisions of Government Code Section 36933, a summary of this ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of this ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of the full text of this ordinance along with the names of those City Council members voting for and against this ordinance or otherwise voting. This ordinance shall become effective thirty (30) days from and after its adoption.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY
REPEALING AND REPLACING CHAPTER 15.32 OF THE MUNICIPAL CODE
RE: ADOPTION OF THE 2016 CALIFORNIA FIRE CODE BASED ON THE 2015 EDITION
OF THE INTERNATIONAL FIRE CODE WITH CHANGES, ADDITIONS,
AMENDMENTS AND DELETIONS

Introduced this 14th day of November, 2016

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the 28th day of November, 2016 by the following votes:

AYES, Councilmembers Buenaventura, Christensen, Guingona

NOES, Councilmembers None

Absent, Councilmembers Canepa, Torres

K. Annette Hipona
CITY CLERK OF THE CITY OF DALY CITY

Approved:
MICHAEL GUINGONA
COUNCILMEMBER OF THE CITY OF DALY CITY

EXHIBIT “A”

FIRE CODE

CHAPTER 15.32

FINDING OF FACTS

FINDING OF FACTS

The Council of the City of Daly City finds the following:

A. Pursuant to Section 17958.5 and 18941.5 of the California Health and Safety Code, the report contained herein is submitted as the "Findings of Fact" with regard to the adoption of the Daly City Municipal Code, Chapter 15.32 which would adopt the California Fire Code 2016 Edition and amendments. Under this adopting ordinance, specific amendments have been established which are more restrictive in nature than those adopted by the State of California and State Fire Marshal.

B. These local amendments to the California Fire Code, 2016 Edition, have been evaluated and recognized by the City of Daly City as tools for addressing the fire problem, concerns and future direction by which the city will establish and maintain an environment which will afford a high level of fire and life safety to all those who work and live within the city's boundaries.

C. Those local amendments are based upon the following climatic, geographical, and topographical conditions:

1. Climatic: Daly City received an annual average rainfall of approximately 12.1 inches between October and April. During the summer months from June through September, the city experiences a great deal of fog and wind. Winds generally prevail from the west at velocities ranging from approximately 15 to 20 mph. Temperatures range from approximately 32 to 90 degrees F.

In summary, due to these climatic conditions, driving is extremely hazardous and visibility is very poor. Therefore, arriving on scene at an emergency may require a long response time. Winds can have an impact on structure fires of buildings in close proximity to one another, common to Daly City. In building fires, winds can literally force fires back into the building and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross ventilation efforts.

2. Geographical: Daly City resides on the San Andreas Fault and is subject to seismic activity. An earthquake can happen at any time and cause severe stress on the department's ability to provide emergency response, i.e. water mains may rupture, and traffic congestion will cause increased delay. Parts of the city are built upon portions which contain dense shrub-type vegetation (gorse), grasses and trees or are on sloped terrain. The city responds to wildland fires on San Bruno Mt. on an annual basis. The city is surrounded by San Francisco on the north, Brisbane and Colma on the east and southeast,

and South San Francisco on the south. To the west and southwest are the Pacific Ocean and the City of Pacifica.

3. Topographical: Daly City is essentially built on steep slopes and hillsides.

Many streets are narrow and winding with congested vehicle parking. New construction is inevitably built on more slopes or areas where access is difficult. Narrow roads make response times longer and makes it difficult to place fire apparatus and equipment close to a fire scene. Additionally, many areas have structures built on zero lot lines creating difficulty in controlling fire spread and exposure. Delays in response may also be attributed to traffic patterns where major thoroughfares are often congested with traffic.

In order to mitigate the problems required in quick response to a fire, built-in automatic fire-extinguishing systems, standpipe systems or fire alarm systems are required over and above code requirements. The requirement and installation of such appliances will allow faster notification to occupants to evacuate and allow the fire to be controlled before the arrival of fire apparatus. Additional standpipe outlets will allow firefighters access to a water supply once inside a structure.

Finding of Facts (15.32.010) – Adoption

Every three years the International Code Council publishes a new edition of the International Fire Code. The City of Daly City is presently using the 2013 California Fire. Title 24 of the California Code of Regulations contains all of the Building Standards of the State of California and is divided into ten parts. Part 9, California Fire Code, references the International Fire Code. To maintain consistent current practices in the field of fire safety and building technology, changes in materials, processes, and construction, we recommend adopting the 2016 edition of the California Fire Code and appendices as indicated.

Finding of Facts (15.32.020)

Establishment of local fire prevention division, no deviation from adopted fire code.

Finding of Facts (15.32.030)

Provides a committee to review when new materials, processes or occupancies not otherwise covered under the code would require permits. This is administrative only and does not require a finding of facts.

Finding of facts (15.32.040)

This provision outlines the appeals process for persons who are aggrieved by a decision of the fire chief or fire marshal. This is administrative only and does not require a finding of facts.

Finding of facts (15.32.050)

These changes are directly related to administrative and permit processes only, and are unchanged from prior ordinance amendments to the fire code, except for the section number. These changes confirm permits, appeals processes, imposition of costs and fees,

Finding of Facts (15.32.060)

These changes are directly related to administrative and permit processes only, and are unchanged from prior ordinance amendments to the fire code. These changes confirm permits, appeals processes, imposition of costs and fees, and right of entry to other established municipal code procedures in the City of Daly City, and are administrative rather than technical in nature.

Finding of Facts (15.32.070)

Section 505.1 is amended to include additional addresses locations and the identification hazards under the NFPA 704 system. This section will assist in faster response for emergency response personnel due to climatic conditions (fog) which inhibit visibility. Previously adopted in the fire code. Duplicate language already in the fire code was deleted from this amendment.

Finding of Facts (15.32.080)

These changes relate to required locations for fire hydrants for newly constructed buildings, and are unchanged from prior ordinance amendments to the fire code except for language to conform to code. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for locations of fire hydrants within the City of Daly City than those standards set in the International Fire Code.

Finding of Facts (15.32.090)

This section remains unchanged, from the prior code adopted by the City except the name of the system was changed to conform with other of the Building codes. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for high-rise building safety in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations and firefighter safety.

Finding of Facts (15.32.100)

This section remains unchanged, from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for automatic fire extinguishing systems in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Slopes also make it difficult to place ladders for rescue and to advance those hose lines. Response time is increased due to steep grades, narrow streets, and congested traffic.

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple fires through our community. With on limited fire apparatus available after an earthquake, we must rely on built-in protection to contain a large number of incipient fires.

Access: the majority of buildings are built with zero lot lines and no direct access to rear yards. Initial fire attack is from the front of the building only. The time it may take for firefighters to reach the seat of a fire is greatly increased. The opportunity for occupants to safely exit the building is reduced. The time delay decreases the survival chances of victims in the building and increases property damage. Fire spread between buildings is more probable. An automatic fire sprinkler system will either extinguish the fire or control it until firefighters can arrive and extinguish it. Automatic fire sprinkler systems are proven to be the most effective method of saving lives and property.

Finding of Facts (15.32.110)

This section remains unchanged, except as to section title from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.120)

This section remains unchanged from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.130)

This section remains unchanged from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.140)

This section remains unchanged, except as to section number, from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire alarm systems in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on built-in protection systems to assist in firefighting operations, occupant evacuation, and firefighter safety.

Findings of Facts (15.32.150)

This section remains unchanged, except as to section number, from the prior code adopted by the City. The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for marking of building utilities in the City of Daly City than those standards as set forth in the International Fire Code. In particular,

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple building collapses and fires through our community. With limited fire apparatus available after an earthquake, we must rely on prompt identification of utility shut-off locations to assist in firefighting operations, occupant evacuation, and firefighter safety.

Finding of Facts (15.32.160)

These sections remain unchanged, except for the section number, from City Council action addressing fireworks in the City of Daly City. The more particular ordinance, found within Chapter 8.24 of the Municipal Code, take precedent and these amendments are made to make the International Code consistent with the Municipal Code.

Finding of Facts (15.32.170)

These sections remain unchanged, except for the section number, from City Council action addressing the use, storage and handling of explosives and fireworks in the City of Daly City. The more particular ordinance, found within Chapter 8.24 of the Municipal Code, take precedent and these amendments are made to make the International Code consistent with the Municipal Code.

Finding of Facts (15.32.180 and 15.32.190)

Government Code Section 50022.4 provides that when a code is adopted by reference, penalty clauses are not deemed adopted by reference but may be enacted only if set forth in full in the adopting ordinance. Such is the action taken with these two sections, and such is the intent of the City Council.

Finding of Facts (15.32.200)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire apparatus access roads in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets and congested traffic.

Finding of Facts (15.32.210 through 15.32.250)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for fire apparatus access roads in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets and congested traffic.

Finding of Facts (15.32.260)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements for automatic fire extinguishing systems in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Slopes also make it difficult to place ladders for rescue and to advance those hose lines. Response time is increased due to steep grades, narrow streets, and congested traffic.

Geology: Daly City sits over 2-3 miles of the San Andreas Fault. This fault can create major ground shaking resulting in multiple fires through our community. With on limited fire apparatus available after an earthquake, we must rely on built-in protection to contain a large number of incipient fires.

Access: the majority of buildings are built with zero lot lines and no direct access to rear yards. Initial fire attack is from the front of the building only. The time it may take for firefighters to reach the seat of a fire is greatly increased. The opportunity for occupants to safely exit the building is reduced. The time delay decreases the survival chances of victims in the building and increases property damage. Fire spread between buildings is more probable. An automatic fire sprinkler system will either extinguish the fire or control it until firefighters can arrive and extinguish it. Automatic fire sprinkler systems are proven to be the most effective method of saving lives and property.

Finding of Facts (15.32.270)

The above stated climatic, geographical, and topographical conditions warrant more stringent requirements in the City of Daly City than those standards as set forth in the International Code. In particular,

Topography: The remaining area of Daly City to be built on is largely limited to steep slopes and hillsides with heavy vegetation. Many streets are narrow and winding with congested parking. This makes it difficult to place fire apparatus and equipment close to a fire scene. Response time is increased due to steep grades, narrow streets, and congested traffic.