

ORDINANCE NO. 16-0021

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH ADOPTING BY REFERENCE THE 2016 EDITION OF THE CALIFORNIA FIRE CODE, WITH CERTAIN AMENDMENTS, DELETIONS, AND ADDITIONS, AND AMENDING TITLE 3 OF THE MANHATTAN BEACH MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1: ADOPTION OF CODES. Pursuant to California Government Code §§ 50022.1 to 50022.8, the City adopts and incorporates by reference the California Fire Code, 2016 Edition ("CFC"), including Appendices B and C drafted and published by the International Code Council. The City also adopts and incorporates by reference those provisions of the International Fire Code, 2015 Edition ("IFC"), but excluding Section 103, published by the International Code Council, that are not included in the California Building Standards Code, as adopted, modified and amended by this chapter. Should the provisions set forth below in this Ordinance conflict with the provisions of any other locally adopted code, these provisions will prevail. The CFC and specified provisions of the IFC will apply to all occupancies within the City's jurisdiction. One (1) true copy of each code is on file with the City Clerk and is available for public inspection as required by law.

SECTION 2: Chapter 3.16 of Title 3 of the Manhattan Municipal Code is hereby amended to read as follows:

3.16.010 Adoption of 2016 California Fire Code.

Pursuant to the provisions of sections 50022.1 to 50022.10, inclusive, of the Government Code of the State and subject to the particular additions, deletions, amendments set forth in this chapter, the rules, regulations, provisions, standards and conditions set forth in that certain Code known as the California Fire Code, 2016 Edition, including Appendices B and C, two full printed copies of which, printed as a code in book form, which the City Council ordered filed and which have been filed in the office of the City Clerk, and which are expressly incorporated herein and made a part hereof as fully and for all intents and purposes as though set forth herein at length, are hereby established and adopted by reference as the rules, regulations, provisions, standards and conditions to be observed and followed, and which shall control within the City, for the safe guarding of life and property from the hazard of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and the same are collectively designated and may be known and referenced to as the "Fire Prevention Code" of the City of Manhattan Beach.

3.16.020 Fire Code Amendments

The California Fire Code, 2016 Edition, is amended by the revision and/or addition of the following sections to read as follows:

106.2.1 Inspection requests. It is the duty of the holder of the permit or their duly authorized agent to notify the fire code official when work is ready for inspection. It is the duty of the permit holder to provide access to and means for inspection of such work that are required by this code. Every request for inspection must be filed not less than two working days before such inspection is desired. Such request may be in writing or by telephone.

104.11.4 Financial responsibility. Any person who personally, or through another, willfully, negligently, or in violation of law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him/her to escape from his/her control, allows any hazardous material to be handled, stored, disposed of, or transported in a manner not in accordance with this Code, State law or nationally recognized Standards, allows any hazardous material to escape from his/her control, allows continuation of a violation of this Code is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense will be a charge against that person.

104.10 Fire investigations. The Fire Department is authorized to promptly investigate the cause, origin and circumstances of each and every fire, explosion, unauthorized release of hazardous materials, or any other hazardous condition within the City. If it appears to the Bureau of Fire Prevention that such fire is suspicious in origin, it is authorized to take immediate charge of all physical evidence relating to the cause of fire and to pursue investigation to its conclusion.

104.10.2 Technical assistance. When there is a fire, explosion, hazardous materials incident or other potential life or serious property threatening situation, the fire code official can request the owner to or operator to hire a private fire protection or hazardous materials investigator, acceptable to the fire code official and at the expense of the owner or operator, to provide a full report of the incident, including, without limitation, such matters as origin, cause, circumstances or proposed solution to the problem.

105.6.49.1 Additional permits. Sections Nos. #4 and #5 of Additional permits have been added to read as follows:

4. Battery systems. An operational permit to install or operate stationary storage battery systems having a liquid capacity of more than 50 gallons (189 L) for flooded lead acid, nickel cadmium (NiCad) and valve-regulated lead acid (VRLA), or 1,000 pounds (454 kg) for lithium-ion, used for facility standby power, emergency power or uninterruptible power supplies. See Section 608 for additional stationary storage battery system requirements.

5. Woodworking. An operational permit shall be required to operate a business which conducts woodworking, or operates as a cabinet shop or other

similar purposes.

202 GENERAL DEFINITIONS is amended to add and/or modify the following definitions to read as follows:

“Administrator” means the City Manager, or designee, of the City of Manhattan Beach.

“Building Access” means an exterior door opening conforming to all of the following:

1. Suitable and available for fire department use, opening onto or adjacent to a public way or a fire apparatus access road as described in Section 503.
2. Located not more than 2 feet (609.6 mm) above adjacent ground level.
3. Leading to a space, room or area having foot traffic communication capabilities with the remainder of the building.
4. Designed to permit access with the use of keys available in an approved key lock box.

“Fire Code Official” is the Fire Chief or a duly authorized representative.

“High-Rise Building” Is every building of any type of construction or occupancy having floors for human occupancy located more than 55 feet above the lowest level of fire vehicle access.

503.1.1 Buildings and facilities. Approved fire apparatus access roads must be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road must comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the of the first story of the building as measured by an approved route around the exterior of the building or facility. The fire code official has the authority to designate fire apparatus access roads on private property.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where any of the following conditions occur:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads cannot be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 must be maintained at all times. Speed bumps and speed humps must be approved before installation.

505.1 Address identification. Approved address numbers and letters must be placed on all new and existing buildings and units in such a location as to be plainly visible and legible from the street or road fronting such buildings and units. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Numbers and letters must be at least four (4) inches in height for residential, six (6) inches in height for commercial, and twelve (12) inches in height for industrial buildings and units and may not be located on doors or other areas that can be obstructed from view. Numbers and letters shall have a minimum stroke width of ½ inch (12.7 mm). The numbers and letters will be in a color that contrasts with their background and must be in the City's approved numbering sequence. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Commercial and industrial buildings and units that are served by an alley must also have approved address numbers and letters posted in a visible location near the primary door to the alley.

505.1.1 Directory. For complexes and large buildings, a directory or premises map with approved addressing must be installed and maintained at a location and in format as approved by the fire code official.

503.2.1 Dimensions. Fire apparatus access roads must have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

503.2.1.1 Access roads with vehicle parking. No access roads can be less than 32 feet (9754 mm) in width if the vehicle parking is permitted on one side of the access road and not less than 40 feet (12,192 mm) if vehicle parking is permitted on both sides of the access road. To permit the free passage of vehicles, access roads designated for vehicle parking on only one side must have signs or markings prohibiting the parking of vehicles on the traffic flow side of the roadway.

Road divider. An access road divider into separate adjacent one-way traffic lanes by a curbed divider or similar obstacle must not be less than 15 feet (4572 mm) in unobstructed width on each side of the divider.

503.2.4 Turning radius. The inside turning radius of a fire apparatus access road must be a minimum of 60 feet outside and 40 feet inside.

503.3 Fire Lane Marking/Signage. In accordance with California Vehicle Code

the designation shall be indicated (1) by a sign posted immediately adjacent to, and visible from, the designated place clearly stating in letters not less than one inch in height that the place is a fire lane (2) by outlining or painting the place in red and, in contrasting color, marking the place with the words "NO PARKING FIRE LANE", which are clearly visible from the vehicle, or (3) by a red curb or red paint on the edge of the roadway upon which clearly marked the words "NO PARKING FIRE LANE". The Fire Chief shall have the authority to designate fire apparatus access roads on private property.

605.11.1.2.2 Hip Roof Layouts

Panels and modules installed on Group R-3 buildings with hip roof layouts shall be located in a manner that provides a minimum 3-foot-wide (968 mm) clear perimeter around the edges of the roof. The access pathway shall be capable of supporting the firefighters accessing the roof.

605.11.1.2.3 Single ridge roofs

Panels and modules installed on Group R-3 buildings with single ridge roof layouts shall be located in a manner that provides a minimum 3-foot-wide (914 mm) clear perimeter around the edges of the roof. The access pathway shall be capable of supporting the firefighters accessing the roof.

605.11.1.2.5 Allowance for smoke ventilation operations.

Panels and modules installed on Group R-3 buildings shall be located not less than 1 foot from the ridgeline, and shall be located on only one side of any ridge to allow for smoke ventilation operations on the opposing side.

EXCEPTIONS:

1. Where solar panels are located a minimum of 5 feet from the ridge on the opposing side.
2. Where alternative means of allowance for smoke ventilation operations have been approved by the fire chief.

901.4.7 Partial fire sprinkler systems. Where in this Code or the Building Code a partial fire sprinkler system is required, the fire sprinkler system must be installed, modified or extended to protect the entire building or structure.

901.11 Problematic systems. In the event of a failure of a fire protection system or 2 or more alarms in a week where the fire code official finds no evidence of a situation requiring a response, the fire code official is authorized to require the building owner or occupant to provide a fire watch until the system is repaired. Fire watch personnel shall be provided with at least one approved means for notification of the Fire Department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. The fire code official shall determine the length of time the fire watch will be in effect.

903.2.Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

All Occupancies not including Group R Residential Division 3 and Group U. An automatic sprinkler system is required in addition to all applicable items as listed within this section. An automatic sprinkler system shall be installed throughout all new structures that exceed 2,000 square feet in gross floor area or exceeds two stories in height, and any additional structures attached thereto. No bells are allowed in water flow systems. Only a horn strobe shall be allowed as the water flow audible device.

Existing Commercial Occupancies not including Group R Residential, Division 3. An automatic sprinkler system shall be installed in all existing commercial occupancies whenever:

1. An addition or remodel causes the occupancy to exceed 2,000 square feet in gross floor area, or exceeds two stories in height.
2. The occupancy is 2,000 square feet or greater in gross floor area and a remodel or addition causes the valuation of the project at 50% or greater established by the building department.

903.2.8.2 Group R Residential, Division 3 Occupancies and Group U.

An automatic sprinkler system shall be installed in all new garages.

An automatic sprinkler system shall be installed in existing attached garages when a remodel causes an increase in square footage to the garage or when the remodel causes living area to be added next to or above the garage.

903.2.3 Group E. Section No. #1 of **Group E** is revised to read as follows:

1. Throughout all Group E floor areas greater than 2,000 square feet in area.

903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.9. . All one or two unit single family dwellings must adhere to the Manhattan Beach Fire Department Minimum Requirements for NFPA 13D Fire Sprinkler Systems.

Protection of attached garages. Residential occupancies protected by an automatic sprinkler system in accordance with NFPA 13R or NFPA 13D must have automatic sprinklers installed in attached garages and in other areas as required by the fire code official.

903.3.9 Floor control valves. Section No. #2 of **Floor control valves** is revised to read as follows:

2. Buildings that are two or more stories in height.

910.2 Where required. Where required by this Code or otherwise installed, smoke and heat vents or mechanical smoke exhaust systems and draft curtains must conform to the requirements of this section.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.
2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, smoke and heat venting must be provided by mechanical smoke exhaust systems in accordance with Section 910.4 within these areas.

3304.8 Fire retardant plastic sheeting and tarpaulins. Fire retardant tarpaulins and sheeting must be used to barricade construction areas from occupied building spaces and to provide floor or wall protection in occupied buildings.

5601.1.3 Fireworks. The manufacturing, possession, storage, sale, use, handling and/or discharge of fireworks, including those defined as “safe and sane” fireworks, is a misdemeanor.

Exceptions:

1. Storage of fireworks in accordance with the requirements for low order explosives in Title 19, California Code of Regulations, Chapter 10.
2. Storage of fireworks, 1.4G in accordance with the Building Code.
3. Use and handling of fireworks for professional display in accordance with Title 19, California Code of Regulations, Chapter 6.

5601.1.3.1 Seizure of Fireworks. The fire code official, the police department and code enforcement officers have the authority to seize, take and remove fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19, California Code of Regulations, Chapter 6 and California Health and Safety Code, Chapter 9.”

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “CEQA Guidelines”) because it consists only of minor revisions and clarifications to an existing code of construction-related

regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

SECTION 4: PENALTIES. It shall be unlawful for any person, firm, partnership, or corporation to violate any provision or to fail to comply with any of the requirements of this Ordinance or the Codes hereby adopted. Unless a violation is deemed therein to be an infraction, any person, firm, partnership, or corporation violating any provision of the Ordinance or the Codes hereby adopted or failing to comply with any of their requirements shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each such person, firm, partnership, or corporation shall be deemed guilty of a separate offense for each and every day or any portion thereof during which any violation of any of the provisions of this Ordinance or the Codes hereby adopted is committed, continued or permitted by such person, firm, partnership or corporation, and shall be deemed punishable therefore as provided in this Ordinance.

SECTION 5: SAVINGS CLAUSE. Repeal of any provision of the Manhattan Beach Municipal Code or any city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part or ordinance will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or their application and, to this end; the provisions of this Ordinance are severable.

SECTION 7: The City Clerk is directed to certify the adoption of this Ordinance and, within 15 days after the adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 8: This Ordinance will become effective 30 days following its passage and adoption, but no sooner than January 1, 2017.

PASSED, APPROVED and ADOPTED this 15th day of November, 2016.

AYES: Burton, Powell, Howorth, Lesser and Mayor D'Errico.

NOES: None.

ABSENT: None.

ABSTAIN: None.

TONY D'ERRICO
Mayor

ATTEST:

LIZA TAMURA
City Clerk