

ORDINANCE NO. 12.13

AN ORDINANCE AMENDING CHAPTER 14, ARTICLES I, II, AND III, OF THE MOUNTAIN VIEW CITY CODE, RELATING TO THE ADOPTION OF THE 2012 INTERNATIONAL FIRE CODE, INCORPORATING BY REFERENCE THE AMENDMENTS ADOPTED BY THE STATE OF CALIFORNIA TO ESTABLISH THE 2013 CALIFORNIA FIRE CODE

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN:

Section 1. A local entity such as the City of Mountain View must adopt the International Fire Code prior to January 1, 2014 if the local agency desires to maintain local control and allow for amendments to the International Fire Code in order to accommodate local requirements for local conditions. The City of Mountain View has local conditions which require amendments to the International Fire Code.

Section 2. The City of Mountain View has local conditions which require amendments to the California Building Standard Codes and other international and uniform codes.

Section 3. Council Findings. The City of Mountain View experiences low humidity and warm temperatures during the summer months, creating conditions which are particularly conducive to the ignition and spread of grass, brush, and structure fires. Additionally, the City of Mountain View is geographically located in the most severe seismic zone, Seismic Zone 4, and situated near active earthquake faults capable of producing substantial seismic activity. Since the City of Mountain View is divided by major freeways and other transportation corridors, the occurrence of a major earthquake would significantly impact the ability of Fire Department personnel to respond to emergencies should one or more overpasses be substantially damaged or collapsed. Additionally, fire suppression capabilities could be severely limited should the water system be extensively damaged during a seismic event. Therefore, mitigation measures are necessary such as: automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials, and other safeguards in an effort to minimize the risks to citizens, property, and fire suppression personnel.

Section 4. Articles I, II, and III of Chapter 14 of the Mountain View City Code are hereby amended to read as follows:

"ARTICLE I. FIRE PREVENTION CODE.

SEC. 14.10.1. Adoption of the International Fire Code and the California Fire Code.

The city hereby adopts for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the International Fire Code, 2012 Edition, including Appendices B and F of the International Fire Code, with the amendments adopted by the State of California, including Appendix K, to establish the California Fire Code, 2013 Edition, published by the International Code Council, Inc., thereof and the whole thereof, save and except such portions as are hereinafter changed, deleted, modified or amended, as defined in California Fire Code Section 1.1.8. A copy of said code has been and is now filed in the office of the fire marshal of the City of Mountain View, and the same, as amended herein, is hereby adopted by reference and incorporated as fully as if set out at length

herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling within the limits of the City of Mountain View.

SEC. 14.10.2. Definitions.

a. Wherever the word “municipality” is used in the International Fire Code, it shall mean the city.

b. Wherever the term “corporation counsel” is used in the International Fire Code, it shall mean the city attorney.

c. “Fire and environmental protection division” includes those employees of the fire department who have the duty of enforcing this code in accordance with and pursuant to California Penal Code Sections 830.37, 836.5 and 853.6, to arrest persons for violations of such ordinances or statutes and issue notice to appear citations as provided by law. Within the Mountain View city limits, this term shall refer to the fire prevention personnel, hazardous materials personnel, fire marshal and other fire department personnel so designated by the fire chief.

SEC. 14.10.3. Section 101.6 added – Administration; General.

Section 101.6 is added to the International Fire Code, to read as follows:

101.6. Fire Protection. The adoption of this code is a reflection of levels of protection of “built-in” fire protection equipment which shall be required in order to provide an adequate level of fire protection to the community at a reasonable cost. Anyone constructing or using properties or processes or engaging in other activities which constitute a potentially higher demand on fire department staffing requirements than are planned for may be required to install automatic fire extinguishing systems, fire protection equipment or such other safeguards that will make it possible to provide an adequate fire protection service with the city’s normal fire department capability.

SEC. 14.10.4. Section 102.10 amended – Applicability.

Section 102.10 of the International Fire Code is amended to read as follows:

102.10. Conflicting provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where there is a conflict between requirements in this code and requirements in other local, state or federal laws, regulations or ordinances, the more restrictive shall be applicable.

SEC. 14.10.5. Table 105.6.8 deleted – Permits.

Table 105.6.8 of the International Fire Code is deleted.

SEC. 14.10.6. Table 105.6.10 deleted – Permits.

Table 105.6.10 of the International Fire Code is deleted.

SEC. 14.10.7. Table 105.6.20 deleted – Permits.

Table 105.6.20 of the International Fire Code is deleted.

SEC. 14.10.8. Section 105.6.10 amended – Permits.

Section 105.6.10 of the International Fire Code is amended to read as follows:

105.6.10. Cryogenic fluids. An operational permit is required to store, handle or use cryogenic fluids in aboveground tanks.

SEC. 14.10.9. Section 105.6.16 amended – Permits.

Section 105.6.16 of the International Fire Code is amended to read as follows:

105.6.16. Flammable and combustible liquids. An operational permit is required to store, handle or use flammable or combustible liquids in excess of local permit thresholds, or in any quantity in aboveground or belowground storage tanks.

SEC. 14.10.10. Section 105.6.20 amended – Permits.

Section 105.6.20 of the International Fire Code is amended to read as follows:

105.6.20. Hazardous materials. An operational permit is required to store, transport on-site, dispense, use or handle hazardous materials in excess of local permit thresholds.

SEC. 14.10.11. Section 105.6.47 added – Additional permits.

Section 105.6.47 of the International Fire Code is added to read as follows:

105.6.47. Additional permits. In addition to the permits required by Section 105.6, the following operational permits shall be obtained from the fire prevention bureau prior to engaging in the following uses, activities, operations, practices or functions:

1. **Production facilities.** To change use or occupancy, or allow the attendance of a live audience, or for wrap parties.
2. **Pyrotechnics and special effects.** To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gases, welding, and the parking of motor vehicles in any building or location used for the purpose of motion picture, television or commercial production.
3. **Live audiences.** To install seating arrangements for live audiences in approved production facilities, production studios and sound stages.
4. **Temporary haunted house, ghost walks and similar amusements.**
5. **High-rises.** High-rise buildings as defined in Health and Safety Code Section 13210 and California Building Code.
6. **Licensed facilities.** To operate a state-licensed facility, including community care, residential care for the elderly and day care.

SEC. 14.10.12. Section 113.6 added – Fees.

Section 113.6 is added to the International Fire Code, to read as follows:

113.6. Local fees.

1. The fees for the primary inspection, first reinspection and any inspection thereafter shall be established by council resolution.

2. The fees for special inspections of temporary installations/events shall be established by council resolution. These shall include, but not be limited to: fireworks displays, pyrotechnic displays, temporary membrane structures (tents, canopies); carnivals, parades, fairs, haunted houses, Christmas tree lots, pumpkin patches, etc.

3. The fees for fire permits, as described in Chapter 1, Section 105, shall be established by council resolution.

4. Late fees (paid after permit expiration date) for fire permits, as described in Chapter 1, Section 105, shall be established by council resolution.

5. Maintenance fees for fire protection or extinguishing systems shall be established by council resolution. These shall include, but not be limited to: fire alarm systems, sprinkler systems, standpipe systems, hood and duct systems, private fire hydrants, etc.

6. The fee for preventable false fire alarms shall be established by council resolution.

SEC. 14.10.13. Section 202, amended – Definitions.

Section 202 of the International Fire Code is amended to include the following definitions:

Continuous Gas Detection System shall mean a gas detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis is allowed to be performed on a cyclical basis at intervals not to exceed thirty (30) minutes. In occupied areas where air is recirculated and not exhausted to a treatment system (e.g., breathing zone), the fire code official may require a cyclical basis at intervals not to exceed five (5) minutes. The gas detection system shall be able to detect the presence of a gas at or below the permissible exposure limit in occupied areas and at or below one-half (1/2) IDLH (or 0.05 LC₅₀ if no established IDLH) in unoccupied areas.

Maximum Threshold Quantity (MAX TQ) is the maximum quantity of a moderately toxic or toxic gas, which may be stored in a single vessel before a more stringent category or regulation is applied. The following equation shall be used to calculate the Max TQ:

$$\text{Max TQ (pounds)} = \text{LC}_{50} \text{ (ppm)} \times 2 \text{ pounds}$$

For gas mixtures containing one or more toxic, highly toxic or moderately toxic components, LC₅₀ shall be calculated using CGA Standards P-20 and P-23 as referenced in Appendix E, Section 103.1.3.1.

Other Health Hazard Material is a hazardous material which affects target organs of the body, including, but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage) or teratogens (effects on fetuses). Other health hazard materials include carcinogens and radioactive materials. See also Section 2702.1 – Health Hazard.

Sensitizer is a chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

Temporary shall mean not to exceed one (1) year.

Workstation is a defined space or independent principal piece of equipment using hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, electrical devices, and other processing and scientific equipment.

SEC. 14.10.14. Section 311.1 amended – Vacant premises.

Section 311.1 of the International Fire Code is amended to read as follows:

311.1. General. Temporary unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with Sections 311.1.1 through 311.4.

SEC. 14.10.15. Section 316.7 added – Hazard to firefighters.

Section 316.7 is added to the International Fire Code, to read as follows:

316.7 Roof, guardrails at interior courts. Roof openings into interior courts that are bounded on all sides by building walls shall be protected with guardrails. The top of the guardrail shall not be less than forty-two (42) inches in height above the adjacent roof surface that can be walked on. Intermediate rails shall be designed and spaced such that a twelve (12) inch diameter sphere cannot pass through.

EXCEPTION:

Where the roof opening is greater than six hundred (600) square feet in area.

SEC. 14.10.16. Chapter 4 of the International Fire Code is not adopted – Emergency planning and preparedness.

SEC. 14.10.17. Section 503.2.1 amended – Dimensions.

Section 503.2.1 of the International Fire Code is amended to read as follows:

503.2.1. Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than twenty (20) feet (6,096 mm) and an unobstructed vertical clearance of not less than 13 feet 6 inches (4,115 mm). Unobstructed width shall mean a clear travel way, excluding parking width and designed for emergency vehicle weight. It shall not include the width of rolled curbs, sidewalks or nondrivable surfaces.

EXCEPTIONS:

1. Vertical clearances or widths shall be increased when, in the opinion of the fire chief, vertical clearances or widths are not adequate to provide fire apparatus access.

2. Where buildings or portions of buildings or facilities have floors used for human occupancy located more than thirty (30) feet above the access road, the minimum unobstructed width shall be increased to twenty-six (26) feet.

SEC. 14.10.18. Section 503.2.4 amended – Turning radius.

Section 503.2.4 of the International Fire Code is amended to read as follows:

503.2.4. Turning radius. The inside turning radius of a fire apparatus access road shall be a minimum of twenty-one (21) feet.

SEC. 14.10.19. Section 504.4 added – Access to building openings and roofs.

Section 504.4 is added to the International Fire Code, to read as follows:

504.4. Access control devices. When access control devices, including bars, grates, gates, electric or magnetic locks or similar devices are installed, which would inhibit rapid fire department emergency access within and throughout the building, such devices shall be approved by the fire chief or his/her designee. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the fire chief or his/her designee.

Access control devices shall also comply with Chapter 10, Egress.

SEC. 14.10.20. Section 505.1 amended – Premises identification.

Section 505.1 of the International Fire Code is amended to read as follows:

505.1. Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6 inches (152.4 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). 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. Address numbers shall be maintained.

EXCEPTION:

For R-3 occupancies, address numbers shall be a minimum of 4 inches high with a minimum strike width of 0.5 inch.

SEC. 14.10.21. Section 509.3 added – Fire-protection equipment identification and access.

Section 509.3 is added to the International Fire Code, to read as follows:

509.3. Fire-protection equipment and fire hydrants. Fire-protection equipment and fire hydrants shall be clearly identified in an approved manner and maintained unobstructed. Fire department connections (FDCs) and system control valves shall also be identified by their function and occupancy(ies)/address(es) they serve.

When required by the fire chief, hydrant locations shall be identified by installation of reflective markers.

SEC. 14.10.22. Section 510.1.1 added – Emergency responder radio coverage.

Section 510.1.1 is added to the International Fire Code, to read as follows:

510.1.1. Obstruction by new buildings or structures. When determined by the fire code official, a new building or structure obstructs the line of sight emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communication capabilities. The equipment shall be located in an approved space or area within the new structure.

SEC. 14.10.23. Section 605.12 added – Immersion heaters.

Section 605.12 is added to the International Fire Code, to read as follows:

605.12. Immersion heaters. All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved overtemperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

SEC. 14.10.24. Section 608.6.1.1 added – Failure of ventilation system.

Section 608.6.1.1 is added to the International Fire Code, to read as follows:

608.6.1.1. Failure of ventilation system. Failure of the ventilation system shall automatically disengage the charging system.

SEC. 14.10.25. Section 806.1.1 amended – Display inside buildings.

Section 806.1.1 of the International Fire Code is amended to read as follows:

806.1.1. Display inside buildings. The display of Christmas trees and other decorative vegetation in new and existing buildings shall be in accordance with the California Code of Regulations, Title 19, Division 1, Section 308 and Sections 806.1 through 806.5.

EXCEPTIONS:

1. Trees located in areas protected by an approved automatic sprinkler system in accordance with Section 901.1.1 or 903.3.1.2 shall not be prohibited in Group A, E, M, R-1 and R-2.

2. Tree shall be allowed within dwelling units in Group R-2 occupancies.

SEC. 14.10.26. Section 901.6.3 added – Existing systems.

Section 901.6.3 is added to the International Fire Code, to read as follows:

901.6.3. Existing systems. Fire alarm and detection systems installed prior to the adoption of this code shall be maintained per NFPA 72.

Inoperable or unserviceable fire alarm systems shall be restored to operable conditions, equivalent to their original design and installation.

Section 901.6.3.1 is added to the International Fire Code, to read as follows:

901.6.3.1. Enforcement. Existing multi-family (R-2) occupancies with interior exit corridors containing five (5) or more units shall not be occupied without a thermal detection system or equivalent detection system.

SEC. 14.10.27. Section 903.2 amended—Automatic sprinkler systems, where required.

Section 903.2 of the International Fire Code is amended to read as follows:

903.2. Where required. Approved automatic sprinkler systems in new buildings and structures, and in existing modified buildings and structures, shall be provided in the locations described in this section. Automatic fire sprinklers shall be installed per the requirements set forth in Sections 903.2.1 through 903.2.12 and as follows, whichever is the more restrictive:

1. An automatic sprinkler system shall be installed throughout all new buildings and structures.

Exceptions:

a. Buildings and structures that do not exceed 1,000 square feet of building area in the following Groups: A, B, E, F, I, L, M, S and U occupancies. This exception does not apply to habitable accessory structures constructed on residential properties, regardless of area or occupancy classification

b. Group S-2 or U occupancies used exclusively for vehicle parking and which meet all of the following conditions:

(1) Noncombustible construction.

(2) Maximum building area not to exceed 5,000 square feet.

(3) Structure is open on three (3) or more sides.

(4) Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with California Building Code 706.

2. In determining whether an automatic fire sprinkler system is required, the following criteria shall be used:

(a) Determine the Building Area as defined by the California Building Code.

Exception: Eave projections 24 inches or less shall not be counted.

(b) Multiply the Building Area as determined herein by the number of stories. A full basement shall be counted as a story and the floor area of mezzanine(s) shall be added to the Building Area of the story in which they are located.

(c) For the purposes of determining whether automatic fire sprinklers are required in a building, the installation of fire walls will not be considered to create separate buildings.

3. Any change in the character of occupancy or in the use of any building with a Building Area at or over 3,600 square feet which, in the opinion of the fire chief or chief building official, would place the building into a more hazardous division of the same

occupancy group or into a different group of occupancies and constitutes a greater degree of life safety, or increased fire risk, shall require the installation of an approved automatic fire sprinkler system.

(a) For purposes of this section, Life Safety includes, but is not limited to, increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting system due to increased occupant loads, large schools/day-care facilities and large residential care facilities with nonambulatory clients.

(b) For purposes of this section, Fire Risk includes, but is not limited to, high piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials) and increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flame).

4. For existing nonsprinklered buildings, an approved automatic sprinkler system shall be required when additions meet one of the following criteria:

(a) Additions equal to or greater than 100 percent of the existing square footage.

(b) Additions that increase the total building area to over 4,100 square feet.

SEC. 14.10.28. Section 903.3.1 amended – Installation requirements, standards.

Section 903.3.1 of the International Fire Code is amended to read as follows:

903.3.1. Standards. Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, unless otherwise permitted by 903.3.1.2 and 903.3.1.3. Sprinkler systems shall also be designed and installed in accordance with the City of Mountain View “Commercial Automatic Fire Sprinklers Requirements” and “Residential Automatic Fire Sprinklers Requirements.”

SEC. 14.10.29. Section 905.3 amended – Standpipe systems required installations.

Section 905.3 of the International Fire Code is amended to read as follows:

905.3. Required installations. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.8 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are required to be combined with automatic sprinkler systems.

EXCEPTION:

Standpipe systems are not required in Group R-3 Occupancies.

SEC. 14.10.30. Section 905.3.1 amended – Height.

Section 905.3.1 of the International Fire Code is amended to read as follows:

905.3.1. Height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than twenty (20) feet above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than twenty (20) feet below the highest level of fire department vehicular access.

EXCEPTIONS:

1. Class I wet standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

2. Class I wet standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.

3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided the hose connections are located as required for Class II standpipes in accordance with Section 905.5.

4. Class I wet standpipes are allowed in basements equipped throughout with an automatic sprinkler system.

5. In determining the lowest level of fire department vehicular access, it shall not be required to consider:

5.1 Recessed loading docks for four vehicles or less, and

5.2 Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

SEC. 14.10.31. Section 905.3.5 amended—Underground buildings and parking structures.

Section 905.3.5 of the International Fire Code is amended to read as follows:

905.3.5. Underground buildings and parking structures. Underground buildings and parking garages shall be equipped throughout with a Class I automatic wet standpipe system.

SEC. 14.10.32. Section 905.4 amended—Location of Class I standpipe hose connections.

Section 905.4 of the International Fire Code is amended to read as follows:

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

1. In every required stairway, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at an intermediate floor level landing between floors, unless otherwise approved by the fire code official.

2. On each side of the wall adjacent to the exit opening of a horizontal exit.

Exception: Where floor areas adjacent to a horizontal exit are reachable from exit stairway hose connections by a 30-foot hose stream from a nozzle attached to 100 feet of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.

3. In every exit passageway, at the entrance from the exit passageway to other areas of the building.

Exception: Where the floor areas adjacent to an exit passageway are reachable from exit stairway hose connections by a 30-foot hose stream from a nozzle

attached to 100 feet of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.

5. Where the roof has a slope less than four (4) units vertical in twelve (12) units horizontal, a hose connection shall be located to serve the roof, or at the highest landing of a stairway with stair access to the roof provided in accordance with Section 1009.16.

6. Where the most remote portion of a sprinklered or nonsprinklered floor or story is more than 150 feet from a hose connection, additional Class I standpipe hose connections shall be provided within 150 feet of all areas. The distance from a hose connection shall be measured along the path of travel.

SEC. 14.10.33. Section 907.6 amended – Installation.

Section 907.7 of the International Fire Code is amended to read as follows:

907.6. Installation. A fire alarm system shall be installed in accordance with 907.6.1 through 907.6.5.2, National Fire Protection Association 72 and the City of Mountain View “Fire Alarm and Sprinkler Monitoring System Requirements.”

SEC. 14.10.34. Section 1008.1.9.11 amended – Stairway doors.

Section 1008.1.9.11 of the International Fire Code is amended, to read as follows:

1008.1.9.11. Stairway doors. Interior stairway means of egress doors shall be openable from both sides without the use of a key or special knowledge or effort.

EXCEPTIONS:

1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.

2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the International Building Code.

3. In stairways serving not more than six (6) stories in buildings not otherwise classified as a high-rise building in accordance with the California Building Code, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

4. Stairway exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group B, F, M and S occupancies where the only interior access to the tenant space is from a single exit stair where permitted in Section 1021.2.

5. Stairway exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group R-2 occupancies where the only interior access to the dwelling unit is from a single exit stair where permitted in Section 1021.2.

SEC 14.10.35. Section 3206.4 amended—General fire protection and life safety features, automatic sprinklers.

Section 3206.4 of the International Fire Code is amended, to read as follows:

3206.4. Automatic sprinklers. Automatic sprinkler systems shall be provided in accordance with Sections 3207, 3208, 3209 and 903.2 as amended.

SEC. 14.10.36. Section 3304.8 added –Precautions against fire, firewalls.

Section 3304.8 is added to the International Fire Code, to read as follows:

3304.8. Firewalls. When firewalls are required in combustible construction, the wall construction shall be completed immediately after the building is sufficiently weather-protected at the location of the wall(s).

SEC. 14.10.37. Section 3311.1 amended – Means of egress, stairways required.

Section 3311.1 of the International Fire Code is amended, to read as follows:

3311.1. Stairways required. Each level above the first story in new multi-story buildings that require two (2) exit stairways shall be provided with at least two (2) usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Exit stairs in new and in existing occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

EXCEPTION:

For multi-story buildings, one of the required exit stairs may be obstructed on not more than two (2) contiguous floor levels for the purpose of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

SEC. 14.10.38. Section 5003.9.11 added—General requirements, fire extinguishing systems.

Section 5003.9.11 is added to the International Fire Code, to read as follows:

5003.9.11. Fire Extinguishing systems for fume hoods and workstations dispensing, handling or using hazardous materials. Combustible and noncombustible fume hoods and workstations, which dispense, handle or use hazardous materials, shall be protected by an approved automatic fire extinguishing system in accordance with Section 2703.10.

EXCEPTION:

Internal fire protection is not required for Biological Safety Cabinets that carry NSF/ANSI certification where quantities of flammable liquids in use or storage within the cabinet do not exceed 500 ml.

SEC. 14.10.39. Section 5704.2.9.6.1 amended –Flammable and combustible liquids, storage.

Section 5704.2.9.6.1 of the International Fire Code is amended to read as follows:

5704.2.9.6.1. Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited within any portion of the City of Mountain View, now or hereafter existing.

EXCEPTION:

Double-wall approved aboveground tanks used for the storage of diesel fuel (including integral diesel fuel storage tanks) to power listed generators or fire pumps.

SEC. 14.10.40. Section 6104.2 amended – Liquefied petroleum gases, location of LP-gas containers.

Section 6104.2 of the International Fire Code is amended to read as follows:

6104.2. Maximum capacity within established limits. Liquefied Petroleum Gas (LPG) containers shall not be permitted within the city limits where natural gas mains exist. Upon the installation of natural gas mains, conversion from LPG to natural gas must be made within thirty (30) days of the installation of the mains. When an area is annexed to the city and no natural gas mains exist, the use of LPG may be continued until natural gas mains are installed. If natural gas mains exist within the area of annexation, conversion from LPG to natural gas shall be made within thirty (30) days of annexation.

EXCEPTION:

Installations of LPG containers may be permitted within the city limits if used for: (1) filling of portable containers for retail sales; or (2) industrial operators where natural gas would not provide a workable substitute.

SEC. 14.11 TO 14.29. Reserved.

**ARTICLE II.
EXPLOSIVES AND FIREWORKS REGULATIONS.**

SEC. 14.30. Chapter 56 of the International Fire Code, Explosives and fireworks, is not adopted, with the exception of the following sections:

SEC. 14.31. Section 5601.1 amended – Scope.

Section 5601.1 of the International Fire Code is amended to read as follows:

5601.1. Scope. For explosives requirements, see Title 19 California Code of Regulations, Division 1, Chapter 10 and Section 5601.2 of this chapter. For fireworks requirements, see Title 19 California Code of Regulations, Division 1, Chapter 6 and Section 5601.3 of this chapter. For small arms ammunition requirements, see Section 5601.5 of this chapter.

EXCEPTIONS:

1. The Armed Forces of the United States, Coast Guard or National Guard.

Explosives in forms prescribed by the official United States Pharmacopoeia.

3. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.

4. Items preempted by federal regulations.

SEC. 14.32. Section 5601.2 added – Explosives

Section 5601.2 is added to the International Fire Code, to read as follows:

5601.2. Explosives. The possession, manufacture, storage, sale, handling and use of explosives are prohibited.

EXCEPTIONS:

Possession, storage, handling and use of explosives for test and research purposes may be allowed with permit and approval of the fire chief or his/her designee.

SEC. 14.33. Section 5601.3 added – Fireworks,.

Section 5601.3 is added to the International Fire Code, to read as follows:

5601.3. Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

EXCEPTIONS:

1. Storage, handling and use of fireworks and pyrotechnic special effects outside of buildings when used for public or proximate audience displays, motion picture, television, theatrical and group entertainment productions when handled and used by a California State licensed pyrotechnic operator in accordance with Title 19 of the California Code of Regulations and with permit and approval of the fire chief or his/her designee.

2. Storage, handling and use of pyrotechnic special effects fireworks inside of buildings, equipped throughout with an approved fire sprinkler system, when used for proximate audience displays or special effects in theatrical, television, motion picture and group entertainment productions and when handled and used by a California State licensed pyrotechnic operator in accordance with Title 19 of the California Code of Regulations and with permit and approval of the fire chief or his/her designee.

SEC. 14.34. Section 5601.4 added – Explosives and fireworks, general.

Section 5601.4 is added to the International Fire Code, to read as follows:

5601.4. Rocketry. The storage, handling and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and with permit and approval of the fire chief or his/her designee.

SEC. 14.35. Section 5601.5 added – Explosives and fireworks, general.

Section 5601.5 is added to the International Fire Code, to read as follows:

5601.5. Small arms ammunition – general. Indoor storage and display of black powder, smokeless propellants and small arms ammunition shall comply with Sections 3301.5.1 through 3301.5.3.2.3.

Section 5601.5.1 is added to the International Fire Code, to read as follows:

5601.5.1. Packages. Smokeless propellants shall be stored in approved shipping containers conforming to Department of Transportation, 49 CFR, Part 173.

Section 5601.5.1.1 is added to the International Fire Code, to read as follows:

5601.5.1.1. Repackaging. The bulk repackaging of smokeless propellants, black powder and small arms primers shall not be performed in retail establishments.

Section 5601.5.1.2 is added to the International Fire Code, to read as follows:

5601.5.1.2. Damaged packages. Damaged containers shall not be repackaged.

EXCEPTION:

Approved repackaging of damaged containers of smokeless propellant into containers of the same type and size as the original container.

Section 5601.5.2 is added to the International Fire Code, to read as follows:

5601.5.2. Storage in Group R occupancies. The storage of small arms ammunition in Group R occupancies shall comply with Sections 5601.5.2.1 through 3301.5.2.3.

Section 5601.5.2.1 is added to the International Fire Code, to read as follows:

5601.5.2.1. Smokeless propellants. Smokeless propellants intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers. Smokeless powder in quantities exceeding 20 pounds (9 kg), but not exceeding 50 pounds (23 kg), are permitted to be stored in Group R-3 occupancies where kept in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness.

Section 5601.5.2.2 is added to the International Fire Code, to read as follows:

5601.5.2.2. Black powder. Black powder intended for personal use in quantities not exceeding 20 pounds (9 kg) is permitted to be stored in Group R-3 occupancies where kept in original containers and stored in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness.

Section 5601.5.2.3 is added to the International Fire Code, to read as follows:

5601.5.2.3. Small arms primers. No more than 10,000 small arms primers shall be stored in Group R-3 occupancies.

Section 5601.5.3 is added to the International Fire Code, to read as follows:

5601.5.3. Display and storage in Group M occupancies. The display and storage of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1 through 5601.5.3.2.3.

Section 5601.5.3.1 is added to the International Fire Code, to read as follows:

5601.5.3.1. Display. The display of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1.1 through 5601.5.3.1.3.

Section 5601.5.3.1.1 is added to the International Fire Code, to read as follows:

5601.5.3.1.1. Smokeless propellant. No more than 20 pounds (9 kg) of smokeless propellants, each in containers of 1 pound (0.454 kg) or less capacity, shall be displayed in Group M occupancies.

Section 5601.5.3.1.2 is added to the International Fire Code, to read as follows:

5601.5.3.1.2. Black powder. No more than 1 pound (0.454 kg) of black powder shall be displayed in Group M occupancies.

Section 5601.5.3.1.3 is added to the International Fire Code, to read as follows:

5601.5.3.1.3. Small arms primers. No more than 10,000 small arms primers shall be displayed in Group M occupancies.

Section 5601.5.3.2 is added to the International Fire Code, to read as follows:

5601.5.3.2. Storage. The storage of small arms ammunition in Group M occupancies shall comply with Sections 3301.5.3.2.1 through 3301.5.3.2.3.

Section 5601.5.3.2.1 is added to the International Fire Code, to read as follows:

5601.5.3.2.1. Storage of smokeless propellant. Commercial stocks of smokeless propellants not on display shall not exceed 100 pounds (45 kg). Quantities exceeding 20 pounds (9 kg), but not exceeding 100 pounds (45 kg), shall be stored in portable wooden boxes having walls of at least 1 inch (25 mm) nominal thickness.

Section 5601.5.3.2.2 is added to the International Fire Code, to read as follows:

5601.5.3.2.2. Black powder. Commercial stocks of black powder not on display shall not exceed 50 pounds (23 kg) and shall be stored in Type 2 or 4 indoor or outdoor magazines. When black powder and smokeless propellants are stored together in the same magazine, the total quantity shall not exceed that permitted for black powder.

Section 5601.5.3.2.3 is added to the International Fire Code, to read as follows:

5601.5.3.2.3. Small arms primers. Commercial stocks of small arms primers not on display shall not exceed 750,000. Storage shall be arranged such that not more than 100,000 small arms primers are stored in any one pile and piles are at least 15 feet (4,572 mm) apart.

SEC. 14.36 TO 14.39. Reserved.

ARTICLE III. ENFORCEMENT.

SEC. 14.40. Appeals.

Whenever the fire chief or his/her designee shall disapprove an application or refuse to grant a license or permit applied for, or when it is claimed that the provisions of the code do not apply, or that the true intent and meaning of the code has been misconstrued or wrongfully interpreted, the applicant may appeal the decision to the city council within thirty (30) days from the date of the decision.

SEC. 14.45. Establishment and duties of the fire prevention bureau.

This chapter shall be enforced by the fire prevention bureau in the fire department of the city, which is hereby established and which shall be operated under the supervision of the chief of the fire department.

SEC. 14.50. Penalties.

a. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively be guilty of a misdemeanor, punishable as set forth in the city charter. 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 day that prohibited conditions are maintained shall constitute a separate offense.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

c. Nothing contained in this section shall be construed to prevent the city from taking whatever appropriate civil action it deems necessary to enforce any of the provisions of this code or of this chapter.

SEC. 14.51. Arrests and issuance of citations.

a. The fire chief, fire marshal, deputy fire marshals, and other designated fire department personnel of the city may make arrests for violations of this code under the authority set forth by California Penal Code Sec. 830.37, 836.5 and 853.6. The fire chief, fire marshal and deputy fire marshals, and other designated fire department personnel who have the discretionary duty to enforce a statute or ordinance, may, as provided by law, arrest a person without a warrant whenever any such officer has reasonable cause to believe the person to be arrested has committed a misdemeanor in the officer's presence which he or she has the discretionary duty to enforce, and may issue a notice to appear and release such persons on his or her written promise to appear in court.

b. **Hazardous materials enforcement.** Those employees of the city, including, but not limited to, the fire marshal and hazardous materials specialists, who have the duty of enforcing this code, city and state laws pertaining to hazardous and toxic materials, are hereby authorized, in accordance with and pursuant to California Penal Code Sec. 830.37, 836.5 and 853.6, to arrest persons for violations of such ordinances or statutes and to issue Notice to Appear citations as provided by law.

SEC. 14.52. Enforcement remedies nonexclusive.

The remedies provided for in this ordinance are not exclusive. Pursuant to Chapter 1, Sec. 1.7, 1.18, 1.28 and 1.29 of the Mountain View City Code, the city, in its prosecutorial discretion, may enforce violation(s) of the provisions of this Chapter 14 as a criminal, civil and/or administrative action."

Section 5. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption, but no sooner than January 1, 2014.

Section 6. 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 other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 7. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

Section 8. This ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) of the CEQA Guidelines (because it has no potential for resulting in physical change to the environment, directly or indirectly).

The foregoing ordinance was regularly introduced at the Regular Meeting of the City Council of the City of Mountain View, duly held on the 8th day of October, 2013, and thereafter adopted at the Regular Meeting of said Council, duly held on the 22nd day of October, 2013, by the following roll call vote:

AYES: Councilmembers Abe-Koga, Bryant, Kasperzak, Siegel, and Vice Mayor Clark

NOES: Mayor Inks

ABSENT: Councilmember McAlister

NOT VOTING: None

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

JOHN M. INKS
MAYOR

I do hereby certify that the foregoing ordinance was passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 22nd day of October, 2013, by the foregoing vote, and was published in the *San Jose Post Record* by reference on the 18th day of October, 2013, and posted in three prominent places in said City.

City Clerk
City of Mountain View

JW/2/ORD
197-10-08-13o-E