

ORDINANCE NO. 2010-17

AMENDING CHAPTER 23.28 OF THE
SAN MATEO MUNICIPAL CODE TO ADOPT THE
2009 EDITION OF THE INTERNATIONAL FIRE CODE

The City Council of the City of San Mateo, California, ordains that:

Section 1. Chapter 23.28 is hereby amended to adopt the 2009 Edition of the International Fire Code, as amended by the 2010 Edition of the California Fire Code Volume I (Code) and Volume II (Standards), to read:

**Chapter 23.28
FIRE PREVENTION CODE**

Sections:

23.28.010	Adoption
23.28.020	Applicability
23.28.030	Section 101.1 Title
23.28.040	Section 108 Board of Appeals
23.28.050	Section 302.1 Definitions. Added
23.28.060	Section 315.1 Miscellaneous Combustible Materials Storage – General. Amended
23.28.070	Section 316.1 Fireworks Displays – General. Added
23.28.080	Section 316.2 Fireworks Displays – Seizure. Added
23.28.090	Section 503.3.1 FIRE APPARATUS ACCESS ROADS – Marking. Added
23.28.100	Section 505.1 PREMISES IDENTIFICATION - Address numbers. Amended
23.28.110	Section 505.1.1 Address Numbers - Multi-Tenant Buildings. Added
23.28.120	Section 505.1.2 Address Numbers - Rear Addressing Added
23.28.130	Section 506.1 KEY BOXES - Where Required Amended
23.28.140	Section 506.1.1.1 Key Box contents requirements Added
23.28.150	Section 510.1.1 FIRE PROTECTION EQUIPMENT IDENTIFICATION AND ACCESS - Utility Identification. Added
23.28.160	Section 903.1.2 AUTOMATIC SPRINKLER SYSTEMS - Existing Buildings and Structures. Added
23.28.170	Section 903.1.3 AUTOMATIC SPRINKLER SYSTEMS - Existing Group R Occupancies. Added
23.28.180	Section 903.2 AUTOMATIC SPRINKLER SYSTEMS - Where required. Amended
23.28.190	Section 905.3 Standpipe Systems – Required installation. Amended
23.28.200	Violations
23.28.210	Fire and Life Safety Inspections

23.28.010 ADOPTION. (a) Adopted are Codes published by the International Code Council, entitled 2010 California Fire Code, based on the 2009 International Fire Code with California amendments, including specified appendix chapters. This Code including all amendments thereto, shall hereafter be called the “Fire Prevention Code,” and/or this “Code” and are adopted as and for the rules, regulations, and standards within the City as to all matters therein, except otherwise provided. (b) The mandatory requirements of the appendices to the Fire Prevention Code shall be enforced to the same extent as contained in the body of the Code. (c) Certain sections of the Fire Prevention Code are amended by the City Council, and may hereafter be amended by the City Council, and as amended they are adopted. (d) No section of the Fire Prevention Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the City, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it. (d) A copy of the Fire Prevention Code, as defined herein, shall be kept on file on the office of the City Clerk.

23.28.020 APPLICABILITY. (a) All sections of this Chapter shall apply to all buildings, structures and portions thereof, and to all appurtenances and fixtures thereto, and anything connected with, or by, or in, or on, any premise or building. (b) Whenever any provision of this Chapter or in any other law, ordinance, or resolution of any kind, impose overlapping or contradictory regulations, or contain any restrictions covering the same subject matter, the provision that is more restrictive or imposes higher standards or requirements shall govern.

23.28.030 CHAPTER 1 - ADMINISTRATION AMENDED. Chapter 1 is adopted in its entirety and amended to read as follows:

SECTION 101.1 Title AMENDED.

101.1 Title. These regulations shall be known as the 2010 CALIFORNIA FIRE CODE, and with amendments adopted by the City of San Mateo, will be referred to herein as this “CODE,” and/or “FIRE PREVENTION CODE.”

23.28.040 SECTION 108 BOARD OF APPEALS AMENDED.

Section 108 BOARD OF APPEALS. For appeal and review of the provisions of Appendix Chapter 1, see Chapter 2 of the San Mateo Municipal Code.

23.28.050 SECTION 302.1 Definitions. ADDED.

FIREWORKS. Any composition or device for the purpose of producing a visible or audible effect for entertainment purposes by combustion, deflagration, detonation or any fireworks including “safe and sane” as defined by section 12529 of the State of California Health and Safety Code.

23.28.060 SECTION 315.1 MISCELLANEOUS COMBUSTIBLE MATERIALS STORAGE. - General. AMENDED.

315.1 General. Storage, use and handling of miscellaneous combustible materials shall be in accordance with this section. A permit shall be obtained in accordance with Section 105.6.

Exception:

Storage of combustible materials other than motorized vehicles or vessels shall not be permitted in a public parking garage or in a garage or carport serving a Group R, Division 1 or Group R, Division 2 Occupancy, unless the method of storage is approved by the Fire Code Official.

23.28.070 SECTION 318 FIREWORKS DISPLAYS - General. ADDED

318.1 General. The manufacture, storage, sale, possession, handle or use of all fireworks as defined in Section 302.1 is prohibited.

23.28.080 Section 318.2 FIREWORKS DISPLAYS - Seizure. ADDED

318.2 Seizure. The Chief shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this code.

**23.28.090 SECTION 503.3.1 FIRE APPARATUS ACCESS ROADS - Marking
ADDED**

503.3.1 Fire Lane Designation. Designation of fire lanes shall be by one of the following means:

1. By a white sign measuring at least twelve inches by eighteen inches (12" x 18") posted immediately adjacent thereto and clearly visible. It should clearly state in red letters not less than one inch (1") in height, that the space is a fire lane and parking is prohibited.
2. By outlining and hash marking the area in contrasting colors clearly marking it with the words "Fire Lane - No Parking."
3. By identifying the space with a red curb upon which the words "Fire Lane - No Parking" are stenciled every 15 feet.
 - a. Both sides of fire lanes shall be red curbed when the fire lane is twenty (20) feet to twenty eight (28) feet in width.
 - b. At least one side of a fire lane shall be red curbed and stenciled when the fire lane is over twenty eight (28) and up to thirty-six (36) feet in width.
 - c. Curbs need not be painted red nor stenciled when the fire lane is more than thirty-six (36) feet in width.

**23.28.100 SECTION 505.1 PREMISES IDENTIFICATION - Address numbers.
AMENDED.** (Duplicate of SMMC 23.08.020)

505.1 Address numbers. 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 numerals or alphabet letters. Said numbers shall be either internally or externally illuminated in all new construction. Numbers shall be as follows:

1. Minimum of one-half inch (1/2") stroke by four inches (4") high.
2. When the structure is thirty-six (36) to fifty (50) feet from the street or fire department access a minimum of one-half inch (1/2") stroke by six inches (6") high is required.
3. When the structure is more than fifty (50) feet from the street or fire apparatus access, a minimum of one inch (1") stroke by nine inches (9") high is required.

23.28.110 SECTION 505.1.1 Address Numbers - Multi-Tenant Buildings. ADDED.
(Duplicate of SMMC 23.08.030)

505.1.1 Multi -Tenant Buildings. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-half inch (1/2") stroke by four inches (4") high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be posted at a height no greater than 5 feet, 6 inches (5' 6") above the finished floor and shall be either internally or externally illuminated in all new construction.

23.28.120 SECTION 505.1.2 Address Numbers - Rear Addressing ADDED. (Duplicate of SMMC 23.080.040)

505.1.2 Rear Addressing. When required by the chief, approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide an acceptable vehicular access. Number stroke and size shall comply with 505.1.

23.28.130 SECTION 506.1 KEY BOXES - Where Required AMENDED.

506.1 Where Required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain contents as established in Section 506.1.1.1.

23.28.140 SECTION 506.1.1.1 Key Box contents requirements ADDED.

506.1.1.1 Key box contents requirements. The keys provided shall be a master key to all spaces including multi-tenant spaces. Additional keys shall be included for card access, elevator control, fire alarm control panels, and fire sprinkler control valve access. If the business/operation is required to have a Hazardous Material Inventory Statement (HMIS), the HMIS shall be include in the key box.

Exceptions:

1. Multi-tenant spaces which provide a key box for each tenant and installed per Section 506.1. Electronic card keys and codes may not be utilized as a substitute for manual keys.
2. When electronic locks release upon loss of electrical power a manual key need not be provided.

23.28.150 SECTION 509.1.1 FIRE PROTECTION EQUIPMENT IDENTIFICATION AND ACCESS - Utility Identification. ADDED.

509.1.1 Utility Identification. In multi-unit commercial and residential buildings, gas and electric meters, service switches and shut off valves shall be clearly and legibly marked to identify the unit or space that it serves.

23.28.160 SECTION 903.1.2 AUTOMATIC SPRINKLER SYSTEMS - Existing Buildings and Structures. ADDED. (Duplicate of SMMC 23.08.050)

903.1.2 Existing Buildings and Structures. An automatic fire sprinkler system shall be installed in existing buildings and structures, except Group R-3 and R-3.1 occupancies, as follows;

1. Additions that increase the existing gross floor area by more than 50% or increase the number of floors and/or stories require the entire building to be installed with an automatic fire sprinkler system.
2. Any combination of alterations and/or repairs to more than 50% of the existing gross building area requires the entire existing building to be installed with an automatic fire sprinkler system.
3. Any alteration and/or repair within a building that contains an automatic fire sprinkler system requires that the automatic fire sprinkler system be extended/modified to the area of proposed work.
4. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Chief requires that an automatic fire sprinkler system be installed in the space where the change in use or occupancy is proposed.
5. Any combination of addition, alteration, repair and/or change of use of any basement requires the installation of a fire sprinkler system in the basement.

Exceptions:

1. Seismic or Accessibility improvements
2. Any exemption otherwise allowable under the Fire Code, as adopted by the City of San Mateo if in the discretion of the Fire Chief, the safety of the public is not compromised.
3. Exterior improvements and work not requiring permits as provided in the Building Code.
4. Detached Group U occupancies less than 400 square feet.
5. Work requiring only a mechanical, electrical, plumbing and/or demolition permit.

23.28.170 SECTION 903.1.3 AUTOMATIC SPRINKLER SYSTEMS - Existing Group R Occupancies. ADDED. (Duplicate of SMMC 23.08.060)

903.1.3 Existing Group R Occupancies. An automatic sprinkler system shall be installed throughout when any addition, alteration, repair or combination thereof is made to more than 50% of the existing floor area of the building. For purposes of this section, an addition, alteration or repair is defined as any change to a building that requires a permit other than a mechanical, electrical or plumbing permit.

23.28.180 SECTION 903.2 AUTOMATIC SPRINKLER SYSTEMS - Where required. AMENDED. (Duplicate of SMMC 23.08.090)

903.2 Where required. Approved automatic sprinkler systems shall be installed in all new buildings unless the structure does not require a building permit.

23.28.190 SECTION 905.3 Standpipe Systems – Required installation. AMENDED. (Duplicate of SMMC 23.08.070)

905.3 Required installations. Standpipe systems shall be installed throughout buildings two or more stories and/or in basements and as required in Sections 905.3.1 through 905.3.10.1 except in Group R-3 occupancies and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems shall be combined with automatic sprinkler system and provided 2½” caps fitted with 1½” reducers. The Fire Chief shall determine the requirements for additional outlets.

23.28.200 VIOLATIONS. It is unlawful to violate or fail to comply with any provisions of this Chapter, or violate or fail to comply with any order made under this Chapter or to build in violation of any detailed statement of specification or plans submitted and approved under this Chapter, or any certificate or permit issued under this Chapter.

23.28.210 FIRE AND LIFE SAFETY INSPECTIONS. Inspections by the Fire Department shall periodically be made of buildings and structures that are used for residential or non-residential purposes as follows:

- a) The time and frequency of inspections shall be determined by the Fire Chief. No buildings shall be inspected for a fee more than annually except for re-inspections to assure that code corrections have been made or hazards have been corrected.
- b) A fee for inspections shall be established in the adopted City Fee Schedule to offset costs of the regulatory inspection program and shall be collected upon inspection from each property subject to this ordinance. Revenues shall be used for the inspection and enforcement program.
- c) All properties shall be subject to inspection fees.
- d) Nothing in this section is intended to prevent inspections of property under nuisance abatement or other laws.

Section 2. PUBLICATION. This Ordinance shall be published in summary in the San Francisco Examiner, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the Charter and shall be effective 30 days after the date of adoption.

I hereby certify this to be a correct copy of Ordinance 2010-17 of the City of San Mateo, California, introduced on November 1, 2010 and adopted on November 15, 2010, by the following vote of the Council:

AYES: Council Members LIM, MATTHEWS, ROSS and LEE

NOES: NONE

ABSENT: GROTTI

(SEAL) /s/ NORMA GOMEZ, City Clerk