

ORDINANCE NUMBER O- 17172 (NEW SERIES)

ADOPTED ON NOV 7 1988

**AN ORDINANCE AMENDING CHAPTER V, ARTICLE 5, OF  
THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTION 55.10.301 RELATING TO FIRE PROTECTION  
AND PREVENTION AND INSTALLATION OF FIRE  
SPRINKLERS.**

WHEREAS, the National Fire Protection Association has reported that in the United States between 1968 and 1988 there were two hundred and six fires in high-rise structures which accounted for five hundred and forty deaths, including twenty fatalities to fire fighters; and

WHEREAS, available statistical data indicates there was an absence of multiple deaths over the same period of time occurring from fires in a completely sprinklered building where the system was properly maintained and operated, except for those instances where an explosion or a flash fire occurred prior to the operation of the system; and

WHEREAS, this data clearly indicates that the need for an increased level of protection against fires within high-rise buildings can only be achieved with the use of fire sprinkler systems; and

WHEREAS, elevator lobby and stairwell pressurization and shaft enclosure may improve life safety features within a structure, but afford no protection for the early detection and extinguishment of fire in its incipient stage; and

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SAN DIEGO, CALIF.

WHEREAS, automatic fire sprinkler systems required in high-rise buildings since 1979, when properly installed and maintained, have provided a highly effective safeguard against the loss of life and property from fire; and

WHEREAS, it has been recommended to the Council of the City of San Diego that fire sprinkler systems be required in all existing high-rise structures, except in those involving certain types of noncontinuous human occupancy; and

WHEREAS, the Council of the City of San Diego finds the foregoing recitals to be true and correct and hereby adopts those declarations and findings, hereby determining that the value to public and life safety associated with the installation of fire sprinkler systems far outweighs the costs and burdens to the owners of high-rise buildings associated with such installation;  
NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

**Section 1. That the provisions of Chapter V, Article 5, of the San Diego Municipal Code be and the same is hereby amended by amending section 55.10.301 to read as follows:**

**SEC. 55.10.301 Sec. 10.301 OF THE UNIFORM FIRE CODE  
AMENDED**

**Sec. 10.301 INSTALLATION**

No changes in subsections (a) through (e).

(f) **INSTALLATION OF FIRE SPRINKLERS IN EXISTING  
HIGH-RISE BUILDINGS.**

(1) Purpose and Intent - The Council hereby finds as a matter directly affecting public safety

and the life safety of occupants of high-rise buildings and the public safety personnel involved in fire suppression activities in high-rise buildings that it is necessary to install fire sprinkler systems in all existing high-rise buildings which were previously exempt from such installation. Those buildings in which such sprinkler systems have been installed under the provisions of Title 24, California Administrative Code section 2-1807 are exempt from this subsection.

(2) Definitions

(a) The term "high-rise building," as used in this subsection, refers to any building or structure of any type of construction or occupancy having floors used for human occupancy located more than seventy-five (75) feet above the lowest floor level having building access, except for the following: (1) Hospitals as defined in Health and Safety Code section 1250; (2) Buildings used exclusively as open parking garages; (3) Buildings where all floors above the seventy-five (75) foot level are used exclusively as open parking garages and are located above all other floors used for human occupancy; (4) Buildings such as power plants, look-out towers, steeples, green houses and similar structures with noncontinuous human

occupancy as may be determined by the Fire Chief;  
(5) Any buildings or structures owned by any governmental agency other than the City of San Diego; (6) R-1 occupancies as defined in this Fire Code, except hotels and motels.

(b) The term "building access," as used herein, shall mean an exterior door opening conforming to all of the following: that it is suitable and available for fire department use; that it is located not more than two (2) feet above the adjacent ground level; that it leads to a space, room, or area having foot traffic communication capability with the remainder of the building; that it is designed to permit penetration through the use of fire department forcible-entry tools and equipment unless other approved arrangements have been made with the Fire Chief.

(c) The term "owner," as used herein, shall mean every person who or entity which alone or jointly or severally with others has legal title to any building or structure or the legal right to structurally alter or modify such building or structure.

(3) Applicability - Except as provided in this subsection, the provisions of this section relating to installation of automatic fire sprinkler systems are hereby made applicable to all

existing high-rise buildings, as defined herein, which were previously exempted from such installation, regardless of the date of construction or issuance of a certificate of occupancy for that building.

(4) Fire Sprinkler Systems - Automatic fire sprinkler systems required under this subsection shall be installed in accordance with the then effective provisions of Uniform Building Code Standard No. 38-1, as presently or hereafter adopted by the Council of The City of San Diego, with the express provision that any later standard therein that is more stringent from a fire and life safety basis shall apply at the time of installation.

(5) Schedule of Implementation - Each owner of a high-rise building, as defined herein, shall install an approved automatic fire sprinkler system in that building in accordance with the following schedule:

Within twelve (12) months after the date of the adoption of this ordinance or January 1, 1990, whichever is later, the building owner shall submit a work plan to the Fire Chief for his approval which will include technical sprinkler drawings and a time table for complete installation in accordance with this subsection. The plan will

detail a schedule for completing the fire sprinkler system installation, giving priority to those floors in excess of seventy-five feet (75') above the lowest floor level having building access. The Fire Chief is authorized to modify the schedule in this subsection (f)(5) to accommodate long-term leases; once approved, however, the schedule and plans may not be further modified.

One-third (1/3) gross square footage of the structure shall be fire sprinklered within four (4) years from the date of the adoption of this ordinance or January 1, 1993, whichever is later.

Two-thirds (2/3) gross square footage of the structure shall be fire sprinklered within seven (7) years from the date of adoption of this ordinance or January 1, 1996, whichever is later.

The entire gross square footage of the structure shall be fire sprinklered within ten (10) years from the date of adoption of this ordinance or January 1, 1999, whichever is later.

The owner of any high-rise building or structure that is subject to the provisions of this subsection and that contains significant quantities of asbestos that will interfere with such installation shall have the option of instead equipping the entire gross square footage of the building or structure with an automatic fire

sprinkler system by January 1, 1996, provided, however, that under this option, the owner of the building or structure shall be deemed to have waived any further extension of time for compliance. In order to be eligible for this option, the owner must establish the presence of asbestos in the affected building, that it is impossible or impractical to complete the work in increments, with supporting rationale, and that the work plan submitted clearly demonstrates that all tenants will be vacated and all work will be completed within the specified time frame.

For purposes of this subsection, the gross square footage of a building or structure shall include the sum total of all the floor areas for all floor levels, basements and sub-basements, measured from the exterior walls, irrespective of the existence of interior fire resistive walls, floors and ceilings.

(6) Waiver of other provisions - The Fire Chief and Building Official are hereby authorized to waive or modify any or all of the following provisions of the Uniform Fire Code or the Uniform Building Code when requiring the retrofitting of existing high-rise buildings with automatic fire sprinkler systems pursuant to this subsection: underground water storage tanks need not be



required; fire pump size or installation can be reduced or eliminated, depending upon the adequacy of water pressure available to the building; existing dead end corridors without intervening doors may be permitted; existing ventilation shafts may be permitted; existing transoms may be allowed.

(7) Appeal and Modification Provisions - The owner of a high-rise building covered under the provisions of this subsection may appeal to the City Manager via the Board of Appeals pursuant to the provisions of Article 2 - 302 of the Uniform Fire Code, as amended and adopted, from a decision of the Fire Chief under this subsection. For the purposes of this subsection, the Board of Appeals may recommend a variance from any provision of this subsection and the suitability of alternate materials and methods of sprinkler system installation and may provide reasonable interpretations of this subsection, so long as such interpretations do not conflict with the purpose, intent and general objectives of this subsection nor extend the time for compliance established in subsection (f) (5).

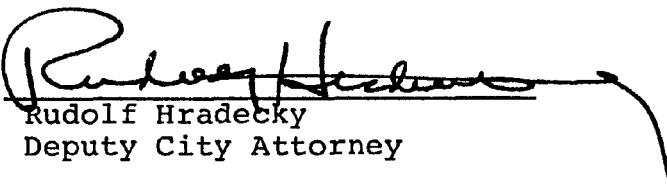
In considering a waiver from compliance with the provisions of this subsection, the Board of Appeals shall, in addition to any other considerations it deems appropriate, examine the architectural or

historical significance of the building or structure. The City Manager shall thereafter consider the recommendations of the Board of Appeals and issue a final decision based thereon which shall then constitute the owner's exhaustion of administrative remedies.

(8) Violations - It shall be unlawful for any owner to allow any person not involved in construction or maintenance duties to occupy any portion of a high-rise building covered under the provisions of this subsection which fails to comply with the schedule of implementation for sprinkler installation set forth in subsection (f)(5), except as may be authorized by the Fire Chief or City Manager.

**Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.**

APPROVED: John W. Witt, City Attorney

By   
Rudolf Hradecky  
Deputy City Attorney

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08/18/88  
10/06/88 REV. 1  
10/20/88 REV. 2  
10/28/88 REV. 3  
Or.Dept:Fire  
O-89-30  
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Passed and adopted by the Council of The City of San Diego on **NOV 7 1988**,  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**MAUREEN O'CONNOR**

Mayor of The City of San Diego, California.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By *June G. Blackwell*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

**OCT 24 1988**

**NOV 7 1988**

, and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-17172** Adopted **NOV 7 1988**