

ORDINANCE NUMBER O- 18242 (NEW SERIES)

ADOPTED ON JAN 08 1936

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 5 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING CHAPTER V, ARTICLE 5, DIVISION 1, SECTIONS 55.0101.0001, 55.0101.0103, 55.0102.0101, 55.0102.0105, 55.0102.0201, 55.0102.0303, 55.0104.0107, 55.0104.0108; DIVISION 2, SECTIONS 55.0209.0108, 55.0209.0114, 55.0209.0121; DIVISION 3, SECTIONS 55.0310.0201, 55.0310.0203, 55.0310.0204, 55.0310.0205, 55.0310.0206, 55.0310.0207, 55.0310.0301, 55.0310.0401, 55.0310.0404, 55.0310.0501, 55.0310.0507, 55.0310.0508, 55.0310.0510, 55.0310.0514, 55.0311.0303, 55.0311.0305, 55.0311.0601, 55.0312.0109, 55.0314.0104, 55.0314.0108; DIVISION 4, SECTIONS 55.0425.0108, 55.0425.0117, 55.0425.0118, 55.0425.0119, 55.0425.0502, 55.0432.0110; DIVISION 5, SECTIONS 55.0545.0203, 55.0545.0209; DIVISION 6, SECTIONS 55.0661.0104, 55.0661.0105; DIVISION 7, SECTIONS 55.0774.0204, 55.0777.0101, 55.0777.0104, 55.0778.0203, 55.0779.0202, 55.0779.0403, 55.0779.2001, 55.0779.2002, 55.0779.2003, 55.0779.2004, 55.0779.2005, 55.0780.0103, 55.0780.0301, 55.0780.0303, 55.0780.0306, 55.0780.0309, 55.0780.0310, 55.0780.0312, 55.0780.0313, 55.0780.0314, 55.0780.0315, 55.0780.0401, 55.0780.0402, 55.0781.0106, 55.0781.0107, 55.0787.0101, 55.0787.0102, 55.0787.0103, 55.0787.0104, 55.0788.0101, 55.0889.0201, 55.0889.0206, 55.0889.0301, 55.0889.0302, 55.0889.0601; AND BY ADDING CHAPTER V, ARTICLE 5, DIVISION 1, SECTIONS 55.0101 AND 55.0103; BY ADDING DIVISION 9, SECTIONS 55.0901, 55.0902, AND 55.0903; BY ADDING DIVISION 10, SECTION 55.1003; BY ADDING DIVISION 25, SECTION 55.2501; BY ADDING DIVISION 77, SECTION 55.7701; BY ADDING DIVISION 78, SECTION 55.7802; BY ADDING DIVISION 81, SECTION 55.8102; BY ADDING DIVISION 91, SECTION 55.9101; AND BY ADDING DIVISION 92, SECTION 55.9201.

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

follows:

Section 1. That Chapter V, Article 5 of the San Diego Municipal Code be and is hereby amended by repealing the following sections in Chapter V, Article 5, Divisions 1 through 8, as follows:

**DIVISION 1
Fire Code**

Section 55.0101.0001
55.0101.0103
55.0102.0101
55.0102.0105
55.0102.0201
55.0102.0303
55.0104.0107
55.0104.0108

**DIVISION 2
Definitions and Abbreviations**

Section 55.0209.0108
55.0209.0114
55.0209.0121

**DIVISION 3
General Provisions For Fire Safety**

Section 55.0310.0201
55.0310.0203
55.0310.0204
55.0310.0205
55.0310.0206
55.0310.0207
55.0310.0301
55.0310.0401
55.0310.0404
55.0310.0501
55.0310.0507
55.0310.0508
55.0310.0510
55.0310.0514
55.0311.0303
55.0311.0305
55.0311.0601
55.0312.0109
55.0314.0104
55.0314.0108

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**DIVISION 4
Special Occupancy Uses**

Section 55.0425.0108
55.0425.0117
55.0425.0118
55.0425.0119
55.0425.0502
55.0432.0110

**DIVISION 5
Special Processes**

Section 55.0545.0203
55.0545.0209

**DIVISION 6
Special Equipment**

Section 55.0661.0104
55.0661.0105

**DIVISION 7
Special Subjects**

Section 55.0774.0204
55.0777.0101
55.0777.0104
55.0778.0203
55.0779.0202
55.0779.0403
55.0779.2001
55.0779.2002
55.0779.2003
55.0779.2004
55.0779.2005
55.0780.0103
55.0780.0301
55.0780.0303
55.0780.0306
55.0780.0309
55.0780.0310
55.0780.0312
55.0780.0313
55.0780.0314
55.0780.0315
55.0780.0401
55.0780.0402
55.0781.0106
55.0781.0107
55.0787.0101

55.0787.0102
55.0787.0103
55.0787.0104
55.0788.0101

**DIVISION 8
Appendices**

Section 55.0889.0201
55.0889.0206
55.0889.0301
55.0889.0302
55.0889.0601

Section 2. That Chapter V, Article 5 of the San Diego Municipal Code be and the same is hereby amended by adding Division 1, entitled "Adoption of the Uniform Fire Code (1994 Edition)," and by adding sections 55.0101 and 55.0103, to read as follows:

DIVISION 1

ADOPTION OF THE UNIFORM FIRE CODE (1994 EDITION)

SEC. 55.0101 Adoption of the Uniform Fire Code (1994 Edition) Purpose and Intent, and Administrative Provisions

(a) **Portions of Uniform Fire Code (1994 Edition)**

adopted. Except as otherwise provided in this Article, the Uniform Fire Code (1994 Edition), including appendices, is hereby adopted. A copy of the Uniform Fire Code (1994 Edition), is on file in the office of the City Clerk as Document No. 00-18242. The Uniform Fire Code (1994 Edition), is referred to in this Article as "U.F.C. (1994 Edition)." The Uniform Fire Code Standards (1994 Edition), is hereby adopted and is to be used in conjunction with the U.F.C. (1994 Edition). A copy of the Uniform Fire Code Standards (1994 Edition), is on file in the office of the

City Clerk as Document No. 00-18242, and may be cited in this Article as "U.F.C. Standards (1994 Edition)."

(b) **San Diego Fire Code.** The document known as the San Diego Fire Code consists of the following documents:

(1) Those portions of the U.F.C. (1994 Edition), adopted by the City in section 55.0101 with changes as specified in this Article.

(2) U.F.C. Standards (1994 Edition).

(3) Sections 55.0101 through 55.9201 of Chapter V, Article 5, of the San Diego Municipal Code.

(4) Applicable sections of the California Code of Regulations.

(c) **Relationship of San Diego Municipal Code section numbers to U.F.C. (1994 Edition) section numbers.** Sections within the U.F.C. (1994 Edition) retain those same section numbers when referred to within the text of the San Diego Municipal Code. Thus, Section 901 of the U.F.C. (1994 Edition) will be cited as "U.F.C. 901 (1994 Edition) within the text of the San Diego Municipal Code.

Where a section of the U.F.C. (1994 Edition) is adopted with changes, it is promulgated within the Municipal Code by using a numbering system to reflect both the Municipal Code numbering system and the U.F.C. (1994 Edition) numbering system. For example, section 901 of the U.F.C. (1994 Edition) is adopted with changes in San Diego Municipal Code section 55.0901. The first two digits to the left of the first decimal point are the chapter and article number of the San Diego Municipal Code. The two digits to the right

of the first decimal point represent the Municipal Code's division number. The last four digits reflect the numbering system of the U.F.C. (1994 Edition). A zero (0) after the decimal point is a filler to accommodate the San Diego Municipal Code numbering system and is added when the section number in U.F.C. (1994 Edition) is less than four digits.

The Municipal Code numbering system reflects the numbering system of the U.F.C. (1994 Edition) excluding the chapter and article numbers to the left of the decimal point and when appropriate, the utilization of a filler zero (0). Consequently, with these modifications, the numbering in the San Diego Municipal Code sections 55.0101 through 55.9201 corresponds with the numbering system change in the U.F.C. (1994 Edition).

(d) **Definitions.** Whenever the following terms appear within the text of the U.F.C. (1994 Edition), they have the following definitions:

"Chief" means the Fire Chief.

"Chief of the Fire Prevention Bureau" means the Fire Marshal of The City of San Diego.

"Corporation Counsel" means the City Attorney.

"Municipality" or "Jurisdiction" means The City of San Diego.

(e) **Prospective and Retrospective Application.** Unless specifically stating that they may be applied prospectively only, provisions of the San Diego Fire Code may be

retrospectively applied in accordance with U.F.C. section 102 (1994 Edition).

(f) **Effective Date.** Unless otherwise stated in a specific San Diego Municipal Code section or U.F.C. (1994 Edition) section adopted by the City, the effective date of the San Diego Fire Code shall be JAN 08 1988.

(g) **Reference to Uniform Building Code.** Any reference within the San Diego Fire Code to the "U.B.C." shall refer to those provisions of the Uniform Building Code as adopted by Chapter IX of the San Diego Municipal Code.

(h) **U.F.C. (1994 Edition) not adopted.** The following sections of the U.F.C. (1994 Edition) are not adopted:

APPENDIX I-A

APPENDIX I-B

APPENDIX II-E

APPENDIX VI-C

SEC. 55.0103 GENERAL

U.F.C. section 103 (1994 Edition) is adopted with changes to read as follows:

- 103.1.1 **Technical assistance.** - no change.
- 103.1.2 **Alternate materials and methods.** - no change.
- 103.1.3 **Practical difficulties.** - no change.
- 103.1.4 **Appeals.** When a question involving the interpretation of the intent and purpose of any provisions of the San Diego Fire Code or the suitability of alternate materials and types of construction is presented to the

Fire Chief, the Fire Chief may request the Board of Appeals and Advisors to investigate such matters under the procedures established in section 91.0204 of the San Diego Municipal Code regarding building inspection. The request for Board action may come from any citizen that is affected by the San Diego Fire Code.

- 103.1.5 **Appendix.** - no change.
- 103.2 **Authority for Inspection and Enforcement.** - no change.
- 103.2.1 **Authority of the Fire Chief and the Fire Department.** - no change.
- 103.2.1.1 **General.** - no change.
- 103.2.1.2 **Fire prevention bureau personnel and police.** - no change.
- 103.2.2 **Organization of the fire prevention bureau.** - no change.
- 103.2.2.1 **General.** - no change.
- 103.2.2.2 **Fire Marshal.** - no change.
- 103.3 **Inspection.** - no change.
- 103.3.1 **General.** - no change.
- 103.3.1.1 **Authority to inspect.** - no change.
- 103.3.1.2 **Right of entry.** - no change.
- 103.3.2 **New construction and alterations.** - no change.
- 103.3.2.1 **General.** - no change.
- 103.3.2.2 **Inspection requests.** - no change.

- 103.3.3 **Fire safety during construction and alterations.** - no change.
- 103.3.4 **Records.** - no change.
- 103.4 **Enforcement.** - no change.
- 103.4.1 **Authorization to issue corrective orders and notices.** - no change.
- 103.4.1.1 **General.** - no change.
- 103.4.1.2 **Unsafe heating or electrical equipment and structural hazards.** - no change.
- 103.4.1.3 **Stopping uses, evacuation.** - no change.
- 103.4.1.4 **Time limit for corrective orders.** - no change.
- 103.4.2 **Service of orders and notices.** - no change.
- 103.4.3 **Compliance with orders, notices and tags.** - no change.
- 103.4.3.1 **Compliance with orders and notices.** - no change.
- 103.4.3.2 **Compliance with tags.** - no change.
- 103.4.3.3 **Removal and destruction of signs and tags.** - no change.
- 103.4.4 **Citations.** - no change.
- 103.4.5 **Unsafe buildings.** - no change.
- 103.4.6 **Appeals.** - no change.

Section 3. That Chapter V, Article 5, of the San Diego Municipal Code be and the same is hereby amended by adding Division 9, entitled "Fire Department Access and Water Supply," and sections 55.0901, 55.0902, and 55.0903, to read as follows:

DIVISION 9

FIRE DEPARTMENT ACCESS AND WATER SUPPLY

SEC. 55.0901 GENERAL

U.F.C. section 901 (1994 Edition) is adopted with changes, to read as follows:

- 901.1 **Scope.** - no change.
- 901.2 **Permit and Plans.** - no change.
 - 901.2.1 **Permits.** - no change.
 - 901.2.2 **Plans.** - no change.
 - 901.2.2.1 **Fire.** - no change.
 - 901.2.2.2 **Fire hydrant systems.** - no change.
- 901.3 **Timing of Installation.** - no change.
- 901.4 **Required Marking of Fire Apparatus Access Roads, Addresses and Fire Protection Equipment.** - no change.
 - 901.4.1 **General.** - no change.
 - 901.4.2 **Fire apparatus access roads.** - no change.
 - 901.4.3 **Fire protection equipment and fire hydrants.**
Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the Fire Chief to prevent obstruction by parking and other obstructions. When required by the Fire Chief, hydrant locations shall be identified by the installation of reflective blue-colored markers. Such markers shall be affixed to the roadway surface, approximately centered between curbs, and at a right angle

to the hydrant.

- 901.4.4 **Premises identification.** - no change.
- 901.4.5 **Street or Road Signs.** - no change.
- 901.5 **Obstruction and Control of Fire Apparatus
Access Roads and Fire Protection Equipment.** -
no change.
- 901.6 **Fire Protection in Recreational Vehicle,
Mobile Home and Manufactured Housing Parks,
Sales Lots and Storage Lots.** - no change.

SEC. 55.0902 FIRE DEPARTMENT ACCESS

U.F.C. section 902 (1994 Edition) is adopted with changes, to read as follows:

- 902.1 **General.** - no change.
- 902.2 **Fire Apparatus Access Roads.** - no change.
 - 902.2.1 **Required access.** - no change.
 - 902.2.2 **Specifications.** - no change.
 - 902.2.2.1 **Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than twenty (20) feet (6096 mm) and an unobstructed vertical clearance of not less than fifteen (15) feet, six (6) inches (4724 mm).

EXCEPTION: Vertical clearance may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established

vertical clearance when approved by the Fire Chief.

Vertical clearance 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.

- 902.2.2.2 **Surface.** - no change.
- 902.2.2.3 **Turning radius.** - no change.
- 902.2.2.4 **Dead ends.** no change.
- 902.2.2.5 **Bridges.** - no change.
- 902.2.2.6 **Grade.** - no change.
- 902.2.3 **Marking.** - no change.
- 902.2.4 **Obstruction and control of fire apparatus access.** - no change.
 - 902.2.4.1 **General.** - no change.
 - 902.2.4.2 **Closure of accessways.** - no change.
- 902.3 **Access to Building Openings.** - no change.
 - 902.3.1 **Required access.** - no change.
 - 902.3.2 **Maintenance of exterior doors and openings.** - no change.
 - 902.3.3 **Shaftway marking.** - no change.
- 902.4 **Key boxes.** - no change.

SEC. 55.0903 WATER SUPPLIES AND FIRE HYDRANTS

U.F.C. section 903 (1994 Edition) is adopted with changes, to read as follows:

- 903.1 **General.** - no change.

- 903.2 **Required Water Supply for Fire Protection.** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are constructed or moved into or within the City after Jan. 1, 1996. When any portion of the facility or building protected is in excess of 300 feet (91440 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Fire Chief. See U.F.C. (1994 Edition) section 903.4.
- 903.3 **Type of Water Supply.** - no change.
- 903.4 **Fire Hydrant Systems.** - no change.
- 903.4.1 **General.** - no change.
- 903.4.1.1 **Applicability.** - no change.
- 903.4.1.2 **Testing and maintenance.** - no change.
- 903.4.1.3 **Tampering and obstruction.** - no change.
- 903.4.2 **Required installations.** - no change.
- 903.4.3 **Protection, marking and obstruction of hydrants.** - no change.
- 903.4.4 **Maintenance and use of hydrants.** - no change.

Section 4. That Chapter V, Article 5, of the San Diego Municipal Code be and is hereby amended by adding Division 10, entitled "Fire Protection Systems and Equipment," and section 55.1003, to read as follows:

DIVISION 10

FIRE PROTECTION SYSTEMS AND EQUIPMENT

SEC. 55.1003 FIRE EXTINGUISHING SYSTEMS

U.F.C. section 1003 (1994 Edition) is adopted with changes, to read as follows:

- 1003.1 **Installation Requirements.** - no change.
- 1003.1.1 **General.** - no change.
- 1003.1.2 **Standards.** - no change.
- 1003.1.3 **Modifications.** - no change.
- 1003.2 **Required Installations.** - no change.
- 1003.2.1 **General.** - no change.
- 1003.2.2 **All occupancies except Group R, Division 3 and Group U Occupancies.** - no change.
- 1003.2.3 **Group A Occupancies.** - no change.
- 1003.2.3.1 **Drinking establishments.** - no change.
- 1003.2.3.2 **Basements.** - no change.
- 1003.2.3.3 **Exhibition and display rooms.** - no change.
- 1003.2.3.4 **Stairs.** - no change.
- 1003.2.3.5 **Multitheater complexes.** - no change
- 1003.2.3.6 **Amusement buildings.** - no change.
- 1003.2.3.7 **Stages.** - no change.
- 1003.2.4 **Group E Occupancies.** - no change..
- 1003.2.4.1 **General.** - no change.
- 1003.2.4.2 **Basements.** - no change.

- 1003.2.4.3 **Stairs.** - no change.
- 1003.2.5 **Group H Occupancies.** - no change.
- 1003.2.5.1 **General.** - no change.
- 1003.2.5.2 **Group H, Division 4 Occupancies.** - no change.
- 1003.2.5.3 **Group H, Division 6 Occupancies.** - no change.
- 1003.2.6 **Group I Occupancies.** - no change.
- 1003.2.7 **Group M Occupancies.** - no change.
- 1003.2.8 **Group R, Division 1 Occupancies.** - no change.
- 1003.2.9 **Existing Highrise Buildings.**
- 1003.2.9.1 **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 Code of Regulations section 2-1807 are exempt from section 55.1003, subsection 1003.2.9.1.
- 1003.2.9.2 **Definitions.** For purposes of San Diego Municipal Code section 55.1003,

"High-rise building" means 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. "High-rise building" does not include:

(1) Hospitals as defined in Health and Safety Code section 1250; or

(2) Buildings used exclusively as open parking garages; or

(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; or

(4) Buildings such as power plants, look-out towers, steeples, green houses and similar structures with noncontinuous human occupancy as determined by the Fire Chief; or

(5) Any buildings or structures owned by any governmental agency other than The City of San Diego; or

(6) R-1 occupancies as defined in this San Diego Fire Code, except hotels and motels.

"Building access" means an exterior door opening that conforms to all of the following:

(1) is suitable and available for fire department use;

(2) is located not more than two (2) feet above the adjacent ground level;

(3) leads to a space, room or area having foot traffic communication capability with the remainder of the building; and

(4) is designed to permit penetration through the use of fire department forcible-entry tools and equipment unless other arrangements have been made with the Fire Chief's approval.

"Owner" means any person or entity that 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.

1003.2.9.3 **Applicability.** Except as provided in San Diego Municipal Code section 55.1003, subsection 1003.2.9, the provisions of section 55.1003 relating to installation of automatic fire sprinkler systems are hereby made applicable to all existing high-rise buildings which were previously exempted from such installation, regardless of the date of

construction or issuance of a certificate of occupancy for that building.

1003.2.9.4 **Fire Sprinkler System.** Automatic fire sprinkler systems required under San Diego Municipal Code section 55.1003, subsection 1003.2.9, shall be installed in accordance with Uniform Building Code (1994 Edition) Standard No. 38-1, except that any later adopted standard that imposes more stringent fire and life safety requirement shall apply at the time of installation.

1003.2.9.5 **Schedule of Implementation.** Any owner of a high-rise building shall install an approved automatic fire sprinkler system in each high-rise building in accordance with the following schedule:

(1) By January 1, 1990, the building owner shall submit a work plan to the Fire Chief for approval. The work plan shall include technical sprinkler drawings and a time table for complete installation in accordance with San Diego Municipal Code section 55.1003, subsection 1003.2.9.5. The plan shall detail a schedule for completing the fire sprinkler system installation, giving priority to those floors in excess of seventy-five (75) feet above the lowest floor level having building access. The Fire Chief

is authorized to modify the schedule in San Diego Municipal Code section 55.1003, subsection 1003.2.9.5 to accommodate long-term leases; once approved, however, the schedule and plans may not be further modified.

(2) By January 1, 1993, one-third (1/3) gross square footage of the structure shall be fire sprinklered.

(3) By January 1, 1996, two-thirds (2/3) gross square footage of the structure shall be fire sprinklered.

(4) By January 1, 1999, the entire gross square footage of the structure shall be fire sprinklered.

(5) The owner of any high-rise building or structure that is subject to the provisions of San Diego Municipal Code section 55.1003, subsection 1003.2.9.5, and that contains significant quantities of asbestos that will interfere with such installation shall have the option of not equipping the entire gross square footage of the building or structure with an automatic fire sprinkler system by January 1, 1996. However, if an owner exercises 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, an owner must establish: (a) the presence of asbestos in the affected building, (b) that it is impossible or impractical to complete the work in increments, with supporting rationale; and (c) that the work plan submitted clearly demonstrates that all tenants will be vacated and all work will be completed within the specified time frame.

(6) For purposes of San Diego Municipal Code section 55.1003, subsection 1003.2.9.5, the gross square footage of a building or structure includes the 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.

(7) Notwithstanding the compliance schedule, which is in San Diego Municipal Code section 55.1003, subsection 1003.2.9.5, any owner of any high-rise building or structure subject to the provisions of San Diego Municipal Code section 55.1003, subsection 1003.2.9.5, which contains significant quantities of asbestos, who agrees in writing prior to January 1, 1996,

to demolish the subject building, shall be exempt from the compliance schedule set forth in section San Diego Municipal Code section 55.1003, subsection 1003.2.9.5.

(8) The written agreement shall constitute a covenant running with the land. Such agreement shall be recorded in the office of the County Recorder, San Diego County. The City shall prepare and provide recordable demolition agreement forms.

1003.2.9.6 Waiver of Other Provisions. The Fire Chief or Building Official is hereby authorized to waive or modify provisions of the U.F.C. (1994 Edition) and Uniform Building Code as adopted by the City in Chapter IX of the San Diego Municipal Code when retrofitting existing high-rise buildings with automatic fire sprinkler systems is required pursuant to San Diego Municipal Code section 55.1003, subsection 1003.2.9.5. This waiver and modification authorization, as stated in San Diego Municipal Code section 55.1003, subsection 1003.2.9.6, is limited to the following: (1) underground water storage tank will not be required; (2) fire pump size or installation can be reduced or eliminated, depending upon the adequacy of water pressure available to the building; (3) existing dead

end corridors without intervening doors may be permitted; (4) existing ventilation shafts may be permitted; and (5) existing transoms may be allowed.

1003.2.9.7 Appeal and Modification Provisions. The owner of a high-rise building covered under San Diego Municipal Code section 55.1003, subsection 1003.2.9, may appeal a decision made by the Fire Chief under San Diego Municipal Code section 55.1003, subsection 1003.2.9. An appeal shall be made to the City Manager. The Board of Appeals shall serve as the hearing body for the City Manager pursuant to the provisions of San Diego Municipal Code section 55.0103, subsection 103.1.4. For the purposes of San Diego Municipal Code section 55.1003, subsection 1003.2.9, the Board of Appeals may recommend (1) a variance from any provision of San Diego Municipal Code section 55.1003, subsection 1003.2.9; or (2) the suitability of alternate materials and methods of sprinkler system installation. The Board of Appeals may provide reasonable interpretations of San Diego Municipal Code section 55.1003, subsection 1003.2.9 so long as their interpretations do not either (1) conflict with the purpose, intent and general

objective of San Diego Municipal Code section 55.1003, subsection 1003.2.9, or (2) extend the time for compliance established in San Diego Municipal Code section 55.1003, subsection 1003.2.9.5.

The Board of Appeals may, in addition to any other considerations it deems appropriate, take into account the architectural or historical significance of the building or structure or appeal. The City Manager shall consider the recommendations of the Board of Appeals and issue a final decision based on those recommendations. The City Manager's decision shall constitute the owner's exhaustion of administrative remedies.

1003.2.9.8 Violations. Except as authorized by the Fire Chief or City Manager, it is unlawful for any owner to allow any person, other than workers involved in construction or maintenance duties, to occupy any portion of a high-rise building covered under the provisions of San Diego Municipal Code section 55.1003, subsection 1003.2.9, that fails to comply with the schedule of implementation or sprinkler installation set forth in San Diego Municipal Code section 55.1003, subsection 1003.2.9.5. If any high-

rise building or structure is exempt from the compliance schedule set out in San Diego Municipal Code section 55.1003, subsection 1003.2.9.5, because the owner agreed in writing to demolish the subject building by January 1, 1996, it is unlawful for that building owner to allow any person, other than construction or maintenance workers involved in minimal maintenance to prevent the building or structure from being in an unsafe condition or involved in the installation of an approved automatic fire sprinkler system, to occupy the building or structure after January 1, 2000, if the building or structure has not been demolished pursuant to that exemption. Any minimal maintenance work shall be approved in advance and in writing by the City Manager. The high-rise building or structure shall not be occupied until an approved fire sprinkler system has been completely installed.

- 1003.3 **Sprinkler System Monitoring and Alarms.** - no change.
- 1003.3.1 **Where required.** - no change.
- 1003.3.2 **Alarms.** - no change.
- 1003.4 **Permissible Sprinkler Omissions.** - no change.

Section 5. That Chapter V, Article 5, of the San Diego Municipal Code be and the same is hereby amended by adding Division 25, entitled "Places of Assembly," and section 55.2501, to read as follows:

DIVISION 25

PLACES OF ASSEMBLY

SEC. 55.2501 GENERAL

U.F.C. section 2501 (1994 Edition) is adopted with changes, to read as follows:

- 2501.1 **Scope.** - no change.
- 2501.2 **Definitions.** - no change.
- 2501.3 **Permits and Plans.** - no change.
- 2501.4 **Supervision and Communication System.**
 - 2501.4.1 **Supervision.** - no change.
 - 2501.4.2 **Communication.** - no change.
- 2501.5 **Decorative Materials.** - no change.
- 2501.6 **Pyroxylin-coated Fabrics.** - no change.
- 2501.7 **Motion Picture Screens.** - no change.
- 2501.8 **Exit Doors.** - no change.
 - 2501.8.1 **General.** - no change.
 - 2501.8.2 **Panic hardware.** - no change.
- 2501.9 **Aisles.** - no change.
 - 2501.9.1 **General.** - no change.
 - 2501.9.2 **Width without fixed seats.** - no change.
 - 2501.9.3 **Width with fixed seats.** - no change.
 - 2501.9.4 **Aisle termination.** - no change.
 - 2501.9.5 **Ramp slope.** - no change.
 - 2501.9.6 **Aisle steps.** - no change.

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- 2501.9.6.1 **When prohibited.** - no change.
- 2501.9.6.2 **When required.** - no change.
- 2501.9.7 **Handrails.** - no change.
- 2501.10 **Seating.** - no change.
 - 2501.10.1 **Spacing.** - no change.
 - 2501.10.2 **Bonding of chairs.** - no change.
 - 2501.10.3 **Bleacher seats and grandstands.** - no change.
 - 2501.10.4 **Festival seating.** Seating without aisles, rows, or reserved spacing is allowed only when approved by the Fire Chief. The Fire Chief shall consider such factors as event crowd behavior, egress capacity, and event location when making this determination.
- 2501.11 **Use of Exit Ways.** - no change.
- 2501.12 **Ashtrays.** - no change.
- 2501.13 **Fire Appliances.** - no change.
- 2501.14 **Plan of Exit Ways and Aisles.** - no change.
- 2501.15 **Marking and Lighting of Exits.** - no change.
- 2501.16 **Maximum Occupant Load.** - no change.
 - 2501.16.1 **Posting of room capacity.** - no change.
 - 2501.16.2 **Determination of occupant load.** - no change.
 - 2501.16.3 **Overcrowding.** - no change.
- 2501.17 **Candles and other open-flame devices.** - no change.
- 2501.18 **Requirements for Use of Candles and Other Open-flame Devices.** - no change.
 - 2501.18.1 **General.** - no change.
 - 2501.18.2 **Flaming foods, and beverages.** - no change.

2501.18.3 **Candles and other open-flame decorative lighting.** - no change.

2501.18.4 **Theatrical performances.** - no change.

2501.19 **Standby Fire Department Personnel.**

(1) When, due to the number of persons attending, or to the nature of the performance, exhibition, display, contest or activity in, place of assembly or any other place where people congregate, for purposes of public safety the Fire Chief may require the owner, agent or lessee to utilize one or more Fire Department personnel to be on duty at such place to act as standby fire security personnel.

(2) Standby Fire Department personnel shall be subject to the Fire Chief's orders at all times. They shall be in uniform and remain on duty during the times such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, the standby Fire Department personnel shall inspect the required fire appliances provided to see that they are in proper place and in good working order, and shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted and take prompt measures to

extinguish fires that may occur.

(3) While on duty, standby Fire Department personnel shall not be required or permitted to perform any other duties than those specified in San Diego Municipal Code section 55.2501, subsection 2501.19.

(4) The City shall charge the permittee the cost of such services. The cost shall be computed by the Fire Department using accepted cost accounting methods including but not limited to the cost of salary, fringe benefits and general overhead. Time cards for the assigned personnel shall be submitted by the Fire Chief to the Auditor and Comptroller and shall be prima facie evidence of the expended work-hours. In no event shall a permittee be charged less than the cost of two work-hours for each standby Fire Department personnel.

TABLE 2501-A-MINIMUM WIDTH OF AISLES AND OTHER MEANS OF EGRESS IN ASSEMBLY OCCUPANCIES WITHOUT SMOKE-PROTECTED ASSEMBLY SEATING - no change.

TABLE 2501-B-MINIMUM WIDTH OF AISLES AND OTHER MEANS OF EGRESS IN ASSEMBLY OCCUPANCIES WITH SMOKE-PROTECTED ASSEMBLY SEATING - no change.

Section 6. That Chapter V, Article 5, of the San Diego Municipal Code be and the same is hereby amended by adding Division 77, entitled "Explosive Materials," and section 55.7701, to read as follows:

DIVISION 77

EXPLOSIVE MATERIALS

SEC. 55.7701 GENERAL

U.F.C. section 7701 (1994 Edition) is adopted with changes, to read as follows:

- 7701.1 **Scope.** - no change.
- 7701.2 **Definitions.** - no change.
 - 7701.2.1 **General.** - no change.
 - 7701.2.2 **Limited application.** - no change.
- 7701.3 **Permits.** - no change.
 - 7701.3.1 **Required.** - no change.
 - 7701.3.2 **Unsafe material or practice.** - no change.
- 7701.4 **Bond.** Before a permit is issued pursuant to San Diego Municipal Code section 55.7701, subsection 7701.3, the applicant shall file with the City a \$1 million combined single limit comprehensive general liability insurance policy, naming The City of San Diego as an additional insured, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit. The Fire Chief may specify a greater or lesser amount when, in the Fire

Chief's opinion, application of recognized risk management standards and conditions at the location requires it. Public agencies shall be exempt from the requirement of the issuing of an insurance policy naming The City of San Diego as an additional insured.

- 7701.5 **Notice of New Storage and Manufacturing Sites.** - no change.
- 7701.6 **Access Road Signs.** - no change.
- 7701.7 **Prohibited and Limited Acts.** - no change.
- 7701.7.1 **Manufacturing.** - no change.
- 7701.7.2 **Limits established by law.** - no change.
- 7701.7.3 **Limits based on location.** - no change.
- 7701.8 **Seizure of Explosive Materials.** - no change.

Section 7. That Chapter V, Article 5, of the San Diego Municipal Code be and the same is hereby amended by adding Division 78, entitled "Fireworks and Pyrotechnic Special Effects Material," and section 55.7802, to read as follows:

DIVISION 78

FIREWORKS AND PYROTECHNIC SPECIAL EFFECTS MATERIAL

SEC. 55.7802 FIREWORKS

U.F.C. section 7802 (1994 Edition) is adopted with changes, to read as follows:

- 7802.1 **General.** - no change.
- 7802.2 **Seizure of Fireworks.** - no change.
- 7802.3 **Prohibition.** - no change.
- 7802.4 **Displays.** - no change.

- 7802.4.1 **General.** - no change.
- 7802.4.2 **Pyrotechnic operator.** - no change.
- 7802.4.3 **Bond.** Before a fireworks' permit is issued, the applicant shall file with the City a one million dollar (\$1 million) combined single limit comprehensive general liability insurance policy, naming The City of San Diego as an additional insured, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit. The Fire Chief may specify a greater or lesser amount when, in the Fire Chief's opinion, application of recognized risk management standards and conditions at the location of use requires it. Public agencies shall be exempt from the requirement of issuing an insurance policy naming The City of San Diego as an additional insured.
- 7802.4.4 **Mortars for aerial shell displays.** - no change.
- 7802.4.4.1 **Site criteria.** - no change.
- 7802.4.4.2 **Construction.** Mortars shall be approved for use with the aerial shells to be fired. Mortars shall be constructed of heavy cardboard, paper, high density polyethylene, or metal other than cast iron.
- 7802.4.4.3 **Inspection.** - no change.

- 7802.4.4.4 Positioning. - no change.
- 7802.4.4.5 Securing. - no change.
- 7802.4.4.6 Mortar separation. - no change.
- 7802.4.4.7 Moisture protection. - no change.
- 7802.4.4.8 Ground burst protection. - no change.
- 7802.4.4.9 Paper mortars. - no change.
- 7802.4.4.9.1 Convolute. - no change.
- 7802.4.4.9.2 Spiral wound. - no change.
- 7802.4.4.10 Grouping mortars. - no change.
- 7802.4.4.11 Loose gravel and rocks. - no change.
- 7802.4.4.12 Cleaning tool. - no change.

TABLE 7802.3-A-MINIMUM MORTAR SEPARATION DISTANCES

- no change.

- 7802.4.5 Ground pieces. - no change.
- 7802.4.5.1 Location. - no change.
- 7802.4.5.2 Combustibles. - no change.
- 7802.4.5.3 Securing. - no change.
- 7802.4.6 Electrical fire units. - no change.
- 7802.4.6.1 General. - no change.
- 7802.4.6.2 Wiring. - no change.
- 7802.4.6.3 Power supply. - no change.
- 7802.4.6.4 Security. - no change.
- 7802.4.6.5 Manually activated firing units. - no change.
- 7802.4.6.6 Automatic firing units. - no change.
- 7802.4.6.7 Testing of fire circuits. - no change.
- 7802.4.7 Inspection. - no change.
- 7802.4.8 Supervision. - no change.

- 7802.4.9 **Display operation.** - no change.
- 7802.4.9.1 **General.** - no change.
- 7802.4.9.2 **Fire protection.** - no change.
- 7802.4.9.3 **Monitors.** - no change.
- 7802.4.9.4 **Barriers.** - no change.
- 7802.4.9.5 **Display discontinued.** - no change.
- 7802.4.9.6 **Illumination.** - no change.
- 7802.4.9.7 **Smoking and open flames.** - no change.
- 7802.4.9.8 **Aerial shells.** - no change.
 - 7802.4.9.8.1 **General.** - no change.
 - 7802.4.9.8.2 **Ready boxes.** - no change.
 - 7802.4.9.8.3 **Paper mortars.** - no change.
 - 7802.4.9.8.4 **Transporting.** - no change.
 - 7802.4.9.8.5 **Proper fit.** - no change.
 - 7802.4.9.8.6 **Safety cap.** - no change.
 - 7802.4.9.8.7 **Ignition.** - no change.
 - 7802.4.9.8.8 **Trajectory.** - no change.
 - 7802.4.9.8.9 **Defective aerial shells.** - no change.
 - 7802.4.9.8.10 **Range inspection.** - no change.
 - 7802.4.9.8.11 **Record.** - no change.

Section 8. That Chapter V, Article 5, Division 81 of the San Diego Municipal Code be and the same is hereby amended by adding Division 81, entitled "High-Piled Combustible Storage," and section 55.8102, to read as follows:

DIVISION 81

HIGH-PILED COMBUSTIBLE STORAGE

SEC. 55.8102 GENERAL FIRE-PROTECTION AND LIFE-SAFETY
FEATURES

U.F.C. section 8102 (1994 Edition) is adopted with changes, to read as follows:

- 8102.1 General. - no change.
- 8102.2 Separation of High-piled Storage Areas. - no change.
- 8102.3 Fire Sprinklers. - no change.
- 8102.4 Fire Detection. - no change.
- 8102.5 Building Access. - no change.
 - 8102.5.1 Access roadways. - no change.
 - 8102.5.2 Access doors. - no change.
 - 8102.5.2.1 General. - no change.
 - 8102.5.2.2 Number of doors required. - no change.
 - 8102.5.2.3 Door size and type. - no change.
 - 8102.5.2.4 Locking devices. - no change.
- 8102.6 Smoke and Heat Removal. - no change.
 - 8102.6.1 General. - no change.
 - 8102.6.2 Types of vents. - no change.
 - 8102.6.3 Vent dimensions. - no change.
 - 8102.6.4 Vent locations. - no change.
- 8102.7 Curtain Boards. - no change.

TABLE 81-A "GENERAL FIRE-PROTECTION AND LIFE-SAFETY REQUIREMENTS" TO SAN DIEGO MUNICIPAL CODE SECTION 55.8102, AS FOLLOWS:

COMMODITY CLASS	SIZE OF HIGH-PILED STORAGE AREA' (sq. ft.) (See Section 8102.2)	ALL STORAGE AREAS (See Sections 8102, 8103 and 8104) ²						SOLID-PILED STORAGE, SHELF STORAGE AND PALLETIZED STORAGE (See Section 8103.3)		
		Automatic Fire-extinguishing System (See Section 8102.3)	Fire-detection System (See Section 8102.4)	Building Access (See Section 8102.5)	Smoke and Heat Removal (See Section 8102.6)	Curtain Boards (See Section 8102.7)	Small Hose Valves and Stations (See Section 8102.8)	Maximum Pile Dimension' (ft.)	Maximum Permissible Storage Height' (ft.)	Maximum Pile Volume (cu. ft.)
								x 3048 for mm	x 0.0283 for m ³	
I-IV	0-500	NR	NR	NR ⁶	NR	NR ³	NR	NR	NR	NR
	501-2,500	NR	Yes	NR ⁶	NR	NR ³	NR	100	40	100,000
	2,501-12,000 Public accessible	Yes	NR	NR ⁶	NR	NR ³	NR	100	40	400,000
	2,501-12,000 Nonpublic accessible (Option 1)	Yes	NR	NR ⁶	NR	NR ³	NR	100	40	400,000
	2,501-12,000 Nonpublic accessible (Option 2)	NR	Yes	Yes	Yes	Yes	Yes	100	30'	200,000
	12,001-20,000	Yes	NR	Yes	Yes	Yes NR ³	Yes	100	40	400,000
	20,001-500,000	Yes	NR	Yes	Yes	Yes NR ³	Yes	100	40	400,000
	Greater than 500,000 ^a	Yes	NR	Yes	Yes	Yes NR ³	Yes	100	40	400,000
High Hazard	0-500	NR	NR	NR ⁶	NR	NR ³	NR	50	NR	NR
	501-2,500 public accessible	Yes	NR	NR ⁶	NR	NR ³	NR	50	30	75,000
	501-2,500 Nonpublic accessible (Option 1)	Yes	NR	NR ⁶	NR	NR ³	NR	50	30	75,000
	501-2,500 Nonpublic accessible (Option 2)	NR	Yes	Yes	Yes	Yes	Yes	50	20	50,000
	2,501-300,000	Yes	NR	Yes	Yes	Yes NR ³	Yes	50	30	75,000
	300,001-500,000 ^{a,9}	Yes	NR	Yes	Yes	Yes NR ³	Yes	50	30	75,000

NR = Not required

All footnotes remain unchanged

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TABLE 81-B "REQUIREMENTS FOR CURTAIN BOARDS AND SMOKE VENTING" TO SAN DIEGO MUNICIPAL CODE SECTION 55.8102, AS FOLLOWS:

COMMODITY CLASSIFICATION	Designated Storage Height (feet) ¹	Curtain Board Depth (feet) ¹	Maximum Area Formed by Curtain Boards (sq. ft.) ²	Vent-Area-to-Floor Area Ratio	Maximum Spacing of Vent Centers (feet) ¹	Maximum Distance to Vents From Wall or Curtain Boards (feet) ¹³
I-IV (Option 1) Unsprinklered	20 or less	6	10,000	1:100	100	60
	over 20-40	6	8,000	1:75	100	60
I-IV (Option 2) Unsprinklered	20 or less	4	3,000	1:75	100	55
	over 20-40	4	3,000	1:50	100	50
I-IV (Option 3) Sprinklered	20 or less	NR	NR	1:50	100	NR
	over 20-40	NR	NR	1:40	100	NR
V (Option 1) Unsprinklered	20 or less	6	6,000	1:50	100	50
	over 20-30	6	6,000	1:40	90	45
	30 or more	4	2,000	1:30	75	40
V (Option 2) Sprinklered	20 or less	NR	NR	1:40	100	NR
	over 20-30	NR	NR	1:30	90	NR

¹ x 3048 for mm

² x 0.0929 for m

³ The distance specified is the maximum distance from any vent in a particular curtained area to walls or curtain boards which form the perimeter of the curtained area.

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- 8102.7.1 **General.** - no change.
- 8102.7.2 **Construction.** - no change.
- 8102.7.3 **Location and depth.** - no change.
- 8102.8 **Hose Stations and Hose Connections.** - no change.
- 8102.8.1 **Small hose stations.** - no change.
- 8102.8.2 **Fire department hose connections.** - no change.
- 8102.9 **Aisles.** - no change.
- 8102.9.1 **General.** - no change.
- 8102.9.2 **Width.** - no change.
- 8102.9.2.1 **General.** - no change.
- 8102.9.2.2 **Sprinklered buildings.** - no change.
- 8102.9.2.3 **Nonsprinklered buildings.** - no change.
- 8102.9.3 **Clear height.** - no change.
- 8102.9.4 **Dead ends.** - no change.
- 8102.10 **Portable Fire Extinguishers.** - no change.

Section 9. That Chapter V, Article 5, Division 91 of the San Diego Municipal Code be and the same is hereby amended by adding Division 91, entitled "Combustible, Explosive and Dangerous Materials - CEDMAT Program," and sections 55.9101, 55.9102, 55.9103, 55.9104 and 55.9105, to read as follows:

DIVISION 91

COMBUSTIBLE, EXPLOSIVE AND DANGEROUS MATERIALS -

CEDMAT PROGRAM

SEC. 55.9101 LEGISLATIVE DECLARATION

(a) **Council Findings.** The Council of the City of San

Diego finds that the advances in technology and the increasing presence and utilization of industry useful, but combustible, explosive or dangerous material within the commercial sector represents an increased hazard to the community and emergency response personnel during emergency situations, particularly during fire suppression activities. The increased threat to human and environmental safety requires careful planning to maximize effective emergency response. The Council further finds that an expanded fire inspection program is appropriate in order to develop plans for the effective management of fire and related emergency incidents involving materials that pose an otherwise unusual or extra hazard to public safety.

(b) **Creation of CEDMAT Program.** To accomplish these objectives, the City Council hereby establishes the Combustible, Explosive and Dangerous Material (CEDMAT) Inspection Program. The program shall be administered by the Fire Chief and such assistants as may be designated under the authority and provisions of the San Diego Fire Code.

(c) **Definition.** The term "Combustible, Explosive and Dangerous Material" or its acronym "CEDMAT" means all those substances listed by the California Department of Health Services in Title 22, California Administrative Code section 66680, or any such successor list as may be adopted in the future by the California Department of Health Services, and hazardous materials otherwise generically or specifically described in Article 9 of the Uniform Fire Code, (1994

Edition).

SEC. 55.9102 PURPOSE OF CEDMAT PROGRAM

The purpose of the CEDMAT Inspection Program is to:

(a) Inspect occupancies, as defined in the San Diego Fire Code, within The City of San Diego, to determine the type and location of combustible, explosive and dangerous materials which may be present and the scope of risk presented by the presence of such materials.

(b) Create CEDMAT action programs for the optimum containment, suppression and management of incendiary and related emergency response incidents involving such occupancies and materials; and

(c) Compile and analyze information relative to such materials and occupancies in fulfillment of the purposes set forth in San Diego Municipal Code section 55.9102, subsection 9102.1 and 9102.2.

SEC. 55.9103 CEDMAT INSPECTIONS

(a) The Fire Chief shall cause periodic CEDMAT inspections to be made of occupancies, such as buildings, structures and installations, within The City of San Diego to determine whether combustible, explosive or otherwise dangerous material exists.

(b) Whenever necessary to make an inspection to enforce any of the provisions of this section, the Fire Chief or the Fire Chief's authorized representative may

enter an occupancy at all reasonable times and after reasonable notice for inspection purposes. If, however, a building or premises is occupied, the Fire Chief or Fire Chief's representative shall first present proper credentials to the occupants and request entry. If a building or premises is unoccupied, a reasonable effort shall be made to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, an inspection warrant pursuant to California Code of Civil Procedure sections 1822.50 et seq., may be sought to authorize entry without the consent of owner or other persons having charge or control of the building or premises.

(c) During any inspection, the Fire Chief or Fire Chief's authorized representative may request the following information from the owner, or other persons having charge or control of any building, structure or installation:

(1) a listing of any combustible, explosive or dangerous material, as defined in San Diego Municipal Code section 55.9101, subsection 9101.3 by either its chemical or common name, or by description of the relevant chemical properties which render it combustible, explosive or dangerous; and

(2) a description of where such combustible, explosive or dangerous materials

are normally located in the building,
structure or installation.

(d) The owner, or other persons having charge or control of the premises shall be allowed fifteen (15) calendar days in which to provide information requested under this section.

(e) It is unlawful for the owner, or other persons having charge or control, of any premises to refuse to provide information requested pursuant to this section, to provide false information, or to refuse entry to the Fire Chief or the Fire Chief's authorized representative when presented with a legally issued inspection warrant after notice is provided as required by law.

SEC. 55.9104 CEDMAT FEES

It is the policy of The City of San Diego to impose reasonable fees for full cost recovery for overhead and salaries of Fire Department personnel performing inspection services of occupancies storing, handling or processing combustible, explosive or dangerous material. The fees shall be determined by the Fire Chief after consultation with an advisory group appointed by the City Manager. The advisory group shall include representatives from the affected industrial sector. The fees shall be promulgated in the City Clerk's Composite Rate Book. Such fees shall be exclusive of any fees for permits required under any other section of the Municipal Code.

**SEC. 55.9105 PUBLIC RECORD STATUS AND DISCLOSURE
REQUIREMENTS CONCERNING CEDMAT INSPECTIONS**

(a) Records of inspection, inventories, information and action plans developed in connection with the CEDMAT Inspection Program are for the exclusive use of the Fire Chief and his designees. Such records shall be further subject to all statutory protection and exemption against public disclosure otherwise allowed by law. The City Council finds and hereby declares that this information, were it accessible to the general public, may potentially be used to sabotage, destroy or otherwise damage industrial facilities. The Council further declares, pursuant to Government Code section 6255, that the public interest served by not making such information public clearly outweighs the public interest served by disclosure. The City Council further finds and declares that a finding of confidentiality is essential for information collected under the CEDMAT Inspection Program, because without such finding the Fire Chief would be unable as a practical matter to collect fully complete and accurate information regarding combustible, explosive or other dangerous materials due to legitimate business concerns regarding the security and safety of business facilities and the protection of trade secrets and other competitive information.

(b) If a request or other action is made seeking the release of information collected under the CEDMAT

Inspection Program, the Fire Chief or Fire Chief's designee shall, to the extent practicable, notify the owner, operator or manager of any occupancy which supplied such information. Information collected under the CEDMAT Inspection Program shall not be released to the public except pursuant to a court order determining that, notwithstanding the provisions of this section, such release is legally required.

Section 10. That Chapter V, Article 5, of the San Diego Municipal Code be and the same is hereby amended by adding Division 92, entitled "Appendices," and section 55.9201, to read as follows:

DIVISION 92

APPENDICES TO THE FIRE CODE

SEC. 55.9201 Special hazards Appendix II-A Suppression and Control of Hazardous Fire Areas

U.F.C. Appendix II-A (1994 Edition) is adopted with changes, to read as follows:

- 9201.1 **Scope.** - no change.
- 9201.2 **Definitions.** - no change.
- 9201.3 **Permits.** - no change.
- 9201.4 **Restricted entry.** - no change.
- 9201.5 **Trespassing on posted property.** - no change.
- 9201.6 **Smoking.** - no change.
- 9201.7 **Spark arresters.** - no change.
- 9201.8 **Tracer bullets, tracer charges, rockets and model aircraft.** - no change.

- 9201.9 **Explosives and blasting.** - no change.
- 9201.10 **Fireworks.** - no change.
- 9201.11 **Apiaries.** - no change.
- 9201.12 **Open-flame devices.** - no change.
- 9201.13 **Outdoor fires.** - no change.
- 9201.14 **Incinerators and fireplaces.** - no change.
- 9201.15 **Clearance of brush and vegetative growth from electrical transmission lines.** - no change.
- 9201.16 **Clearance of brush or vegetative growth from structures.** - no change.
- 9201.16.1 **General.** Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas designated in Table A by the Fire Chief in San Diego Municipal Code section 55.9201, subsection 9201.16.5, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall at all times:

(a) Maintain around and adjacent to the building or structure an effective firebreak clear of brush and vegetation for a distance therefrom equal to the applicable total Brush Management Zones Depth from Table B found in San Diego Municipal Code section 55.9201, subsection 9201.16.5, on each side thereof or the property

line, whichever is closest. Brush management in all zones shall be performed and maintained in accordance with Appendix II-A of the U.F.C. (1994 Edition) and the standards adopted by the City Council as set forth in section six (6) of the document entitled "City of San Diego Landscape Technical Manual," a copy of which is on file in the office of the City Clerk as Document No. RR-274506, including supplements and amendments.

(b) Remove that portion of any tree which extends within ten (10) feet of the outlet of any chimney.

(c) Maintain any tree adjacent to or overhanging any building free of dead wood.

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

9201.16.2 **Vacant land.** The Fire Chief may require any person owning, leasing, controlling or maintaining vacant property which abuts land upon which a building or structure is located that is covered under San Diego Municipal Code section 55.9201, subsection 9201.16, to

clear brush and vegetation on their property and to keep it clear at all times for up to the balance of the distances specified in Table B of San Diego Municipal Code section 55.9201, subsection 9201.16.5 from the building or structure on the abutting lot when necessary for public safety. Brush clearing and maintenance shall be performed and maintained in accordance with Appendix II-A of the U.F.C. (1994 Edition) and the standards adopted by the City Council set forth in Section six (6) of the document entitled "City of San Diego Landscape Technical Manual," a copy of which is on file in the office of the City Clerk as Document No. RR-274506, including supplements and amendment.

9201.16.3 **Safeguards during construction.** Any person proposing to build a building or structure on property they own, lease, control, or maintain in, upon or immediately adjoining any hazardous fire area designated by the Fire Chief in Table A of San Diego Municipal Code section 55.9201, subsection 9201.16.5 shall at all times:

(a) Maintain around and adjacent to any building or structure an effective firebreak clear of brush and

vegetation for a distance therefrom equal to the applicable total Brush Management Zones Depth, from Table B of San Diego Municipal Code section 55.9201, subsection 55.9201.16.5 on each side thereof. Brush Management in all zones shall be performed and maintained in accordance with Appendix II-A of the U.F.C. (1994 Edition) and the standards adopted by the City Council set forth in Section 6 of the document entitled "City of San Diego Landscape Technical Manual," a copy of which is on file in the office of the City Clerk as Document No. RR-274506, including supplements and amendments.

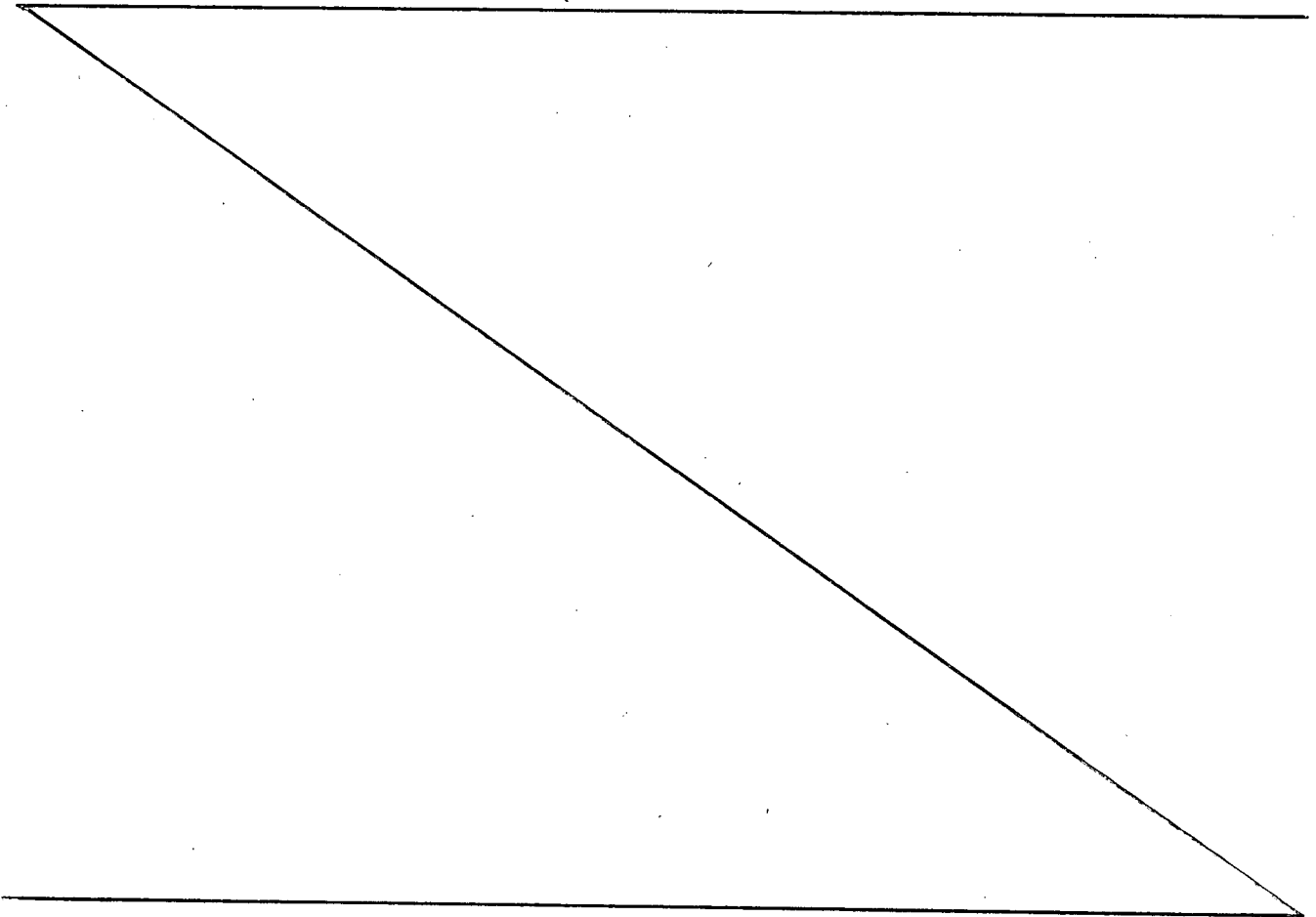
(b) Remove that portion of any tree which extends within ten (10) feet of the outlet of any chimney.

(c) Maintain any tree adjacent to or overhanging any building free of dead wood.

(d) Maintain the roof of any structure free of leaves needles or other dead vegetative growth.

9201.16.4 **Environmental Concerns.** The requirements of San Diego Municipal Code section 55.9201, subsection 9201.16.1; section 55.9201,

subsection 9201.16.2 and section 55.9201, subsection 9201.16.3 do not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, provided they do not form a means for rapidly transmitting fire from any surrounding native growth to any building or structure, and that these requirements shall not be construed to require brush management on publicly owned open space and parkland.



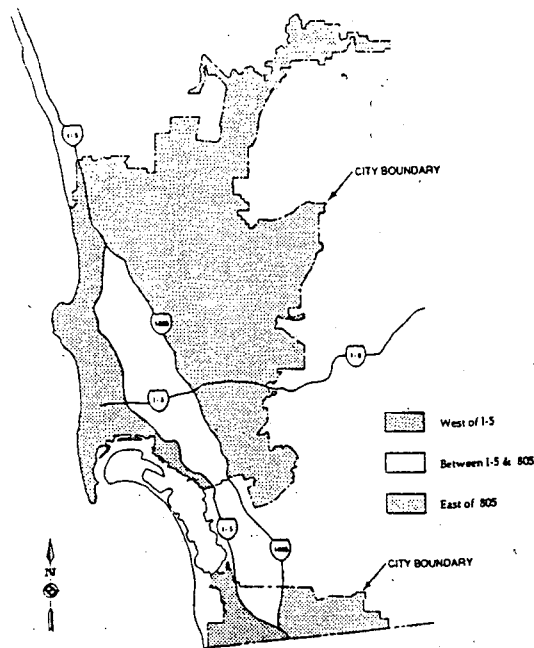


Figure 1

9201.16.5 Use of Tables A and B.

FIRE HAZARD SEVERITY CLASSIFICATION			
LOCATION OF STRUCTURE	FIRE DEPARTMENT PRIORITY DESIGNATION		
	(A)	(B)	(C)
WEST OF I-5	MOD.	LOW	LOW
BETWEEN I-5 & 805	HIGH	MOD.	LOW
EAST OF 805	HIGH	HIGH	MOD.

Table A establishes a fire hazard severity classification rating based upon the priority designation of an area and a structure's geographic location in the City.

BRUSH MANAGEMENT ZONES DEPTH				
ZONE	DESCRIPTION	FIRE HAZARD SEVERITY CLASS		
		LOW	MOD.	HIGH
1	Ornamental landscapes or Brush Clearance	30' min.	35' min.	40' min.
3	Low volume plantings or selective thinning	20' avg.	30' avg.	40' avg.
3	Selective thinnings	0' avg.	20' avg.	30' avg.
TOTAL		50'	85'	110'

Table B establishes the required depth for each brush management zone based upon the fire hazard severity class identified in Table A.

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For new structures adjacent to slopes requiring brush management, the Zone 1 depth within Table B may be reduced by ten (10) feet when all of the following architectural features are provided:

(a) The roof shall be of fire retardant construction. Wood shake or shingles, whether fire retardant or untreated, are not permitted; and

(b) Roof overhangs shall have an exterior surface equivalent to that required for one hour fire resistive walls, and no eave vents shall be permitted for any portion of a structure located within the minimum set back distance in Table B; and

(c) All eave vents shall be covered with wire screen not to exceed 1/4 inch mesh. On all lots which have received approval on a tentative map subsequent to November 15, 1989, where structures will be located above slopes requiring brush management, which have a gradient of 4:1 (25 %) or steeper and are fifty (50) feet in vertical height or higher, the following shall apply:

(1) Structures shall be set back for a distance equal to the minimum required depth established in Table B for Zone 1. The setback shall be measured from those portions of a slope with gradients of 4:1 (25%) or steeper, and

(2) Notwithstanding any provision to the contrary, on any legal building lot for which a tentative map has been approved prior to

November 15, 1989, the applicable Zone 1 setback from Table B shall not be required as a condition of a subsequent permit when substantial conformance exists with previously approved discretionary permits.

(d) For new structures adjacent to slopes requiring brush management, the depth of the applicable Zone 1 setback from Table B may be reduced in accordance with Section 55.9201.16.5. For new structures, the depth of the applicable Zone 3 shall be increased one-foot for every one-foot reduction of the building setback below the corresponding Zone 1 depth established within Table B.

9201.16.6 **Corrective Action.** In the event that any of the conditions regulated by San Diego Municipal Code section 55.9201, subsection 9201.16.1; section 55.9201, subsection 9201.16.2, or 55.9201, subsection 9201.16.3 exist, the Fire Chief may give notice to the owner of the property upon which such condition exists to correct the prohibited condition. If the owner fails to correct such condition, the Fire Chief may cause the condition to be corrected and make the expense of the correction a lien upon the property upon which the condition exists, pursuant to the Municipal Code provisions governing the abatement of nuisance (San Diego Municipal Code sections 13.0301 through

13.0308).

9201.16.7 **Publicly Owned Land.** On all lots which have received approval on a tentative map subsequent to November 15, 1989, all new structures shall be sited such that no brush management will occur on publicly owned open space or parklands.

9201.16.8 **Maintenance of the Approved Brush Management Plan.** The approved brush management plan shall be maintained in accordance with guidelines set forth by the Fire Chief. If a Development Services Department permit is required, the approved brush management plan shall be maintained in accordance with guidelines set forth by the Development Services Director in addition to those set forth by the Fire Chief. If publicly owned space or parklands are involved, the Park and Recreation Director may establish additional requirements for maintenance.

9201.17 **Clearance of Brush or Vegetative Growth Roadways.** - no change.

9201.18 **Unusual Circumstances.** - no change.

9201.19 **Dumping.** - no change.

9201.20 **Disposal of Ashes.** - no change.

9201.21 **Use of Fire Roads and Firebreaks.** - no change.

9201.22 **Use of Motorcycles, Motor Scooters and Motor**

Vehicles. - no change.

9201.23 Tampering with Fire Department Locks,
Barricades and Signs. - no change.

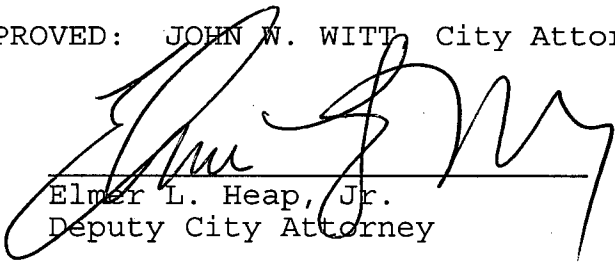
9201.24 Liability for Damage. - no change.

Section 11. The City Clerk is hereby directed to insert the effective date of the ordinance, once known, in the space provided in sections 55.0101(f) and 55.0903, subsection 903.2.

Section 12. 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


Elmer L. Heap, Jr.
Deputy City Attorney

ELH:smf
11/06/95
Or.Dept:Fire
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