

ORDINANCE NUMBER O-18659 (NEW SERIES)

ADOPTED ON July 19, 1999

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 55.0101 AND 55.0103; AMENDING CHAPTER V, ARTICLE 5, DIVISION 9 BY AMENDING SECTIONS 55.0901, 55.0902, AND 55.0903; AMENDING CHAPTER V, ARTICLE 5, DIVISION 10, BY AMENDING 55.1003; AMENDING CHAPTER V, ARTICLE 5, DIVISION 25 BY AMENDING 55.2501; AMENDING CHAPTER V, ARTICLE 5, DIVISION 77 BY AMENDING SECTION 55.7701; AMENDING CHAPTER V, ARTICLE 5, DIVISION 78 BY AMENDING 55.7802; AMENDING CHAPTER V, ARTICLE 5, DIVISION 81 BY AMENDING , 55.8102; AMENDING CHAPTER V, ARTICLE 5, DIVISION 91 BY AMENDING SECTION 55.9101 THROUGH 55.9105; AND AMENDING CHAPTER V, ARTICLE 5, DIVISION 92 BY AMENDING 55.9201, ALL RELATING TO THE CALIFORNIA FIRE CODE.

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

Section 1. That Chapter V, Article 5, Division 1, of the San Diego Municipal Code is amended by amending Sections 55.0101 and 55.0103 to read as follows:

SEC. 55.0101 Adoption of the California Fire Code (1998 Edition) Purpose and Intent, and Administrative Provisions

(a) Portions of California Fire Code (1998 Edition) adopted. Except as otherwise provided in this Article, the California Fire Code (1998 Edition), including appendices, is hereby adopted. A copy of the California Fire Code (1998 Edition), is on file in the office of the City Clerk as Document No. 769841. The California Fire Code (1998 Edition), is referred to in this Article as "C.F.C. (1998 Edition)." The California Fire Code Standards (1998 Edition), is hereby adopted and is to be used in conjunction with the

C.F.C. (1998 Edition). A copy of the California Fire Code Standards (1998 Edition), is on file in the office of the City Clerk as Document No. 00-18659, and may be cited in this Article as "C.F.C. Standards (1998 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 C.F.C. (1998 Edition), adopted by the City in section 55.0101 with changes as specified in this Article.

(2) C.F.C. Standards (1998 Edition).

(3) and (4) [No change.]

(c) Relationship of San Diego Municipal Code section numbers to C.F.C. (1998 Edition) section numbers. Sections within the C.F.C. (1998 Edition) retain those same section numbers when referred to within the text of the San Diego Municipal Code. Thus, Section 901 of the C.F.C. (1998 Edition) will be cited as "C.F.C. 901 (1998 Edition)" within the text of the San Diego Municipal Code.

Where a section of the C.F.C. (1998 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 C.F.C. (1998 Edition) numbering system. For example, section 901 of the C.F.C. (1998 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 C.F.C. (1998 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 C.F.C. (1998 Edition) is less than four digits.

The Municipal Code numbering system reflects the numbering system of the C.F.C. (1998 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 C.F.C. (1998 Edition).

(d) Definitions. Whenever the following terms appear within the text of the C.F.C. (1998 Edition), they have the following definitions:

[No change in definitions.]

(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 C.F.C. section 102 (1998 Edition).

(f) Effective Date. Unless otherwise stated in a specific San Diego Municipal Code section or C.F.C. (1998 Edition) section adopted by the City, the effective date of the San Diego Fire Code shall be August 19, 1999.

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

(h) Portions of the C.F.C. (1998 Edition) not adopted. The following sections of the C.F.C. (1998 Edition) are not adopted:

APPENDIX I-A
APPENDIX I-B
APPENDIX II-E

APPENDIX VI-C

103.1.4
901.4.3
902.2.2.1
903.2
2501.10.4
2501.18
7701.4
7802.4.3
7802.4.4.2
Table 81-A
Table 81-B

SEC. 55.0103 General

103.1.1 Technical Assistance through 103.1.3 Practical Difficulties. Sections 103.1.1 through 103.1.3 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

103.1.4 Appeals. [No change.]

103.1.5 Appendix through 103.4.6 Appeals. Sections 103.1.5 through 103.4.6 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

Section 2. That Chapter V, Article 5, Division 9, of the San Diego Municipal Code is amended by amending Sections 55.0901, 55.0902, and 55.0903, to read as follows:

SEC. 55.0901 Fire Department Access and Water Supply

901.1 Scope through 901.4.2 Fire apparatus access roads. Sections 901.1 through 901.4.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

901.4.3 Fire protection equipment and fire hydrants. [No change.]

901.4.4 Premises identification through 901.6 Fire Protection in Recreational Vehicle, Mobile Home and Manufactured Housing Parks, Sales Lots and Storage Lots. Sections 901.4.4 through 901.6 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

SEC. 55.0902 Fire Department Access

902.1 General through 902.2.2 Specifications. Sections 902.1 through 902.2.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

902.2.2.1 Required access. [No change.]

902.2.2.2 Surface through 902.4 Key boxes. Sections 902.2.2.2 through 902.4 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

SEC. 55.0903 Water Supplies and Fire Hydrants

903.1 General. Section 903.1 of the C.F.C. (1998 Edition) has been adopted without change pursuant to section 55.0101(a).

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 jurisdiction after August 18, 1999. 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 C.F.C. (1998 Edition) section 903.4.

903.3 Type of Water Supply through 903.4.4 Maintenance and use of hydrants.

Sections 903.3 through 903.4.4 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

Section 3. That Chapter V, Article 5, Division 10, of the San Diego Municipal Code is amended by amending Section 55.1003, to read as follows:

SEC. 55.1003 Fire Extinguishing Systems

1003.1 Installation Requirements through 1003.2.10 Existing High-rise Buildings.

Sections 103.1 through 103.2.10 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

1003.2.11 Existing Highrise Buildings.

1003.2.11.1 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 Appendix 3413 are exempt.

1003.2.11.2 Definitions. For purposes of Section 55.1003, the following terms have the following definitions:

(1) "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 buildings" do not include:

(a) Hospitals as defined in Health and Safety Code section 1250.

(b) Buildings used exclusively as open parking garages.

(c) Buildings where all floors above the seventy-five (75) foot level are used exclusively as open parking garage and are located above all other floors used for human occupancy.

(d) 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.

(e) Any buildings or structures owned by any government agency other than the City of San Diego.

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

(2) "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 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 approved arrangements have been made with the Fire Chief.

(3) "Owner" means every person who, or entity which, alone, jointly or severally with others has legal title to any building or structure or has the legal right to structurally alter or modify such building or structure.

1003.2.11.3 Applicability. Except as provided in section 55.1003.2.11.2, the provisions of section 55.1003.1 relating to installation of automatic fire sprinkler systems

are hereby made applicable to all existing high-rise buildings, as defined in section 55.1003.2.11.2(1).

1003.2.11.4 Fire Sprinkler System. Automatic fire sprinkler systems required under section 55.1003.2.11 shall be installed in accordance with California Building Code Standard No. 9.1, with the express provision that any later standard that imposes more stringent fire and life safety requirement shall apply at the time of installation.

1003.2.11.5 Schedule of Implementation. Each owner of a high-rise building, as defined in section 55.1003.2.11.2(1) 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 section 100.3.2.11.5. 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 section 55.1003.2.9.5 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 a high-rise building or structure that is subject to the provisions of section 55.1003.9.2, 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 specifies time frame.

For purposes of section 55.1003.2.11.5, the gross square footage of a building or structure includes 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.

Notwithstanding the compliance schedule above, any owner of any high-rise building or structure subject to the provisions of section 55.1003.2.11.5, which contains significant quantities of asbestos, who agrees in writing prior to January 1, 1996, to demolish the subject building, shall be exempt from compliance schedule set forth in section 55.1003.2.11.5.

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 recordable agreement form (demolition agreement) shall be provided by the City.

1003.2.11.6 Waiver of Other Provisions. The Fire Chief or Building Official is authorized to waive or modify any or all of the following provisions of the C.F.C. or the California Building Code as adopted by the City in Chapter IX of the San Diego Municipal Code when requiring the retrofitting or existing high-rise buildings with automatic fire sprinkler systems pursuant to section 55.1003.2.11.5: (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.

1003.2.11.7 Appeal and Modification provisions. The owner of a high-rise building covered under section 55.1003.2.11 may appeal a decision made by the Fire Chief under section 55.1003.2.11. An appeal shall be made to the City Manager. The Board of Appeals and Advisors shall serve as the hearing body for appeals under section 55.1003.2.11.7. For these purposes, the Board of Appeals may (1) recommend a variance from any provision of section 55.1003.2.11; (2) the suitability of alternate materials and methods of sprinkler installation; and (3) may provide reasonable interpretations of section 55.1003.2.11, so long as such interpretations do not conflict with the purpose, intent and general objective of section 55.1003.2.11 nor extend the time for compliance established in section 55.1003.2.11.5.

The Board of Appeals may, 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. The City Manager's decision shall constitute the owner's exhaustion of administrative remedies.

1003.2.11.8 Violations.

(a) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building subject to the provisions of section 55.1003.2.11 except where: (1) the Fire Chief of City Manager has, in writing, authorized the occupancy; or (2) the owner is complying with the implementation schedule set forth in section 55.1003.2.11.5; or (3) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; (4) the owner of the high-rise building agreed in writing prior to January 1, 1996 to demolish the high-rise building by January 1, 2000.

(b) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building after January 1, 2000, where occupancy has been authorized pursuant to section 55.1003.2.11.8 (a)(4), except where: (1) the occupant is performing minimal maintenance to prevent the high-rise building from being in an unsafe condition; or (2) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; or (3) an approved fire sprinkler system has been completely installed.

1003.3 Sprinkler System Monitoring and Alarms through 1003.4 Permissible Sprinkler Omissions. Sections 1003.3 through 1003.4 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

Section 4. That Chapter V, Article 5, Division 25, of the San Diego Municipal Code is amended by amending Section 55.2501, to read as follows:

SEC. 55.2501 Places of Assembly

2501.1 Scope through 2501.10.3 Bleacher seats and grandstands. Sections 2501.1 through 2501.10.3 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

2501.10.4 Festival seating. [No change.]

2501.11 Use of Exit Ways through 2501.17 Candles and other open-flame devices. Sections 2501.11 through 2501.17 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

2501.18 Standby Fire Department Personnel.

When, in the opinion of the Fire Chief, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved, to be on duty at such place. Such individuals shall be subject to the Fire Chief's orders at all times when so employed and 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, such individuals shall (1) inspect the required fire appliances provided to see that they are in proper place and in good working order; (2) keep diligent watch for fires during the time such place is open to the public or such activity is being conducted; and (3) take prompt measures for extinguishment of fires that may occur.

Such individuals shall not be required or permitted, while on duty, to perform any other duties than those herein specified.

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 of 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 qualified person.

TABLE 2501-A AND TABLE 2501-B TABLE 2501-A and TABLE 2501-B of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

Section 5. That Chapter V, Article 5, Division 77, of the San Diego Municipal Code is amended by amending Section 55.7701, to read as follows:

SEC. 55.7701 General

7701.1 Scope through 7701.3.2 Unsafe material or practice. Sections 7701.1 through 7701.3.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

7701.4 Bond. [No change.]

7701.5 Notice of New Storage and Manufacturing Sites through 7701.8 Seizure of Explosive Materials. Sections 7701.5 through 7701.8 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

Section 6. That Chapter V, Article 5, Division 78, of the San Diego Municipal Code is amended by amending Section 55.7802, to read as follows:

SEC. 55.7802 Fireworks

7802.1 General through 7802.4.2 Pyrotechnic operator. Sections 7802.1 through 7802.4.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

7802.4.3 Bond. [No change.]

7802.4.4 Mortars for aerial shell displays and 7802.4.4.1 Site criteria. Sections 7802.4.4 and 7802.4.4.1 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

7802.4.4.2 Construction. [No change.]

7802.4.4.3 Inspection through 7802.4.9.8.10 Record. Sections 7802.4.4.3 through 7802.4.9.8.10 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

Section 7. That Chapter V, Article 5, Division 80, of the San Diego Municipal Code is amended by amending Section 55.8004, to read as follows:

SEC. 55.8102 General Fire-Protection and Life-Safety Features

8102.1 General through 8102.7 Curtain Boards. Sections 8102.1 through 8102.7 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

8102.7.1 General through 8102.11 Portable Fire Extinguishers. Sections 8102.7.1 through 8102.11 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

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 ¹ (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 ⁴ (ft.)	Maximum Permissible Storage Height ⁵ (ft.)	Maximum Pile Volume (cu. ft.)		
I-IV	x0.0929 for m ²	0-500	NR	NR	NR	NR	NR	NR	NR	NR	x 0.283 for m ³	
		501-2,500	NR	Yes	NR	NR	NR	³ NR	NR	40		100,000 ⁶
		2,501-12,000 Public accessible	Yes	NR	NR	NR	NR	³ NR	40	100,000		
		2,501-12,000 Nonpublic accessible (Option 1)	Yes	NR	NR	NR	NR	³ NR	40	400,000		
		2,501-12,000 Nonpublic accessible (Option 2)	NR	Yes	Yes	Yes	Yes	Yes	30	200,000		
		12,001-20,000	Yes	NR	Yes	Yes	NR	Yes	40	400,000		
		20,001-500,000	Yes	NR	Yes	Yes	NR	Yes	40	400,000		
		Greater than 500,000 ⁸	Yes	NR	Yes	Yes	NR	Yes	40	400,000		
		0-500	NR	NR	NR	NR	NR	³ NR	NR	NR		
		501-2,500 public accessible	Yes	NR	NR	NR	NR	³ NR	30	75,000		
HIGH HAZARD	501-2,500 Nonpublic accessible(Option 1)	Yes	NR	NR	NR	NR	³ NR	30	75,000			
		NR	Yes	Yes	Yes	Yes	Yes	20	50,000			
		Yes	NR	NR	NR	NR	NR	30	75,000			
		NR	Yes	Yes	Yes	Yes	Yes	20	50,000			
		Yes	NR	NR	NR	NR	NR	30	75,000			
HIGH HAZARD	2,501-300,000	Yes	NR	NR	NR	NR	NR	30	75,000			
		Yes	NR	NR	NR	NR	NR	30	75,000			
		Yes	NR	NR	NR	NR	NR	30	75,000			
HIGH HAZARD	300,001-500,000 ^{8,9}	Yes	NR	NR	NR	NR	NR	30	75,000			
		Yes	NR	NR	NR	NR	NR	30	75,000			

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NR = Not Required
All footnotes remain unchanged

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) ³
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 in the maximum distance from any vent in a particular curtained area to walls or curtains boards which form the perimeter of the curtained area.

Section 8. That Chapter V, Article 5, Division 91, of the San Diego Municipal Code is amended by amending Sections 55.9101 through 55.9105, to read as follows:

SEC. 55.9101 Legislative Declaration and Findings

a) The Council of the City of San Diego finds that the advances in technology and the increasing presence and utilization of industry useful, but otherwise combustible, explosive or dangerous material within the commercial sector represent 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) 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 he may designate, under the authority and provisions of the Uniform Fire Code, as hereinbefore adopted.

c) Definition. The term "Combustible, Explosive and Dangerous Material" or its acronym "CEDMAT" shall refer to all those substances as defined 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 California Fire Code, (1998 Edition), as herein adopted and amended.

SEC. 55.9102 Purpose of CEDMAT Program

a) Inspect occupancies, as defined in the 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 subparagraphs (1) and (2) herein.

SEC. 55.9103 CEDMAT Inspection

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 and determine whether combustible, explosive or otherwise dangerous material exists.

Whenever necessary to make an inspection to enforce any of the provisions of this section, the Chief or his authorized representative may enter an occupancy at all reasonable times and after reasonable notice to inspect the same, provided that if such building or premises be occupied, he shall first present proper credentials to the occupants and request entry. If such building or premises be 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 section 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.

During any inspection, the Chief or his 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 section 7804.5 by either its chemical or common name or by description of the relevant chemical properties which render it combustible, explosive or dangerous; (2) a description of where such combustible, explosive or dangerous materials are normally located in the building, structure or installation.

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

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

SEC. 55.9104 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 Non-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.

b) If a request or other action is made seeking the release of information collected under the CEDMAT Inspection Program, the Fire Chief or his designee shall, to the extent practicable, notify the owner, operator or manager of any occupancy which supplied such information.

Section 9. That Chapter V, Article 5, Division 81, of the San Diego Municipal Code is amended by amending Sections 55.9201, to read as follows:

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

9201.1 Scope through 9201.16 Clearance of brush or vegetative growth from structures. Sections 9201.1 through 9201.16 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

9201.16.1 General through 9201.16.8 Maintenance of the Approved Brush Management Plan. [No change.]

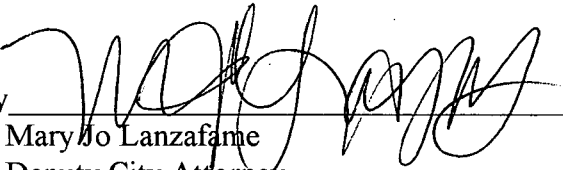
9201.17 Clearance of Brush or Vegetative Growth Roadways through 9201.24 Liability for Damage. Sections 9201.17 through 9201.24 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

Section 10. The City Clerk is directed to insert the effective date of this ordinance, once known, in the blank spaces in the following sections: 55.0101(f) and 55.0903.2.

Section 11. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 12. That this ordinance shall take effect and be in force on the thirtieth day from
and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk:mr:pev
06/15/99
06/24/99 COR. COPY
11/10/99 COR. COPY2
Or. Dept. Plan. & Dev. Rev.
O-99-132

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Underlined

(O-99-132 COR.COPY2)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 55.0101 AND 55.0103; AMENDING CHAPTER V, ARTICLE 5, DIVISION 9 BY AMENDING SECTIONS 55.0901, 55.0902, AND 55.0903; AMENDING CHAPTER V, ARTICLE 5, DIVISION 10, BY AMENDING 55.1003; AMENDING CHAPTER V, ARTICLE 5, DIVISION 25 BY AMENDING 55.2501; AMENDING CHAPTER V, ARTICLE 5, DIVISION 77 BY AMENDING SECTION 55.7701; AMENDING CHAPTER V, ARTICLE 5, DIVISION 78 BY AMENDING 55.7802; AMENDING CHAPTER V, ARTICLE 5, DIVISION 81 BY AMENDING , 55.8102; AMENDING CHAPTER V, ARTICLE 5, DIVISION 91 BY AMENDING SECTION 55.9101 THROUGH 55.9105; AND AMENDING CHAPTER V, ARTICLE 5, DIVISION 92 BY AMENDING 55.9201, ALL RELATING TO THE CALIFORNIA FIRE CODE.

SEC. 55.0101 Adoption of the Uniform California Fire Code (~~1994~~1998 Edition) Purpose and Intent, and Administrative Provisions

(a) Portions of Uniform California Fire Code (~~1994~~ 1998 Edition) adopted. Except as otherwise provided in this Article, the Uniform California Fire Code (~~1994~~ 1998 Edition), including appendices, is hereby adopted. A copy of the Uniform California Fire Code (~~1994~~ 1998 Edition), is on file in the office of the City Clerk as Document No. ~~00-_____~~ OO-769841. The Uniform California Fire Code (~~1994~~ 1998 Edition), is referred to in this Article as "U.C.F.C. (~~1994~~ 1998 Edition). "The Uniform California Fire Code Standards (~~1994~~ 1998 Edition), is

hereby adopted and is to be used in conjunction with the U.C.F.C. (1994 1998 Edition). A copy of the Uniform California Fire Code Standards (1994 1998 Edition), is on file in the office of the City Clerk as Document No. ~~00-18242-00-~~_____, and may be cited in this Article as "U.C.F.C. Standards (1994 1998 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.C.F.C. (1994 1998 Edition), adopted by the City in section 55.0101 with changes as specified in this Article.

(2) U.C.F.C. Standards (1994 1998 Edition).

(3) and (4) [No change.]

(c) Relationship of San Diego Municipal Code section numbers to U.C.F.C. (1994 1998 Edition) section numbers. Sections within the U.C.F.C. (1994 1998 Edition) retain those same section numbers when referred to within the text of the San Diego Municipal Code. Thus, Section 901 of the U.C.F.C. (1994 1998 Edition) will be cited as "U.C.F.C. 901 (1994 1998 Edition)" within the text of the San Diego Municipal Code.

Where a section of the U.C.F.C. (1994 1998 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.C.F.C. (1994 1998 Edition) numbering system. For example, section 901 of the U.C.F.C. (1994 1998 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.C.F.C. (1994 1998 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.C.F.C. (1994 1998 Edition) is less than four digits.

The Municipal Code numbering system reflects the numbering system of the U.C.F.C. (1994 1998 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.C.F.C. (1994 1998 Edition).

(d) Definitions. Whenever the following terms appear within the text of the U.C.F.C. (1994 1998 Edition), they have the following definitions:

[No change in definitions.]

(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.C.F.C. section 102 (1994 1998 Edition).

(f) Effective Date. Unless otherwise stated in a specific San Diego Municipal Code section or U.C.F.C. (1994 1998 Edition) section adopted by the City, the effective date of the San Diego Fire Code shall be ~~January 8, 1996~~ August 19, 1999.

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

(h) Portions of the U.C.F.C. (1994 1998 Edition) not adopted. The following sections of the U.C.F.C. (1994 1998 Edition) are not adopted:

APPENDIX I-A
APPENDIX I-B
APPENDIX II-E

APPENDIX VI-C

103.1.4

901.4.3

902.2.2.1

903.2

2501.10.4

2501.18

7701.4

7802.4.3

7802.4.4.2

Table 81-A

Table 81-B

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.~~

103.1.1 Technical Assistance through 103.1.3 Practical Difficulties. Sections 103.1.1 through 103.1.3 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

~~103.1.2 Alternate materials and methods.- no change.~~

~~103.1.3 Practical difficulties.- no change.~~

103.1.4 Appeals. [No change.]

~~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.~~

103.1.5 Appendix through 103.4.6 Appeals. Sections 103.1.5 through 103.4.6 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

SEC. 55.0901 General Fire Department Access and Water Supply

~~U.F.C. section 901 (1998 Edition) is adopted with changes to read as follows:~~

901.1 Scope through 901.4.2 Fire apparatus access roads. Sections 901.1 through 901.4.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

~~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. [No change.]

~~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.~~

901.4.4 Premises identification through 901.6 Fire Protection in Recreational Vehicle, Mobile Home and Manufactured Housing Parks, Sales Lots and Storage Lots. Sections 901.4.4 through 901.6 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

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.~~

902.1 General through 902.2.2 Specifications. Sections 902.1 through 902.2.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

902.2.2.1 Required access. [No change.]

~~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.~~

902.2.2.2 Surface through 902.4 Key boxes. Sections 902.2.2.2 through 902.4 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

SEC. 55.0903 Water Supplies and Fire Hydrants

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

~~903.1 General.- no change.~~

903.1 General. Section 903.1 of the C.F.C. (1998 Edition) has been adopted without change pursuant to section 55.0101(a).

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 jurisdiction after August 18, 1999. 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.C.F.C. (1994-1998 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.~~

903.3 Type of Water Supply through 903.4.4 Maintenance and use of hydrants. Sections 903.3 through 903.4.4 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

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 Multi-theater 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 II Occupancies.- no change.~~
- ~~1003.2.5.1 General.- no change.~~
- ~~1003.2.5.2 Group II, Division 4 Occupancies.- no change.~~
- ~~1003.2.5.3 Group II, 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 High-rise Buildings.~~

1003.1 Installation Requirements through 1003.2.10 Existing High-rise Buildings.

Sections 103.1 through 103.2.10 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

1003.2.11 Existing Highrise Buildings.

1003.2.11.1 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 Appendix 3413 are exempt.

1003.2.11.2 Definitions. For purposes of Section 55.1003, the following terms have the following definitions:

(1) "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 buildings" do not include:

(a) Hospitals as defined in Health and Safety Code section 1250.

(b) Buildings used exclusively as open parking garages.

(c) Buildings where all floors above the seventy-five (75) foot level are used exclusively as open parking garage and are located above all other floors used for human occupancy.

(d) 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.

(e) Any buildings or structures owned by any government agency other than the City of San Diego.

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

(2) "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 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 approved arrangements have been made with the Fire Chief.

(3) "Owner" means every person who, or entity which, alone, jointly or severally with others has legal title to any building or structure or has the legal right to structurally alter or modify such building or structure.

1003.2.11.3 Applicability. Except as provided in section 55.1003.2.11.2, the provisions of section 55.1003.1 relating to installation of automatic fire sprinkler systems are hereby made applicable to all existing high-rise buildings, as defined in section 55.1003.2.11.2(1).

1003.2.11.4 Fire Sprinkler System. Automatic fire sprinkler systems required under section 1003.2.11 shall be installed in accordance with California Building Code Standard No. 9.1, with the express provision that any later standard that imposes more stringent fire and life safety requirement shall apply at the time of installation.

1003.2.11.5 Schedule of Implementation. Each owner of a high-rise building, as defined in section 55.1003.2.11.2(1) 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 section 100.3.2.11.5. 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 section

55.1003.2.9.5 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 a high-rise building or structure that is subject to the provisions of section 55.1003.9.2, 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 specifies time frame.

For purposes of section 55.1003.2.11.5, the gross square footage of a building or structure includes 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.

Notwithstanding the compliance schedule above, any owner of any high-rise building or structure subject to the provisions of section 55.1003.2.11.5, which contains significant quantities of asbestos, who agrees in writing prior to January 1, 1996, to demolish the subject building, shall be exempt from compliance schedule set forth in section 55.1003.2.11.5.

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 recordable agreement form (demolition agreement) shall be provided by the City.

1003.2.11.6 Waiver of Other Provisions. The Fire Chief or Building Official is authorized to waive or modify any or all of the following provisions of the C.F.C. or the California Building Code as adopted by the City in Chapter IX of the San Diego Municipal Code when requiring the retrofitting or existing high-rise buildings with automatic fire sprinkler systems pursuant to section 55.1003.2.11.5: (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.

1003.2.11.7 Appeal and Modification provisions. The owner of a high-rise building covered under section 55.1003.2.11 may appeal a decision made by the Fire Chief under section 55.1003.2.11. An appeal shall be made to the City Manager. The Board of Appeals and Advisors shall serve as the hearing body for appeals under section 55.1003.2.11.7. For these purposes, the Board of Appeals may (1) recommend a variance from any provision of section 55.1003.2.11;

(2) the suitability of alternate materials and methods of sprinkler installation; and (3) may provide reasonable interpretations of section 55.1003.2.11, so long as such interpretations do not conflict with the purpose, intent and general objective of section 55.1003.2.11 nor extend the time for compliance established in section 55.1003.2.11.5.

The Board of Appeals may, 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. The City Manager's decision shall constitute the owner's exhaustion of administrative remedies.

1003.2.11.8 Violations.

(a) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building subject to the provisions of section 55.1003.2.11 except where: (1) the Fire Chief of City Manager has, in writing, authorized the occupancy; or (2) the owner is complying with the implementation schedule set forth in section 55.1003.2.11.5; or (3) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; (4) the owner of the high-rise building agreed in writing prior to January 1, 1996 to demolish the high-rise building by January 1, 2000.

(b) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building after January 1, 2000, where occupancy has been authorized pursuant to section 55.1003.2.11.8 (a)(4), except where: (1) the occupant is performing minimal maintenance to prevent the high-rise building from being in an unsafe condition; or (2) the occupant is performing construction or maintenance to the building related to

the installation or maintenance of an automatic fire sprinkler system; or (3) an approved fire sprinkler system has been completely installed.

1003.3 Sprinkler System Monitoring and Alarms through 1003.4 Permissible Sprinkler Omissions. Sections 1003.3 through 1003.4 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

SEC. 55.2501 General Places of Assembly

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.~~

~~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.~~

2501.1 Scope through 2501.10.3 Bleacher seats and grandstands. Sections 2501.1 through 2501.10.3 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

2501.10.4 Festival seating. [No change.]

~~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.~~

2501.11 Use of Exit Ways through 2501.18.47 ~~Theatrical performance.~~ Candles and other open-flame devices. Sections 2501.11 through 2501.17 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

2501.198 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.~~

When, in the opinion of the Fire Chief, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved, to be on duty at such place. Such individuals shall be subject to the Fire Chief's orders at all times when so employed and 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, such individuals shall (1) inspect the required fire appliances provided to see that they are in proper place and in good working order; (2) keep diligent watch for fires during the time such place is open to the public or such activity is being conducted; and (3) take prompt measures for extinguishment of fires that may occur.

Such individuals shall not be required or permitted, while on duty, to perform any other duties than those herein specified.

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 of 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 qualified person.

TABLE 2501-A AND TABLE 2501-B TABLE 2501-A and TABLE 2501-B of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

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.~~

7701.1 Scope through 7701.3.2 Unsafe material or practice. Sections 7701.1 through 7701.3.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

7701.4 Bond. [No change.]

~~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.~~

7701.5 Notice of New Storage and Manufacturing Sites through 7701.8 Seizure of Explosive Materials. Sections 7701.5 through 7701.8 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

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.~~

7802.1 General through 7802.4.2 Pyrotechnic operator. Sections 7802.1 through 7802.4.2 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

7802.4.3 Bond. [No change.]

~~7802.4.4 Mortars for aerial shell displays.- no change.~~

~~7802.4.4.1 Site criteria.- no change.~~

7802.4.4 Mortars for aerial shell displays and 7802.4.4.1 Site criteria. Sections 7802.4.4 and 7802.4.4.1 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

7802.4.4.2 Construction. [No change.]

~~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-MINIMLTM 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.~~

7802.4.4.3 Inspection through 7802.4.9.8.11 Range inspection:Record. Sections 7802.4.4.3 through 7802.4.9.8.10 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

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.~~

8102.1 General through 8102.7 Curtain Boards. Sections 8102.1 through 8102.7 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

~~—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.~~

8102.7.1 General through 8102.11 Portable Fire Extinguishers. Sections 8102.7.1 through 8102.11 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

SEC. 55.9101 Legislative Declaration Legislative Declaration and Findings

~~(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).~~

(a) The Council of the City of San Diego finds that the advances in technology and the increasing presence and utilization of industry useful, but otherwise combustible, explosive or dangerous material within the commercial sector represent 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) 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 he may designate, under the authority and provisions of the Uniform Fire Code, as hereinbefore adopted.

(c) Definition. The term "Combustible, Explosive and Dangerous Material" or its acronym "CEDMAT" shall refer to all those substances as defined 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 California Fire Code, (1998 Edition), as herein adopted and amended.

SEC. 55.9102 Purpose of CEDMAT Program

~~(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.~~

The purpose of the CEDMAT Inspection Program is to:

a) Inspect occupancies, as defined in the 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 subparagraphs (1) and (2) herein.

SEC. 55.9103 CEDMAT Inspection

~~(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.~~

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 and determine whether combustible, explosive or otherwise dangerous material exists.

Whenever necessary to make an inspection to enforce any of the provisions of this section, the Chief or his authorized representative may enter an occupancy at all reasonable times and after reasonable notice to inspect the same, provided that if such building or premises be occupied, he shall first present proper credentials to the occupants and request entry. If such building or premises be 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 section 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.

During any inspection, the Chief or his 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 section 7804.5 by either its chemical or common name or by description of the relevant chemical properties which render it combustible, explosive or dangerous; (2) a description of where such combustible, explosive or dangerous materials are normally located in the building, structure or installation.

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

It shall be unlawful for the owner, or other persons having charge or control of the premises to refuse to provide information requested pursuant to this section, to provide false

information, or to refuse entry to the Fire Chief or his authorized representative when presented with a legally issued inspection warrant after notice is provided as required by law.

SEC. 55.9104 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.~~

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 Non-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.~~

(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.

(b) If a request or other action is made seeking the release of information collected under the CEDMAT Inspection Program, the Fire Chief or his designee shall, to the extent practicable, notify the owner, operator or manager of any occupancy which supplied such information.

(a) Council Findings and (b) Creation of CEDMAT Program. [No change.]

~~(c) Definition. The term "Combustible, Explosive and Dangerous Material" or its acronym "CEDMAT" means all those substances listed by the Department of Health Services in Title 22, Administrative Code section 66680, or any such successor list as may be adopted in the future by the Department of Health Services, and hazardous materials otherwise generically or specifically described in Article 9 of the Uniform California Fire Code, (1994 1998 Edition).~~

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.~~

9201.1 Scope through 9201.16 Clearance of brush or vegetative growth from structures.

Sections 9201.1 through 9201.16 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

9201.16.1 General through 9201.16.8 Maintenance of the Approved Brush Management Plan. [No change.]

9201.17 Clearance of Brush or Vegetative Growth Roadways through 9201.24 Liability for Damage. Sections 9201.17 through 9201.24 of the C.F.C. (1998 Edition) have been adopted without change pursuant to section 55.0101(a).

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