

ORDINANCE NUMBER O- 21403 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 27 2022

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 55.0101, 55.0102, 55.0103, AND 55.0104; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 2 BY REPEALING SECTIONS 55.0201, AND 55.0202; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 3 BY REPEALING SECTIONS 55.0301, 55.0304, 55.0307, AND 55.0308; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 4 BY REPEALING SECTIONS 55.0401, 55.0403, 55.0404, AND 55.0407; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 5 BY REPEALING SECTIONS 55.0501, 55.0505, 55.0507, 55.0508, AND 55.0510; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 6 BY REPEALING SECTION 55.0601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 7 BY REPEALING SECTION 55.0701; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 8 BY REPEALING SECTION 55.0801; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 9 BY REPEALING SECTIONS 55.0901, AND 55.0903, BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 10 BY REPEALING SECTION 55.1001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 11 BY REPEALING SECTIONS 55.1101, 55.1103, 55.1104, AND 55.1105; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 20 BY REPEALING SECTION 55.2001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 21 BY REPEALING SECTION 55.2101; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 22 BY REPEALING SECTION 55.2201; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 23 BY REPEALING SECTION 55.2301; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 24 BY REPEALING SECTION 55.2401; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 25 BY REPEALING SECTION 55.2501; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 26 BY REPEALING SECTION 55.2601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 27 BY REPEALING SECTION 55.2701; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 28 BY REPEALING SECTION 55.2801; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 29 BY REPEALING SECTION 55.2901; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 30 BY REPEALING SECTION 55.3001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 31 BY REPEALING SECTION 55.3101;

BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 32 BY REPEALING SECTION 55.3201; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 33 BY REPEALING SECTION 55.3301; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 34 BY REPEALING SECTION 55.3401; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 35 BY REPEALING SECTION 55.3501; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 36 BY REPEALING SECTION 55.3601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 37 BY REPEALING SECTION 55.3701; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 48 BY REPEALING SECTION 55.4801; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 49 BY REPEALING SECTION 55.4901; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 50 BY REPEALING SECTION 55.5001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 51 BY REPEALING SECTION 55.5101; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 53 BY REPEALING SECTION 55.5301; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 54 BY REPEALING SECTION 55.5401; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 55 BY REPEALING SECTION 55.5501; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 56 BY REPEALING SECTION 55.5601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 57 BY REPEALING SECTION 55.5701; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 58 BY REPEALING SECTION 55.5801; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 59 BY REPEALING SECTION 55.5901; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 60 BY REPEALING SECTION 55.6001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 61 BY REPEALING SECTION 55.6101; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 62 BY REPEALING SECTION 55.6201; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 63 BY REPEALING SECTION 55.6301; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 64 BY REPEALING SECTION 55.6401; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 65 BY REPEALING SECTION 55.6501; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 66 BY REPEALING SECTION 55.6601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 67 BY REPEALING SECTION 55.6701; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 80 BY REPEALING SECTION 5.8001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 81 BY REPEALING SECTION 55.8101; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 83 BY REPEALING SECTION 55.8301; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 84 BY REPEALING SECTION 55.8401; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 85 BY REPEALING SECTION 55.8501; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 86 BY

REPEALING SECTION 55.8601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 87 BY REPEALING SECTIONS 55.8701; 55.8703, AND 55.8704; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 94 BY REPEALING SECTION 55.9401; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 99 BY REPEALING SECTIONS 55.9901, 55.9902, 55.9903, 55.9904, 55.9905, 55.9906, 55.9907, 55.9908, 55.9909, 55.9910, 55.9911, 55.9912, 55.9913, 5.9914, 55.9915, 55.9916, 55.9917, 55.9918, 55.9919, 55.9920, 55.9921, 55.9922, 55.9923, OF THE SAN DIEGO MUNICIPAL CODE RELATING TO THE ADOPTION OF THE CALIFORNIA FIRE CODE.

WHEREAS, every three years, the State of California adopts an updated version of the California Fire Building, Electrical, Plumbing, Mechanical, Residential Code, Green Building Standards Code and the Existing Building Code (California Fire Code); and

WHEREAS, the City of San Diego (City) adopts the latest edition of the California Fire Code in coordination with the State of California; and

WHEREAS, the City last adopted the California Fire Code in 2016; and

WHEREAS, the City's adoption of the California Fire Code is codified in the San Diego Municipal Code Chapter 5, Article 5; and

WHEREAS, the Fire-Rescue Department has changed the format of the City's adoption of the 2019 California Fire Code; and

WHEREAS, the change of format will result in a more user-friendly version of the City's adoption of the California Fire Code; and

WHEREAS, the change of format will make adoption of future editions of the California Fire Code a more efficient and less burdensome process; and

WHEREAS, because of the new format, the adoption of the 2019 California Fire Code will be incorporated in a new Division of the San Diego Municipal Code; and

WHEREAS, to facilitate this change, the Fire-Rescue Department recommends that the City Council repeal the adoption of the 2016 Fire Code as incorporated in Chapter 5, Article 5; NOW, THEREFORE,

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

Section 1. That Chapter 5, Article 5 of the San Diego Municipal Code are hereby amended by repealing all sections in Article 5, Divisions 1 through 11, Divisions 20 through 37, Divisions 48 through 51, Divisions 53 through 67, Divisions 80 through 81, Divisions 83 through 87, Division 94, and Division 99.

Section 2. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Laura M. DePoister  
Laura M. DePoister  
Chief Deputy City Attorney

PEF:hm  
July 27, 2021  
Or.Dept:PSE  
Doc. No.: 2689766

(Note: Per Ordinance O-21178 adopted on April 7, 2020, see attached signature pages.)

WHEREAS, to facilitate this change, the Fire-Rescue Department recommends that the City Council repeal the adoption of the 2016 Fire Code as incorporated in Chapter 5, Article 5;  
NOW, THEREFORE,

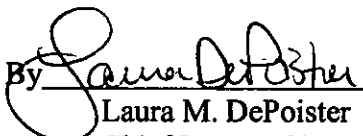
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

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APPROVED: MARA W. ELLIOTT, City Attorney

By  \_\_\_\_\_  
Laura M. DePoister  
Chief Deputy City Attorney

PEF:hm  
July 27, 2021  
Or.Dept:PSE  
Doc. No.: 2689766

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 11 2022.

ELIZABETH S. MALAND  
City Clerk

By

  
Deputy City Clerk

Approved:

1/27/22

(date)

  
TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck Out~~**

**NEW LANGUAGE: Double Underline**

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 55.0101, 55.0102, 55.0103, AND 55.0104; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 2 BY REPEALING SECTIONS 55.0201, AND 55.0202; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 3 BY REPEALING SECTIONS 55.0301, 55.0304, 55.0307, AND 55.0308; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 4 BY REPEALING SECTIONS 55.0401, 55.0403, 55.0404, AND 55.0407; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 5 BY REPEALING SECTIONS 55.0501, 55.0505, 55.0507, 55.0508, AND 55.0510; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 6 BY REPEALING SECTION 55.0601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 7 BY REPEALING SECTION 55.0701; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 8 BY REPEALING SECTION 55.0801; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 9 BY REPEALING SECTIONS 55.0901, AND 55.0903, BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 10 BY REPEALING SECTION 55.1001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 11 BY REPEALING SECTIONS 55.1101, 55.1103, 55.1104, AND 55.1105; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 20 BY REPEALING SECTION 55.2001; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 21 BY REPEALING SECTION 55.2101; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 22 BY REPEALING SECTION 55.2201; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 23 BY REPEALING SECTION 55.2301; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 24 BY REPEALING SECTION 55.2401; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 25 BY REPEALING SECTION 55.2501; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 26 BY REPEALING SECTION 55.2601; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 27 BY REPEALING SECTION 55.2701; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 28 BY REPEALING SECTION 55.2801; BY AMENDING CHAPTER 5, ARTICLE 5, DIVISION 29 BY REPEALING SECTION 55.2901;

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**~~Article 5: Fire Protection and Prevention~~**

**~~Division 1: Adoption of the 2016 California Fire Code~~**

~~§55.0101 — Adoption of the 2016 California Fire Code Purpose and Intent, and~~

**~~Administrative Provisions~~**

- ~~(a) — Portions of the California Fire Code (2016 Edition) adopted. Except as otherwise provided in this Article, the California Fire Code (2016 Edition), which incorporates and amends the International Fire Code (2015 Edition), including adopted appendices, is hereby adopted by reference. A copy of the California Fire Code (2016 Edition) is on file in the office of the City Clerk as Document No. OO 20896. The California Fire Code (2016 Edition) is referred to in this Article as the 2016 California Fire Code or the California Fire Code.~~
- ~~(b) — San Diego Fire Code. The document known as the San Diego Fire Code consists of the following documents:~~

- ~~(1) — Those portions of the 2016 California Fire Code adopted by the City in section 55.0101 with changes as specified in Chapter 5, Article 5, of the San Diego Municipal Code (Municipal Code);~~
  - ~~(2) — Sections 55.0101 through 55.9401 of Chapter 5, Article 5, of the Municipal Code; and~~
  - ~~(3) — Applicable sections of the California Code of Regulations.~~
- ~~(c) — Relationship of the Municipal Code section numbers to the 2016 California Fire Code section numbers. Sections within the 2016 California Fire Code retain those same section numbers when referred to within the text of the Municipal Code. Thus, section 901 of the 2016 California Fire Code will be cited as the 2016 California Fire Code section 901 within the text of the Municipal Code.~~
- ~~The Municipal Code numbering system reflects the numbering system of the 2016 California Fire Code 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 Municipal Code sections 55.0101 through 55.9401 corresponds with the numbering system change in the 2016 California Fire Code.~~
- ~~For example, section 901 of the 2016 California Fire Code is adopted with changes in 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 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 2016 California Fire Code. In this example, a zero (0) after the decimal point is added when the section number in the 2016 California Fire Code is less than four digits.~~

- ~~(d) — Definitions. Whenever the following terms appear within the text of the 2016 California Fire Code, they shall have the following definitions:~~

~~*Fire Code Official* means the Fire Chief of the City of San Diego.~~

~~*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 to January 1, 2016 in accordance with the 2016 California Fire Code, Chapter 1, section 102.~~

- ~~(f) — Effective Date. Unless otherwise stated in a specific Municipal Code section or 2016 California Fire Code section adopted by the City, the effective date of the 2016 San Diego Fire Code shall be January 1, 2016.~~

- ~~(g) — Reference to California Building Code. Any reference within the San Diego Fire Code to the "C.B.C." or "California Building Code" shall refer to those provisions of the California Building Code as adopted by Chapter 14 of the Municipal Code.~~

- ~~(h) — Portions of the 2016 California Fire Code not Adopted. The following sections and appendices of the 2016 California Fire Code are not adopted:~~

~~(1) — Section 308.1.4~~

~~(2) — Section 401.2~~

~~(3) — Section 401.4~~

~~(4) — Sections 403.3 through 403.5~~

- (5) — Sections 403.5.2 through 403.10.2.1
- (6) — Sections 403.10.2.2 through 403.12
- (7) — Sections 404.1 through 404.4.1
- (8) — Sections 405.1 through 406.4
- (9) — Section 407.6
- (10) — Section 510.2
- (11) — Sections 1103.1 through 1103.6.2
- (12) — Sections 1103.7.1 through 1103.7.2
- (13) — Sections 1103.7.4 through 1103.7.7
- (14) — Sections 1104.10 through 1104.15
- (15) — Sections 1104.17 through 1104.23
- (16) — Sections 1104.25 through 1105.10.2
- (17) — APPENDIX A
- (18) — Section D104.1 only of APPENDIX D
- (19) — APPENDIX E
- (20) — APPENDIX F
- (21) — APPENDIX G
- (22) — APPENDIX H
- (23) — APPENDIX I
- (24) — APPENDIX J
- (25) — APPENDIX K
- (26) — APPENDIX L
- (27) — APPENDIX M
- (28) — APPENDIX N

**~~§55.0102 — Modifications to the 2016 California Fire Code Adopted by the City of San Diego~~**

~~The following adopted sections or sub-sections of the 2016 California Fire Code have been modified by the City of San Diego (City):~~

- ~~(a) — Chapter 1, section 108, Board of Appeals. (See section 55.0104);~~
- ~~(b) — Chapter 3, section 304.1.2, Vegetation. (See section 55.0304);~~
- ~~(c) — Chapter 3, section 307.4.1, Bonfires. (See section 55.0307);~~
- ~~(d) — Chapter 5, section 505.1, Address identification. (See section 55.0505);~~
- ~~(e) — Chapter 9, section 901.7, Systems and Systems out of service. (See section 55.0901);~~
- ~~(f) — Chapter 9, section 903.6, Existing buildings (See section 55.0903);~~
- ~~(g) — Chapter 50, section 5001, Hazardous Materials General Provisions (See section 55.5001);~~
- ~~(h) — Appendix D, section D 103.5, Fire apparatus access road gates. (See section 55.8703); and~~
- ~~(i) — Appendix D, section D 103.6, Signs. (See section 55.8703).~~

**~~§55.0103 — Adoption of Appendices to the 2016 California Fire Code~~**

~~The following Appendix Chapter and appendices of the 2016 California Fire Code are adopted by the City:~~

- ~~(a) — Appendix Chapter 4, Special Detailed Requirements Based On Use and Occupancy;~~
- ~~(b) — Appendix B, Fire Flow Requirements for Buildings;~~
- ~~(c) — Appendix BB, Fire Flow Requirements for Buildings;~~
- ~~(d) — Appendix C, Fire Hydrant Locations and Distribution;~~

- ~~(e) Appendix CC, Fire Hydrant Locations and Distribution; and~~
- ~~(f) Appendix D, Fire Apparatus Access Roads.~~

**~~§55.0104 California Fire Code, Chapter 1 Scope and Administration~~**

- ~~(a) 11.1.1 Title through 107.6 Overcrowding. Sections 1.1.1 through 107.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~
- ~~(b) 108.1 Board of 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 Code Official, the Fire Code Official may request the Board of Building Appeals and Advisors to investigate such matters under the procedures established in section 111.0207 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.~~
- ~~(c) 108.2 Limitations on authority through 113.5 Refunds. Sections 108.2 through 113.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 2: Definitions~~**

**~~§55.0201 General~~**

~~201.1 Scope through 201.4 Terms not defined. Sections 201.1 through 201.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.0202 — General Definitions~~**

~~202 General Definitions. Section 202 of the California Fire Code has been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 3: General Precautions Against Fire~~**

**~~§55.0301 — General Precautions Against Fire~~**

~~301.1 Scope through 304.1.1 Waste material. Sections 301.1 through 304.1.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.0304 — Combustible Waste Material~~**

**~~(a) — 304.1.2 Vegetation.~~**

~~Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in the urban-wildland interface areas shall be in accordance with California Fire Code Chapter 49 and the City of San Diego Land Development Code.~~

**~~(b) — 304.1.2.1 Clearance of brush and vegetative growth from roadways.~~**

~~The Fire Code Official is authorized to require areas within 10 feet (3048 mm) on each side of portions of fire apparatus access roads and driveways to be cleared of non-fire resistive vegetation growth.~~

~~Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar~~

~~plants used for ground cover, provided they do not form a means of readily transmitting fire.~~

- ~~(c) — 304.1.2.2 Clearance of brush and vegetative growth from electrical transmission and distribution lines.~~

~~Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with sections 304.1.2.2.1 through 304.1.2.2.5.~~

~~Exception: Sections 304.1.2.2.1 through 304.1.2.2.5 do not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.~~

- ~~(d) — 304.1.2.2.1 Support clearance.~~

~~Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the *Fire Code Official*.~~

~~Exception: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.~~



(e) ~~304.1.2.2.2 Electrical distribution and transmission line clearances.~~

~~Clearances between vegetation and electrical lines shall be in accordance with sections 304.1.2.2.3 through 304.1.2.2.5.~~

(f) ~~304.1.2.2.3 Trimming clearance.~~

~~The radial clearances shown below are minimum clearances that shall be established, at the time of trimming, between vegetation and the energized conductors and associated live parts.~~

~~Exception: The *Fire Code Official* is authorized to establish minimum clearances different than those specified by Table 304.1.2.2.3 when evidence substantiating such other clearances is submitted to and approved by the *Fire Code Official*.~~

**TABLE 304.1.2.2.3  
MINIMUM CLEARANCES BETWEEN VEGETATION  
AND ELECTRICAL LINES AT TIME OF TRIMMING**

<b>LINE VOLTAGE</b>	<b>MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)</b>
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30.5
230,001-500,000	115

(g) ~~304.1.2.2.4 Minimum clearance to be maintained.~~

~~Clearances not less than those established by Table 304.1.2.2.4 shall be maintained during such periods of time designated by the *Fire Code*~~

~~Official. The site-specific clearances achieved, at time of pruning, shall vary based on species' growth rates, the utility company-specific trim cycle, the potential line sway due to wind, line sag due to electrical loading and ambient temperature and the tree's location in proximity to the high voltage lines.~~

~~Exception: The Fire Code Official is authorized to establish minimum clearances different from those specified by Table 304.1.2.2.4 when evidence substantiating such other clearances is submitted to and approved by the Fire Code Official.~~

**TABLE 304.1.2.2.4  
MINIMUM CLEARANCES BETWEEN VEGETATION AND  
ELECTRICAL LINES TO BE MAINTAINED**

<b>LINE VOLTAGE</b>	<b>MINIMUM CLEARANCE (inches)</b>
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30.5
230,001-500,000	115

(h) ~~304.1.2.2.5 Electrical power line emergencies.~~

~~During emergencies, the utility shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table 304.1.2.2.4.~~

~~(i) — 304.1.2.3 Waste material.~~

~~Waste material shall not be placed, deposited or dumped in wildland-urban interface areas, or in, on or along trails, roadways or highways or against structures in wildland-urban interface areas.~~

~~(j) — 304.1.3 Space underneath seats through 307.4 Location. Sections 304.1.3 through 307.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~§55.0307 — Open Burning, Recreational Fires and Portable Outdoor Fireplaces~~

~~(a) — 307.4.1 Bonfires.~~

~~A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit.~~

~~Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.~~

~~Exceptions:~~

~~1. — Fires upon beach areas shall be in accordance with San Diego Municipal Code sections 63.20.5(c) and (d).~~

~~2. — Fires are not permitted in public parks except as provided in San Diego Municipal Code section 63.0102(b)(11).~~

~~(b) — 307.4.2 Recreational fires through 308.1.3 Torches for removing paint. Sections 307.4.2 through 308.1.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.0308 — Open Flames~~**

~~308.1.5 Location near combustibles through 319.1 General. Sections 308.1.5 through 319.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 4: Emergency Planning and Preparedness~~**

**~~§55.0401 — Emergency Planning and Preparedness~~**

- ~~(a) — 401.1 Scope. Section 401.1 of the California Fire Code has been adopted without change pursuant to section 55.0101(a).~~
- ~~(b) — 401.3 Emergency responder notification through 401.3.4 Group E fire alarm initiation. Sections 401.3 through 401.3.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~
- ~~(c) — 401.5 Making a false report through 402.1 Definitions. Sections 401.5 through 402.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.0403 — Standby Fire Department Personnel~~**

- ~~(a) — 403.2 Group A Occupancies through 403.2.4 Crowd Managers. Sections 403.2 through 403.2.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~
- ~~(b) — 403.5.1 Group E Occupancies through 403.5.1.1 Emergency pre fire planning. Sections 403.5.1 through 403.5.1.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

- (e) ~~403.10.2.1.1 College and University pre-fire planning through 403.10.2.1.3 Time of day. Sections 403.10.2.1.1 through 403.10.2.1.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~
- (d) ~~403.12.1 Fire watch personnel through 403.12.1.2 Duties. Sections 403.12.1 through 403.12.1.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~
- (e) ~~403.12.1.3 Standby Fire Department Personnel. When, in the opinion of the *Fire Code Official*, 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 other activity, the owner, agent, permittee, or lessee shall employ one or more qualified standby Fire Department personnel, as required and approved by the *Fire Code Official*, to be on duty at such place.~~
- ~~Standby Fire Department personnel shall be subject, to the *Fire Code Official'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 to see that they are in proper place and in good working order; (2) keep watch for fires during the time such place is open to the public or such activity is being conducted; and (3) take prompt measures to extinguish fires that may occur.~~

~~Standby Fire Department personnel shall not, while on duty, perform any other duties than those herein specified unless otherwise directed by the Fire Code Official.~~

~~The City's costs of providing Standby Fire Department personnel shall be born by the owner, agent, permittee, or lessee of the place where the event requiring Standby Fire Department personnel is located. The cost shall be computed by the Fire Rescue Department using generally accepted cost accounting methods, including the cost of salary, fringe benefits, and general overhead.~~

~~Time cards of the assigned personnel shall be submitted by the Fire Code Official to the Auditor and Comptroller and shall be prima facie evidence of the expended work hours.~~

~~(f) 403.12.3 Crowd managers for gatherings exceeding 1,000 people through 403.13.3 Fire drills. Sections 403.12.3 through 403.13.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~§55.0404 Fire Safety, Evacuation, and Lockdown Plans~~

~~404.5 College and university pre-fire planning through 404.6.6 Emergency procedures. Sections 404.5 through 404.6.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.0407 — Hazard Communication~~**

~~(a) — 407.1 General through 407.5 Hazardous Materials Inventory Statement.~~

~~Sections 407.1 through 407.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~(b) — 407.7 Facility closure plans. Section 407.7 of the California Fire Code has been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 5: Fire Service Features~~**

**~~§55.0501 — Fire Service Features~~**

~~501.1 Scope through 504.4 Roof access. Sections 501.1 through 504.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.0505 — Premises Identification~~**

~~(a) — 505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. For buildings used exclusively for residential purposes complying with the California Residential Code, such numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). For all other buildings, such numbers shall be a minimum of 6 inches (152.4 mm)~~

~~high with a minimum stroke width of 0.5 inch (12.7 mm). Where required by the *Fire Code Official*, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained by the property owner.~~

~~(b) 505.2 Street or road signs through 507.5.6 Physical protection. Sections 505.2 through 507.5.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~§55.0507~~ **Fire Protection Water Supplies**

~~507.5.7. Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the *Fire Code Official* to prevent obstruction by parked vehicles and other obstructions. When required by the *Fire Code Official*, 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.~~

~~§55.0508~~ **Fire Command Center**

~~508.1 General through 510.1 Emergency responder radio coverage in new buildings. Sections 508.1 through 510.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~



**~~§55.0510 — Emergency Responder Radio Coverage~~**

~~510.3 Permit required through 510.6.3 Field testing. Sections 510.3 through 510.6.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 6: Building Services and Systems~~**

**~~§55.0601 — Building Services and Systems~~**

~~601.1 Scope through 611.2 Records. Sections 601.1 through 611.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 7: Fire-Resistance-Rated Construction~~**

**~~§55.0701 — Fire-Resistance-Rated Construction~~**

~~701.1 Scope through 705.1 Exterior graphics on exterior walls of high-rise buildings. Sections 701.1 through 705.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 8: Interior Finish, Decorative Materials and Furnishings~~**

**~~§55.0801 — Interior Finish, Decorative Materials and Furnishings~~**

~~801.1 Scope through 808.4 Combustible lockers. Sections 801.1 through 808.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 9: Fire Protection Systems~~**

**~~§55.0901 — Fire Protection Systems~~**

~~901.1 Scope through 903.6 Where required in existing buildings and structures.~~

~~901.1 through 903.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.0903 — Automatic Sprinkler Systems — Existing High-Rise Buildings~~**

~~(a) 903.6.1 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 California Building Code section 3414 are exempt.~~

~~(b) 903.6.1.1 Definitions. For purposes of section 55.0903, defined terms appear in italics. The following terms have the following definitions apply in this section:~~

- ~~(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 California 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 Code Official*;~~
  - (E) — ~~Any buildings or structures owned by any government agency other than the City of San Diego; and~~
  - (F) — ~~R-2 occupancies as defined in the California Building Code.~~
- (2) — ~~*Building access* means an exterior door opening that conforms to all of the following:~~
- (A) — ~~Is suitable and available for fire department use;~~
  - (B) — ~~Is located not more than two feet above the adjacent ground level;~~
  - (C) — ~~Leads to a space, room or area having foot traffic communication capability with the remainder of the building; and~~

~~(D) — 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 Code Official*.~~

~~(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.~~

~~(e) — 903.6.1.2 Applicability. Except as provided in this section, the provisions of section 55.0903 relating to installation of automatic fire sprinkler systems are hereby made applicable to all existing *high-rise buildings*, as defined in section 55.0903(d).~~

~~(d) — 903.6.1.3 Fire sprinkler system. Automatic fire sprinkler systems required under section 903.6.1 of the San Diego Fire Code shall be installed in accordance with NFPA 13 as adopted by State Fire Marshal, with the express provision that any later standard that imposes more stringent fire and life safety requirement shall apply at the time of installation.~~

~~(e) — 903.6.1.4 Schedule of implementation. Each *owner* of a *high-rise building*, as defined in section 55.0903(b), 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 Code Official* for approval. The work plan shall include~~

~~technical sprinkler drawings and a time table for complete installation in accordance with section 903.6.3.4 of the San Diego Fire Code. 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 Code Official is authorized to modify the schedule in this section 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; and~~
- ~~(5) — The owner of a high-rise building or structure that is subject to the provisions of this section, and that contains significant quantities of asbestos that will interfere with such installations shall have the option of instead equipping the entire gross square footage of the building or structure with an automatic fire sprinkler system by January 1, 1996; provided, however, that under this option, the owner of the building or structure shall be deemed to have waived any further extension of time for compliance.~~

~~In order to be eligible for this option, the owner must establish the presence of asbestos in the affected building, that it is impossible or impractical to complete the work in increments, with supporting rationale, and that the work plan submitted clearly demonstrates that all tenants will be vacated and all work will be completed within the specified time frame.~~

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

~~Notwithstanding the compliance schedule above, any owner of any high-rise building or structure subject to the provisions of this section, 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 this section.~~

~~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 from (demolition agreement) shall be provided by the City.~~

~~(f) 903.6.1.5 Waiver of other provisions. The Fire Code Official or Building Official is authorized to waive or modify any or all of the following~~

~~provisions of the California Fire Code or the California Building Code as adopted by the City in the Municipal Code when requiring the retrofitting of existing *high-rise buildings* with automatic fire sprinkler systems pursuant to this section. This waiver and modification authorization 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.~~

- ~~(g) — 903.6.1.6 Appeal and modification provisions. The owner of a *high-rise building* covered under this section may appeal a decision made by the *Fire Code Official* under this section. An appeal shall be made to the Mayor, or the Mayor's designee. The Board of Appeals and Advisors shall serve as the hearing body for appeals under this section. For these purposes, the Board of Appeals may: (1) recommend a variance from any provisions of this section; (2) recommend the suitability of alternate materials and methods of sprinkler installation; and (3) provide reasonable interpretations of this section, so long as such interpretations do not conflict with the purpose, intent and general objective of this section nor extend the time for compliance established in this section.~~
- ~~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 Mayor, or the Mayor's designee, shall thereafter consider the recommendations of the Board of Appeals and issue a final decision. The Mayor's, or the Mayor's designee's, decision shall constitute the owner's exhaustion of administrative remedies.~~

~~(h) — 903.6.1.7 Violations.~~

~~(1) — 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 this section unless: (1) the Fire Code Official or Mayor, or the Mayor's designee, has, in writing, authorized the occupancy; or (2) the owner is complying with the implementation schedule set forth in this section; or (3) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; or (4) the owner of the high-rise building agreed in writing prior to January 1, 2004 to demolish the high-rise building by January 1, 2004.~~

~~(2) — 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 31, 2011, 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.~~

- ~~(i) — 904.1 General through 915.7 Visible alarms. Sections 904.1  
through 915.7 of the California Fire Code have been adopted  
without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 10: Means of Egress~~**

**~~§55.1001 — Means of Egress~~**

~~1001.1 General through 1031.9 Floor identification signs. Sections 1001.1  
through 1031.9 of the California Fire Code have been adopted without change  
pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 11: Construction Requirements for Existing Buildings~~**

**~~§55.1101 — Construction Requirements for Existing Buildings~~**

~~1101.1 Scope through 1102.1 Definitions. Sections 1101.1 through 1102.1 of the  
California Fire Code have been adopted without change pursuant to section  
55.0101(a).~~

**~~§55.1103 — Fire Safety Requirements for Existing Buildings~~**

- ~~(a) — 1103.7 Fire alarm systems. Section 1103.7 of the California Fire Code has  
been adopted without change pursuant to section 55.0101(a).~~
- ~~(b) — 1103.7.3 Group I-2 and Group I-2.1 through 1103.7.3.1 Additional  
provisions for existing Group I occupancies. Sections 1103.7.3 through~~

~~1103.7.3.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

- (c) ~~1103.7.8 Existing Group R-1 and Group R-2 High-rise Buildings through 1103.8.5.3 For purposes of clarification. Sections 1103.7.8 through 1103.8.5.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.1104 — Means of Egress for Existing Buildings~~**

- (a) ~~1104.1 General through 1104.9.1 Egress component. Sections 1104.1 through 1104.9.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~
- (b) ~~1104.16 Fire escape stairways through 1104.16.7 Maintenance. Sections 1104.16 through 1104.16.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~
- (c) ~~1104.24 Stairway floor number signs. Section 1104.24 of the California Fire Code has been adopted without change pursuant to section 55.0101(a).~~

**~~§55.1105 — Requirements for Outdoor Operations~~**

~~1105.1 Tire Storage yards through 1106.1 Group A occupancy public address system. Sections 1105.1 through 1106.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~1106.1 Tire Storage yards through 1116.7 Maximum allowable quantities. Sections 1106.1 through 1116.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 20: Aviation Facilities~~**

**~~§55.2001 — Aviation Facilities~~**

~~2001.1 Scope through 2007.8 Federal approval. Sections 2001.1 through 2007.8 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 21: Dry Cleaning~~**

**~~§55.2101 — Dry Cleaning~~**

~~2101.1 Scope through 2108.4 Portable fire extinguishers. Sections 2101.1 through 2108.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 22: Combustible Dust Producing Operations~~**

**~~§55.2201 — Combustible Dust Producing Operations~~**

~~2201.1 Scope through 2204.1 Standards. Sections 2201.1 through 2204.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 23: Motor Fuel Dispensing Facilities and Repair Garages~~**

**~~§55.2301 — Motor Fuel Dispensing Facilities and Repair Garages~~**

~~2301.1 Scope through 2311.8 Defueling equipment required at vehicle maintenance and repair facilities. Sections 2301.1 through 2311.8 of the~~

~~California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~**Article 5: Fire Protection and Prevention**~~

~~**Division 24: Flammable Finishes**~~

~~**§55.2401 — Flammable Finishes**~~

~~2401.1 Scope through 2410.5 Ventilation. Sections 2401.1 through 2410.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~**Article 5: Fire Protection and Prevention**~~

~~**Division 25: Fruit and Crop Ripening**~~

~~**§55.2501 — Fruit and Crop Ripening**~~

~~2501.1 Scope through 2507.1 When Required. Sections 2501.1 through 2507.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~**Article 5: Fire Protection and Prevention**~~

~~**Division 26: Fumigation and Insecticidal Fogging**~~

~~**§55.2601 — Fumigation and Insecticidal Fogging**~~

~~2601.1 Scope through 2603.7 Flammable fumigants. Sections 2601.1 through 2603.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 27: Semiconductor Fabrication Facilities~~**

**~~§55.2701: Semiconductor Fabrication Facilities~~**

~~2701.1 Scope through 2705.3.4.1 Identification. Sections 2701.1 through 2705.3.4.1 of the California Fire Code have been adopted without changed pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 28: Lumber Yards and Agro-Industrial, Solid Biomass  
and Woodworking Facilities~~**

**~~§55.2801: Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking  
Facilities~~**

~~2801.1 Scope through 2809.5 Fire Protection. Sections 2801.1 through 2809.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 29: Manufacture of Organic Coatings~~**

**~~§55.2901: Manufacture of Organic Coatings~~**

~~2901.1 Scope through 2909.6 Finished Products. Sections 2901.1 through 2909.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 30: Industrial Ovens~~**

**~~§55.3001 — Industrial Ovens~~**

~~3001.1 Scope through 3007.4 Equipment maintenance. Sections 3001.1 through 3007.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 31: Tents and Other Membrane Structures~~**

**~~§55.3101 — Tents and Other Membrane Structures~~**

~~3101.1 Scope through 3105.8 Location. Sections 3101.1 through 3105.8 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 32: High Piled Combustible Storage~~**

**~~§55.3201 — High Piled Combustible Storage~~**

~~3201.1 Scope through 3210.1 General. Sections 3201.1 through 3210.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 33: Fire Safety During Construction and Demolition~~**

**~~§55.3301 — Fire Safety During Construction and Demolition~~**

~~3301.1 Scope through 3317.3 Fire Extinguishers for roofing operations. Sections~~

~~3301.1 through 3317.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 34: Tire Rebuilding and Tire Storage~~**

**~~§55.3401 — Tire Rebuilding and Tire Storage~~**

~~3401.1 Scope and application through 3409.1 Pile dimensions. Sections 3401.1 through 3409.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 35: Welding and Other Hot Work~~**

**~~§55.3501 — Welding and Other Hot Work~~**

~~3501.1 Scope through 3510.2 Prevention. Sections 3501.1 through 3510.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 36: Marinas~~**

**~~§55.3601 — Marinas~~**

~~3601.1 Scope through 3605.1 Fuel dispensing. Sections 3601.1 through 3605.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 37: Combustible Fibers~~**

**~~§55.3701 — Combustible Fibers~~**

~~3701.1 Scope through 3705.2 Special baling conditions. Sections 3701.1 through 3705.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 48: Motion Picture and Television Production Studio Sound Stages,~~**

**~~Approved Production Facilities and Production Locations~~**

**~~§55.4801 — Motion Picture and Television Production Studio Sound Stages, Approved~~**

**~~Production Facilities, and Production Locations~~**

~~4801.1 Scope through 4811.15 Buildings without fire protection systems. Sections 4801.1 through 4811.15 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 49: Requirements for Wildland-Urban Interface Fire Areas~~**

**~~§55.4901 — Requirements for Wildland-Urban Interface Fire Areas~~**

~~4901.1 Scope through 4907.1 General. Sections 4901.1 through 4907.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~



**~~Article 5: Fire Protection and Prevention~~**

**~~Division 50: Hazardous Materials General Provisions~~**

**~~§55.5001 Hazardous Materials General Provisions~~**

(a) ~~5001.1 Scope through 5001.1.1 Waiver. Sections 5001.1 through 5001.1.1 of the California Fire Code have been adopted without changed pursuant to section 55.0101(a).~~

(b) ~~5001.1.2 Combustible Explosive and Dangerous Materials CEDMAT Program Legislative Declaration and Findings.~~

(1) ~~The Council of the City of San Diego (Council) 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 increasing 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.~~

(2) ~~To accomplish these objectives, the Council hereby establishes the Combustible, Explosive and Dangerous Material (CEDMAT)~~

~~Inspection Program. The program shall be administered by the Fire Code Official and such assistance as he or she may designate, under the authority and provisions of the California Fire Code, as hereinbefore adopted.~~

- ~~(3) — “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 Code of Regulations 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 the California Fire Code as herein adopted and amended.~~

~~(e) — Purpose of CEDMAT Program.~~

- ~~(1) — Inspect occupancies, as defined in the California Fire Code, within the City, 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;~~
- ~~(2) — Create CEDMAT action programs for the optimum containment, suppression, and management of incendiary and related emergency response incidents involving such occupancies and materials; and~~
- ~~(3) — Compile and analyze information relative to such materials and occupancies in fulfillment of the purposes set forth in subparagraphs (a) and (b) herein.~~

(d) — ~~CEDMAT Inspections.~~

~~The Fire Code Official shall cause periodic CEDMAT inspections to be made of occupancies, such as buildings, structures and installations, within the City 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 Fire Code Official or the Fire Code Official's 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 or she 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 Fire Code Official 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 5001.2 of the California Fire Code 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.~~

~~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 Code Official or the Fire Code Official's authorized representative when presented with a legally issued inspection warrant after notice is provided as required by law.~~

~~(e) — CEDMAT Fees.~~

~~It is the policy of the City 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 Code Official after consultation with an advisory group appointed by the Mayor. 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 section of the Municipal Code.~~

~~(f) — Exempt Public Records and Disclosure Requirements Concerning  
CEDMAT Inspections.~~

~~(1) — Records of inspection, inventories, information and action plans developed in connection with the CEDMAT Inspection Program are for the exclusive use of the *Fire Code Official* and his or her designees. Such records shall be further subject to all statutory protection and exemption against public disclosure otherwise allowed by law. The 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 California Government Code section 6255, that the public interest served by not making such information public clearly outweighs the public interest served by disclosure.~~

~~(2) — If a request or other action is made seeking the release of information collected under the CEDMAT Inspection Program, the *Fire Code Official* or the *Fire Code Official's* designee shall, to the extent practicable, notify the owner, operator or manager of any occupancy which supplied such information.~~

~~(g) — 5001.2 Material classification through 5005.4.4 Dispensing, use and handling. Sections 5001.2 through 5005.4.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 51: Aerosols~~**

**~~§ 55.5101 — Aerosols~~**

~~5101.1 Scope through 5107.1 General. Sections 5101.1 through 5107.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 52: Combustible Fibers~~**

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 53: Compressed Gas~~**

**~~§ 55.5301 — Compressed Gas~~**

~~5301.1 Scope through 5308.2 Ventilation. Sections 5301.1 through 5308.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a)~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 54: Corrosive Materials~~**

**~~§ 55.5401 — Corrosive Materials~~**

~~5401.1 Scope through 5405.2.1 Distance from use to exposures. Sections 5401.1 through 5405.2.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a)~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 55: Cryogenic Fluids~~**

**~~§55.5501 — Cryogenic Fluids~~**

~~5501.1 Scope through 5505.5.2 Closed containers. Sections 5501.1 through 5505.5.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 56: Explosives and Fireworks~~**

**~~§55.5601 — Explosives and Fireworks~~**

~~(a) — 5601.1 Scope through 5601.1.3 Fireworks. Sections 5601.1 through 5601.1.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~(b) — 5601.1.3.1. Except as hereinafter provided, it shall be unlawful for any person to possess, store, manufacture, offer for sale, expose for sale, sell at retail, use or explode any fireworks within the incorporated City limits. Exception: Fireworks. 1.4G and fireworks 1.3G may be part of a public display when permitted by the *Fire Code Official* and conducted by a State of California licensed pyrotechnic operator.~~

~~(c) — 5601.1.4 Rocketry through 5601.2.4.2 Fireworks display. Sections 5601.1.4 through 5601.2.4.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~(d) — 5601.2.4.2.1. Before a permit is issued pursuant to this section, the applicant shall file with the City a \$1-million combined single-limit~~

~~comprehensive general liability insurance policy, naming the City 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 Code Official* may specify a different amount when, in the *Fire Code Official's* opinion, application of recognized risk management standards and conditions at the location warrants it. Public agencies shall be exempt from requiring an insurance policy naming the City as an additional insured.~~

~~**Article 5: Fire Protection and Prevention**~~

~~**Division 57: Flammable and Combustible Liquids**~~

~~**§55.5701 — Flammable and Combustible Liquids**~~

~~5701.1 Scope and application through 5706.8.5 Overfill protection. Sections 5701.1 through 5706.8.5 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~**Article 5: Fire Protection and Prevention**~~

~~**Division 58: Cryogenic Fluids**~~

~~**§55.5801 — Cryogenic Fluids**~~

~~5801.1 Scope through 5808.7 Standby power. Sections 5801.1 through 5808.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~



**~~Article 5: Fire Protection and Prevention~~**

**~~Division 59: Flammable Solids~~**

**~~§55.5901 — Flammable Solids~~**

~~5901.1 Scope through 5906.5.8 Collection of chips, turnings, and fines. Sections 5901.1 through 5906.5.8 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 60: Highly Toxic and Toxic Materials~~**

**~~§55.6001 — Highly Toxic and Toxic Materials~~**

~~6001.1 Scope through 6005.6 Manual shutdown. Sections 6001.1 through 6005.6 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 61: Liquefied Petroleum Gases~~**

**~~§55.6101 — Liquefied Petroleum Gases~~**

~~6101.1 Scope through 6111.3 Garaging. Sections 6101.1 through 6111.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a)~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 62: Organic Peroxides~~**

**~~§55.6201 — Organic Peroxides~~**

~~6201.1 Scope through 6205.1 General. Sections 6201.1 through 6205.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 63: Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids~~**

**~~§55.6301 — Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids~~**

~~6301.1 Scope through 6306.7 Fire department notification. Sections 6301.1 through 6306.7 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 64: Pyrophoric Materials~~**

**~~§55.6401 — Pyrophoric Materials~~**

~~6401.1 Scope through 6405.3 Silane gas. Sections 6401.1 through 6405.3 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 65: Pyroxylin (Cellulose Nitrate) Plastics~~**

**~~§55.6501 — Pyroxylin (Cellulose Nitrate) Plastics~~**

~~6501.1 Scope through 6504.4 Heating. Sections 6501.1 through 6504.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 66: Unstable (Reactive) Materials~~**

**~~§55.6601 — Unstable (Reactive) Materials~~**

~~6601.1 Scope through 6605.1 General. Sections 6601.1 through 6605.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 67: Water-Reactive Solids and Liquids~~**

**~~§55.6701 — Water-Reactive Solids and Liquids~~**

~~6701.1 Scope through 6705.1 General. Sections 6701.1 through 6705.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 80: Referenced Standards~~**

**~~§55.8001 — Referenced Standards~~**

~~Chapter 80 Referenced Standards. Chapter 80 of the California Fire Code has been adopted without change pursuant to section 51.0101(a)~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 81: Appendix 4—Special Detailed Requirements~~**

**~~Based on Use and Occupancy~~**

**~~§55.8101—Special Provisions for Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1, R-4~~**

~~435.1 Scope through 455.8 Exiting. Sections 435.1 through 455.8 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 83: Appendix B—Fire Flow Requirements for Buildings~~**

**~~§55.8301—Fire Flow Requirements for Buildings~~**

~~B101.1 Scope through B105.2 Buildings with other than one and two-family dwellings. Sections B101.1 through B105.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 84: Appendix BB—Fire Flow Requirements for Buildings~~**

**~~§55.8401—Fire Flow Requirements for Buildings~~**

~~BB101.1 Scope through BB105.1. Sections BB101.1 through BB105.1 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 85: Appendix C—Fire Hydrant Locations and Distribution~~**

**~~§55.8501—Fire Hydrant Locations and Distribution~~**

~~C101.1 Scope through C105 Referenced Standards. Sections C101.1 through C105 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 86: Appendix CC—Fire Hydrant Locations and Distribution~~**

**~~§55.8601—Fire Hydrant Locations and Distribution~~**

~~CC101.1 Scope through CC105.2 Distribution of Fire Hydrants. Sections CC101.1 through CC105.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~Article 5: Fire Protection and Prevention~~**

**~~Division 87: Appendix D—Fire Apparatus Access Roads~~**

**~~§55.8701—Fire Apparatus Access Roads~~**

~~D101.1 Scope through D103.4 Dead ends. Sections D101.1 through D103.4 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

**~~§55.8703—Minimum Specifications~~**

- ~~(a) D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:~~
- ~~(1) The minimum gate width shall be 13 feet (3964 mm).~~
  - ~~(2) Gates shall be of the swinging or sliding type.~~

- (3) — ~~Construction of gates shall be of materials that allow manual operation by one person.~~
- (4) — ~~Gate components shall be maintained, in an operative condition at all times and replaced or repaired when defective.~~
- (5) — ~~Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the *Fire Code Official*.~~
- (6) — ~~Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.~~
- (7) — ~~Locking device specifications shall be submitted for approval by the *Fire Code Official*.~~
- (8) — ~~Electric gate operators where provided shall be listed in accordance with UL 325.~~
- (9) — ~~Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.~~
- (b) — ~~D103.6 Signs. Where required by the *Fire Code Official*, fire apparatus access roads shall be marked with permanent NO PARKING FIRE LANE signs complying with California Vehicle Code section 22500.1. Signs shall be posted on one or both sides of the fire apparatus road as required by section D103.6.1 or D103.6.2.~~

~~(c) — D103.6.1 Roads 20 to 26 feet in width through D103.6.2 Roads more than 26 feet in width. Sections D103.6.1 through D103.6.2 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~§55.8704 — Commercial and Industrial Developments~~

~~D104 Buildings exceeding 62,000 square feet in area through D108 Referenced Standards. Section D104.4 through D108 of the California Fire Code have been adopted without change pursuant to section 55.0101(a).~~

~~Article 5: Fire Protection and Prevention~~

~~Division 94: Very High Fire Hazard Severity Zone Established~~

~~§55.9401 — Very High Fire Hazard Severity Zone~~

~~The Council adopts the Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection, and adopts the Brush Management Zones, as defined in Municipal Code section 142.0412, as Very High Fire Hazard Severity Zones, as designated on a map titled, “Very High Fire Hazard Severity Zone Map — Local Responsibility Areas,” dated July 21, 2009, on file with the City Clerk as Document number OO 19884.~~

~~Article 5: Fire Protection and Prevention~~

~~Division 99: Fire and Harmful Gas Emergency Alarms~~

~~§55.9901 — Purpose and Intent~~

~~This Division creates a permitting system for fire and harmful gas alarm systems. It includes a schedule of penalties for *false alarms* as defined in this Division. The permitting and penalty regulations under this Division are in addition to the San~~

~~Diego Police Department false alarm regulations enacted in Chapter 3, Article 3, Division 37 of this Code.~~

~~§55.9902~~ — **Definitions**

~~Defined terms appear in italics. The following definitions apply in this Division:~~

~~*Alarm agent* means any person who is directly or indirectly employed by a fire-harmful gas alarm business, and whose duties include selling any fire-harmful gas alarm system.~~

~~*Alarm system administrator* means an employee of the City of San Diego designated by the alarm system official to administer the fire-harmful gas alarm system permitting, track false alarms for purposes of penalties under this Division, report on program metrics, and act as a liaison with the public. *Alarm system official* means the Chief of Police, the Fire-Rescue Chief, or any other official appointed by the City Manager to preside over the fire-harmful gas alarm system program in this Division.~~

~~*Alarm user* means any person who operates, activates, possesses or controls a fire-harmful gas alarm system, or who occupies, controls, or possesses the building or structure protected by a fire-harmful gas alarm system.~~

~~*Business tax certificate* has the same meaning as *certificate* in Municipal Code section 31.0110(a).~~

~~*Chief of Police* has the same meaning as Municipal Code section 33.0201.~~

~~*Conversion* means the assumption by one fire-harmful gas alarm business of the duty to service, maintain or monitor a fire-harmful gas alarm system previously monitored by another fire-harmful gas alarm business.~~



~~Emergency situation~~ means any circumstance in which there is reason to believe that: (1) there is an uncontrolled fire actively burning in or near a building or other structure; (2) there is a concentration of ~~harmful gas~~ in or near a building or other structure; or (3) there is an identifiable risk of harm to a person or property within or near a building or other structure.

~~Exempt user~~ has the same meaning as in Municipal Code section 33.3702.

~~False alarm~~ means any triggering of a ~~fire harmful gas alarm system~~ that results in a response by San Diego Fire-Rescue Department personnel when an ~~emergency situation~~ does not exist. ~~False alarm~~ includes activations caused by mechanical failure, malfunction, accidental tripping, malicious tripping, misuse, or negligent maintenance by a ~~fire harmful gas alarm business, fire harmful gas alarm agent, or alarm user~~. ~~False alarm~~ does not include activations caused by weather conditions, telephone line problems, water surges, water hammers, or any other factor over which the ~~fire harmful gas alarm business, fire harmful gas alarm agent, or alarm user~~ do not have direct control.

~~Fire alarm system~~ means a ~~fire harmful gas alarm system~~ that is designed to monitor buildings or other structures for ~~emergency situations~~ connected to uncontrolled fires, and evokes a San Diego Fire-Rescue Department response when the alarm system is triggered.

~~Fire harmful gas alarm business~~ means any person engaged in the enterprise of selling, installing, maintaining, servicing, inspecting, or monitoring any ~~fire harmful gas alarm system~~. ~~Fire harmful gas alarm business~~ does not include the

~~owner or property manager of an apartment complex that provides fire-harmful gas alarm systems in each residential unit as an amenity.~~

~~Fire-harmful gas alarm system means any mechanical or electrical monitoring device capable of giving, signaling, or transmitting a fire or harmful gas emergency alarm that, when triggered by an emergency situation, emits a sound or transmits a signal or message that is intended to evoke a response by the San Diego Fire-Rescue Department. Fire-harmful gas alarm system includes fire alarm systems and harmful gas alarm systems. Fire-harmful gas alarm system excludes manually activated residential alarm systems.~~

~~Fire-Rescue Chief means the Chief of the Fire-Rescue Department of the City of San Diego.~~

~~Fire watch means a person who is a site specific guard for the purpose of detecting an emergency situation. Fire watch includes only those persons who are trained in the use of fire extinguishers, the notification to the San Diego Fire-Rescue Department of an emergency situation, and in the operation of the fire alarm system where the fire watch is stationed.~~

~~Harmful gas means any form of gas other than smoke, ash, or dust from a fire, which is capable of causing harm to persons or property. For example, carbon monoxide is a harmful gas.~~

~~Harmful gas alarm system means a fire-harmful gas alarm system that is designed to monitor buildings or other structures for emergency situations connected to harmful gas and evokes a San Diego Fire-Rescue Department response when the alarm system is triggered.~~

~~Person has the same meaning as in Municipal Code section 11.0210.~~

~~Sell has the same meaning as in Municipal Code section 33.3702.~~

~~Takeover means the assumption by one alarm user of the control of a fire harmful gas alarm system previously controlled by another alarm user.~~

**§55.9903 — Fire Harmful Gas Alarm Business Requirements and Responsibilities**

(a) — ~~It is unlawful for any person to operate a fire harmful gas alarm business without a business tax certificate.~~

(b) — ~~It is unlawful for any person to operate a fire harmful gas alarm business not licensed as required by the State of California.~~

(c) — ~~Any fire harmful gas alarm business that sells any fire harmful gas alarm system shall do the following:~~

(1) — ~~Obtain an alarm user permit, using the alarm user permit application provided by the alarm system official, on behalf of the alarm user before putting the fire harmful gas alarm system into service;~~

(2) — ~~Collect the alarm user permit application and permit fee from each alarm user; and~~

(3) — ~~Mail or hand deliver the completed alarm user permit application and permit fee to the alarm system official before putting the fire harmful gas alarm system into service.~~

(d) — ~~Any person or business that sells any fire harmful gas alarm system and does not personally or through an agent install, maintain, service, inspect or monitor the fire harmful gas alarm system for any location, shall provide to the purchaser at the time of the sale an alarm user permit~~

~~application and certification form, as provided in Municipal Code section 55.9908. Subsection (c) does not apply to transactions covered under this subsection.~~

**~~§55.9904 — Alarm Agent Responsibilities~~**

~~An alarm agent shall comply with all applicable licensing or registration requirements pursuant to California law.~~

**~~§55.9905 — Fire Harmful Gas Alarm System Conversion~~**

- ~~(a) Prior to the conversion of any fire harmful gas alarm system, the fire harmful gas alarm business transferring the duty to monitor shall ensure that the alarm user has a valid alarm user permit for the fire harmful gas alarm system being converted.~~
- ~~(b) If the alarm user does not have a valid alarm user permit for the fire harmful gas alarm system being converted, the fire harmful gas alarm business transferring the duty to maintain, service, inspect or monitor shall obtain the alarm user permit on behalf of the alarm user.~~

**~~§55.9906 — Fire Harmful Gas Alarm System Takeover~~**

- ~~(a) Upon any takeover of a fire harmful gas alarm system maintained, serviced, inspected or monitored by a fire harmful gas alarm business, the fire harmful gas alarm business shall determine whether an alarm user permit has been issued to the alarm user assuming control of the fire harmful gas alarm system.~~
- ~~(b) Upon a determination that an alarm user permit has not been issued to the alarm user assuming control of the fire harmful gas alarm system, the~~

~~fire harmful gas alarm business shall obtain an alarm user permit on behalf of the alarm user.~~

- (c) — ~~Nothing in this Division prohibits the fire harmful gas alarm business from recovering from an alarm user the amount of the alarm user permit fee.~~

**§55.9907 — Alarm User Permit Required; Violation**

- (a) — ~~It is unlawful for any alarm user to operate, activate, possess or control any fire harmful gas alarm system unless the alarm user has a current valid alarm user permit issued by the alarm system official for that fire harmful gas alarm system.~~
- (b) — ~~Except as provided in section 55.9903(c), the alarm system official shall collect alarm user permit applications and permit application fees from the alarm user.~~

**§55.9908 — Application for Alarm User Permit**

- (a) — ~~Any person applying for an alarm user permit shall submit to the alarm system official, on a form provided by the alarm system official, a legibly written application containing the following information:~~
- (1) — ~~Name, address, and telephone number of the alarm user (including separate mailing address if applicable);~~
  - (2) — ~~Classification of the alarm location as residential or commercial;~~
  - (3) — ~~Fire harmful gas alarm system type (such as fire or carbon monoxide);~~
  - (4) — ~~Area covered by fire harmful gas alarm system;~~

~~(5) — Name, address, and telephone number of the person authorized to respond to alarm signals and to allow access to the protected building or other structure; and~~

~~(6) — Name, address, telephone number, City business tax certificate number, and State license number of the fire-harmful gas alarm business that will monitor the fire-harmful gas alarm system, if any.~~

~~(b) — All fees must be paid at the time the alarm user permit application is filed.~~

~~(c) — Each alarm user permit application must be accompanied by a signed certification by the alarm user and fire-harmful gas alarm business stating the following:~~

~~(1) — The date of the installation, conversion, or takeover, whichever is applicable;~~

~~(2) — The name, address, telephone number, City business tax certificate number, and State license number of the fire-harmful gas alarm business installing the fire-harmful gas alarm system, or performing the conversion or takeover of the fire-harmful gas alarm system;~~

~~(3) — The name, address, and telephone number of the fire-harmful gas alarm business or alarm agent responsible for monitoring the fire-harmful gas alarm system, if any;~~

~~(4) — That written operating instructions for the fire-harmful gas alarm system, including written guidelines regarding how to avoid false~~

~~alarms, have been provided to the alarm user applying for the permit; and~~

~~(5) — That the fire harmful gas alarm business has provided to the alarm user applying for the permit all necessary information regarding the proper use of the fire harmful gas alarm system, including instruction on how to avoid false alarms.~~

~~(d) — The alarm system official may deny the application for an alarm user permit if any of the information required pursuant to section 55.9908(a) and (c) is not provided.~~

~~(e) — An application will not be considered complete if, at the time the application is being considered, any penalty fees under section 55.9911 or any fines assessed to the person applying for an alarm user permit under section 55.9916 have not been paid.~~

**~~§55.9909 — Expiration of Alarm User Permits~~**

~~(a) — An alarm user permit shall expire on the last day of the twenty-fourth month following the issuance of the permit.~~

~~(b) — The alarm user is responsible to renew an alarm user permit prior to the permit's expiration.~~

~~(c) — The alarm system administrator shall notify the alarm user when a permit is due to expire at least thirty days before it expires.~~

**~~§55.9910 — Alarm User Permits Not Transferable~~**

~~Alarm user permits shall not be transferable from one person to another or from one building or other structure to another.~~

**~~§55.9911 — Fees and Penalties for Alarm User Permit~~**

- (a) ~~Except as otherwise specifically provided in this Division, any person who files an application for an *alarm user* permit shall, at the time of filing the application, pay a fee in accordance with the City Clerk's fee rate book and any outstanding penalty fee.~~
- (b) ~~Any *alarm user* who does not have an *alarm user* permit and whose *fire-harmful gas alarm system* generates a San Diego Fire Rescue Department call for service will be notified in writing that he or she must obtain an *alarm user* permit. If the *alarm user* has not obtained an *alarm user* permit within 15 days after written notification by the San Diego Fire Rescue Department, then the *alarm user* will be assessed a penalty for each San Diego Fire Rescue Department call for service generated by his or her *fire-harmful gas alarm system* until the permit is obtained. The penalty shall include cost recovery for the San Diego Fire Rescue Department's response to the *false alarm*. The penalty schedule shall be kept in the City Clerk's fee rate book on file in the City Clerk's Office.~~

**~~§55.9912 — Responsibility for Fire-Harmful Gas Alarm Systems in Apartments~~**

- (a) ~~If an *alarm user* has multiple *fire-harmful gas alarm systems* in one building or structure, an *alarm user* permit is required for each separate system.~~
- (b) ~~The tenant of a multiunit residential building or rental property whose unit contains a *fire-harmful gas alarm system* is deemed to be the *alarm user* if~~



~~the fire harmful gas alarm system was not provided by the owner of the multiunit residential or other rental property.~~

- ~~(c) — The owner of a multiunit residential or other rental property that provides a fire harmful gas alarm system to tenants shall be deemed the alarm user.~~
- ~~(d) — Each fire harmful gas alarm system control panel constitutes a separate alarm system and requires a separate alarm user permit.~~

**~~§55.9913 — Fire Harmful Gas Alarm System Direct Dial Prohibition~~**

~~It is unlawful for any person to program, install or use any fire harmful gas alarm system to direct dial any emergency or “call for service” number serving the San Diego Fire Rescue Department’s Regional Communications Center.~~

**~~§55.9914 — Procedures for Alarm Verification~~**

~~A fire harmful gas alarm business shall, after contacting the San Diego Fire Rescue Department, attempt to contact an alarm user in person, by telephone, or by other electronic means, in order to verify that the alarm signal is not false.~~

**~~§55.9915 — Revocation of an Alarm User Permit~~**

- ~~(a) — A violation of any of the provisions of this Division shall constitute grounds for revocation of an alarm user permit.~~
- ~~(b) — The alarm system official may revoke any alarm user permit for any fire harmful gas alarm system that has had false alarms in excess of the number permitted in section 55.9915(f).~~
- ~~(c) — The alarm system official will indicate on an alarm user’s records that an alarm is false if the responding San Diego Fire Rescue Department personnel do not find evidence that an emergency situation was the cause~~

~~of the alarm being triggered. The *alarm-system official* may amend the *alarm user's* records to indicate that the alarm was not a *false alarm* if, within ten business days of the alarm being triggered, the *alarm system official* receives satisfactory evidence to that effect. The *alarm system official* shall issue written findings of such decision within five business days of receipt of the evidence offered.~~

- ~~(d) — Upon revocation of any *alarm user* permit, the *alarm-system official* will notify the holder of the permit in writing of the revocation.~~
- ~~(e) — The *alarm system official* shall notify the *alarm user* of the *alarm user's* first *false alarm* by letter.~~
- ~~(f) — The first two *false alarms* for an *alarm user* holding an *alarm user* permit, of each calendar year shall not be penalized either by a penalty or *alarm user* permit revocation. Additional *false alarms* each calendar year will be penalized according to the penalties for false fire harmful gas alarms contained in the City Clerk's fee rate book.~~
- ~~(g) — An *alarm user* permit that has been revoked pursuant to this Division is not a current valid *alarm user* permit.~~

**~~§55.9916 — Penalties for Alarm User Permit Revocations~~**

- ~~(a) — An *alarm user* shall pay a penalty, according to the established rates kept in the City Clerk's fee rate book on file in the Clerk's Office, for each revocation of an *alarm user* permit and each subsequent *false alarm* San Diego Fire-Rescue Department response that *fire harmful gas alarm system*.~~

~~(b) — A fire harmful gas alarm business shall not be liable for any penalty imposed upon an alarm user for exceeding the permitted number of false alarms if the fire harmful gas alarm business obtained the alarm user permit on behalf of the alarm user.~~

~~§55.9917 — Reinstatement of Revoked Permit; Alarm User Permit Appeal~~

- ~~(a) — An alarm user whose permit has been revoked pursuant to section 55.9915 may apply for reinstatement of the permit by submitting to the alarm system official all penalties due pursuant to section 55.9916, and written evidence satisfactory to the alarm system official that the cause of the false alarms has been identified and corrected.~~
- ~~(b) — The alarm system official may reinstate an alarm user permit revoked pursuant to section 55.9915 upon the receipt of all penalties due pursuant to section 55.9916 and evidence satisfactory to the alarm system official that the cause of the false alarms has been corrected. The alarm system official may also require such other conditions as may be appropriate to reinstate a revoked alarm user permit.~~
- ~~(c) — An alarm user may appeal a decision by the alarm system official to revoke the alarm user permit in accordance with the appeals process for Police Regulated Businesses found in Chapter 3, Article 3, Division 5 of this Code.~~

**~~§55.9918 — Use of Fire Harmful Gas Alarm System after Permit Revocation as Public Nuisance~~**

~~(a) — The alarm system official may declare a fire harmful gas alarm system a public nuisance when all of the following conditions are present:~~

~~(1) — The alarm user permit has been revoked due to false alarms;~~

~~(2) — The revoked alarm user permit has not been reinstated;~~

~~(3) — The cause of the false alarms has not been corrected;~~

~~(4) — The alarm user's fire harmful gas alarm system continues to trigger false alarms; and~~

~~(5) — If revoked, the decision of the alarm system official to revoke the permit is not currently on appeal pursuant to Chapter 3, Article 3, Division 5 of the Municipal Code.~~

~~(b) — The alarm system official may remove a public nuisance designation from the alarm user's records when the alarm user permit has been reinstated and the cause of the false alarms has been corrected.~~

**~~§55.9919 — Posting a Fire Watch~~**

~~The alarm system official may require an alarm user to post a fire watch, at the alarm user's expense, if a fire alarm system is unable to be repaired within 24 hours or if the lack of protection due to the alarm malfunctioning creates a life or property safety hazard. The fire watch shall be stationed at the building or other structure where the false alarms were generated.~~

**~~§55.9920~~ — Exceptions**

The regulations in this Division do not apply to:

- (a) ~~Persons engaged solely in the manufacture or repair of fire harmful gas alarm systems or fire harmful gas alarm system components from a fixed location who do not personally or through an agent install, or monitor the fire harmful gas alarm system for any location, except as provided in section 55.9903(d).~~
- (b) ~~Exempt users as defined in section 55.9902 of this Division.~~

**~~§55.9921~~ — Confidentiality of Records**

- (a) ~~The information furnished and secured pursuant to this Division shall not be subject to public inspection except when required by local, state or federal law.~~
- (b) ~~An alarm user shall have access to information regarding the administration of that user's permit.~~

**~~§55.9922~~ — Enforcement Authority**

~~The alarm system official is authorized to administer and enforce the provisions of this Division. The alarm system official may exercise any enforcement powers as provided in Chapter 1, Article 2, Division 1 of this Code.~~

**~~§55.9923~~ — Enforcement Remedies**

~~Except as otherwise specifically provided, violations of this Division may be prosecuted as misdemeanors subject to the fines and custody provided in Municipal Code section 12.0201. The alarm system official may also seek injunctive relief and civil penalties in the Superior Court pursuant to Municipal~~

~~Code section 12.0202 or pursue any administrative remedy provided in Chapter 1,  
Article 2, Division 1 of this Code.~~

LMD:hm  
July 27, 2021  
Or.Dept:PSE  
Doc. No.: 2689770

Passed by the Council of The City of San Diego on JAN 11 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 27 2022.

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

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

DEC 07 2021, and on JAN 27 2022.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21408