

ORDINANCE NO. 118-2025

AN ORDINANCE OF INVERNESS PUBLIC UTILITY DISTRICT ADOPTING AND MODIFYING THE 2025 CALIFORNIA FIRE CODE WITH AMENDMENTS SUPPORTED BY LOCAL FINDINGS, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS; AND DEFINING THE POWERS AND DUTIES OF THE RISK REDUCTION PREVENTION AND MITIGATION DIVISION AND OFFICERS.

WHEREAS, the INVERNESS PUBLIC UTILITY DISTRICT may adopt a fire code by reference pursuant to Article 2 commencing with Section 50022 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code;

WHEREAS, pursuant to Health and Safety Code Section 13869, the INVERNESS PUBLIC UTILITY DISTRICT may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code when such modified standards are reasonably necessary because of local climatic, geological or topographical conditions;

WHEREAS, pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, changes or modifications to the 2025 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions.

WHEREAS, this Ordinance No. **118-2025** was introduced and read by title only at a meeting of the Board of Directors of the INVERNESS PUBLIC UTILITY DISTRICT on the 18th day of November, 2025.

NOW THEREFORE BE IT ORDAINED by the Board of Directors of the INVERNESS PUBLIC UTILITY DISTRICT the following:

SECTION 1. ADOPTION OF 2025 CALIFORNIA FIRE CODE

The Board of Directors of INVERNESS PUBLIC UTILITY DISTRICT hereby adopt, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion the following:

1. The 2025 California Fire Code, which consists of certain portions of the 2024 edition of the International Fire Code as amended by the California Building Standards Commission, including:
 - a. Appendix 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
 - b. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS, the whole thereof, save and except such portions as are hereafter amended by section 11 of this Ordinance.
 - c. Appendix BB FIRE FLOW REQUIREMENTS FOR BUILDINGS
 - d. Appendix C FIRE HYDRANTS LOCATIONS AND DISTRIBUTION

- e. Appendix D FIRE APPARATUS ACCESS ROADS, the whole thereof, save and except sections 103.1, 103.2, 103.6, 103.6.1, 103.6.2.
- f. Appendix CC FIRE HYDRANTS LOCATIONS AND DISTRIBUTION
- g. Appendix E HAZARD CATEGORIES
- h. Appendix F HAZARD RANKING
- i. Appendix G CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS
- j. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLAN AND HAZARDOUS MATERIAL INVENTORY STATEMENTS
- k. Appendix I FIRE PROTECTION SYSTEMS- NONCOMPLIANT CONDITIONS
- l. Appendix O VALET TRASH AND RECYCLING COLLECTION IN GROUP R-2 OCCUPANCIES
- m. Appendix P TEMPORARY HAUNTED HOUSES, GHOST WALKS AND SIMILAR AMUSEMENT USES.

- 2. The International Fire Code published by the International Fire Code Council, Inc., 2024 Edition hereof and the whole thereof, save and except such portions as are hereinafter amended, added or deleted by Section 11 of this Ordinance.

Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the INVERNESS PUBLIC UTILITY DISTRICT, and the same are hereby adopted and incorporated fully as if set out at length herein, and from the date on which this Ordinance shall take effect, and the provisions thereof shall be controlling within the limits of the INVERNESS PUBLIC UTILITY DISTRICT.

SECTION 2. ESTABLISHMENT AND DUTIES OF THE RISK REDUCTION PREVENTION AND MITIGATION DIVISION

The 2025 California Fire Code, which consists of certain portions of the 2024 edition of the International Fire Code as amended by the California Building Standards Commission, shall be enforced by the INVERNESS PUBLIC UTILITY DISTRICT and shall be operated under the supervision of the Chief of the Inverness Volunteer Fire Department.

SECTION 3. DEFINITIONS

Wherever they appear in the California and International Fire Codes, unless otherwise provided, the following words shall have the meanings ascribed to them in this section:

- (a) Whenever the words “Fire Code” are used they shall mean those Codes and Standards adopted in Section 1 of this Ordinance.
- (b) Wherever the term "Counsel" is used in the Fire Code, it shall be held to mean the attorney for the INVERNESS PUBLIC UTILITY DISTRICT.
- (c) Wherever the word "jurisdiction" is used in the Fire Code, it shall be held to mean the INVERNESS PUBLIC UTILITY DISTRICT.

- (d) Wherever the words “Fire Code Official” are used in the Fire Code, they shall be held to mean the Fire Chief or Fire Marshal of the Inverness Volunteer Fire Department.

SECTION 4. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED

The geographic limits referred to in Section 5704.2.9.6.1 of the California Fire Code in which storage of Class I, Class II and Class III liquids in outside aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas, and agricultural land of less than two (2) acres as established by the Inverness Public Utility District.

SECTION 5. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN ABOVEGROUND TANKS IS PROHIBITED

The geographic limits referred to in Section 5706.2.4.4 of the California Fire Code in which storage of Class I, Class II and Class III liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas, and agricultural land of less than two (2) acres. as established by the Inverness Public Utility District.

SECTION 6. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED

The geographic limits, referred to in Section 5806.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by the Inverness Public Utility District.

SECTION 7. ESTABLISHMENTS OF GEOGRAPHIC LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED

The geographic limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are amended as follows: In all residential areas and in all heavily populated or congested commercial areas, and agricultural land less than two (2) acres. The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons as established by the Inverness Public Utility District.

SECTION 8. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED

The geographic limits in which storage of explosives and blasting agents is prohibited are as follows: In all residential areas and in heavily populated or congested commercial areas, and agricultural land of less than two (2) acres as established by the Inverness Public Utility District.

SECTION 9. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED

The geographic limits, in which the storage of compressed natural gas is prohibited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, and agricultural land of less than two (2) acres as established by the Inverness Public Utility District.

SECTION 10. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED

The geographic limits, in which the storage of hazardous materials is prohibited or limited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, and agricultural land of less than two (2) acres as established by the Inverness Public Utility District.

SECTION 11. AMENDMENTS MADE TO THE 2025 CALIFORNIA FIRE CODE

The Inverness Public Utility District Board of Directors hereby finds that local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications to the, 2025 California Fire Code and the 2025 California Building Standards Code in order to provide a reasonable degree of property security and fire and life safety in this Fire District.

Specifically, the INVERNESS PUBLIC UTILITY DISTRICT Board finds that the following local conditions make more stringent standards a necessity:

1. Climatic

Precipitation: Precipitation ranges from 15 to 42 inches per year with an average of approximately 38 inches per year. Approximately eighty percent (80%) falls during the months of November through April, and 20% from May through October.

Relative Humidity: Humidity generally ranges from 50% during daytime to 86% at night. It drops to 20% during the summer months and occasionally drops lower.

Temperatures: Temperatures have been recorded as high as 104 degrees F. Average summer highs are in the 78 degree to 85 degree range.

Winds: Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5 – 15 mph range, gusting to 7.4 – 30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been known to occur.

Summary: These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and elevated temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area can have a tremendous impact on structure fires of buildings in proximity to one another, commonly found in Inverness. During wood shake and shingle roof fires, or exposure fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can force fires back into the building and can create a blowtorch effect, in addition to preventing “natural” ventilation and cross-ventilation efforts.

2. Geographic and Topographic

Geography: The fire environment of a community is primarily a combination of two factors: (1) the area’s physical geographic characteristics and (2) the historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments that ultimately determines the area’s fire protection needs.

The basic geographical boundaries of the District include Point Reyes National Seashore to the west, the Tomales Bay State Park to the north, the Tomales Bay to the east, and the unincorporated area of Marin County, including Drakes View Drive and Inverness Park communities to the South.

Because of the size of the Inverness Public Utility District (2.5 square miles) and is in a unique geographic area. The District is water bound on one side, and along its ridgeline is a National Park of highly combustible grass, brush, and trees, (Mainly cypress, bishop pine, and eucalyptus). Therefore, the District has not one, but several fire environments, each of which has its individual fire protection needs.

The structural buildup occurred between the 1890s and the 1920s in many of the residential areas and the District’s commercial center. The original construction typically consisted of frame structures built with little or no side yard setbacks on small, narrow lots typical of that era.

The service area of the Inverness Public Utility District has a varied topography and vegetative cover. A conglomeration of hills and ridges make up the terrain. Development has occurred in the valleys up to the ridges of the District.

The domestic water supply is located on the hillside to the west of the Inverness Public Utility District's service area on lands whose ownership is shared principally among the District, Tomales Bay State Park, and Point Reyes National Seashore.

Seismic Location: The relatively young geological processes that have created the San Francisco Bay Area are still active today. The District sits adjacent to the San Andreas earthquake fault as well as numerous potentially active faults. 100% of the District's land surface is in the strong to-moderate seismic hazard zones.

Size and Population: The Inverness Public Utility District covers 2.5 square miles, including a population estimated at 1,400. Inverness Public Utility District has a volunteer fire department that works in cooperation with the Marin County Fire Department. Within the District is one (1) fire station. The District responds directly to structural fires, as well as to wildland fires, emergency paramedical calls in a mutual aid role to Marin County Fire Department.

Roads and Streets: Most of the smaller valleys, hillsides and ridge roads are served by roads with narrow paved widths and by private roads which create access problems.

The roadway system on the flat land within the Inverness Public Utility District is comprised primarily of Sir Francis Drake Boulevard with valley access roads to houses along the valley floors, up to the ridge. Roadways with less than 20 feet of unobstructed paved surface, with a dead-end longer than 150 feet, with a cul-de-sac longer than 800 feet, or with a cul-de-sac diameter less than 68 feet are considered hazardous in terms of fire access and protection. Most roadways within the District fall into one of these categories.

Topography: The District's service area is a conglomeration of hills, valleys, and ridges. The flatter lands are found along the shoreline that borders Tomales Bay. Most of the existing developed areas consist of both valley floor and upslope lands. During extraordinary precipitation events, areas adjacent to creeks and streams in the valley areas are susceptible to flooding potentially preventing access to some occupied residential and commercial areas of the District. Potential for water supply failure in these areas is also of concern.

Most of the hillsides in these areas have slopes ranging from 25 – 45%. Slope is an important factor of fire spread.

Elevations are varied in the District with the village center at 3 feet above sea level and the top of the service area at approximately 525 feet.

Vegetation: The Inverness Public Utility District's modified Mediterranean-type climate produces vegetation similar to areas north along the California Coast, with specific growth locale a result of topography and prevailing wind. Slopes are

heavily wooded from lower elevations to the ridge with oak and bay trees and minor shrubs of general chaparral class.

Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are surrounded by highly combustible vegetation, compounding the fire problem from a conflagration point of view.

Due to fire safe roofing ordinances adopted approximately 33 years ago less than 5% of all dwellings in the District currently have wood shingle roofs, however, very few structures meet current fire hardening construction and/or vegetation management standards

Of the Fire District's 2.5 square mile service area, the majority encompasses the wildland urban interface area. Proliferation of sudden oak death syndrome has increased the dead fuel loads in the oak woodlands and bay forests which

Summary: The above local geographic and topographic conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the District. The protection of life and property from fire is difficult due to limited access problems created by water, cliffs, steep slopes, and the lack of side-yard setbacks, as well as the combustible structures and their roofs.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

Other variables may tend to intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to bridge collapse along access roadways;
- 3) The extent of roadway damage and debris blocking the roadways;
- 4) Climatic conditions (hot, dry weather with high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during heavy tourist season;
- 6) The availability of timely mutual aid or military assistance;
- 7) The large portion of dwellings with wood shingle roof coverings could result in conflagrations.

Conclusion: Local climatic, geographic and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be reasonably necessary

that the International Fire Code, California Fire Code and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code Section 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the INVERNESS PUBLIC UTILITY DISTRICT finds that the following table provides code sections that have been modified pursuant to Ordinance No. **118-2025**, which are building standards as defined in Health and Safety Code Section 18909, and the associated referenced conditions for modification due to local climatic, geographical, and topographical reasons.

Section Number: Local Climatic, Geographical and Topographical Conditions:

Chapter 2 DEFINITION

202 1e, 2a, 2b, 2d, 2e, 2f

Chapter 3 GENERAL REQUIREMENTS

302.1 2b, 2d, 2e, 2g

307.4.4 2b, 2d, 2e, 2g

317.4.4 2b, 2d, 2e, 2g

319 2b, 2d, 2e, 2g

324 2b, 2d, 2e, 2g

Chapter 4 EMERGENCY PLANNING AND PREPAREDNESS

401.1.1 2c, 2d, 2e, 2g

401.3.2.1-401.3.2.2 2a, 2c, 2d, 2e, 2g

402.1 -403.1.1 2a, 2b, 2c, 2d, 2e, 2g

403.9.1.4 2a, 2b, 2c, 2d, 2e, 2g

Chapter 5 FIRE SERVICE FEATURES

502.1 2a, 2c, 2d, 2e, 2f, 2g

503.1. 2a, 2c, 2d, 2e, 2f, 2g

503.1.4 - 503.1.5 2a, 2c, 2d, 2e, 2f, 2g

503.2.1. 2a, 2c, 2d, 2e, 2f, 2g

503.2.6.1. 2a, 2c, 2d, 2e, 2f, 2g

503.4-503.4.2 2a, 2c, 2d, 2e, 2f, 2g

503.6.1-503.6.3 2a, 2c, 2d, 2e, 2f, 2g

507.5.1-507.5.1.1 2a, 2b, 2c, 2d, 2g

507.5.7 2a, 2b, 2c, 2d, 2g

510.1 2a, 2b, 2c, 2d, 2g

Chapter 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS

901.7 2a, 2b, 2c, 2d, 2e, 2g

902.1 2a, 2b, 2c, 2d, 2e, 2g

903.2 - 903.2.1 2a, 2b, 2c, 2d, 2e, 2g

903.3.9 2a, 2b, 2c, 2d, 2e, 2g

903.6.1 2a, 2b, 2c, 2d, 2e, 2g

906.11 2a, 2b, 2c, 2d, 2e, 2g

907.2.13.1.2 2a, 2b, 2c, 2d, 2e, 2g

907.6.6	2a, 2b, 2c, 2d, 2e, 2g
907.8.5	2a, 2b, 2c, 2d, 2e, 2f
918	2a, 2b, 2c, 2d, 2e, 2f
Chapter 11 FIRE PROTECTION AND LIFE SAFETY SYSTEMS	
1103.1	2a, 2b, 2c, 2d, 2g
1103.2	2a, 2b, 2c, 2d, 2g
1103.3 -1103.6.2	2a, 2b, 2c, 2d, 2g
1103.9	2a, 2b, 2c, 2d, 2g
1104 -1105	2a, 2b, 2c, 2d, 2g
Chapter 12 FIRE PROTECTION AND LIFE SAFETY SYSTEMS	
1201.4-1201.7	2a, 2b, 2c, 2e, 2g
1202.1	2a, 2b, 2c, 2e, 2g
1208 -1208.6	2a, 2b, 2c, 2e, 2g
Chapter 33 FIRE SAFETY UNDER CONSTRUCTION	
3314.3- 3315.5	2a, 2b, 2c, 2d, 2g
Chapter 36 MARINAS	
3603.6.1-3603.6.2	2a, 2b, 2c, 2e, 2g
3603.8 - 3603.9	2a, 2b, 2c, 2e, 2g
Chapter 56 EXPLOSIVES AND FIREWORKS	
5601.1.3	2a, 2c, 2d, 2e, 2g
5608.1.2-5608.2	2a, 2c, 2d, 2e, 2g
Appendix B	2a, 2b, 2c, 2d, 2e, 2f, 2g

ACCORDINGLY, THE 2025 CALIFORNIA FIRE CODE IS AMENDED, ADDED OR DELETED AS IDENTIFIED HEREIN:

CHAPTER 1
SCOPE AND ADMINISTRATION

Section 101.1 of Chapter 1 is amended to read as follows:

Section 101.1 Title. *These regulations and locally adopted standards shall be known as the Fire Code of the INVERNESS PUBLIC UTILITY DISTRICT hereinafter referred to as “this code.”*

The 2025 California Fire Code and the 2024 International Fire Code is amended and changed in the following respects:

Section 102.5 of Chapter 1 is hereby amended to read as follows:

Section 102.5 **Application of residential code.** Where structures are designed and constructed in accordance with the *California Residential Code*, the provisions of this code shall apply as follows:

1. **Construction and designed provisions:** Provisions of this code pertaining to the exterior of the structure shall apply, including, but not limited to, premises

identification, fire apparatus access and water supplies. Provisions of this code pertaining to the interior of the structure when specifically required by this code including, but not limited to, Section 903.2 and Chapter 12 shall apply. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply.

2. **Administrative, operational and maintenance provisions:** All such provisions of this code shall apply.

Section 102.7.3 is hereby added to Chapter 1 and shall read as follows:

Section 102.7.3 **Nationally Recognized Listed Products.** Any installation of products and equipment due to permits required by this Code shall be Labeled and Listed, as defined in Section 202.

Section 104.1.1 is hereby added to Chapter 1 and shall read as follows:

Section 104.1.1 **Supplemental Rules, Regulations and Standards.** The Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations and to develop Fire Protection Standards to carry out the application and intent of this code.

Section 104.12 is hereby added to Chapter 1 and shall read as follows:

Section 104.12. **Fire prevention resource sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement and other fire prevention services when requested to do so.

Section 105.5 of Chapter 1 is hereby amended by adding the following additional operational permits:

105.5 **Required Operational Permits.** The fire code official is authorized to issue operational permits for operations set forth in Sections 105.51 through 105.5.60

105.5.60 **Local Operational Permits.** In addition to the permits required by section 105.5, the following permits shall be obtained from the Fire Department prior to engaging in the following activities, operations, practices or functions:

1. **Fire Protection Plan.** An operational permit is required to implement a fire protection plan.
2. **Radioactive material.** An operational permit is required to store or handle at any installation more than 1 micro curie (37,000 Becquerel) of radioactive material not contained in a sealed source or more that 1 millicurie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required.

3. **Cellulose nitrate storage.** An operational permit is required to store or handle more than 25 pounds of cellulose nitrate plastic (pyroxylin) for the manufacturing or assembly of articles or parts of articles containing cellulose nitrate plastics (pyroxylin).
4. **Fireworks.** An operational permit is required to store and use fireworks for public display.

Section 105.6 of Chapter 1 is hereby amended by adding the following additional operational permits:

105.6 **Required Construction Permits.** The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.26

Section 105.6.26 of Chapter 1 is hereby added to read as follows:

105.6.26 **Local Construction Permits.** In addition to the permits required by section 105.6, the following permits shall be obtained from the Fire Prevention Bureau prior to installation of the following:

1. **Exterior Wildfire Protection Systems.** A construction permit is required for the installation of or design modification to an Exterior Wildfire Protection System as regulated by section 918.
2. **Home Backup Generator.** A construction permit is required for the installation of a home backup generator as regulated by section 1208.
3. **Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.

Section 113.4 of Chapter 1 is hereby amended to read as follows:

Section 113.4 **Violation Penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

The imposition of one penalty of any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise

specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 113.4.1.1 of Chapter 1 is added to read as follows:

Section 113.4.1.1 **Abatement of clearance of brush or vegetative growth from structures.** The Chief or their authorized representative is authorized to give notice to the owner of the property upon which conditions regulated by section 304.1.3 and Section 325 of Chapter 3 exists to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

Section 114.4 of Chapter 1 is hereby amended to read as follows:

Section 114.4 **Failure to Comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine not less than \$500 dollars or more than \$1500 dollars.

Section 116 is hereby added Chapter 1 and shall read as follows:

Section 116 **DAMAGES AND EXPENSE RECOVERY**

Section 116.1 **Damages and Expense Recovery.** The expense of securing any emergency that is within the responsibility for the enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

Section 202 of Chapter 2 is hereby amended by adding the following general definitions as follows:

Administrator. The Fire Chief or his/her designee.

All Weather Surface shall mean A/C paving, or concrete capable of supporting 75,000 gross vehicle weight. Grades up to and including 15% may be of A/C paving. Grades greater than 15% shall be of concrete kurf-cut so as to allow for water run-off and traction.

Exception: Materials approved by the Fire Code Official.

Code Official. The official designated by the County of Marin to interpret and enforce building standards of this code shall be the Building Official. The official designated by the County of Marin to interpret and enforce fire and life safety provisions of this code shall be the Fire Chief.

Cost of abatement. All expenses incurred by the jurisdiction in its work of abatement undertaken and administrative costs pursuant to Sections 304, and 325 of this Ordinance.

Coverings shall mean materials, including, but not limited to gypsum board, paneling, floorboards, lathe and plaster, wood paneling, brick and mortar, or other materials attached to rough framing of the building elements. 'Coverings' do not include carpet, linoleum, tile, wallpaper, or other decorative finishes.

Driveway is a vehicular ingress/egress access route that serves no more than five (5) dwelling units, not including accessory structures. Driveways serving one dwelling unit shall provide a minimum unobstructed width of 16 feet and a minimum unobstructed height of 15 feet. Driveways serving two to five dwelling units shall provide a minimum unobstructed width of 20 feet. Driveways in excess of 300 feet in length (150 feet in the WUI or SRA) shall be provided with turnarounds. Driveways in excess of 300 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds.

Easement Access An access that allows one or more persons to access or use or travel across another's land to reach a nearby location, such as a road.

Exterior Wildfire Protection System: An approved system of devices and equipment which is automatically or manually activated to discharge water and or an approved fire-extinguishing agent onto the structure and or the exterior of the structure to hydrate the Immediate Zone 0 (0-5 feet from the home, including the home) and the Intermediate Zone 1 (5-30 feet from the home).

Fire Road. See section 502.1.

Home Backup Generator. A permanent, fixed installation, internal combustion engine-driven device that provides temporary electrical power to a Group R-3 and R-4 Occupancies.

Parcel. A portion of land of any size, the area which is determined in the records of the County Assessor (Reference Health and Safety Code 14883).

Person. Includes individuals, firms, partnerships, and corporations

Pre-Plans shall mean detailed plans of target hazard buildings. These pre-plans include information on the building's location, occupancy, hazards, fire

department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.

Private Roadways A road owned and maintained by a private individual, organization, or company rather than a government agency.

Public Nuisance. A declaration by the fire code official that the presence of combustible materials on a parcel creates a fire hazard (Health and Safety Code 14875 and 14876).

Public Storage Facility shall mean any business that sells, leases or rents space to the public that is enclosed, whether it is a building, storage container or similar configuration.

Rubbish. Waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction which is, or when dry, is combustible and may become a fire hazard.

Second Unit shall mean an attached or detached additional dwelling unit greater than 1200 square-feet which provides complete independent living facilities, and which includes permanent provisions for living, sleeping, eating, cooking and sanitation and is located on the same lot as the primary unit.

Spark Arrestor shall mean a chimney device constructed in a skillful-like manner. The net free area of a spark arrestor shall not be less than four times the net free area of the outlet of the chimney. The spark arrestor screen shall have heat and corrosion resistance equivalent to 12-gauge wire, 19-gauge galvanized wire or 24-gauge stainless steel. Opening shall not permit the passage of spheres having a diameter larger than 1/2 inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.

Substantial Remodel shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists, and coverings (see Section 202[C]), roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

Target Hazard is defined as a location or plausible scenario in which a fire department or fire district could quickly become overwhelmed and for which additional resources, now scarce, would be needed.

Temporary shall mean any use for a period of less than 90 days *where not otherwise referenced.*

Tent. A structure, enclosure, umbrella structure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

Umbrella Structure A structure, enclosure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole. (See “Membrane Structure” and “Tent”)

Unwarranted Alarm shall mean the giving, signaling or transition of an alarm notification to a public fire station or emergency communication center when such alarm is the result of a defective condition of an alarm system, system servicing testing, construction activities, ordinary household activities, false alarm or other cause when no such danger exists.

Weeds. All weeds growing upon streets or private property in this jurisdiction and includes any of the following:

1. Weeds, which bear seeds of a fluffy nature or are subject to flight.
2. Combustible vegetation including juniper, cypress, sagebrush, chaparral, and any other brush or weeds which attains growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak when the conditions of growth are such as to constitute a menace to public health.
5. Dry grass, stubble, brush, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Wildland-Urban interface area. A geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

Section 203.5.1 of Chapter 1 is hereby amended to read as follows:

Section 203.5.1 **OCCUPANCY CLASSIFICATION** is modified to include:

*[BG] **Factory Industrial F-1 Moderate-hazard occupancy** is amended to add to the list of moderate-hazard factory industrial groups the following:*

Agricultural crop production including cultivation, drying, processing and /or storage.

Section 302.1 in Chapter 3 is hereby amended to add the following:

**PUBLIC STORAGE FACILITY
UNWARRANTED ALARM**

California Fire Code, Section 304.1.3 is amended to read as follows:

304.1.3 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 all areas shall be in accordance with Chapter 3.

Section 307.4.4 is hereby added to Chapter 3 and shall read as follows:

Section 307.4.4 Exterior Fire Features. Exterior fire features, commonly used in landscape modifications or enhancements, shall be surrounded by hardscape one and a half times the height of the flame and located ten (10) feet from the structure. All exterior fire features shall be sourced by natural gas.

Section 317.4.1 of Chapter 3 is hereby amended to read as follows:

Section 317.4.1 **Maintenance Agreement.** Upon the approval of a rooftop garden or landscaped roof, the fire official shall require a signed memorandum, constructed by the District, as a Maintenance Agreement for the proposed roof. The agreement shall require that the vegetation selected does not display any fire-prone characteristics, including, but not limited to, oil secretion and debris retainment. The agreement shall require that in any instance the vegetation is deemed by the Fire Official as unmaintained, dead, or hazardous to life and safety standards, all vegetation shall be removed from the roof surface and a Class A roof covering shall be installed post-removal. The Maintenance Agreement is required to be returned to the Fire Official and shall be on record for the duration of the existence of the rooftop garden or landscaped roof.

Section 324 is hereby added to Chapter 3 and shall read as follows:

Section 324 PUBLIC STORAGE FACILITIES

Section 324.1 **General.** Public Storage Facilities shall comply with the provisions of this section.

Section 324.2. **Location on Property and Fire Resistance of Exterior.** All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.

Section 324.3. **Fire apparatus access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503..

Section 324.4. **Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate same in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.

Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management per Chapter 57 of this code.

Section 325 is hereby added to Chapter 3 and shall read as follows:

Section 325 Exterior Fire Hazard Control.

Section 325.1 Scope This section provides provisions intended to identify hazard areas and mitigate the risk of life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate fires from spreading to wildland fuels that may threaten to destroy life, overwhelm fire suppression capabilities, or result in large property loss.

Section 325.1.2 Purpose. The purpose of this section is to establish minimum requirements in the County of Marin that will increase the ability of a building to resist the intrusion of flame or burning embers by a vegetation fire, including the identification of hazardous fire areas that require applicable defensible space provisions as set forth within and enforced by the Fire Code Official and applicable state and local fire resistive building standards that are enforced by the local building official.

Section 325.1.3 Jurisdictional authority. The Board of Supervisors as the supervising, legislative and executive authority of this jurisdiction has the authority to act pursuant to Part 5 (commencing with Section §14875), Division 12, of the State of California Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with the provisions of said Part 5 and/or this Ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceeding under this Ordinance and the Fire Protection District Law of 1961, the terms “Board of Supervisors” or “Board” when used in Part 5, shall mean the Board of Supervisors of the County of Marin under this article; and the officer designated in Section §14890 of Part 5 shall mean the Fire Chief or his/her designee.

Section 325.1.4 Contract for services. This Board of Supervisors, through the Marin County Fire Department reserves and retains the power to award a contract for such fire hazard abatement work where the employees of this jurisdiction are not used to performing such abatement work.

Section 325.2 Definitions:

The following definitions are defined in Chapter 2

All weather driving surface

Cost of abatement

Parcel

Person
Public nuisance
Rubbish
Streets
Tree litter
Weeds
Wildland-Urban Interface Area

Section 325.3 Public nuisance. The Board of Supervisors, Fire Chief or his/her designee may declare that all hazardous fire areas, including any combustible materials and dead trees, upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

Section 325.3.1 Weeds and rubbish. The Board hereby declares that all dead trees or weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

Section 325.3.2 Seasonal and recurrent nuisance. If the nuisance is seasonal and recurrent, the Board of Supervisors shall so declare. Thereafter, such seasonable and recurring weeds shall be abated every year without any further hearing.

Section 325.4 Unlawful Disposal. Every person who places, deposits or dumps combustible material on a parcel whether or not he/she owns such parcel, is subject to the criminal sanctions set forth in Health and Safety Code Section 13871.

Section 325.5 Abatement of hazard.

Section 325.5.1 Weeds, dead trees and rubbish to be destroyed or removed. Parcels are to be maintained free of hazardous vegetation and rubbish.

Section 325.5.2 Prohibition. No person who has any ownership or possessory interest in or control of a parcel of land shall allow to exist thereon any hazardous rubbish or weeds, trees, or other vegetation, which constitutes a fire hazard.

Section 325.6 General abatement requirements. The provisions of this section shall govern the abatement of combustible material creating a fire hazard upon premises (reference Government Code 51175-51189 and Public Resources Code 4291). County Fire shall develop minimum abatement standards for land in residential, business, industrial areas, or land which is unused or vacant, in rural or rural residential areas, or regardless of the area in which the property is located. Such standards shall be approved by the Board of Supervisors and may be modified periodically as circumstances dictate.

Section 325.6.1 Clearance of brush or vegetative growth from street. The fire code official is authorized to require, within 10 feet on each side and 15 feet in

height of fire apparatus roads and driveways, to be abated of flammable vegetation and other combustible growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire and not lower than 15 feet vertical clearance in height from the roadway surface.

Section 325.6.2 Clearance of brush, vegetative growth and combustible material from parcels. All parcels declared a public nuisance by the Board of Supervisors shall be cleared entirely of combustible material. If the fire code official determines this impractical, the provisions of Section 325.6.2 may be used.

Section 325.6.2.1 Remove from parcel all dead trees vegetative growth and rubbish that are deemed a fire hazard.

Section 325.6.2.2 Parcels one acre or less (43,530 square feet) shall require abatement of the entire parcel.

Section 325.6.2.3 Parcels over one acre (43,560 square feet) may be required to comply with the following requirements:

1. Parcels shall provide 30-foot fuel breaks along the perimeter of the property line, and/or 100-feet from adjacent structures.
2. In addition to the above provisions (Item 1) parcels 10 acres or more shall provide a 30-foot cross break to divide the parcel into approximately 5-acre sections.

Section 325.6.3 Clearance of brush or vegetative growth from structures. Any person owning, leasing, controlling, operating or maintaining any building and/or lands in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all combustible material for a distance not less than 100 feet from all portions of the structure. Distances may be increased or decreased by the fire code official based on site specific analysis of local conditions.

Exception: Single specimens of trees ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire.

Section 325.6.3.1 Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

Section 325.6.3.2 Maintain any tree, shrub, or other plant adjacent to or overhanging any building free of dead limbs, branches or other combustible material.

Section 325.6.3.3 Maintain the roof of any structure and roof gutters free of leaves, needle, or other combustible materials.

Section 325.6.3.4 Maintain trees within 100 feet of any building or structure or within 10 feet of any portion of any highway, street, ally, or driveway which is improved or used for vehicle travel or other vehicular purposes, so that leafy foliage, twigs or branches are above 5 feet of the ground.

Section 325.6.3.5 Maintain 5 feet of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.

Section 325.7 Vegetation Management Plan. A Vegetation Management Plan shall be prepared by the applicant/property owner when required by the fire code official.

Section 325.8 Cost The cost of the Vegetation Management Plan preparation and review shall be the responsibility of the applicant/property owner.

Section 325.9 Abatement procedures.

Section 325.9.1 Abatement order. The County fire code official may order the abatement of weeds, trees, and rubbish as described in Sections 304.1 and 325.2. On making the order, the fire code official shall mail a copy of a notice to the owner of the affected property as he/she and his/her address appear upon the current and last county equalized assessment roll as of July 1 of each calendar year, or as his/her address is known to this jurisdiction. As an alternative to mailing, the notice may be posted upon the affected property and published in this jurisdiction, not less than ten (10) days prior to the date of the abatement hearing. Copies of the notice shall be headed with the words "Notice to Abate Hazardous Vegetation/Combustible Material" in letters at least one inch high. The notice shall be in substantially the following form:

"NOTICE TO ABATE WEEDS, DEAD TREES, BRUSH AND RUBBISH

You are hereby notified that weeds, dead trees, brush and rubbish constitute a fire hazard on the following described property owned by you:

(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You are hereby notified to remove the weeds, dead trees, brush and rubbish within ten (10) days from the date of this notice. If you fail to do so, the Marin County Fire Department will remove it and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid. The lien may prevent the sale of the property and it shall be the responsibility of the property owner upon payment of the property taxes to have the lien removed. Contact the Fire Department for a release of lien that must be filed by the property owner at the County Recorder's Office.

You are hereby further notified that the Board of Supervisors has declared that such weeds, brush, dead trees and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance. You

*may appear before the Fire Chief or his/her designee of the Marin County Fire Department on (time and date) at (place/room, street, address, and city) to show cause why this order should not be enforced. (Signed):
(Name of Fire Code Official, County of Marin)”*

Section 325.9.2 Notice for seasonal and recurring nuisance. In the case of weeds, dead vegetation or rubbish, which have previously been declared to constitute a seasonable and recurring nuisance, a fire code official will mail a post card notice to the owner(s) of the property at the address as it appears on the current assessment roll. The notice will state that dangerous vegetation or rubbish of a seasonal and recurrent nature are growing on, collecting on, or in front of the property and that they constitute a public nuisance that must be abated by removal. If the nuisance is not removed, it will be abated by the Marin County Fire Department, in which case the costs of removal, plus an administrative fee will be assessed from the land upon which or in front of which the weeds were removed. The cost will constitute a lien upon the property until paid. No hearing will take place.

325.9.3 Immediate hazard. When, in the opinion of the fire code official, the Fire Chief, or the Board of Supervisors, an extreme fire hazard exists which constitutes an immediate threat to public health, safety, and welfare, and it is deemed necessary to abate such hazard as promptly as possible, said fire hazard shall be removed or abated within five (5) days of the posting of the Notice to Abate on the affected parcel or within five (5) days of receiving by mail the Notice to Abate. Nothing herein shall authorize the entry upon private property not otherwise open to the public, without the owner’s consent or possession of an abatement or inspection warrant unless it is determined that there is an immediate and eminent threat of injury or death to any person if immediate action is not taken.

Section 325.9.3.1 EXIGENT CIRCUMSTANCES When, in the opinion of the fire code official, the Fire Chief, or the Board of Supervisors, an extreme fire hazard exists which constitutes an URGENT AND EMINENT threat to public health, safety, and welfare, and it is deemed necessary to abate such hazard IMMEDIATELY, said fire hazard shall be removed or abated IMMEDIATELY.

Section 325.9.4 Hearing date. A date for hearing on the notice shall be set at least ten (10) days after the date of this notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. The hearing will occur before the Fire Chief or his/her designee. At the hearing, the property owner or his agent may appear to show cause why the order shall not be enforced. For good cause shown, the Hearing Officer may extend the time for compliance with the order or may rescind the order.

Section 325.9.5 Contract award. If the owner fails to comply with the order, the fire code official of this jurisdiction may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it shall be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. An administrative fee will be attached to the cost of the contracted work to the violator.

Section 325.9.6 Abatement report of costs. The fire code official or his or her designee abating the nuisance shall keep an account of the cost of abatement in front of or on each separate parcel of land and shall render an itemized report in writing the Board of Supervisors showing the cost of removing the weeds, dead trees and rubbish on or in front of each separate lot or parcel of land, or both. Before the report is submitted to the Board of Supervisors, a copy of it shall be posted for at least three days on or near the chamber door of the Board with a notice of the time and when the report will be submitted to the Board for confirmation. Said report and notice shall also be posted for the said three days in two other public places in the County. At the time fixed for receiving and considering the report, the Board of Supervisors shall hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, the Board of Supervisors may make such modifications in the report, as it deems necessary, after which by order of resolution, the report shall be confirmed. The amounts of the cost, including administrative costs, for abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed shall constitute special assessment against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation in the office of the County Recorder of the County in which the property is situated of a certified copy of the Resolution of Confirmation.

Section 325.9.7 Cost assessments. Upon confirmation of the report of cost by the Board of Supervisors and the recordation of the Resolution of Confirmation by the administrator, a copy of the report of cost shall be sent to the Director of Finance, who shall enter the amount of the assessments against the parcels. Thereafter the amount of the assessments shall be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

Section 325.9.8 Alternate mitigation.

Section 325.9.8.1 Firebreaks/fuel-breaks. In lieu of ordering abatement as provided in Section 321.9.1, the fire code official of this jurisdiction may order the preparation of firebreaks/fuel-breaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuel breaks, the fire code official shall consider the height of the growth, weather condition, topography, and the accessibility to the property of fire protection equipment. The procedure set forth in Section 325.9 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuel-breaks.

Section 325.9.8.2 Vegetation Management Plans. In lieu of vegetation abatement the fire code official may allow the property owner to submit a Vegetation Management Plan for the property. The plan shall be specific to the property and shall describe ways to minimize, mitigate and/or eliminate potential for loss from wildfire exposure. The plan shall be developed by the property owner

and approved by the Fire Department, and the property shall be verified as compliant with the plan throughout the year. Verification of compliance shall be completed by a third-party individual or firm knowledgeable in such matters and approved by the Fire Department each year.

Section 325.10 Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official, the Fire Chief or his/her designee, relative to the application and interpretation of this code, there is hereby created an Appeal Officer. The Appeal Officer shall be appointed by the County Administrator. The Appeal Officer shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official who issued the order, decision or determination under appeal. The Appeal Officer process is contained in Section 16.16.055 of this Ordinance.

Section 325.11 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to the criminal sanctions set forth in Health and Safety Code section 13871. Each day that a violation continues after such due notice has been served shall be deemed a separate offense.

Section 325.12. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 500 dollars or not more than 5,000 dollars.

Section 401.1.1 is hereby added to Chapter 4 and shall read as follows:

Section 401.1.1 **Hazardous Occupancies.** In occupancies of a hazardous nature, where access for fire apparatus is unduly difficult, or where special life and fire safety hazards exist as determined by standards of the Marin County Fire Department, that facility or business management shall be required to develop and implement an Emergency Response Plan, provide for an onsite Emergency Response Team, Emergency Liaison Officer, staff training and fire drills in accordance with Sections 405 and 406 and standards developed by the Marin County Fire Department

Section 401.3.2.1 is hereby added to Chapter 4 and shall read as follows:

Section 401.3.2.1 **Unwarranted Alarm Notification.** Notification of emergency responders based on an unwarranted alarm may be punishable by a fine in accordance with the adopted fee schedule. In addition, the party responsible may be liable for the operational and administrative costs incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.

Section 401.3.2.2 is added to read as follows:

Section 401.3.2.2 **Multiple Unwarranted or Nuisance Alarm Activations.** Any occupancy that has more than 3 unwarranted or nuisance alarms causing

emergency response within 12 months may be required to modify, repair, upgrade or replace their system and or monitoring station as determined by the Fire Code Official.

Section 401.3.2.2 is added to read as follows:

Section 401.3.2.2 **Multiple Unwarranted or Nuisance Alarm Activations.** Any occupancy that has more than 3 unwarranted or nuisance alarms causing emergency response within a 12-month period may be required to modify, repair, upgrade, or replace their system and or monitoring station as determined by the Fire Code Official.

Section 402.1 of Chapter 4 is hereby amended to add the following:

**PRE-PLANS
UNWARRANTED ALARMS
TARGET HAZARDS**

Section 403.1.1 is hereby added to Chapter 4 and shall read as follows:

Section 403.1.1 **Pre-plans:** When required by the fire code official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

Section 403.9.1.4 is hereby added to Chapter 4 and shall read as follows:

Section 403.9.1.4. **Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging, and congregate houses shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

Section 502.1 of Chapter 5 is hereby amended by adding a term defined in Chapter 2, and the definition of 'Fire Road' as follows:

Driveway

Fire Road shall mean those improved or unimproved roads, public or private, that provide access for firefighting equipment and personnel to undeveloped areas.

Section 503.1. of Chapter 5 is hereby amended as follows:

Section 503.1 **Where Required.** Fire Apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.5.

Section 503.1.4 of Chapter 5 is hereby added to read as follows:

Section 503.1.4 **Undeveloped Areas.** Fire Apparatus Access Roads shall be provided for firefighting equipment, apparatus and personnel to undeveloped service areas of the Marin County Fire Department so as to gain access to improved, unimproved, and undeveloped service areas of the Marin County Fire Department, in a manner approved by the Fire Code Official. Any vehicle or other obstructions may be towed away at the owner's expense.

Section 503.1.5 of Chapter 5 is amended by adding a sentence thereto as follows:

Section 503.1.5 **Aerial fire apparatus access.** Buildings or facilities exceeding 30 feet or three stories in height, approved aerial apparatus access roads shall be provided. For the purposes of this section, the highest rood surface shall be determined by the measurement to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

Section 503.1.5.1 **Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

Section 503.1.5.2 **Proximity to building.** One or more of the required access routes meeting this condition shall be located not less than 15 feet and not more than 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

Section 503.1.5.3 **Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus access road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

Section 503.2.1. of Chapter 5 is hereby amended as follows:

Section 503.2.1 **Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

Section 503.2.6.1. is hereby added to Chapter 5 and shall read as follows:

Section 503.2.6.1 **Evaluation and maintenance.** All existing private bridges and elevated surfaces that are a part of the fire department access roadway shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for safety and weight rating, in accordance with American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," Second Edition, or other approved standard. Vehicle load limits shall be posted at both entrances to bridges. All bridges and elevated structures providing fire

department access shall be routinely maintained in accordance with Section 503.2.6 or when directed by the fire code official or authorized designee.

Section 503.4 of Chapter 5 is amended to read as follows:

Section 503.4 **obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in sections 503.2.1 and 503.2.2 shall be maintained at all times. Any vehicle or other obstruction may be towed away at the owner's expense.

Section 503.4.2 is hereby added to read as follows:

503.4.2 **Prohibition on Vehicular Parking on Private Access ways.** If, in the judgment of the Chief, it is necessary to prohibit vehicular parking along private access ways serving existing facilities, buildings, or portions of buildings in order to keep them clear and unobstructed for fire apparatus access, the Chief may issue an Order to the owner, lessee or other person in charge of the premises to paint the curbs red or install signs or other appropriate notices to the effect that parking is prohibited by Order of the Fire Department. It shall thereafter be unlawful for such owner, lessee or other person in charge of the premises to fail to install, maintain in good condition, the form of notice so prescribed. When such areas are marked or signed as provided herein, no person shall park a vehicle adjacent to any such curb or in the private access way contrary to such markings or signs. Any vehicle so parked in the private access way may be towed away at the expense of the owner of the vehicle.

Section 503.6.1 is hereby added to Chapter 5 and shall read as follows:

503.6.1 **Width and Height.** All gates shall open fully to provide an unobstructed passage width of not less than 16 feet or a minimum of two feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of 15-feet.

Section 503.6.2 is hereby added to Chapter 5 and shall read as follows:

Section 503.6.2 **Electronic gates.** All electronically operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the Chief in accordance with Standards/Policies adopted by the Fire Code Official. All electronic or motorized gates shall incorporate in their design the means for fast, effective manual operation of the gates in the event of power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open. All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

Section 503.6.3 is hereby added to Chapter 5 and shall read as follows:

Section 503.6.3 **Gate Setback Required.** Gates shall be set back from roadways a minimum of 30 feet or more so as not to cause cross traffic to stop or create a hazardous traffic condition on the roadway approach to the driveway.

Exception: The fire code official is authorized to modify the setback if fire apparatus access onto the property is not required to achieve 150 foot access to the most remote portion of the building per 503.1.1.

Section 506.1 of Chapter 5 is hereby amended to read as follows:

Section 506.1 **Key Entry Systems.** When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes or in commercial structures that have a Hazardous Materials Business Plan, an automatic fire sprinkler or fire alarm system installed, the Fire Code Official is authorized to require a key entry system to be installed in an approved location. The key entry system shall be of an approved type listed in accordance with UL1037 and if it is a box shall contain keys necessary to gain access as required by the Fire Code Official.

Exception: The distance shall be permitted to exceed 100 feet (30 m) where approved by the fire code official.

Section 507.5.1 of Chapter 5 is hereby amended by deleting the exception and shall read as follows:

Section 507.5.1 **Where Required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction, is more than 350 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code Official.

Section 507.5.1.1 of Chapter 5 is amended to read as follows:

Section 507.5.1.1 **Hydrant for fire department connections.** Buildings equipped with a water-based fire protection system installed in accordance with Section 903 through 905 shall have a fire hydrant within 100 feet of the fire department connections, or as approved by the fire code official.

Section 507.5.7 is hereby added to Chapter 5 and shall read as follows:

Section 507.5.7 **Fire Hydrant Upgrades.** When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Fire Code Official, shall be upgraded to the minimum standard of one 4 1/2" outlet and one 2 1/2" outlet for single family dwellings and the minimum standard of one 4 1/2" outlet and two 2 1/2" outlets for commercial structures.

Exception:

1. If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.
2. One- and Two-family dwellings equipped throughout with an approved automatic sprinkler system that includes protection of all closets and bathrooms.

Section 510.1 of Chapter 5 is hereby amended by deleting Exception 1 and Exception 4.

Section 710 of Chapter 7 is hereby added to read as follows:

Section 710 **ROOFING MATERIALS**

Section 710.1 **Materials.** All roofing materials shall be in accordance with section 710.

Section 710.2 **New Roofs.** All newly installed roofs and additions to existing roofs are to be of non-combustible or minimum "Class A" listed construction.

Section 710.3 **Existing Roofs.** When alterations or repairs to existing roofs exceed 50% of the total roof area in any thirty-six (36) month period, the entire roof shall be replaced with non-combustible or minimum "Class A" listed construction.

Section 901.7 of Chapter 9 is hereby amended by adding the following sentence:

Section 901.7 **Systems out of Service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. *This section shall also apply to residential fire sprinkler systems.*

Section 902.1 in Chapter 9 is hereby amended to add the following:

EXTERIOR WILDFIRE PROTECTION SYSTEMS

Section 903.2 of Chapter 9 is repealed in its entirety (with the exception of sub-sections 903.2.5, 903.2.6, 903.2.8, 903.2.11, 903.2.12, 903.2.14, 903.2.15, 903.2.16, 903.2.17, 903.2.18, 903.2.19, 903.2.20, which shall remain in effect).

Section 903.2 of Chapter 9 is hereby added to read as follows:

Section 903.2 **Where required.** Approved automatic sprinkler systems in new and existing buildings shall be provided in the locations described in this section.

Section 903.2.1 through 903.2.4 of Chapter 9 are hereby added to read as follows:

Section 903.2.1 **Required installations.** An automatic sprinkler system shall be installed and maintained in all newly constructed buildings or structures.

Exceptions:

1. Detached pool houses, workshops, Group U private garages, barns and similar structures, built in conjunction with existing non-sprinklered single family residences and provided the new structure is less than 1,000 square feet and is not intended for use as a dwelling unit.
2. Detached non-combustible, limited combustible, or fire retardant treated wood canopies.
3. Group B or M occupancies less than 1000 square feet.
4. Detached restroom facilities associated with golf courses, ball fields, parks and similar uses as approved by the Fire Code Official.
5. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2000 square feet, having clear unobstructed side yards free of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height, located within an agricultural zoned district as defined in the Marin County Planning Code.

Section 903.2.2 **Additions and Alterations.** In other than R-3 occupancies, an automatic sprinkler system shall be installed in all buildings in excess of 3,000 sq. ft. which have ten per cent (10%) or more floor area added within any 36- month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

Section 903.2.2.1 **Substantial Remodel.** An automatic sprinkler system shall be installed in all buildings which have fifty per cent (50%) or more floor area added, or any “substantial remodel” as defined in this code, within any 36 month period.

Section 903.2.3 **Group R-3.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies and shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the-California Residential Code. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Section 903.2.4 **Change of Occupancy or Use.** For any change of occupancy or use, when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official, including but not limited to conversion of buildings to single family residences, accessory dwelling

units, bed and breakfast, inns, lodging houses or congregate residences or other similar uses, an automatic sprinkler system shall be installed throughout.

Section 903.3 Of Chapter 9 is hereby amended by adding the following thereto:

The requirements for fire sprinklers in this code section are not meant to disallow the provisions for area increase, height increase, or Fire-Resistive substitution if otherwise allowed by sections 504 and 506 of the 2024 California Building Code. All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled, any attached garages shall also be sprinkled, and except for single family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.
- c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R.
- d. All public storage facilities shall have installed an approved automatic fire sprinkler system. An approved wire mesh or other approved physical barrier shall be installed 18 inches below the sprinkler head deflector to prevent storage from being placed to within 18 inches from the bottom of the deflector measured at a horizontal plane.

Section 903.3.10 of Chapter 9 is hereby amended by replacing item 2 with the following:

Section 903.3.10 **Floor control valves.** Floor control valves and waterflow detection assemblies shall be installed at each floor where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are two or more stories in height.
3. Buildings that are two or more stories below the highest level of fire department vehicle access.

Exception: Group R-3 and R-3.1 occupancies floor control valves and waterflow detection assemblies shall not be required.

Section 903.6.1 of Chapter 9 is hereby added and shall read as follows:

Section 903.6.1 **Application.** In all existing buildings, when the addition of automatic fire sprinklers are required by the provisions of this code, automatic fire sprinklers shall be extended into all unprotected areas of the building.

Section 906.11 is hereby added to Chapter 9 and shall read as follows:

Section 906.11 **Fire Extinguisher Documentation.** The owner and/or operator of every Group R Division 1 and R Division 2 occupancies shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

Section 907.2.12.1.2 of Chapter 9 is hereby amended by adding new subsection 3 to read as follows:

3. Duct smoke detectors shall be capable of being reset by a readily accessible, remote push button or key activated switch as approved by the Fire Code Official.

Section 907.6.6 is hereby amended to read as follows:

Section 907.6.6 **Monitoring.** New and upgraded fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved Central Station in accordance with NFPA 72 and this section.

Exception: Monitoring by central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.
3. Automatic sprinkler systems in one- and two-family dwellings.
4. Fire Stations equipped with an automatic fire sprinkler system.

Section 907.8.5 of Chapter 9 is hereby amended by adding Section 907.8.5 and shall read as follows:

Section 907.8.5 **Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

Section 918 of Chapter 9 is hereby added to read as follows:

918 **GAS SHUT-OFF DEVICES**

918.1 **General.**

918.1.1 **Definition.** For the purposes of this section certain terms shall be defined as follows:

"Downstream of gas utility meter" refers to all customer-owned gas piping, or in liquid petroleum gas installations said term shall refer to the gas piping on the structure side of the gas regulator.

"Excess flow gas shut-off device" means those valves or devices that are not actuated by motion but are activated by significant gas leaks or over- pressure surges, which can occur when pipes rupture inside the structure. The design of the device provides a proven method to automatically provide for expedient and safe gas shut-off in an emergency. The design of the device shall provide a capability for ease of consumer or owner resetting in a safe manner.

"Seismic gas shut-off device" means a system consisting of a seismic sensing device and actuating device designed to actuate automatically a companion gas shut off means installed in a gas piping system in order to shut off the gas downstream of the location of the gas shut-off device in the event of a severe seismic disturbance. The system may consist of separable components or may incorporate all functions in a single body.

"Upstream of gas utility meter" refers to all gas piping installed by the utility up to and including the meter and the utility' s bypass tee at the connection to the customer-owned piping.

"Gas shut-off device" as used in this section, refers to either a seismic gas shut-off device or excess flow gas shut-off device.

"Substantial Remodel" shall mean the renovation of any structure that, combined with any additions to the structure, affects a floor area that exceeds fifty percent of the existing floor area of the structure. When any structural changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

Section 918.2 **General.**

Section 918.2.1 **Devices: When Required.** Approved gas shut-off devices shall be installed:

1. In every newly constructed building and facility.
2. In newly created second units.
3. In all buildings that have more than fifty percent (50%) floor area added or any "substantial remodel," as defined in this ordinance, within any thirty-six (36) month period.

4. In all buildings, except R-3 occupancies, in excess of 3,000 sq. ft., that have more than ten percent (10%) floor area added within any thirty-six (36) month period.
5. Whenever any new gas piping is installed.

Exceptions:

- A. Gas shut-off devices installed on a building prior to the effective date of this ordinance are exempt from the requirements of this section, provided they remain installed on the building or structure and are maintained for the life of the building or structure.
- B. Gas shut-off devices installed on a gas distribution system owned or operated by a public utility shall not be subject to the requirements of this chapter (Health & Safety Code Section 19201(b)).

Section 918.2.2 Devices: Location Required.

1. Seismic gas shut-off devices shall be installed downstream of the gas utility meter on each fuel gas line where the gas line serves a building; and/or
2. Excess flow gas shut-off devices shall be installed downstream of the gas utility meter on each fuel gas line where the gas line serves a building and at each gas appliance within a building.

Section 918.3 General Requirements.

Gas shut-off devices installed either in compliance with this ordinance or voluntarily, with a permit issued on or after the effective date of this ordinance, shall comply with all of the following requirements:

1. Be installed in accordance with the manufacturer's instructions
2. In the case of seismic gas shut-off devices (motion sensitive) only, such devices must be mounted rigidly to the exterior of the building or structure containing the fuel gas piping. This requirement need not apply if the device (motion sensitive) has been tested and listed for an alternate method of installation
3. Seismic gas shut-off devices shall be certified by the State Architect and be listed by an approved listing and testing agency such as IAS, IAPMO, UL, or the Office of the State Architect
4. Have a thirty (30) year warranty that warrants that the valve or device is free from defects and will continue to properly operate for thirty (30) years from the date of installation

5. Where gas shut-off devices are installed voluntarily, or as required by this section, they shall be maintained for the life of the building or structure or be replaced with a valve or device complying with the requirements of this section.

Section 918.4 List of Approved Valves and Devices.

The Town's Fire Department shall maintain a list of all gas shut-off devices that meet or exceed the requirements of devices certified by the Office of the State Architect for installation in the State of California and that comply with the standards and criteria set forth in Health and Safety Code Section 19180 et seq., including quality and design regulation for earthquake actuated automatic gas shut-off systems (See 24 Cal. Code Regs. Ch. 12-16-1).

Section 919 of Chapter 9 is hereby added and shall read as follows:

**SECTION 919
EXTERIOR WILDFIRE PROTECTION SYSTEMS**

Section 919.1 of Chapter 9 is hereby added and shall read as follows:

Section 919.1 **General.** Exterior Wildfire Protection Systems shall comply with this section.

Section 919.2 of Chapter 9 is hereby added and shall read as follows:

Section 919.2 **Construction documents.** Documentation of the system shall be submitted per 901.2.

Section 919.3 of Chapter 9 is hereby added and shall read as follows:

Section 919.3 **Permits.** Permits shall be required as set forth in section 901.3

Section 1103.1 of Chapter 11 is hereby amended to read as follows:

Section 1103.1 **Required Construction.** Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2, 1103.7 through 1103.8.5.3, 1103.9.1, and 1103.10.

The provisions of this chapter shall not be constructed to allow the elimination of fire protection systems or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

Exceptions:

1. Where a change in fire-resistance rating has been approved in accordance with Section 501.2 or 802.6 of the California Existing Building Code.
2. Group U occupancies.

Sections 1103.2 Item #1 is deleted.

Sections 1103.3 through 1103.6.2 are deleted.

Section 1103.9 is deleted.

Sections 1104 and 1105 are deleted.

Section 1201.4 of Chapter 12 is hereby added and shall read as follows:

Section 1201.4 **Construction Documents.** A scaled and dimensioned site plan showing the location of all energy systems, property lines, buildings, service and electrical panels, transfer switches, disconnects, underground wiring and piping, fuel type and piping, map placard and signage. Site Plan shall clearly designate property frontage for viewer orientation.

Section 1201.5 of Chapter 12 is hereby added and shall read as follows:

Section 1201.5 **Signs and Labels.** Caution signs or labels are required to identify the quantity and type of additional power source(s) located on site. Signs shall be required at the main service panel, and on disconnect equipment. Additional locations may be required by the fire code official.

Section 1201.6 of Chapter 12 is hereby added and shall read as follows:

Section 1201.6 **Disconnect.** An approved and readily accessible independent and clearly labeled single exterior disconnect shall be located prior to any load/service panel and installed as close as possible to the main service panel or as approved by the fire code official. Integrated equipment toggle, rocker, or electronic switches shall not be utilized as an independent disconnects.

Section 1201.7 of Chapter 12 is hereby added and shall read as follows:

Section 1201.7 **Operational Testing.** New installations shall be tested for complete power and energy system shutdown. A normal power failure shall be simulated by closing the main service breaker supplying normal power to the building. Upon transfer from main power to alternate power source(s), the single disconnect(s) shall be used to disconnect alternate power from all alternate energy sources. A successful result of the shutdown test shall include termination of all alternate energy power sources serving *the building (i.e. main service, photovoltaic system, energy storage systems, and generators, when installed).*

Section 1202.1 in Chapter 12 is hereby amended to add the following:

HOME BACKUP GENERATOR

Section 1208 of Chapter 12 is hereby added and shall read as follows:

SECTION 1208 HOME BACKUP GENERATOR

Section 1208.1 of Chapter 12 is hereby added and shall read as follows:

Section 1208.1 **General.** The use, operation and maintenance of home backup generators in Group R-3 and R-4 occupancies shall comply with this section.

Section 1208.2 of Chapter 12 is hereby added and shall read as follows:

Section 1208.2 **Use.** Home backup generators shall be installed in accordance with the California Building Code, the California Electrical Code, NFPA 110.

Section 1208.3 of Chapter 12 is hereby added and shall read as follows:

Section 1208.3 **Permits.** Permits shall be obtained for Home Backup Generators as set forth in Section 105.

Section 1208.4 of Chapter 12 is hereby added and shall read as follows:

Section 1208.4 **Installation.** Home backup generators shall be installed in accordance with the California Building Code, the California Electrical Code, NFPA 110.

Section 1208.5 of Chapter 12 is hereby added and shall read as follows:

Section 1208.5 **Listing.** Home backup generators shall be listed and labeled in accordance with UL 2200.

Section 1208.6 of Chapter 12 is hereby added and shall read as follows:

Section 1208.6. **Maintenance.** Home backup generators shall be operated and maintained in accordance with the manufacturer's instructions.

Chapter 26 is deleted in its entirety.

Section 3306.5.2 in Chapter 33 is added to read as follows:

Section 3306.5.2 **Where required.** In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding two stories in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

Section 3306.5.3 of Chapter 33 is added to read as follows:

Section 3306.5.3 **Buildings being demolished.** Where a building is being demolished and an automatic sprinkler system is existing within such a building, such automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

Section 3306.5.4 of Chapter 33 is added to read as follows:

Section 3306.5.4 **Detailed requirements.** Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

Section 3307.5.2 of Chapter 33 is amended by adding the following to the end of the exception:

Exception: Standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes comply with the requirements of Section 905 as to capacity, outlets and materials, as approved by the Fire Code Official.

Section 3603.6.1 of Chapter 36 is added to read as follows:

Section 3603.6.1 **Width.** A minimum width of 36" shall remain unobstructed on all docks serving more than two vessels.

Section 3603.6.2 of Chapter 36 is added to read as follows:

Section 3603.6.2 **Storage.** Storage on docks shall be approved by the fire code official.

Section 3603.8 of Chapter 36 is added to read as follows:

*Section 3603.8 **Lighting.** Electrical lighting shall be provided to ensure adequate illumination of all exterior areas, piers, and floats.*

Section 3603.9 of Chapter 36 is added to read as follows:

Section 3603.9 **When Required.** The requirements in 3603.6.1 and 3603.6.2 and 3603.8 shall be applied retroactively to all marinas within six months of the adoption of this code.

Section 3901.1.1 OF Chapter 39 is added to read as follows:

Section 5601.1.3 is amended to read as follows:

Section 5601.1.3 **Fireworks**

Exception: 1, 2, and 4 are hereby deleted.

Section 5608.1.2 of Chapter is added to read as follows:

Section 5608.1.2 **Permit required.** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to the performance of any firework display. Application for such approval shall be made in writing no less than twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the fire code official or authorized designee pursuant to this Chapter and Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations. Any permit for a fireworks display may be suspended or revoked at any time by the Fire code official or authorized designee.

Section 5608.2 of Chapter 56 is added to read as follows:

Section 5608.2 **Limitations.** Possession, storage, offer or expose for sale, sell at retail, gift or give away, use, explode, discharge, or in any manner dispose of fireworks is prohibited within the limits established by law as the limits of the districts in which such possession, storage, offer or exposure for sale, retail sale, gifting, use, explosion, discharge, or disposal of fireworks is prohibited in any area as established by applicable land-use and zoning standards.

Exception: Firework displays authorized pursuant to section 5608.1 for which a permit has been issued.

California Fire Code, Chapter 80 is amended as follows:

NFPA 1: Fire Code

Add Chapter 38: Cannabis Growing, Processing, or Extraction Facilities.

NFPA.13-22

Revise Section 29.4.1 as follows:

29.4.1 The installing contractor shall identify a hydraulically designed sprinkler system with permanently raised, stamped or etched marked weatherproof metal or ridged plastic sign secured with corrosion resistant wire, chain, or other approved means. Such signs shall be placed at the alarm valve, dry pipe valve, pre-action valve, or deluge valve supplying the corresponding hydraulically designed area. Pipe schedule systems shall be provided with a sign indicating that the system was designed and installed as a pipe schedule system and the hazard classification(s) included in the design.

303-21: Fire Protection Standard for Marinas and Boatyards

California Fire Code, Appendix B Table B105.1(1) is amended to read as follows:

**TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3
AND R-4 BUILDINGS AND TOWNHOUSES**

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,500	2
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at The required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	1,000	1
3,601 and greater	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	½ value in Table B105.1(2) ^a	Duration in Table B105.1(2) at The required fire-flow rate

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.

a. The reduced fire-flow shall be not less than 1,000 gallons per minute.

California Fire Code, Appendix B Table B105.2 is amended to read as follows:

**TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Section C103.1 of Appendix C is amended to read as follows:

Section C103.1 **Hydrant spacing.** Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the *California Fire Code* shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be *approved by the fire code official.*

Section C103.2 of Appendix C is deleted.

Section C103.3 of Appendix C is deleted.

SECTION 12. AUTHORITY TO ARREST AND ISSUE CITATIONS

The Fire Chief, Chief Officers, Fire Marshal, Deputy Fire Marshal, and Fire Inspectors shall have authority to arrest or to cite any person who violates any provision of this Chapter involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal, in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended.

It is the intent of the Board of Directors of the INVERNESS PUBLIC UTILITY DISTRICT that the immunities provided in Penal Code Section 836.5 apply to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Chapter.

SECTION 13. PENALTIES

- a. Violations of the Fire Code as adopted herein are misdemeanors/infractions and are subject to the penalties set forth herein.
- b. If a criminal citation is issued, penalties shall be per Section 113 of the California Fire Code and 104.12, 113.4, 113.4.1.1, 114.4, 116.1 of Section 11 of this ordinance. If an administrative citation is issued, the penalties are as follows:
 1. The first citation, within 12 months, for violations of the Fire Code and any amendments adopted herein, shall be treated as a Civil Penalty payable directly to the INVERNESS PUBLIC UTILITY DISTRICT and is set at \$250 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the INVERNESS PUBLIC UTILITY DISTRICT. Said civil penalties shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided in Section 14. Upon failure to pay the

civil penalty when due, the person responsible shall be liable in a civil action brought by the INVERNESS PUBLIC UTILITY DISTRICT for such civil penalty and costs of the litigation, including reasonable attorney's fees.

2. Any subsequent citations within a twelve (12) month period for any violations of the Fire Code and any amendments adopted herein shall be misdemeanors/infractions and shall be subject to the penalties set forth herein.
3. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified, each day that a violation occurs or continues after a final notice has been delivered, shall constitute a separate offense. The application of both penalties shall not be held to prevent the enforced correction of prohibited conditions.
4. Nothing contained in Subsections (a) through (e) of this Section shall be construed or interpreted to prevent the INVERNESS PUBLIC UTILITY DISTRICT from recovering all costs associated with a Fire District response as described in Section 104.11 of the 2025 California Fire Code as amended.
5. Any violation of any provision of this Chapter shall constitute a public nuisance and shall entitle the INVERNESS PUBLIC UTILITY DISTRICT to collect the costs of abatement and related administrative costs by a nuisance abatement lien as more particularly set forth in Government Code Section 38773.1, and by special assessment to be collected by the County Tax Collector as more particularly set forth in Government Code Section 38773.5. At least thirty (30) days prior to recordation of the lien, or submission of the report to the Tax Collector for collection of this special assessment, the record owner shall receive notice from the Chief of the INVERNESS PUBLIC UTILITY DISTRICT intent to charge the property owner for all administrative costs associated with enforcement of this Ordinance and abatement of the nuisance. The notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance. The property owner may appeal the Chief's decision to the Board of Directors of the INVERNESS PUBLIC UTILITY DISTRICT within fifteen (15) days of the date of the notice and request a public hearing prior to recordation of the lien or submission of the report to the County Tax Collector for collection of the special assessment. In addition to the foregoing, the INVERNESS PUBLIC UTILITY DISTRICT is authorized to prosecute a civil action to collect such abatement costs from the property owner or other person in possession or control of the affected property, and shall be entitled to recover such abatement costs, together with the cost of litigation, including reasonable

attorney's fees. The provisions of this section shall also apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in section 304.1.

SECTION 14. APPEALS

- a. Any person receiving a citation for a civil penalty pursuant to Subsection (b) of Section 13 or a bill for INVERNESS PUBLIC UTILITY DISTRICT response costs and expenses pursuant to Section 104.12 of Section 11 of this ordinance, may file within thirty (30) days after the date of mailing the citation or bill, an administrative appeal against imposition of the civil penalty or response costs and expense. The appeal shall be in writing and filed with the Fire Chief and shall include a copy of the bill and statement of the grounds for appeal. The Fire Chief shall conduct an administrative hearing on the appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing the Chief shall give written notice of the decision to the appellant, which decision shall be final. If the appeal is denied in part or full, all amounts due shall be paid within thirty (30) days after the mailing of the notice of the decision of the hearing officer.
- b. Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the Board of Directors of the INVERNESS PUBLIC UTILITY DISTRICT within 10 days from the date of the decision. The provision of this section shall not apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in various sections of this Code, or to matters for which an appeal is provided pursuant to Section 14 (a) above.

SECTION 15. FORMER ORDINANCES

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Code hereby adopted are hereby repealed.

SECTION 16. VALIDITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Directors of the INVERNESS PUBLIC UTILITY DISTRICT hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases shall be declared invalid.

SECTION 17. ORDINANCE PUBLICATION AND EFFECTIVE DATE

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the INVERNESS PUBLIC UTILITY DISTRICT at least five (5) days before the Inverness Public Utility District Board of Directors Meeting at which it is adopted.

This Ordinance shall be in full force and effective thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of the Directors voting for or against same, in the Point Reyes Light, a newspaper of general circulation in the County of Marin, State of California.

SECTION 18. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Board of Directors of the INVERNESS PUBLIC UTILITY DISTRICT finds that adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") under California Code of Regulations, Title 14, § 15061(b)(3).

Within fifteen (15) days after adoption, the INVERNESS PUBLIC UTILITY DISTRICT Clerk shall also post in the office of the INVERNESS PUBLIC UTILITY DISTRICT Clerk, a certified copy of the full text of this Ordinance along with the names of those Board of Directors/Supervisors members voting for and against the Ordinance.

PASSED AND ADOPTED by the Board of Directors, INVERNESS PUBLIC UTILITY DISTRICT, on the **18th day of November, 2025**, by the following vote:

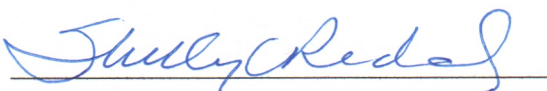
AYES: Board Members: Kathryn Donohue, Kenneth J Emanuels, David Press, Dakota Whitney, Brent Johnson.

NOES: None

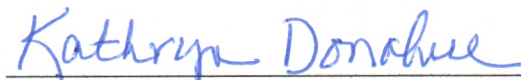
ABSTAIN: None

ABSENT: None

Attest:



Shelley L Redding, Clerk of the Board
INVERNESS PUBLIC UTILITY DISTRICT



Kathryn Donohue, President
Board of Directors

CERTIFICATION

I hereby certify that the foregoing instrument is a true and correct copy of the original of Ordinance 118-2025, 2025 California Fire Code, on record in the office of the Inverness Public Utility District. The Board of Directors approved said ordinance at a duly-noticed meeting of the governing body on *November 18, 2025*, and that subsequent to its adoption no provisions of Ordinance 118-2025 have been amended, modified, or revoked by the governing body.

Shelley L Redding, Clerk of the Board, Inverness Public Utility District, County of Marin, State of California.

By *Shelley Redding* Date *11/24/25*

SEAL:

