

**REGULAR**

**NUMBER:** 113.23

**TITLE:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS REPEALING AND REPLACING CHAPTER 300 OF TITLE V OF THE MILPITAS MUNICIPAL CODE ADOPTING THE 2013 EDITION OF THE CALIFORNIA FIRE CODE AND SPECIFIED LOCAL AMENDMENTS

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of November 5, 2013, upon motion by Vice Mayor Polanski, and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney

**RECITALS AND FINDINGS:**

**WHEREAS**, the City Council of the City of Milpitas intends to adopt by reference into the Milpitas Municipal Code the 2013 California Fire Code; and

**WHEREAS**, in doing so, the City Council wishes to amend portions of the California Fire Code to better address local concerns and to be consistent with amendments made by the other cities and counties in the San Francisco East Bay, San Francisco Peninsula and Monterey Bay areas; and

**WHEREAS**, to the extent that it applies, Health and Safety Code Section 17958.5 requires such amendments to be reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, to the extent that it applies, Health and Safety Code Section 17958.7 requires local entities to make express findings that such amendments are necessary and the City has adopted a resolution making those findings in conjunction with this Ordinance adopting the model codes.

**NOW, THEREFORE**, the City Council of the City of Milpitas does ordain as follows:

**SECTION 1. RECORD AND BASIS FOR ACTION**

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

**SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 300**

Chapter 300 of Title V of the Milpitas Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

**Chapter 300**

**FIRE CODE**

**Sections:**

**V-300-1 Adoption of the California Fire Code, 2013 Edition**

**V-300-2 Amendments to the 2013 California Fire Code**

**Section 1 Adoption of the California Fire Code, 2013 Edition**

**V-300-1.01**

An Ordinance of the city of Milpitas adopting the 2013 edition of the *California Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the city of Milpitas providing for the issuance of permits and collection of fees. That a certain document, except as herein amended, one (1) copy of which is on file in the office of the City Clerk, known as the California Fire Code, including Appendix Chapters 4, B, BB, C, CC, D and K with California State amendments as published by the International Code Council being particularly the 2013 edition, is hereby adopted by reference as the Fire Code for the City of Milpitas in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of

hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions penalties, conditions and terms of said Fire Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

## **Section 2 Amendments to the 2013 California Fire Code**

### **V-300-2.01**

Chapter 1, Scope and Administration, International Fire Code, 2012 Edition, with California State amendments is hereby adopted and amended as follows:

### **V-300-2.02**

Section 101.1 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**101.1 Title.** These regulations shall be known as the Fire Code of the City of Milpitas, herein referred to as ‘this code.’

### **V-300-2.03**

Section 102.3 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**102.3 Changes in use or occupancy.** No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the City of Milpitas building codes adopted under Milpitas, California, Code of Ordinances, Title II. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code and the City of Milpitas building codes for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

### **V-300-2.04**

Section 102.4 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**102.4 Application of building code.** The design and construction of new structures shall comply with the City of Milpitas building codes adopted under Milpitas, California, Code of Ordinances, Title II, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the City of Milpitas building codes, shall be made in accordance therewith.

### **V-300-2.05**

Section 102.5 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**102.5 Application of residential code.** Where structures are designed and constructed in accordance with the City of Milpitas building codes adopted under Milpitas, California, Code of Ordinances, Title II, the provisions of this code shall apply as follows:

1. Construction and design 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. Where interior or exterior systems or devise are installed, construction permits required by Section 105.7 of this code shall also apply.

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

**V-300-2.06**

Section 103.2 of the International Fire Code, 2012 Edition, is deleted in its entirety.

**V-300-2.07**

Section 104.10 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**104.10 Fire Investigations.** The fire code official, the fire department or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

The Fire Marshal and authorized members of the fire department shall have the powers of a peace officer pursuant to Penal Code Section 830.37. Other members of the fire department, as designated by the Fire Chief, may issue citations for violations of fire-related laws and ordinances pursuant to Penal Code Section 836.5.

**V-300-2.08**

Section 105.1 of the California Fire Code 2013 Edition, is amended to read in its entirety as follows:

**105.1 General.** Permits shall be in accordance with Sections 105.1.1 through 105.7.16.

**V-300-2.09**

Section 105.1.4 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**105.1.4 Permits required.** The fee for each permit shall be as set forth by resolution of the City of Milpitas City Council. The City Council may establish fees sufficient to recover its costs in administering this code and no permit shall be issued until such fees have been paid.

Operational Permits. All fees for annual operational fire permits under the provision of Section 105.6 of this Chapter shall be due and payable at the time of commencement of occupancy and said permit shall expire by December 31 of the same year. Fees for the renewal of such permit(s) shall be due and payable upon the expiration of the prior permit. No permit fee hereunder shall be refundable by reason of the cessation of occupancy during the permit period. Every annual permit fee that is not paid within a period of thirty (30) days from the time the same become due is hereby declared to be delinquent, and a penalty of 100% shall be added to said fee.

**V-300-2.10**

Section 105.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**105.2 Application.** Applications for a permit required by this code shall be made to the fire code official in such form and detail as prescribed by the fire code official. Applications for permits shall be accompanied by such plans as prescribed by the fire code official. Said application shall be accompanied by a fee in the amount set by resolution of the City Council.

**V-300-2.11**

Section 105.4.2.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**105.4.2.2 Electronic documents.** The fire code official may require electronic based documents for all construction documents and operational permits. The fire code official shall designate the software base format for the electronic documents.

**V-300-2.12**

Section 105.6 of the California Fire Code 2013 Edition, is amended to read in its entirety as follows:

**105.6 Required operational permits.** The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.52.

**V-300-2.13**

Table 105.6.8 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**TABLE 105.6.8  
PERMIT AMOUNTS FOR COMPRESSED GASES<sup>1</sup>**

TYPE OF GAS	AMOUNT (cubic feet) <sup>2</sup>
	X 0.0283 for m <sup>3</sup>
Corrosive	200
Flammable (except cryogenic and liquefied petroleum gases)	200
Highly toxic	Any amount
Inert and simple asphyxiant	200
Irritant	200
Moderately toxic	20
Other health hazards	200
Oxidizing (including oxygen)	200
Pyrophoric	Any amount
Radioactive	Any amount
Sensitizer	200
Toxic	Any Amount
Unstable (reactive)	Any amount

For SI: 1 cubic foot = 0.02832m<sup>3</sup>.

- 1 Refer to Chapters 27, 30, 32, 35, 37, 40 and 41 for additional requirements and exceptions.
- 2 Cubic feet measured at normal temperature and pressure.

**V-300-2.14**

Table 105.6.10 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**TABLE 105.6.10  
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS**

TYPE OF CRYOGENIC FLUID	INSIDE BUILDING (gallons)	OUTSIDE BUILDING (gallons)
Flammable	More than 1	55

Inert	55	55
Oxidizing (includes oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

For SI: 1 gallon = 3.785 L

**V-300-2.15**

Section 105.6.16(3) of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

- To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95L) in a building or in excess of 55 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

**V-300-2.16**

Table 105.6.20 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**TABLE 105.6.20  
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS<sup>1</sup>**

<b>TYPE OF MATERIAL</b>	<b>AMOUNT</b>
Carcinogens	10 pounds
Combustible liquids Inside Outside	25 gallons 55 gallons
Corrosive materials: Gases Liquids Solids	See Table 105.6.8 55 gallons 500 pounds
Cryogenics	See Table 105.6.10
Explosive materials	Any Amount
Flammable materials: Gases Liquids Solids	See Table 105.6.8 See Section 105.6.16 10 pounds
Highly toxic materials: Gases Liquids Solids	Any amount Any amount Any amount
Moderately toxic gas	20 cubic feet
Organic peroxides: Liquids: Class I-II Liquids: Class III Liquids: Class IV Liquids: Class V Solids: Class I-II Solids: Class III Solids: Class IV Solids: Class V	Any Amount 1 gallon 2 gallons No Permit Required Any Amount 10 pounds 20 pounds No Permit Required
Oxidizing materials:	

Gases Liquids: Class 4 Liquids: Class 3 Liquids: Class 2 Liquids: Class 1 Solids: Class 4 Solids: Class 3 Solids: Class 2 Solids: Class 1	See Table 105.6.8 Any amount 1 gallon 10 gallons 55 gallons Any amount 10 pounds 100 pounds 500 pounds
Other health hazards: Liquids Solids	55 gallons 500 pounds
Pyrophoric materials: Gases Liquids Solids	Any amount Any amount Any amount
Radioactive materials: Gases Liquids Solids	Any Amount See Section 105.6.48 See Section 105.6.48
Toxic materials: Gases Liquids Solids	See Table 105.6.8 10 gallons 100 pounds
Unstable (reactive) materials: Liquids Class 4 & 3 Class 2 Class 1 Solids Class 4 & 3 Class 2 Class 1	Any Amount 5 gallons 10 gallons  Any Amount 50 pounds 100 pounds
Water-reactive materials: Liquids Class 3 Class 2 Class 1 Solids Class 3 Class 2 Class 1	Any amount 5 gallons 55 gallons  Any Amount 50 pounds 500 pounds

For SI: 1 gallon = 3.785 L, 1 pound = 0.454kg.

**V-300-2.17**

Section 105.6.43 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**105.6.43 Temporary membrane structures, tents and canopies.** An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.

**V-300-2.18**

Section 105.6.48 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**105.6.48 Radioactive Materials.** To store or handle at any installation more than one microcurie (37,000 becquerel) of radioactive material not contained in a sealed source or more than 1 millicurie (37,000,000 becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which a specific licenses from the Nuclear Regulatory Commission is required.

**V-300-2.19**

Section 105.6.49 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**105.6.49 Day care facility.** An operational permit is required to operate a day care facility.

**V-300-2.20**

Section 105.6.50 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**105.6.50 Residential care facility.** An operational permit is required to operate any residential care or service facility.

**V-300-2.21**

Section 105.6.51 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**105.6.51 Woodworking.** An operational permit is required to conduct woodworking operations involving mass production or involving more than one of each type of machine, or where machines are used continuously (as opposed to intermittently) or substantial products of sawdust may be a problem.

**V-300-2.22**

Section 105.6.52 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**105.6.52 Outdoors sales.** An operational permit is required to conduct outdoors sales for commercial establishments.

**V-300-2.23**

Section 105.7 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**105.7 Required construction permits.** The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.18.

**V-300-2.24**

Section 105.7.16 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**105.7.16 Temporary membrane structures, tents and canopies.** A construction permit is required to erect an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes

**V-300-2.25**

Section 105.7.17 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**105.7.17 Cryogenic Fluids.** Except where federal or state regulations apply and except for fuel systems of the vehicle, to produce, store or handle cryogenics in excess of the amounts listed in Table 105.6.10, to install a cryogenic vessel or piping system for the storage or distribution of cryogenics.

**V-300-2.26**

Section 105.7.18 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**105.7.18 Other building permits.** The Building Department shall transmit to the Fire Department a copy of each plan submitted for construction, alteration, or change of use or occupancy for all occupancy classifications for review and approval for conformance to the fire code of the City of Milpitas. The fee for each permit shall be as set forth by resolution of the City Council.

**V-300-2.27**

Section 106.1 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**106.1 Inspection Authority.** The fire code official is authorized to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the fire code official for the purposes of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, result in an unauthorized discharge of hazardous materials, or any violation of this code or any other law or standard affecting fire and life safety. The fee for each inspection shall be as set forth by resolution of the City Council. The City may establish fees sufficient to recover its costs in administering this Chapter.

**V-300-2.28**

Section 106.5 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**106.5 Documents.** Any person or party who prevents or attempts to prevent any representative of the Fire Department from examining any relevant books or records in the conduct of his or her official duties under this code shall be in violation of this code.

**V-300-2.29**

Section 106.6 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**106.6 Evidence.** Any person or party who prevents or interferes with the preservation of evidence of any violation of any of the provisions of this code or of the rules and regulations promulgated pursuant to this code or any other Federal, State, or local law, rule, or regulation shall be in violation of this code.

**V-300-2.30**

Section 106.7 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**106.7 Interference.** Any person or party who willfully prevents, interferes with, or attempts to hinder in any way the work of any authorized representative of the Fire Department in the lawful enforcement of any provision of this code, or fails to promptly permit entry for the purpose of inspection and examination pursuant to this code shall be in violation of this code.

**V-300-2.31**

Section 108.1 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**108.1 Appeals.** Whenever the Fire Chief or his or her designee disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of this Code do not apply or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Manager or designee within ten (10) calendar days from the date of the decision appealed. Appeals shall be carried out pursuant to the provisions of Section 5 of the Standard Procedures Chapter of the Milpitas Municipal Code. An appeal shall stay all proceedings in furtherance of the act or decision appealed unless the Fire Chief or his or her designee whose act is appealed shall certify in writing that a stay would, in his or her opinion, cause peril to life or property. Said certificate shall contain a detailed statement of the facts of which said peril arises and of the reasons for said opinion. The decision of the City Manager or designee shall be final.

**V-300-2.32**

Section 108.2 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**108.2 Limitations on authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed.

**V-300-2.33**

Section 108.3 of the International Fire Code, 2012 Edition, is deleted in its entirety.

**108.3 Qualifications.** This section is deleted.

**V-300-2.34**

Section 109.1.1 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.1 Abatement Of Fire And Life Safety Hazards By Fire Code Official.** If any person fails to comply with the orders of the fire code official, or if the fire code official is unable to locate the owner, operator, occupant or other person responsible within a reasonable time, the fire code official or any authorized representative may take such steps as are necessary to abate the hazard for the protection of the public safety. In no event is notice necessary before abatement, when the hazard is a clear and present danger to the public welfare. All costs related to such abatement shall become a lien or special assessment on the subject property.

**V-300-2.35**

Section 109.1.2 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.2 Criminal Or Civil Penalty For Violation; Payment Of Funds To Account.** Pursuant to the City's prosecutorial discretion, the City may enforce violations of the provisions of this code in any

manner authorized by this section or by any other law, including but not limited to issuance of criminal citations, referral to the District Attorney, referral to the City Attorney, referral to other appropriate agencies, administrative actions and civil actions.

**V-300-2.36**

Section 109.1.3 hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.3 Misdemeanors – Continuing Violations.** Any person who violates any of the provisions of this code, any of the provisions of any written authority of the City Manager or his or her duly authorized agents and representatives or any provision of any permit issued pursuant to this code shall be guilty of an infraction/misdemeanor. Each and every day, or any part thereof, during which any such violation is committed, continued or allowed shall be a separate offense. Penalties for violations shall be as set forth by resolution of the City Council.

**V-300-2.37**

Section 109.1.4 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.4 Prosecution.** Every violation of this code shall be a misdemeanor; provided, however, that where the City Attorney or his or her duly authorized agents has determined that such action would be in the best interest of justice, the City Attorney may specify in the accusatory pleading, citation or amendment thereto that the violation shall be prosecuted as an infraction.

**V-300-2.38**

Section 109.1.5 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.5 Penalty For Infraction.** Each and every violation of this code, which is deemed an infraction, is punishable by:

- (1) A fine not exceeding one hundred dollars (\$100.00) for the first violation;
- (2) A fine not exceeding two hundred dollars (\$200.00) for the second violation of the same or similar provision within one year period; or,
- (3) A fine not exceeding five hundred dollars (\$500.00) for each additional violation, after the second, of the same or similar provision of this Chapter within a one year period of the first violation.

**V-300-2.39**

Section 109.1.6 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.6 Penalty For Misdemeanor.** Each and every violation of this code, which is deemed a misdemeanor, is punishable by a penalty of not more than one thousand dollars (\$1,000.00) or by imprisonment in the City or County jail for a period not exceeding six (6) months, or, by both penalty and imprisonment.

**V-300-2.40**

Section 109.1.7 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.7 Enforcement Authority.** The following designated employee positions may enforce the provisions of this code by issuance of citations. Peace officers and persons employed in such positions are authorized to exercise the authority provided in Penal Code Section 836.5 and are authorized to issue

citations for violations of this code. The designated employee positions are: the City Manager or his or her duly authorized agents and representatives.

#### **V-300-2.41**

Section 109.1.8 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**109.1.8 Civil Penalties.** Any person who intentionally, accidentally or negligently violates any provision of this code, any written authority of the City Manager or his or her duly authorized agents and representatives, or any provision of any permit issued pursuant to this code may be civilly liable to the City in the sum of not less than one hundred dollars (\$100.00) but not to exceed one thousand dollars (\$1,000.00) per day for each day in which such violation occurs or continues. The City may petition the municipal or superior court to impose, assess, and recover such sums. The civil penalty provided in this Section excludes inspection costs and abatement costs, is cumulative and not exclusive, and shall be in addition to all other remedies available to the City under state and federal law and local ordinances. Funds collected pursuant to this Section shall be paid to City's Fire Code Training account, which shall be a holding account to be used solely for Fire code enforcement training.

#### **V-300-2.42**

Section 202 of the California Fire Code, 2013 Edition, is amended by adding the following definitions:

**CARCINOGEN** is a substance that causes the development of cancerous growths in living tissue. A chemical is considered a carcinogen if:

1. It has been evaluated by the International Agency for Research on Cancer and found to be a carcinogen or potential carcinogen, or
2. It is listed as a carcinogen or potential carcinogen in the latest edition of the Annual Report on Carcinogens published by the National Toxicology program, or
3. It is regulated by OSHA as a carcinogen.

**CONTINUOUS GAS DETECTION SYSTEM.** A gas detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis is allowed to be performed on a cyclical basis at intervals not to exceed 30 minutes. In occupied areas where air is re-circulated and not exhausted to a treatment system (e.g. breathing zone), the fire code official may require a cyclical basis at intervals not to exceed 5 minutes. The gas detection system shall be able to detect the presence of a gas at or below the permissible exposure limit in occupiable areas and at or below ½ IDLH (or 0.05 LC 50 if no established IDLH) in unoccupiable areas.

**CORROSIVE LIQUID.** Corrosive liquid is:

1. any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action;
2. any liquid having a pH of 2 or less or 12.5 or more;
3. any liquid classified as corrosive by the U.S. Department of Transportation; and
4. any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

**DEVICE** is an appliance or piece of equipment that plays an active part in the proper functioning of the regulated systems. Examples include, but are not limited to the following: smoke detectors, heat detectors, flame detectors, manual pull stations, horns, alarms, bells, warning lights, hydrants, risers, FDCs, standpipes, strobes, control panels, transponders, and other such equipment used to detect, transmit, initiate, annunciate, alarm, or respond according to the system design criteria.

**MODERATELY TOXIC GAS.** A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

**MAXIMUM THRESHOLD QUANTITY (MAX TQ).** Maximum Threshold Quantity (Max TQ) is the maximum quantity of a moderately toxic or toxic gas, which may be stored in a single vessel before a more stringent category of regulation is applied. The following equation shall be used to calculate the Max TQ:

$$\text{Max TQ (pounds)} = \text{LC50 (ppm)} \times 2 \text{ lb.}$$

For gas mixtures containing one or more toxic, highly toxic or moderately toxic components, LC50 shall be calculated using CGA Standards P-20 and P-23 as referenced in Appendix E, Section 103.1.3.1

**OTHER HEALTH HAZARD MATERIAL** is a hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage) or teratogens (effect on fetuses).

**SECONDARY CONTAINMENT.** Secondary containment is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

**SENSITIZER** is a chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

**TEMPORARY** shall not exceed one year.

**WORKSTATION** is a defined space or independent principal piece of equipment using hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, electrical devices, and other processing and scientific equipment.

#### **V-300-2.43**

Chapter 3, General Precautions Against Fire, of the International Fire Code, 2012 Edition, with California State amendments is hereby adopted and amended as follows:

#### **V-300-2.44**

Section 3.11.5 of the International Fire Code, 2012 Edition, is hereby amended as follows:

The following sections are deleted:

Section 311.5 Placards.

Section 311.5.1 Placard Location.

Section 311.5.2 Placard Size And Color.

Section 311.5.3 Placard Date.

Section 311.5.4 Placard Symbols.

Section 311.5.5 Informational Use.

**V-300-2.45**

Section 316.7 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**316.7 Roof Guardrails At Interior Courts.** Roof openings into interior courts that are bounded on all sides by building walls shall be protected with guardrails. The top of the guardrail shall not be less than 42 inches in height above the adjacent roof surface that can be walked on. Intermediate rails shall be designed and spaced such that a 12-inch diameter sphere cannot pass through.

**Exception:** Where the roof opening is greater than 600 square feet in area.

**V-300-2.46**

Section 503.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.6 and Appendix D of this code.

**V-300-2.47**

Section 503.2.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) or as required by Appendix D, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of 13 feet 6 inches (4115 mm).

**Exception:** When there are not more than two Group R, Division 3, or Group U occupancies, the access road width may be modified by the fire code official.

**V-300-2.48**

Section 503.7 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**503.7 Adjacent Access.** No source of access from lands adjoining a property to be developed shall be considered unless there is obtained the irrevocable and unobstructed right to use same.

**V-300-2.49**

Section 504.3.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**504.3.1 Number of stairways.** The fire code official shall determine the required number and location of stairway(s) to the roof.

**V-300-2.50**

Section 504.5 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**504.5 Enclosed courts.** Enclosed courts shall be provided with readily accessible access for fire department personnel to bring in a 36 feet long ground ladder into the court. The access height and width shall be large enough to accommodate the ladder and the personnel carrying the ladder.

**V-300-2.51**

Section 504.5 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**504.5 Access Control Devices.** When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All access control devices shall be provided with an approved means for deactivation or unlocking by the fire department. Access control devices shall also comply with Chapter 10 Egress.

**V-300-2.52**

Section 505.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**505.3 Address illumination.** All required address numbers shall be provided with illumination.

**V-300-2.53**

Section 507.5.1.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**507.5.1.1 Hydrant for standpipe systems.** Buildings equipped with an automatic fire sprinkler system and or a standpipe system installed in accordance with Sections 903 and or 905 shall have a fire hydrant within 50 feet of the fire department connections.

**Exception:** The distance shall be permitted to exceed 50 feet (30 m) where approved by the fire code official.

**V-300-2.54**

Section 507.5.7 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**507.5.7 Private hydrants.** Private hydrants shall have the bottom 6 inches of the hydrant painted, with a weather resistive paint, white in color.

**V-300-2.55**

Section 508.1.5 of the California Fire Code, 2013 Edition, is amended by adding the following:

20. A locking key box, approved by the fire code official, large enough for ten (10) sets of master keys.

21. Ten (10) sets of master keys for the building.

22. A complete set of architectural, electrical, mechanical and plumbing plans for the building.

**V-300-2.56**

Section 510.1.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**510.1.1 Obstruction by new building.** When a new structure obstructs the line of sight emergency radio communications to existing buildings or to any other location, the developer of the new structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.

**V-300-2.57**

Section 510.6.4 hereby added to the California Fire Code, 2013 Edition, to read as follows:

**510.6.4 Radio system supervision.** The radio system required by this Code shall be monitored for system trouble and system impairment by an approved supervising station.

**V-300-2.58**

Section 605.12 hereby added to the California Fire Code, 2013 Edition, to read as follows:

**605.12 Immersion Heaters.** All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

**V-300-2.59**

Section 607.1.1 hereby added to the California Fire Code, 2013 Edition, to read as follows:

**607.1.1 New elevators.** All new passenger service elevators shall meet the medical service elevator requirements in the California Building Code, 2013 Edition, Chapter 30.

**V-300-2.60**

Section 608.6.1.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**608.6.1.1 Failure of Ventilation System.** Failure of the ventilation system shall automatically disengage the charging system.

**V-300-2.61**

Section 903.1.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**903.1.2 Fire Walls and Fire Barriers.** Fire walls and fire barriers shall not be considered to create separate buildings for the purpose of automatic fire sprinkler requirements as set forth in Chapter 9 of this code.

**Exception:** Buildings separated by continuous fire wall of 4-hour fire resistive construction without openings or penetrations. Buildings required to have automatic fire sprinkler protection as set forth in Section 13113 of Health and Safety Code are prohibited from using fire walls in lieu of automatic fire sprinkler protection.

**V-300-2.62**

Section 903.2 of the California Fire Code, 2013 Edition, is amended to read as follows:

**903.2 Where Required.** Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or per the requirements set forth in Sections 903.2.1 through 903.2.19, whichever is the more restrictive:

1. An automatic fire sprinkler system shall be provided throughout all new buildings and structures.

**Exception:** Other than residential occupancies, buildings and structures that do not exceed 1,000 square feet of building area.

2. An automatic fire sprinkler system shall be provided throughout existing Group A, B, E, F, I, L, M, S and U buildings and structures, when additions are made that increase the building area to more than 3,600 square feet or that create conditions described in Sections 903.2.1 through 903.2.19.

3. An automatic sprinkler system shall be provided throughout existing Group R occupancies when additions are made that increase the building area to more than 3,600 square feet.
4. An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
5. An automatic sprinkler system shall be provided when there is any change in the character of occupancy or in the use of any existing building when the fire code official determines the change would place the building into a more hazardous division of the same occupancy group, or into a different occupancy group, which constitutes a greater life safety exposure or increased fire risk.

#### **V-300-2.63**

Section 903.3.1.1 of the California Fire Code, 2013 Edition, is amended to read as follows:

**903.3.1.1 NFPA 13 sprinkler systems.** Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 as amended in Chapter 80 except as provided in Section 903.3.1.1.1.

For a new building having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2. Where future use or tenant is determined to require a higher density, the sprinkler system shall be augmented to meet the higher density.

#### **V-300-2.64**

Section 903.3.1.4 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**903.3.1.4 One sprinkler design.** One sprinkler head design shall not be permitted.

#### **V-300-2.65**

Section 903.3.5.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**903.3.5.3. Riser Location.** The fire sprinkler system riser shall not be located within electrical rooms or storage closets and shall be provided with clear access and working clearance.

#### **V-300-2.66**

Section 903.3.5.4 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**903.3.5.4 Number of water supplies.** For buildings and or structures over 200,000 square feet, the fire code official may require more than one source of water supply.

#### **V-300-2.67**

Section 903.3.5.5 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**903.3.5.5 Sprinkler Riser system.** The sprinkler riser system shall be a manifold pipe system and shall meet the design requirements of the NFPA 13 Standards.

#### **V-300-2.68**

Section 903.3.5.6 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**903.3.5.6 Water supply safety margin.** Hydraulic design for automatic fire sprinkler system shall provide a minimum of 20% safety margin.

**Exception:** The fire code official may grant a reduction in the required safety margin for existing buildings but not less than 10%.

**V-300-2.69**

Section 903.3.5.7 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**903.3.5.7 Sprinkler pipe velocity.** The automatic fire sprinkler system shall be designed to a maximum 20 feet per second water flow.

**Exception:** The fire code official may grant higher water velocity for existing buildings when supported by mechanical engineering design done by a California registered engineer.

**V-300-2.70**

Section 914.2.1 of the California Fire Code, 2013 Edition, is amended to delete the exception:

**914.2.1 Automatic sprinkler systems** exception under item number 2 (open parking garages) is deleted.

**V-300-2.71**

Section 914.3.1 of the California Fire Code, 2013 Edition, is amended to delete the exception:

**914.3.1 Automatic sprinkler systems** exception is deleted.

**V-300-2.72**

Section 914.3.8 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**914.3.8 Anchor devices.** Anchor repelling devices meeting the Fire department requirements shall be placed on the roof for Fire department use.

**V-300-2.73**

Section 914.3.9 is hereby added to the International Fire Code, 2012 Edition, to read as follows:

**914.3.9 Helicopter pad.** High-rise buildings greater than 150' in height (above the lowest level of Fire department access) may be required to provide a helicopter pad, which meets the requirements of the Fire department.

**V-300-2.74**

Section 914.4.1 of the California Fire Code, 2013 Edition, is amended to delete the exceptions:

**914.4.1 Automatic Sprinkler Systems** exceptions 1 and 2 are deleted.

**V-300-2.75**

Section 914.6.1 of the California Fire Code, 2013 Edition, is amended to delete the exceptions:

**914.6.1 Automatic Sprinkler Systems** exceptions 1 and 2 are deleted.

**V-300-2.76**

Section 914.12 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**914.12 Special Provisions For Group B office Buildings and Group R Division 1 and 2 Occupancies.** All Group B office buildings and Group R, Division 1 & 2 Occupancies, each having floor used for human occupancy located more than 60 feet above the lowest level of Fire Department vehicle access, or more than 4 stories in height shall provide the following:

1. Equipment cache rooms shall be located on the 1<sup>st</sup> floor above the ground floor, and every other floor thereafter, or as directed by the fire code official.
  - a. Cache rooms shall be located and accessible from within the rated stair enclosures.
  - b. Prior to the purchase of the fire department cache room equipment and or materials a complete list of the equipment and or materials with all necessary cut-sheets shall be submitted to the fire department for review and approval.
  - c. Due to operational needs, the fire code official reserves the right to make changes to the required equipment and or materials listed under item 2 below.
2. Each equipment storage room size should be a minimum of 4' deep, full height (8' to 9'), with a door the minimum width of 43". A roll-up door can be used provided it has a 43" minimum width and unobstructed access. It shall have a power outlet to provide electricity, a light (connected to a 'timer'), be sprinklered, and be locked with a 'break-away' type lock. Fixed shelving<sup>1</sup> shall be provided in a configuration approved by the fire agency to store items that may include, but not be limited to:
  - 2 - Hotel Hose pack (double jacketed hose) with 100 feet of 1¾-inch fire hose and a 1½" variable fog nozzle (Task Force Tip, 1 ¾") with a detachable bail, both having National Standard threads. Each pack to have 1-spanner wrench, 1- 2 ½" X 1 ½" gated wye, and 1-2 ½" X 1 ½" reducer coupling Red Head Brass 2 ½" X 1 ½" reducer
  - 2 - 50' banded hose rolls (North American Hose)
  - 2 - 2-1/2" 10' hose with one male end connector & female end connector both with National Standard threads ('Stynger')
  - 1 - Hooligan tool (Paratech Hooligan, 11 pound)
  - 2 - pick head axe (Council Axe, Pick head)
  - 1 - Little Giant Ladder, or 1- attic ladder; Fire agency to determine type.
  - 1 - 3' Ames Tru Temper Wrecking bar,
  - 12 - Open Door Industries, door stops
  - 4 - salvage covers (blue tarps) measuring 18' X 24' with grommets every 16"
  - 3 - Spare sprinkler heads, for each type used (these are in addition to those required in the riser room)
  - 1 - each Sprinkler head wrench(es), one for each type of head used
  - 1 - Push type cart for use to move air bottles (type subject to Fire agency approval)
  - 1 - Rapid Intervention Pack (RIT) (location to be determined by Fire agency)
  - 1 - Evacuation Chair Stryker Model 6253 (per side)
  - Air Bottles\*: Fixed SCBA bottle storage rack, number of bottles to be determined by the fire agency. A minimum capacity for 5 bottles per closet shall be provided. Individual rack slots should be positioned for horizontal storage, and be oversized to accommodate changes in bottle sizes. Product Brand and Model shall be approved by the Fire Department.

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<sup>1</sup> Shelving shall be every 16" after ladder placement is determined.

3. Equipment maintenance, inspections, replacement and or equipment update and required certification(s) shall be the responsibility of the building owner and or owner's association.

\*The fire code official may require, an air bottle filling system shall have the fill access port located at a reasonable distance from each structure that takes into account debris fall out & collapse zones. A 'monument-type' fill station port should be located near a public roadway, not adjacent to the structure. The underground piping system, designed and installed with stainless steel welded fittings and piping, should terminate at this monument. A weather tight access panel with Knox-box key entry should also be provided. The storage system should be designed to provide enough air @ 4500 psig for up to fifty 45 minute bottles, prior to augmentation by an outside air source.

#### **V-300-2.77**

Section 2807.6 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**2807.6 Fire Protection Water Supply System.** An approved fire protection water supply and hydrant system suitable for the fire hazard involved shall be provided for open storage yards and processing areas. Hydrant systems shall be installed in accordance with NFPA 24 adopted by this code.

#### **V-300-2.78**

Section 2808.11 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**2808.11 Fire Protection Water Supply System.** An approved fire protection water supply and hydrant system suitable for the fire hazard involved shall be provided for open storage yards and processing areas. Hydrant systems shall be installed in accordance with NFPA 24 adopted by this code.

#### **V-300-2.79**

Section 3103.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**3103.2 Approval required.** Tents and membrane structures having an area in excess of 200 square feet (19 m<sup>2</sup>) and canopies in excess of 400 square feet (37 m<sup>2</sup>) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.

#### **Exceptions:**

1. Tents used exclusively for recreational camping purposes.

#### **V-300-2.80**

Section 3304.8 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**3304.8 Fire Walls.** When fire walls are required, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather-protected at the location of the wall(s).

#### **V-300-2.81**

Section 3311.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**[B] 3311.1 Stairways Required.** Each level above the first story in new multi-story buildings that requires two (2) exit stairways shall be provided with at least two (2) usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two (2) floor levels shall be enclosed (with openings adequately protected) after the exterior

walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

**Exception:** For new multi-story buildings, one of the required exit stairs may be obstructed on not more than two (2) contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

#### **V-300-2.82**

Section 3311.1.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**3311.1.1 Required Means Of Egress.** All new buildings under construction shall have a least one unobstructed means of egress. All means of egress shall be identified in the prefire plan per Section 3308.2.

#### **V-300-2.83**

Section 5001.1.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5001.1.2 Other Requirements.** This chapter shall include those parts of Chapter 6.95 (commencing with Section 25500) and Chapter 6.7 (commencing with Section 25280) of the Health and Safety code which impose additional requirements or are more restrictive.

Any person who violates Health and Safety Code SS 25507 shall be subject to the penalties specified in Health and Safety Code SS 25515. The violation of any other Health and Safety Code Sections specified in this paragraph shall constitute a misdemeanor.

#### **V-300-2.84**

Section 5001.2.2.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5001.2.2.2 Health Hazards.** The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic and toxic materials.
2. Corrosive materials.
3. Moderately toxic gas.
4. Other health hazards.

#### **V-300-2.85**

Section 5003.1.3.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5003.1.3.1 Toxic, Highly Toxic, Moderately Toxic gases and similarly used or handled materials.** The storage, use and handling of toxic, highly toxic and moderately toxic gases in amounts exceeding Table 6004.2 or 6004.3 shall be in accordance with this chapter and Chapter 60. Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

#### **V-300-2.86**

Section 5003.1.5 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5003.1.5 Other Health Hazards.** The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with this Section 5003.

**V-300-2.87**

Section 5003.1.6 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5003.1.6 Spill Control and Secondary Containment Requirements.** A containment system shall be required for all hazardous materials, which are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger, people, property or the environment. Construction shall be substantial, capable of safely and securely containing a sudden release without discharge. Design criteria shall be performance oriented and constructed of physically and chemically compatible materials to resist degradation and provide structural and functional integrity for a period of time reasonably necessary to ensure detection, mitigation, and repair of the primary system. Regardless of quantities, spill control and secondary containment shall also comply with Section 5004.2.

**V-300-2.88**

Section 5003.2.2.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5003.2.2.1 Design And Construction.** Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

1. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.
2. Piping and tubing shall be identified in accordance with ASME A13.1 and Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.
3. Readily accessible manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing at the following locations:
  1. The point of use.
  2. The tank, cylinder or bulk use.
4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be identified and the location shall be clearly visible accessible and indicated by means of a sign.
5. Backflow prevention or check valves shall be provided when the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.
6. Where gases or liquids having a hazard ranking of:
  - Health hazard Class 3 or 4
  - Flammability Class 4
  - Reactivity Class 4

in accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig)(103 Kpa), an approved means of leak detection, emergency shutoff and excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.

**Exceptions:**

1. Piping for inlet connections designed to prevent backflow.
  2. Piping for pressure relief devices.
7. Secondary containment or equivalent protection from spills shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Tables 6004.2 and 6004.3. Secondary containment includes, but is not limited to double walled piping.

**Exceptions:**

1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
  2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.
8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

**V-300-2.89**

Section 5003.2.2.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5003.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials.** Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of toxic, highly toxic, or highly volatile corrosive liquids and gases shall have welded or brazed connections throughout except for connections within an exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.
2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.

**Exception:** Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed space above other occupancies when installed in accordance with Section 415.10.6.4 of the California Building Code as required for Group H, Division 5 Occupancies.

3. Primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of  $1 \times 10^{-9}$  cubic centimeters/second where practical, or shall pass testing in accordance with

an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

#### **V-300-2.90**

Section 5003.3.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5003.3.1 Unauthorized Discharges.** When hazardous materials are released in quantities reportable under state, federal or local regulations or when there is a threatened release or that presents a threat to health, property or the environment, the fire code official shall be notified immediately in an approved manner and the following procedures required in accordance with Sections 5003.3.1.1 through 5003.3.1.4.

#### **V-300-2.91**

Section 5003.5.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5003.5.2 Ventilation Ducting.** Product conveying ducts for venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

#### **V-300-2.92**

Section 5003.5.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5003.5.3 "H" Occupancies.** In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

#### **V-300-2.93**

Section 5003.9.8 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5003.9.8 Separation of Incompatible Materials.** Incompatible materials in storage and storage of materials that are incompatible with materials in use shall be separated. When the stored materials are in containers having a capacity of more than 5 pounds (2 kg) or 0.5 gallon (2 L), separation shall be accomplished by:

1. Segregating incompatible materials in storage by a distance of not less than 20 feet (6096 mm) and in an independent containment system.
2. Isolating incompatible materials in storage by a noncombustible partition extending not less than 18 inches (457 mm) above and to the sides of the stored material.
3. Storing liquid and solid materials in hazardous material storage cabinets.
4. Storing compressed gases in gas cabinets or exhausted enclosures in accordance with Sections 5003.8.5 and 5003.8.6. Materials that are incompatible shall not be stored within the same cabinet or exhausted enclosure.

#### **V-300-2.94**

Section 5003.9.11 is hereby added to the California Fire Code, 2013 Edition to read as follows:

**5003.9.11 Fire Extinguishing Systems For Workstations Dispensing, Handling or Using Hazardous Materials.** Combustible and non-combustible workstations, which dispense, handle or use hazardous materials, shall be protected by an approved automatic fire extinguishing system in accordance with Section 2703.10.

**Exception:** Internal fire protection is not required for Biological Safety Cabinets that carry NSF/ANSI certification where quantities of flammable liquids in use or storage within the cabinet do not exceed 500 ml.

**V-300-2.95**

Section 5004.2.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5004.2.1 Spill Control for Hazardous Material Liquids.** Rooms, buildings or areas used for storage of hazardous material liquids shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

**V-300-2.96**

Section 5004.2.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5004.2.2 Secondary Containment for Hazardous Material Liquids and Solids.** Buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section.

**V-300-2.97**

Table 5004.2.2 of the California Fire Code, 2013 Edition is hereby deleted.

**V-300-2.98**

Section 5004.2.2.2 is hereby amended to the California Fire Code, 2013 Edition, to read as follows:

**5004.2.2.2 Incompatible Materials.** Incompatible materials shall be separated from each other in independent secondary containment systems.

**V-300-2.99**

Section 5005.4.4 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5005.4.4 Emergency Alarm.** When hazardous materials having a hazard ranking of 3 or 4 in accordance with NFPA 704, or toxic gases exceeding 10 cu. ft. and any amount of highly toxic compressed gases are transported through corridors or exit enclosures, there shall be an emergency telephone system, a local manual alarm station or an approved alarm-initiating device at not more than 150-foot (45,720 mm) intervals and at each exit and exit-access doorway throughout the transport route.

The signal shall be relayed to an approved central, proprietary or remote station service or constantly attended on-site location and shall also initiate a local audible alarm.

#### **V-300-2.100**

Section 5601.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5601.1 Scope.** For explosives requirements see California Code of Regulations, Title 19, Division 1, Chapter 10 and Section 5601.2 of this chapter. For fireworks requirements see California Code of Regulations, Title 19, Division 1, Chapter 6 and Section 5601.3 of this chapter. For small arms ammunition, see Section 5601.5 of this chapter.

#### **Exceptions:**

1. The armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
4. Items preempted by federal regulations.

#### **V-300-2.101**

Section 5601.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.2 Explosives.** The possession, manufacture, storage, sale, handling, and use of explosives are prohibited.

#### **V-300-2.102**

Section 5601.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.3 Fireworks.** The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

#### **Exceptions:**

1. Storage, handling and use of fireworks and pyrotechnic special effects outside of buildings when used for public or proximate audience displays, motion picture, television, theatrical and group entertainment productions and when in accordance with Title 19 of the California Code of Regulations.
2. Storage, handling and use of pyrotechnic special effects fireworks inside of buildings when used for proximate audience displays or special effects in theatrical, television, motion picture and group entertainment productions when in accordance with Title 19 of the California Code of Regulations and when in buildings equipped throughout with an approved fire sprinkler system.

#### **V-300-2.103**

Section 5601.4 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.4 Rocketry.** The storage, handling, and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and as approved by the Fire code official.

#### **V-300-2.104**

Section 5601.5 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5 Small Arms Ammunition-General.** Indoor storage and display of black powder, smokeless propellants and small arms ammunition shall comply with Sections 5601.5.1 through 5601.5.4.2.3.

**V-300-2.105**

Section 5601.5.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.1 Packages.** Smokeless propellants shall be stored in approved shipping containers conforming to DOT 49 CFR, Part 173.

**V-300-2.106**

Section 5601.5.1.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.1.1 Repackaging.** The bulk repackaging of smokeless propellants, black powder and small arms primers shall not be performed in retail establishments.

**V-300-2.107**

Section 5601.5.1.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.1.2 Damaged packages.** Damaged containers shall not be repackaged.

**Exception:** Approved repackaging of damaged containers of smokeless propellant into containers of the same type and size as the original container.

**V-300-2.108**

Section 5601.5.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.2 Storage in Group R occupancies.** The storage of small arms ammunition in Group R occupancies shall comply with Sections 5601.5.2.1 through 5601.5.2.3.

**V-300-2.109**

Section 5601.5.2.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.2.1 Smokeless propellants.** Smokeless propellants intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers. Smokeless powder in quantities exceeding 20 pounds (9 kg) but not exceeding 50 pounds (23 kg) are permitted to be stored in Group R-3 occupancies where kept in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness.

**V-300-2.110**

Section 5601.5.2.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.2.2 Black powder.** Black powder intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers and stored in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness

**V-300-2.111**

Section 5601.5.2.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.2.3 Small arms primers.** No more than 10,000 small arms primers shall be stored in Group R-3 occupancies.

**V-300-2.112**

Section 5601.5.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3 Display and storage in Group M occupancies.** The display and storage of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1 through 5601.5.3.2.3.

**V-300-2.113**

Section 5601.5.3.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.1 Display.** The display of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1.1 through 5601.5.3.1.3.

**V-300-2.114**

Section 5601.5.3.1.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.1.1 Smokeless propellant.** No more than 20 pounds (9 kg) of smokeless propellants, each in containers of 1 pound (0.454 kg) or less capacity, shall be displayed in Group M occupancies.

**V-300-2.115**

Section 5601.5.3.1.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.1.2 Black powder.** No more than 1 pound (0.454 kg) of black powder shall be displayed in Group M occupancies.

**V-300-2.116**

Section 5601.5.3.1.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.1.3 Small arms primers.** No more than 10,000 small arms primers shall be displayed in Group M occupancies.

**V-300-2.117**

Section 5601.5.3.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.2 Storage.** The storage of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.2.1 through 5601.5.3.2.3.

**V-300-2.118**

Section 5601.5.3.2.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.2.1 Storage of Smokeless propellant.** Commercial stocks of smokeless propellants not on display shall not exceed 100 pounds (45 kg). Quantities exceeding 20 pounds (9 kg), but not exceeding 100 pounds (45 kg) shall be stored in portable wooden boxes having walls of at least 1 inch (25 mm) nominal thickness.

**V-300-2.119**

Section 5601.5.3.2.2 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.2.2 Black powder.** Commercial stocks of black powder not on display shall not exceed 50

pounds (23 kg) and shall be stored in a type 4 indoor magazine. When black powder and smokeless propellants are stored together in the same magazine, the total quantity shall not exceed that permitted for black powder.

**V-300-2.120**

Section 5601.5.3.2.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5601.5.3.2.3 Small arms primers.** Commercial stocks of small arms primers not on display shall not exceed 750,000. Storage shall be arranged such that not more than 100,000 small arms primers are stored in any one pile and piles are at least 15 feet (4572 mm) apart.

**V-300-2.121**

Section 5704.2.7.5.8 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**5704.2.7.5.8 Overfill Prevention.** An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.

An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

**V-300-2.122**

Section 5704.2.7.5.9 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**5704.2.7.5.9 Automatic Filling of Tanks.** Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

**V-300-2.123**

Section 5704.2.13.1.4 of the California Fire Code, 2013 Edition, is amended to delete exception under item 3.

**V-300-2.124**

Section 5803.1.1 of the California Fire Code, 2013 Edition, is amended to delete exception under item 2.

**V-300-2.125**

Section 6001.3 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6001.3 Moderately Toxic Gases With A LC50 Equal To Or Less Than 3000 Parts Per Million.** Notwithstanding the hazard class definition in Section 6002, moderately toxic gases with an LC50 less than 3000 parts per million shall additionally comply with the requirements for toxic gases in Section 6004 of this code.

**V-300-2.126**

Section 6004 is hereby amended to the California Fire Code, 2013 Edition, to read as follows:

SECTION 6004

HIGHLY TOXIC, TOXIC AND MODERATELY TOXIC COMPRESSED GASES INCLUDING THOSE USED AS REFRIGERANTS.

**V-300-2.127**

Section 6004.1.4 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.4 Automatic Shut-Off Valve.** An automatic shut-off valve, which is of a fail-safe to close design, shall be provided to shut off the supply of highly toxic gases for any of the following:

1. Activation of a manual fire alarm system.
2. Activation of the gas detection system.
3. Failure of emergency power.
4. Failure of primary containment.
5. Seismic activity.
6. Failure of required ventilation.
7. Manual activation at an approved remote location.

**V-300-2.128**

Section 6004.1.5 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.5 Emergency Control Station.** Signals from emergency equipment used for highly toxic gases shall be transmitted to an emergency control station or other approved monitoring station, which is continually staffed by trained personnel.

**V-300-2.129**

Section 6004.1.6 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.6 Maximum Threshold Quantity.** Toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for highly toxic gases of Section 6004 of this code.

Moderately toxic gases stored or used in quantities exceeding the maximum threshold quantity. in a single vessel per control area or outdoor control area shall comply with the additional requirements for toxic gases of Section 6004 of this code.

**V-300-2.130**

Section 6004.1.7 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.7 Reduced Flow Valve.** All containers of materials other than lecture bottles containing Highly Toxic material and having a vapor pressure exceeding 29 psia shall be equipped with a reduced flow valve when available. If a reduced flow valve is not available, the container shall be used with a flow-limiting device. All flow limiting devices shall be part of the valve assembly and visible to the eye when possible; otherwise, they shall be installed as close as possible to the cylinder source.

**V-300-2.131**

Section 6004.1.8 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.8 Fire Extinguishing Systems.** Buildings and covered exterior areas for storage and use areas of materials regulated by this Chapter shall be protected by an automatic fire sprinkler system in accordance with NFPA 13. The design of the sprinkler system for any room or area where highly toxic, toxic and moderately toxic gases are stored, handled or used shall be in accordance with Section 5004.5.

#### **V-300-2.132**

Section 6004.1.9 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.9 Local Gas Shut Off.** Manual activation controls shall be provided at locations near the point of use and near the source, as approved by the fire code official. The fire code official may require additional controls at other places, including, but not limited to, the entry to the building, storage or use areas, and emergency control stations. Manual activated shut-off valves shall be of a fail-safe-to-close design.

#### **V-300-2.133**

Section 6004.1.10 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.10 Exhaust Ventilation Monitoring.** For highly toxic gases and toxic gases exceeding threshold quantities, a continuous monitoring system shall be provided to assure that the required exhaust ventilation rate is maintained. The monitoring system shall initiate a local alarm. The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the interior storage, use, or handling area.

#### **V-300-2.134**

Section 6004.1.11 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.11 Emergency Response Plan.** If the preparation of an emergency response plan for the facility is not required by any other law, responsible persons shall prepare, or cause to be prepared, and filed with the fire code official, a written emergency response plan. If the preparation of an emergency response plan is required by other law, a responsible person shall file a copy of the plan with the fire code official.

#### **V-300-2.135**

Section 6004.1.12 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.12 Cylinder Leak Testing.** Cylinders shall be tested for leaks immediately upon delivery and again immediately prior to departure. Testing shall be approved by the fire code official in accordance with appropriate nationally recognized industry standards and practices, if any. Appropriate remedial action shall be immediately undertaken when leaks are detected.

#### **V-300-2.136**

Section 6004.1.13 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.13 Inert Gas Purge System.** Gas systems shall be provided with dedicated inert gas purge systems. A dedicated inert gas purge system may be used to purge more than one gas, provided the gases are compatible. Purge gas systems shall be located in an approved gas cabinet unless the system operates by vacuum demand.

#### **V-300-2.137**

Section 6004.1.14 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6004.1.14 Seismic Shutoff Valve.** An automatic seismic shut-off valve, which is of a fail-safe to close design, shall be provided to shutoff the supply of highly toxic, toxic and moderately toxic gases with an LC<sub>50</sub> less than 3000 parts per million.

**V-300-2.138**

Section 6004.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.2 Indoor Storage and Use.** The indoor storage or use of highly toxic, toxic and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.2.10.3.3. The threshold quantity for highly toxic, toxic and moderately toxic gases for indoor storage and use are set forth in Table 6004.2.

**V-300-2.139**

Table 6004.2 to be added to the California Fire Code, 2013 Edition, read as follows:

TABLE 6004.2

<b>Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Indoor Storage and Use</b>	
Highly Toxic	0
Toxic	10 cubic feet
Moderately Toxic	20 cubic feet

**V-300-2.140**

Section 6004.2.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.2.1 Applicability.** The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.2.1.1 through 6004.2.1.3.

**V-300-2.141**

Section 6004.2.1.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.2.1.1 Quantities Not Exceeding the Maximum Allowable Quantity per Control Area.** The indoor storage or use of highly toxic, toxic and moderately toxic gases in amounts exceeding the threshold quantity per control area set forth in Table 6004.2 shall be in accordance with Sections 5001, 5003, 6001, 6004.1 and 6004.2.

**V-300-2.142**

Section 6004.2.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.2.2 General indoor requirements.** The general requirements applicable to the indoor storage and use of highly toxic and toxic compressed gases shall be in accordance with Sections 6004.2.2.1 through 6004.2.2.10.3.

Moderately toxic gases with an LC<sub>50</sub> less than 3000 parts per million shall comply with the requirements for toxic gases in Sections 6004.2.2.1 through 6004.2.2.10.3

All other moderately toxic gases exceeding the threshold quantity shall comply with the requirements for toxic gases in Sections 6004.2.2.1 through 6004.2.2.7.

**V-300-2.143**

Section 6004.2.2.7 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.2.2.7 Treatment Systems.** The exhaust ventilation from gas cabinets, exhausted enclosures, gas rooms and local exhaust systems required in Section 6004.2.2.4 and 6004.2.2.5 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 6004.2.2.7.1 through 6004.2.2.7.5 and Section 510 of the California Mechanical Code.

**Exceptions:**

1. Highly toxic, toxic and moderately toxic gases storage. A treatment system is not required for cylinders, containers and tanks in storage when all of the following are provided:
  - 1.1. Valve outlets are equipped with gas-tight outlet plug or caps.
  - 1.2. Hand wheel-operated valves have handles secured to prevent movement.
  - 1.3. Approved containment vessels or containment systems are provided in accordance with Section 6004.2.2.3.

**V-300-2.144**

Section 6004.2.2.10.2 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.2.2.10.2 Alarms.** The gas detection system shall initiate a local alarm and transmit a signal to a constantly attended control station when a short-term hazard condition is detected. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the gas is detected. The audible alarm shall be distinct from all other alarms.

**V-300-2.145**

Section 6004.3 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.3 Outdoor Storage and Use.** The outdoor storage or use of highly toxic, toxic and moderately toxic compressed gases shall be in accordance with Sections 6004.3.1 through 6004.3.4. The threshold quantity for highly toxic, toxic and moderately toxic gases for outdoor storage and use are set forth in Table 6004.3.

**V-300-2.146**

Table 6004.3 to be added to the California Fire Code, 2013 Edition, read as follows:

TABLE 6004.3

<b>Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Outdoor Storage and Use</b>	
Highly Toxic	0
Toxic	10 cubic feet
Moderately Toxic	20 cubic feet

**V-300-2.147**

Section 6004.3.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.3.1 Applicability.** The applicability of regulations governing the outdoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.3.1.1 through 6004.3.1.3.

**V-300-2.148**

Section 6004.3.1.1 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.3.1.1 Quantities Not Exceeding The Maximum Allowable Quantity Per Control Area.** The outdoor storage or use of highly toxic and toxic gases in amounts exceeding the threshold quantity per control area set forth in Table 6004.3 shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.3.

Moderately toxic gases with an LC50 less than 3000 parts per million in amounts exceeding the threshold quantity in Table 6004.3 shall comply with the requirements for toxic gases in Sections 5001, 5003, 6001, 6004.1 and 6004.3.

Moderately toxic gases in amounts exceeding the threshold quantity in Table 6004.3 shall comply with the requirements for toxic gases in Sections 5001, 5003, 6001, 6004.1 and 6004.3.2.1 through 6004.3.2.5.

**V-300-2.149**

Section 6004.3.3 of the California Fire Code, 2013 Edition, is amended to read in its entirety as follows:

**6004.3.3 Outdoor storage weather protection for portable tanks and cylinders.** Weather protection in accordance with Section 5004.13 and this section shall be provided for portable tanks and cylinders located outdoors and not within gas cabinets or exhausted enclosures. The storage area shall be equipped with an approved automatic sprinkler system in accordance with Section 5004.5.

**V-300-2.150**

Section 6405.3.1 is hereby added to the California Fire Code, 2013 Edition, to read as follows:

**6405.3.1 Silane distribution systems automatic shutdown.** Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

**V-300-2.151**

Chapter 80 Referenced Standards is hereby amended to include the following referenced standards:

NFPA 96-11, "Ventilation Control and Fire Protection of Commercial Cooking Operations"  
NFPA 318-12, "Protection of Semiconductor Fabrication Facilities"

**V-300-2.152**

Section D101.1 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of this code.

### **V-300-2.153**

Section D103.1 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm). See Figure D103.1.

**Exception:** The Fire Code Official may approve other condition that provides equivalent access.

### **V-300-2.154**

Section D104.1 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**D104.1 Buildings with two or more fire apparatus access roads.** Buildings or facilities exceeding 30 feet (9144 mm), or three stories in height, or 50,000 square feet (5760m<sup>2</sup>) shall be provided with at least two means of fire apparatus access for each structure.

### **V-300-2.155**

Section D104.2 of the International Fire Code, 2012 Edition, is deleted in its entirety.

### **V-300-2.156**

Section D105.2 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**D105.2 Width.** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144) in height.

**Exception:** The Fire Code Official may approve the use of other usable space/area that provides equivalent required width.

### **V-300-2.157**

Section D106.1 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**D106.1 Projects having more than 50 dwelling units.** Multiple-family residential projects having more than 50 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

### **V-300-2.158**

Section D106.2 of the International Fire Code, 2012 Edition, is amended to read in its entirety as follows:

**D106.2 Projects having more than 200 dwelling units.** For Multiple-family residential projects having more than 200 units, the fire code official may require more than two fire apparatus access roads.

### **V-300-2.159**

Section D107.1 of the International Fire Code, 2012 Edition, exceptions No. 1 and No. 2 are deleted.

**SECTION 3. SEVERABILITY**

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

**SECTION 4. EFFECTIVE DATE AND POSTING**

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS MAKING FINDINGS NECESSARY UNDER STATE LAW TO ADOPT WITH LOCAL AMENDMENTS THE 2013 CALIFORNIA FIRE CODE**

**WHEREAS**, the City Council of the City of Milpitas intends to adopt by reference into the Milpitas Municipal Code the 2013 Edition of the California Fire Code; and

**WHEREAS**, in doing so, the City Council wishes to amend portions of the California Fire Code to better address local concerns and to be consistent with amendments made by other cities in Santa Clara County; and

**WHEREAS**, to the extent that it applies, Health and Safety Code Section 17958.5 requires such amendments to be reasonably necessary because of local climatic, geographical or topographical conditions; and

**WHEREAS**, to the extent it applies, Health and Safety Code Section 17958.7 requires local entities to make express findings that such amendments are necessary.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The proposed substantive amendments to the 2013 California Fire Code involve additions that:
  - (1) address the handling of toxic gases;
  - (2) address the storage of hazardous materials; and
  - (3) require sprinklers under specified circumstances.
3. The above amendments are necessary because of local climatic, geographical or topographical conditions for the following reasons:
  - (a) Amending the Code to address the handling of toxic gases and storage of hazardous materials is necessary due to the following conditions:
    - (i) prevailing winds and relatively high temperatures seasonally that can increase the velocity in which escaping gases and other hazardous materials spread;
    - (ii) the existence of large amounts and varieties of toxic gases and hazardous materials – the escape of which could present significant health hazards to large populations – due to the concentration of heavy industry in the City and the existence of the expanding and changing electronics industry in the region;
    - (iii) the lack of adequate infrastructure to serve all areas of the City and region, which negatively impacts emergency response times; and
    - (iv) alluvial soils in the City and region on and near major earthquake faults that are deemed potentially active, which could jeopardize the structural integrity of buildings housing toxic gases and other hazardous materials;

(b) Amending the Code to require sprinklers under specified circumstances is necessary due to the following conditions:

- (i) prevailing winds and relatively high temperatures seasonally, which can increase the speed at which fire spreads;
- (ii) the lack of adequate infrastructure to serve all areas of the City, which negatively impacts emergency response times; and
- (iii) the existence of large amounts of toxic gases and other hazardous materials in industrial and business park zones, which increase the chances that fires in such areas will present a life threatening danger to the general public.

- 4. Other proposed amendments which are not substantive in nature, including various use restrictions, cost recovery, enforcement, and administrative provisions, are necessary in order to enhance the City's ability to implement the three categories of proposed amendments identified in Section 2, above, as well as other provisions of the 2013 California Fire Code, in that they tend to deter activities that might result in life-threatening fires.
- 5. All previous findings by the City Council in updating the above referenced Code are hereby adopted and incorporated herein.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney