

ORDINANCE NO. 2025-__

A JOINT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS AND THE SAN MARCOS FIRE PROTECTION DISTRICT BOARD OF DIRECTORS ADOPTING THE 2025 CALIFORNIA FIRE CODE, AND DECLARING LOCAL CONDITIONS TO AMEND CERTAIN PROVISIONS OF THE SAME, AND AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS AMENDING CHAPTER 17.64 OF THE SAN MARCOS MUNICIPAL CODE IN ACCORDANCE WITH THE SAME

WHEREAS, the City Council of the City of San Marcos (City) and the Board of Directors of the San Marcos Fire Protection District (District) find that the adoption of the 2025 California Fire Code and 2024 International Fire Code with modifications and changes and related standards as set forth herein is reasonable and necessary due to the local climatic, geological and topographical conditions noted in the findings set forth below in Section 2; and

WHEREAS, the Board of Directors of the District acknowledges that the fire code amendments are consistent with those found in the current Consolidated Fire Code of the County of San Diego; and

WHEREAS, the City Council of the City of San Marcos and Board of Directors of the District does herewith find that the local amendments are consistent with AB 130 and Health & Safety Code Section 13869.7;

NOW, THEREFORE, the City Council of the City of San Marcos and the Board of Directors of the San Marcos Fire Protection District do ordain and find as follows:

SECTION 1. That the City Council of the City of San Marcos hereby amends Title 17, Chapter 64 of the San Marcos Municipal in accordance with Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 2. That the following findings are jointly made and adopted in support of revised standards for the City and the District as set forth in Exhibit "A":

Finding A. The jurisdictional boundaries of the City and of the San Marcos Fire Protection District encompass many large brush-covered hillsides and canyons, many containing residential structures, which are difficult to access with regular firefighting equipment, and are subject to frequent Santa Ana winds and drought conditions.

Finding B. The jurisdictional boundaries of the City and of the San Marcos Fire Protection District include numerous areas of commercial uses in close proximity to residential areas, creating an extreme fire danger.

Finding C. The topography within the jurisdictional boundaries of the City and of the San Marcos Fire Protection District presents problems relative to the delivery of emergency services, including fire protection. The hilly terrain has narrow winding roads with little circulation, preventing rapid access and orderly evacuation. Many of these

hills are covered with highly combustible natural vegetation. In addition to access and evacuation problems, the terrain makes delivery of water extremely difficult.

Finding D. The preceding conditions, coupled with the size of the service area and relatively modest resources of the San Marcos Fire Department and the District, necessitate greater fire protection requirements than are provided in the 2025 California Fire Code and the 2024 International Fire Code.

Finding E. The potential exists in the City and in the District that new and future development will result in taller buildings on smaller parcels, creating an extreme life safety hazard.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance or any of the codes or standards adopted by reference by this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance including any of the codes or standards adopted by reference. The City/District declares that it would have passed the Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any part hereof be declared invalid or unconstitutional.

SECTION 4. Any previous Ordinance adopting an International Fire Code or any other Code or Standard adopted by reference by the Ordinance is hereby repealed. Any Ordinance containing provisions in conflict or in contrast with the provisions of this Ordinance are repealed to the extent of the inconsistency or conflict.

SECTION 5. This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the Clerk of the City Council/Board of Directors shall publish this Ordinance or the title hereof as a summary in a newspaper of general circulation in the City/District as required by law.

INTRODUCED at a regular meeting of the City Council of the City of San Marcos and the Board of Directors of the San Marcos Fire Protection District, held on the 10th day of November 2025; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of San Marcos and the Board of Directors of the San Marcos Fire Protection District on the ____ day of _____ 2025, by the following roll call vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Rebecca D. Jones, Mayor
Mayor, City of San Marcos, and
Chair, San Marcos Fire Protection District

ATTEST:

APPROVED AS TO FORM:

Phillip Scollick
Clerk, City of San Marcos, and
Clerk, San Marcos Fire Protection District

Helen Holmes Peak
City Attorney, City of San Marcos, and
General Counsel, San Marcos Fire Protection District

ATTACHMENT(S):

EXHIBIT A – CHAPTER 17.64 AMENDMENTS – CLEAN

EXHIBIT B – CHAPTER 17.54 AMENDMENTS - REDLINED