

CHAPTER 17.64 CALIFORNIA FIRE CODE

17.64.010 Intent and Purpose.

It is the intention of the Legislative Body of the San Marcos Fire Department to adopt the building standards of this chapter which are more restrictive standards relating to fire protection and panic safety than those contained in the California and International Fire Codes and related standards and that the standards of this chapter are reasonably necessary because of local climatic, geological or topographical conditions. It is the further intention of the Legislative Body of the San Marcos Fire Department and San Marcos Fire Protection District to establish uniform regulations applicable to all of the territory within the joint boundaries of the City and the District. To that end, the San Marcos Fire Protection District Board has adopted the provisions of this chapter by reference.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.030 Adoption of International Codes.

- (a) The California Fire Code published by the California Building Standards Commission, 2025 Edition, including Appendices I and N inclusive; the California Wildland-Urban Interface Code published by the California Building Standards Commission, 2025 Edition; the National Fire Protection Association Standards not less than one copy of which are on file in the office of the Fire Chief and not less than one copy of which are on file in the office of the City Clerk of the City of San Marcos, are adopted by reference as the California Fire Code for the San Marcos Fire Department subject to the deletions, modifications, or amendments set forth in this chapter.
- (b) Code amendments adopted by the State of California shall take precedence over the 2024 International Fire Code language and the 2024 International Wildland-Urban Interface Code. The 2024 International Fire Code and language shall be used for those code sections not adopted by the State. Local amendments adopted by the San Marcos Fire Department shall take precedence over both 2024 International Fire Code and 2024 California Building Standards Code provisions.
- (c) Whenever the following words or phrases are used in this chapter or in any of the Codes or Standards adopted by this chapter they shall have the meaning ascribed in this subsection unless it is apparent from the context that a different meaning is intended:
 - (1) **Aerated Static Pile** means a composting process that uses an air distribution system to either blow or draw air through a pile of organic matter. Little or no pile agitation or turning is performed.
 - (2) **Chief of the Bureau of Fire Prevention** means the **Fire Marshal** of the San Marcos Fire Department.
 - (3) **Chipping** and **Grinding** means an activity that mechanically reduces the size of organic matter.
 - (4) **Compost Operation** means an operation conducted for the purpose of reducing green waste by one or more processes to achieve a composted product.
 - (5) **District** means the San Marcos Fire Department and its constituent agencies.
 - (6) **Fire Chief** means the Fire Chief/Fire Administrator of the San Marcos Fire Department or Designated Representative.
 - (7) **Green Waste** includes, but shall not be limited to, yard trimmings, plant waste, manure, untreated wood wastes, paper products, and natural fiber products.
 - (8) **Hogged Materials** means mill waste consisting primarily of hogged bark but may include a mixture of bark, chips, or other by-product from trees and vegetation.
 - (9) **Jurisdiction** or **Jurisdictional Limits** means the boundaries of the City of San Marcos.
 - (10) **Mid-Rise Building** is any building having four stories or more in height, while being 75 feet (22,860 mm) or less in height and not defined as a high-rise by Section 202 of the California Building Code. Measurement will be from the underside of the roof or floor above topmost space that can be occupied to the lowest fire apparatus access road level.
 - (11) **Mulching** means the process by which mixed green waste is mechanically reduced in size for the purpose of making compost.
 - (12) **Static Pile** means a composting process that is similar to the aerated static pile except that the air source may or may not be controlled.
 - (13) **Windrow Composting Process** means the process by which compostable material is placed in elongated piles. The piles or windrows are aerated and/or mechanically turned on a periodic basis.

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- (14) **Wood Chips** means wood chips of various tree and plant species used in chipping and grinding operations.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2016-1429, 10-11-2016; Ord. No. 2019-1479, § 1(Exh. A), 10-22-2019)

17.64.040 Reserved.

(Repealed in its Entirety by Ordinance 99-1068.)

17.64.050 When provisions are made for Class IIIA liquids.

When provisions are made for Class IIIA liquids in Sections 5704, 5705, 5706, 2305, 2306 and 2310 the provisions shall apply to all Class III Liquids.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479, § 1(Exh. A), 10-22-2019)

17.64.060 Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Above Ground Containers is to be Prohibited.

The limits referred to in Sections 5704.1 and 5706.2.4.4 of the California Fire Code in which above ground flammable or combustible liquid tanks is prohibited are hereby established as the Jurisdictional Limits of the San Marcos Fire Department.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479, § 1(Exh. A), 10-22-2019)

17.64.065 Exceptions to the Prohibition of Above Ground Storage of Flammable or Combustible Liquid.

Exceptions to the prohibition of above ground storage of flammable or combustible liquids referred to in Sections 5704.1 and 5706.2.4.4 of the California Fire Code shall include the following:

- (1) 10,000 gallons maximum temporary above ground storage tanks shall be permitted for private use on remote construction sites, earth-moving projects, gravel pits, or borrow pits.
- (2) Crankcase draining may be stored in specially constructed above ground tanks, approved by the Fire Chief, with a maximum capacity of 550 gallons.
- (3) With the Fire Chief's approval, Class I and II liquids may be stored above ground outside of building in specially designed, approved, and listed containers which have features incorporated into their design which mitigate concerns for exposure to heat, ignition sources, and mechanical damage. Containers shall be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. Storage in such tanks on any site shall not exceed 1,000 gallons for Class I or 2,000 gallons for Class II liquids.

The Fire Chief may disapprove the installation of such containers when, in his or her opinion, their use presents a risk of life or property. In no case shall such storage be permitted on residential property.

Bulk plants or terminals as described in Section 5706.4 of the California Fire Code are prohibited within the Jurisdiction.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479, § 1(Exh. A), 10-22-2019)

17.64.070 Establishment of Limits in Which Bulk Storage of Liquid Petroleum Gases (LPG) is to be Restricted.

The limits referred to in Section 6104.2 and Section 6104.4 of the California Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows:

- (a) In any commercial or residential zone.
- (b) In those areas where LPG bulk storage is allowed.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.080 Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be prohibited.

The limits referred to in Section 5601 of the California Fire Code in which storage of explosives and blasting agents is prohibited are hereby established as the Jurisdictional Limits of the San Marcos Fire Department.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.090 Occupancy Approval.

Section 104.1.1 is added to the California Fire Code to read as follows:

Occupancy Approval. The Building Official shall not issue a Certificate of Occupancy without the approval of the Fire Department.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.100 Cost Recovery.

Section 104.11.4 is added to the California Fire Code to read as follows:

- (a) **Purpose.** The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response by the San Marcos Fire Department to protect the public from fire or hazardous substances.
- (b) **Reimbursement Required.** In accordance with the Health and Safety Code Section 13000 et seq., an individual who acts negligently or in violation of the law and thereby requires the Jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substance shall reimburse the agency for the costs incurred.
- (c) In accordance with Government Code Sections 53150 through 53159, any individual who is under the influence of an alcoholic beverage or any drug or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil aircraft, caused by that influence proximately causes any incident and thereby requires the agency to provide an emergency response shall reimburse the agency for the cost incurred. Additionally, any person who intentionally, knowingly, and willfully enters into any area that is closed or has been closed to the public by competent authority for any reason, or an area that a reasonable person under the circumstances should have known was closed to the public, is liable for the expenses of an emergency response required to search for or rescue that person, or if the person was operating a vehicle, any of his or her passengers, plus the expenses for the removal of any inoperable vehicle. Posting a sign,

placing a barricade, a restraining or retaining wall, roping off an area, or any other device is sufficient indication that an area is closed to the public due to danger of injury, for the public's safety, or for any other reason. A person who drives a vehicle on a public street or highway that is temporarily covered by a rise in water level, including ground water or overflow of water, and that is barricaded by any of the means described above, because of flooding, is liable for the expenses of any emergency response that is required to remove from the public street or highway, the driver, or any passenger in the vehicle that has become inoperable on the public street or highway, or the vehicle that has become inoperable on the public street or highway. Unless otherwise provided by law, this section shall apply to all persons, regardless of whether the person is on foot, or is operating a motor vehicle, bicycle, vessel, watercraft, raft, snowmobile, all-terrain vehicle, or any other boat or vehicle of any description. A person who was attempting to rescue another person or an animal shall not be liable for expenses of an emergency response under this section.

- (d) As used in this section, expenses of an emergency response means those reasonable and necessary costs incurred for an appropriate emergency response to an incident and includes the costs of providing police, firefighting, search and rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident.
- (e) **Enforcement Expense Recovery.** The City Council may adopt or amend an ordinance to impose a fee for recovery of expenses incurred as a result of activities undertaken pursuant to enforcing the fire prevention provisions of this Code.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.110 Permit Fees.

Section 108.2 paragraph two is added to the California Fire Code to read as follows:

A schedule of fees charged for permits and inspections required pursuant to this chapter shall be established and amended at the discretion and by resolution of the City Council. A copy of same shall be placed on file with the City Clerk.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.120 Access Road Width.

Section of 503.2.1 of the California Fire Code is amended to read as follows:

Width: The unobstructed width of a fire apparatus roadway shall not be less than 24 feet, with an unobstructed vertical clearance of not less than 13 feet 6 inches.

Exception:

- (a) A fire access roadway providing access to no more than two single-family dwellings shall be not less than 16 feet in width.
- (b) Fire access roadways divided by gated entrance with card reader, guard station, or center median which resulted in separated lanes of one-way traffic shall be 12 feet wide per lane. Where an adequate turn radius to accommodate fire apparatus cannot be provided, the lane width shall be widened as necessary to accommodate access.

(Ord. No. 2016-1429, 10-11-2016; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.130 Fire Hydrant Requirements.

Section 507.5.1 of the California Fire Code is amended by adding subsection 507.5.1.2 thereto, to read as follows:

507.5.1.2 Type Required. The Fire Chief shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises in the Jurisdiction. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. Such appliances shall be of a type suitable for the probable class of fire associated with such building or premises and shall have approval of the Fire Chief.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.140 Fire Hydrants.

Section 507.5 of the California Fire Code is amended to read as follows:

The fire code official may require a fire hydrant to have any combination of 4 inch and 2 ½ inch outlets with National Standard Threads.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.150 Reserved.

17.64.160 Water Storage Tanks.

Section 507.2 of the California Fire Code is amended by the addition of Table 507.2 the requirements of which may, at the discretion of the Fire Chief, apply when required fire flow for single-family dwellings must be supplied by private water tanks due to the unavailability of water mains.

Sec. 507.2.2 Water tanks. Water tanks for private residential fire protection, when authorized by the fire code official, shall comply with Table 507.2.2 and installed in accordance with NFPA 22. Water tanks for commercial fire protection, when authorized by the fire code official, shall be sized utilizing nationally-recognized standards.

**TABLE 507.2.2
RESIDENTIAL WATER TANK REQUIREMENTS**

Building Square Feet	Gallons Per Minute Water Flow	Capacity Gallons	Duration Minutes
Up to 1,500	250	5,000	20
Over 1,500	250	10,000	40
When the exposure distance is one hundred feet (100') or less from an adjacent property, or where additional hazards or higher fire flow exists, the required water storage may be modified by the fire code official.			

1. Tank bottom elevation shall be equal to or higher than the Fire Department connection on the premises. Regardless of domestic use, all tanks shall be equipped with a device that will ensure that the

tank contains the designated amount of water for fire flow duration as determined by the FAHJ. Tank size may be increased to serve multiple structures on a single parcel.

2. Supply outlet shall be at least four inches in diameter from the base of the tank to the point of outlet at the Fire Department connection. The fire department connection shall have an approved means of controlling water flow. The fire department connection shall be at least one four-inch National Standard Thread (male), reduced to one two and one-half inch National Standard Thread (male). Additional outlets may be required.
3. Location of Fire Department outlet shall be shown on the plot plan when submitted to the FAHJ. Consideration will be given to topography, elevations, and distance from structures, driveway access, prevailing winds, etc.
4. The outlet shall be located along a fire apparatus access roadway and shall not be closer than 50 feet or further than 150 feet from the structure.
5. All exposed tank supply pipes shall be of an alloy or other material listed for above ground use. Adequate support shall be provided.
6. Water storage tanks shall be constructed from materials allowed by NFPA 22 and installed per manufacturer recommendations.
7. The fire code official may require any necessary information to be submitted on a plot plan for approval.
8. Vessels previously used for products other than water shall not be allowed.
9. The bottom of the water storage tank shall be level with or above the building pad.

(Ord. No. 2011-1341, 1-25-11; Ord. No. 2016-1429, 10-11-2016; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.170 Plan Review and Inspection Fees.

Section 901.2 of the California Fire Code is amended by the addition of a second paragraph to read as follows:

Fees for Plans reviewed and inspections conducted by the Fire Department shall be charged as set forth in a resolution adopted and amended from time to time by the City Council. A copy of same shall be placed on file with the City Clerk.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.180 Automatic Fire Extinguishing System.

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

An automatic fire extinguishing system shall be installed in occupancies and at locations as set forth in section 903.2 and listed in 17.64.190 and 17.64.200.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.190 Automatic Fire Extinguishing Systems—Commercial.

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

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- (1) An automatic fire extinguishing system shall be installed in all Group A, B, E, F M & S, commercial buildings hereafter constructed when the square footage exceeds 5,000 square feet or 34 feet in height.
 - (2) An automatic fire extinguishing system shall be installed when Fire Department travel time exceeds five minutes from the closest fire station to any building. (Time tests will be conducted by the Fire Department based on established testing procedures.)

(Ord. No. 2016-1429, 10-11-2016; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.200 Automatic Fire Extinguishing Systems—Residential.

Section 903.2 of the California Fire Code is amended by expanding its applicability to Group R-2 and R-3 occupancies.

- (1) A listed electric water flow bell shall be provided for new Multi-family dwelling units, this includes apartments, condominiums and townhomes.
- (2) An exterior fire sprinkler shall be installed on covered exterior balconies of new Multi-family dwelling units, this includes apartments, condominiums and townhomes.
- (3) An approved 300 psi pressure gauge shall be permanently installed at the riser.
- (4) Additions. An automatic sprinkler system may be required to be installed throughout the building when the addition is more than 50% of the existing building or when the altered building will exceed a fire flow as calculated pursuant to section 2025 CFC 507.3. The fire code official may require an automatic sprinkler system to be installed in buildings where no water main exists to provide the required fire flow or where a special hazard exists, such as poor access roads, steep grades and canyon rims, hazardous brush and response times greater than 5 minutes by a fire department. The fire code official may require that other protective measures be taken based on existing conditions and/or potential hazards. The preceding addition or remodel exception is limited to one permit per three-year period from the date of the last permit approval.

(Ord. No. 2016-1429, 10-11-2016; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.210 Mid-Rise Buildings.

In addition to other applicable provisions of this Code, other laws and regulations, and any policies of the chief, the provisions of this article apply to every newly constructed mid-rise building, of any type construction, or any mid-rise building which undergoes a complete renovation that requires the complete vacancy of the building to complete the renovation.

Exceptions: The following structures, while defined as mid-rise buildings, will not be subject to the provisions of this article:

1. Buildings used exclusively as open parking garage.
2. Buildings where all floors above the fourth floor (16,764 mm) level are used exclusively as open parking garage.
3. Buildings such as power plants, lookout towers, steeples, grain houses, and similar structures with non-continuous human occupancy, when so determined by the chief.

Building Access. Building access must be provided and approved by the chief.

Automatic Fire Sprinklers/Standpipes. Every mid-rise building must be protected throughout by an automatic fire sprinkler system that is designed and installed in conformance with latest adopted Edition of NFPA 13 and in accordance with the following:

1. A control valve and a water flow alarm must be provided for each floor. Each control valve and flow alarm must be electronically supervised.
2. Every mid-rise building must be provided with a class I standpipe system that is interconnected with the fire sprinkler system. The system must consist of two and one-half-inch hose valves that must be located in each stair enclosure, on every floor level.

Two hose outlets must also be located on the roof, outside of each stair shaft enclosure that penetrates the roof. The standpipe system must be designed, installed, and tested in accordance with the NFPA 14 edition as referenced in chapter 80 of the California Fire Code.

3. Fire Department standpipe connections and valves serving the floor must be within the vestibule and located in a manner so as not to obstruct egress when hose lines are connected and charged.

Smoke Detection. Smoke detectors must be provided in accordance with this section. Smoke detectors must be connected to an automatic fire alarm system installed in accordance with the NFPA 72 edition as referenced in Chapter 80 of the California Fire Code. The actuation of any device required by this section shall operate the emergency voice alarm signaling system and shall operate all equipment necessary to prevent the circulation of smoke through air return and exhaust ductwork. Smoke detectors shall be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, unmanned computer equipment, elevator machinery or similar room and in all elevator lobbies. Elevator lobby detectors shall be connected to an alarm verification zone or be listed as a releasing device.
2. In the main return-air and exhaust-air plenum of each air-conditioning system. The smoke detector shall be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air conditioning system. In R-1 R-2 Occupancies, an approved smoke detector is allowed to be used in each return-air riser carrying not more than 5,000 cubic feet per minute and serving not more than 10 air inlet openings.
4. For Group R-1 and R-2 Occupancies, in all corridors serving as a means of egress for an occupant load for 10 or more persons.

Fire Alarm System. An approved and listed, automatic and manual, fully addressable and electronically supervised fire alarm system shall be provided in conformance with this code and California Building Code and NFPA 72 edition as reference in Chapter 80 of the California Fire Code.

Emergency Voice Alarm Signaling System. The operation of any automatic fire detector or water flow device must automatically sound an alert tone followed by a pre-recorded voice instruction giving appropriate information and direction on a general or selective basis to the following terminal areas:

1. Elevators.
2. Elevator lobbies.
3. Corridors.
4. Exit Stairways.
5. Rooms and tenant spaces.
6. Dwelling units.
7. Hotel Guest Rooms.

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8. Areas designated as safe refuge within the building.

Fire Command Center. A fire command center for Fire Department operations shall be provided. The location and accessibility of the fire command center shall be approved by the Fire Code Official. The room shall be separated from the remainder of the building by not less than one-hour, fire barrier and be located on an exterior wall, not within building. The room shall be a minimum of 200 square feet with a minimum dimension of 10 feet.

It shall contain the following facilities as a minimum:

1. Voice alarm and public address panels.
2. Fire Department communications panel.
3. Fire alarm annunciator panel.
4. Elevator annunciator panel (when Building exceeds 55 feet in height).
5. Status indicators and controls of air handling systems (Stairwell Pressurization).
6. Controls for unlocking stairwell doors.
7. Fire Pump status indicators (if required).
8. Complete building plans set.
9. Work Table.
10. Elevator control switches for switching of emergency power.

Annunciation Identification. Control panels in the central control station shall be permanently identified as to their function. Water flow, automatic fire detection and manually activated fire alarms, supervisory and trouble signals shall be monitored by an approved, UL listed Central Monitoring Station and annunciated in the Fire Command Center by means of an audible and visual indicator. For the purposes of annunciation, zoning shall be in accordance with the following:

1. When the system serves more than one building, each building shall be considered as separate.
2. Each floor in a building shall be a separate zone.
3. When one or more risers serve the same floor, each riser shall be a separate zone.

Elevators. Elevators and elevator lobbies shall comply with the provisions of Chapter 30 of the California Building Code. At least one elevator cab shall be assigned for fire department use and shall serve all floors of the building. This cab shall be provided large enough to accommodate an ambulance type stretcher in accordance with section 3002.4 of the California Building Code.

Fire Department Communication System. An approved two-way, Fire Department communication system designed and installed in accordance with the NFPA 72 edition as referenced in Chapter 80 of the California Fire Code shall be provided for Fire Department use per section 907.2.13.2.

Means of Egress. In addition to the requirements of Chapter 10, egress components of Mid-Rise buildings shall comply with the following:

Extent of Enclosure. Stairway enclosures must be continuous and must fully enclose all portions of the stairway. Exit enclosure shall exit directly to the exterior of the building or include an exit passageway on the ground floor, leading to the exterior of the building. Each exit enclosure shall extend through the roof and be provided with a door that leads onto the roof.

Pressurized Enclosures and Stairways. All required stairways and enclosures in a mid-rise building shall be pressurized as specified in the California Building Code Section 909. Pressurized Stairways shall be designed to exhaust smoke manually when needed.

Vestibules. Pressurized stairway enclosures, serving mid-rise buildings shall be provided with a pressurized entrance vestibule on each floor that complies with the California Building Code Section 909.

Pressure Differences. The minimum pressure difference within a vestibule shall be in accordance with the California Building Code Section 909.

Locking of Stairway Doors. All stairway doors that are locked to prohibit access from the interior of the stairway shall have the capability of being unlocked simultaneously, without unlatching, upon a signal from the fire control room. Upon failure of normal electrical service, or activation of any fire alarm, the locking mechanism must automatically retract to the unlocked position.

A telephone or other two-way communication system connected to an approved emergency service which operates continuously shall be provided at not less than every third floor in each required exit stairway vestibule.

Approved signage shall be provided in each stairwell vestibule stating doors are locked, on which floor(s) entry may be made, and on which floor(s) a telephone is located. Hardware for locking of stairway vestibule doors shall be State Fire Marshal listed and approved by the Fire Code Official by permit before installation. Stairway doors located between the vestibules and stairway shaft shall not be locked.

Emergency Response Maps - Geo- Referenced Preplans. Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates. The following should be provided:

- 1) A fire preplan in (ESRI) GIS format using the pre-configured GIS Starter Package provided by the City. A completed fire preplan shall include the GIS data and output PDF for use by the Fire Department.
- 2) Data deliverables (CAD and GIS) shall specifically include a site plan, building plan, all Utility shut-offs, fire sprinkler risers and shut-off valves, the fire department connection for sprinkler and class-I standpipe, all standpipe hose outlets, all stairwells, retail spaces, living units -numbers /locations, fire alarm panels, elevators, fire hydrants and all Knox boxes and key switch locations.

Emergency Responder Communication Coverage shall be in accordance with Section 510 of the California Fire Code, the approved Fire Department Standards, and third party consultants.

(Ord. No. 2016-1429, 10-11-2016; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.220 Dumping of Waste Material.

Section 304.1 to the California Fire Code is amended by adding section 304.1.1 thereto, to read as follows:

Dumping of waste material as defined in California Penal Code Section 374(b) is prohibited within the Jurisdiction except at an approved landfill. The property owner and person in control of the property shall not permit such material to remain on the site, and shall remove it or cause it to be removed to an approved landfill or State-licensed hazardous materials disposal station, as appropriate. The property owner or person in charge shall take such actions as necessary to prevent recurrent dumping, such as posting the property and fencing the area or barricading the access.

Such fencing or barricading shall not be installed so that fire-fighting access is compromised. After reasonable notice and opportunity for compliance per the California Health and Safety Code is given, the City Council may

authorize the Fire Chief to employ a contractor to remove such waste material from the site, and attach actual contractor costs and a reasonable administrative fee. In the event said fees are not collected, a lien will be placed against the property.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.230 Tanks for Gravity Discharge.

Section 5706.2.5.2 of the California Fire Code is amended to read as follows:

Gravity dispensing of Class I and Class II liquids is prohibited. Dispensing devices for flammable and combustible liquids shall be of an approved type. Approved pumps taking suction from the top of the tank shall be used. Flammable or combustible liquids shall not be dispensed by a device that operates through pressure within a storage tank. Air or oxygen shall not be used to pressurize an above ground tank.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.240 Fire Safety Guides.

Chapter 6 of the California Wildland – Urban Interface Code is amended by the addition of Chapter 6 , Section 604.6 , to read as follows:

Chapter 6 ,

Chapter 6 , Section 604.6 is to read as follows:

(6)

Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas shall at all times:

1. Maintain an effective fuel modification zone by removing, clearing or modifying away combustible vegetation and other flammable materials from areas within 150 feet from such buildings or structures. (See exception 3 for fire-resistive construction and other features for approval and/or a reduction of the fuel modification zone.) The fuel modification zone may be re-planted with either approved irrigated, fire-resistant planting material or approved non-irrigate, drought-tolerant, fire-resistant plant material. Re-planting of the fuel modification zone may be required for erosion control.

EXCEPTIONS:

1. Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.
2. Grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.
3. With the approval of the FAHJ the width of the fuel modification zone may be reduced where fire-resistive structures or other features are constructed however, in no case shall the fuel modification zone be reduced to less than 100 feet. See Section 26 for the minimum requirements of a fire-resistive structure. This

exception shall not be construed to allow the FAHJ to require fire-resistive construction on existing structures with a fuel modification zone of less than 100 feet.

Sec. 608.3 Structure Setback from Top of Slope. Single-story structures shall be setback a minimum 15 feet horizontally from top of slope to the farthest projection from a building or structure. A single-story structure shall be less than 12 feet above grade. A two-story structure shall be setback a minimum of 30 feet horizontally from top of slope to the farthest projection from a building or structure.

Sec. 604.8 Fuel modification of combustible vegetation from sides of roadways.

The FAHJ may require a property owner to modify combustible vegetation in the area within 20 feet from each side of the driveway or a public or private road adjacent to the property to establish a fuel modification zone.

Exception: The FAHJ may reduce the width of the fuel modification zone if it will not impair access.

Note: Whenever a conflict exists between the provisions of this Code and the above-referenced publications, the more restrictive requirement shall apply.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2016-1429, 10-11-2016; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.250 Hazardous Materials Report Forms.

Appendix H, Section H 3.2 of the California Fire Code is amended to read as follows:

Hazardous Materials reporting forms currently adopted by the San Diego County Health Department Hazardous Material Management Unit which cover the same topics as forms contained in this Appendix are adopted by reference and take precedence over this Appendix.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.260 Fireworks.

The sale, discharge, firing or use of all firecrackers, party poppers, bombs, rockets, torpedoes, Roman candles, Sky Lanterns or other fireworks or substances designed and intended for pyrotechnic display, and of all firework pistols/cannons, or other appliances using blank cartridges or caps containing chlorate of potash mixture or other mixtures designed to make an explosive sound, is hereby prohibited within the City of San Marcos. The City Council may permit the public display of fireworks by properly qualified individuals or organized bodies under the direct supervision of experts in the handling of fireworks.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.270 Appeals.

Section 112 of the California Fire Code is amended to read as follows: Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief to the City Manager within 30 days from the date of the decision appealed.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.280 New Materials, Processes or Occupancies Which May Require Permits.

The Fire Chief and Fire Marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in this Code. The Fire Marshal shall post such list in a conspicuous place in the Fire Prevention Bureau office and distribute copies thereof to interested persons.

(Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.285 Green Waste Recycling, Mulching, Composting Operations and Storage.

Recycling facilities shall comply with the following provisions:

- (a) All green waste that cannot be processed on-site, such as stumps and fibrous plants, shall be immediately removed from the feedstock, stored in roll-off containers or bins and removed from the facility on a weekly basis. All plastic bags shall be removed prior to shredding material.
- (b) Permit Required - A permit shall be obtained from the San Marcos Fire Department prior to engaging in the operation and storing of processed wood chips, hogged material, fines, compost and raw product in association with yard waste and recycling facilities where the likelihood exists that spontaneous combustion could occur and present a threat from fire or hazardous substances to the welfare and public safety as determined by the Fire Department. The permit shall continue until revoked or for such period of time as may be designated by the Fire Department. Permits shall not be transferable and any change in use, occupancy, operation or ownership shall require a new permit.
- (c) Operational Plans - The following operational and activity plans will be required prior to operation:
 - 1. Fire Suppression and Prevention Plan. A Fire Suppression and Prevention Plan shall be required and shall include, but not be limited to, the following:

Access for firefighting, equipment and personnel water system (including adequate storage for fire flow), material handling equipment, diversion plan, dispersal areas, emergency response plan, and security. The storage shall be in a manner designed to prevent fires, and other requirements as deemed necessary by the Fire Department.
 - 2. Emergency Fire Plan. All fires shall be reported to the Fire Department. The owner or operator shall develop a plan for monitoring, controlling and extinguishing spot fires and submit a plan for Fire Department review prior to approval.
 - 3. Fire Dispersal Area Plan. The plan shall include a method for dispersal for larger fires. The operator shall develop a fire dispersal area for spreading burning product waste. This area is to be used to break up and scatter piles of burning product in all directions for fire extinguishment.
 - 4. Emergency Operator Callback Response Plan. The operator shall provide an emergency response plan meeting the following criteria: The response time shall be within one hour of a fire or Fire Department request for the following equipment staffed with skilled operators, bulldozer, loaders and heavy duty equipment necessary to mitigate a fire. Notification shall be for 24 hours a day, seven days a week. Notification may occur by pager activation, telephonic contact or other approved means.
 - 5. Incoming Waste Diversion Plan. To prevent stockpiling of material onsite, the operator shall develop a diversion plan for incoming green waste in the event of equipment failure or other impediments to the timely processing and shipping of green waste.

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- (d) Fire Access Roadway - A fire access roadway shall be provided with a minimum width based upon material handling equipment requirements, with a surface covering as approved by the Fire Department. In no case shall the fire access roadway be less than 20 feet wide.
 - (e) Storage Site - Storage sites shall be reasonably level and on all-weather surfaces.
 - (f) Pile Separation - Piles shall be separated from adjacent piles by Fire Department access roadways.
 - (g) Size of Piles - Pile height, width, and length shall be limited to, and determined by, site material handling equipment requirements and in no case shall the piles exceed 12 feet in height, 100 feet in width and 200 feet in length.
 - (h) Static Pile Protection - The internal temperature of static piles and windrows shall be taken on a regular basis to monitor conditions within the windrows. Internal pile temperatures shall be taken at a point two-thirds the pile height, 12 to 24 inches from the surface, with a probe-type thermometer, and recorded weekly. Infrared thermometers may be used to monitor for hot spots at the surface once excessive temperatures are discovered. Temperatures above 158 degrees Fahrenheit are known to adversely affect microbial decomposition and are considered excessive. Once windrows exceed 170 degrees Fahrenheit, the windrows shall be reduced in size and monitored daily until temperatures drop below 158 degrees Fahrenheit. Windrows shall be visually inspected on a regular basis. Once fires have started in any windrow(s) at a site, this visual inspection shall be a minimum daily requirement and shall continue until the threat of fire is no longer present. All records shall be kept on file at the facility and be made available for inspection. An operational plan indicating procedures and schedules for inspections, monitoring and restricting of excessive internal temperatures in the static piles shall be submitted to the FAHJ for review and approval.

All green waste stockpiles shall be remixed, as necessary, to alleviate any fire due to spontaneous combustion or temperatures above 170 degrees Fahrenheit.

- (i) Firefighting Water Supply and Storage.

Public Water Supply: The operators shall provide one or more fire hydrants (400-foot on center) and waterline mains. The waterline may be an approved above ground line with adequate protection against impact, fire flow reaction, supplied from a reliable water supply. Fire flow at the hydrant(s) shall be at least 1,000 gallons per minute at 20 psi for a flow duration of 2 hours.

Private Water Supply: Above ground water storage tanks may, at the discretion of the Fire Marshal, be installed where public supply is not available or adequate or to support a deficient public supply, in order to meet fire flow requirements. Such supply shall consist of a minimum of two 10,000-gallon tanks.

- (j) Material Handling Equipment - Approved material-handling equipment shall be available for moving wood chips, hogged material, compost and raw product produced from yard waste and wood fines during firefighting operations. Vehicles used on all piles should be of a type that minimizes compaction. All vehicles operating on or around the piles shall have a Class A extinguisher of a 2-A rating, in addition to the normal Class B units required for the vehicles themselves.
- (k) Site Security - Pile storage areas shall be surrounded with approved fencing. Fences shall be a minimum of 6 feet in height.
- (l) Smoking and Open Burning Prohibited - The operator shall prohibit smoking and open flame on the operational site, including smoking within vehicles. Approved signs shall be clearly and prominently posted, and the requirements of same shall be enforced by the operators. No open burning shall be permitted on-site.
- (m) Combustible Vegetation Control - The operator shall clear within 50 feet of either the raw green waste pile or mulch pile any combustible material, weeds, brush, trees or other vegetation (including mulch)

that is, or could become, dry and capable of transmitting fire. Clearance shall be to bare earth or approved all-weather surfacing. Individual live trees within that distance may remain with approval of the FAHJ.

- (n) Site Equipment Maintenance—General Safety Rules - Welding operations shall be conducted a minimum of 30 feet from combustible materials, and a fire watch shall be established by operators to operate fire-extinguishing equipment. Refueling and on-site maintenance shall meet the requirements of California Fire Code Section 57 (Flammable and Combustible Liquids).
- (o) Security Bond/Financial Commitment for Cost Recovery - A security bond or alternate financial security acceptable to the City Attorney shall be submitted to the FAHJ, the amount of which shall depend on the size of operation and the likely expenses of any emergency response and/or enforcement action by the FAHJ to protect the public from fire or hazardous substances. The security bond/financial commitment shall be returned to the operator upon satisfactory closure of the operation, as approved by the FAHJ.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)

17.64.290 Penalties.

Any violation of the provisions of this chapter shall constitute a misdemeanor, punishable as provided in Section 1.12.020 Municipal Code (Violation as Misdemeanor) of this Code.

(Ord. No. 2014-1385, 1-28-2014; Ord. No. 2019-1479 , § 1(Exh. A), 10-22-2019)