



RESOLUTION No. 19-626

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION RATIFYING ORDINANCE NO. 05-2019 OF THE TRUCKEE FIRE PROTECTION DISTRICT ADOPTING THE 2019 CALIFORNIA FIRE CODE WITH AMENDMENTS SPECIFIC TO LOCAL CLIMATIC, GEOGRAPHIC AND TOPOGRAPHIC CONDITIONS

WHEREAS, the State of California revises its Building Standards Code on a triennial basis, which includes revisions to the California Fire Code; and

WHEREAS, pursuant to Health & Safety Code Section 13869.7, *et seq.*, a fire protection district may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshall and contained in the California Building Standards Code based on local climatic, geological, or topographical conditions; and

WHEREAS, an ordinance passed by a fire protection district to adopt more stringent building standards relating to fire and panic safety must either be ratified, modified, or denied by the legislative body in which the fire district is located; and

WHEREAS, a portion of the Truckee Fire Protection District ("District") is located within the unincorporated area of Nevada County; and

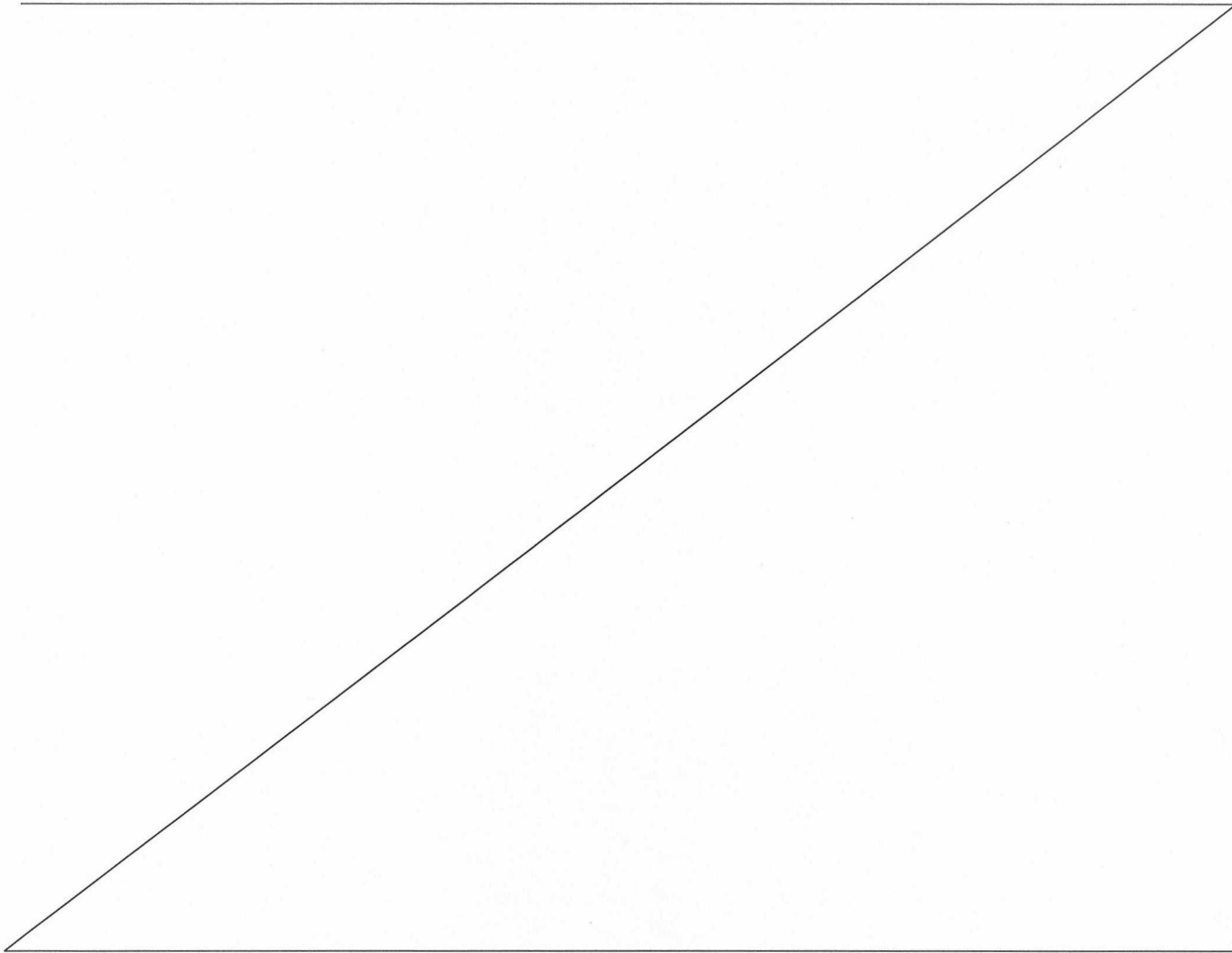
WHEREAS, the District has adopted the 2019 California Fire Code with certain amendments pursuant to District Ordinance No. 05-2019 (attached hereto); and

WHEREAS, the District's amendments to the 2019 California Fire Code are deemed more stringent based on local climatic, geological, or topographical conditions as set forth in specific findings adopted by the District in its Resolution No. 15-2019 (attached hereto); and

WHEREAS, the Nevada County Director of Building has reviewed and recommends the District's amendments to the 2019 California Fire Code based on local climatic, geological and/or topographical conditions within the District.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors:

1. Ratifies Truckee Fire Protection District Ordinance No. 05-2019 with amendments to the 2019 California Fire Code, and delegates the enforcement of this Ordinance to the Chief of the Truckee Fire Protection District, pursuant to Health & Safety Code Section 13869.7(h)(1)(A).
2. Within 15 days of the adoption of this Resolution, a certified copy shall be transmitted to the Truckee Fire Protection District, pursuant to Health and Safety Code Section 13869.7(c).
3. The Nevada County Community Development Agency shall file with the State Department of Housing and Community Development a copy of this Resolution with the attachments consisting of the Truckee Fire Protection District's Ordinance No. 05-2019, and the District's Findings set forth in District Resolution No. 15-2019, pursuant to Health and Safety Code Section 13869.7(c).




PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a special meeting of said Board, held on the 17th day of December, 2019, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Richard Anderson, Chair

**Before the Board of Directors of the
Truckee Fire Protection District of Nevada County**

Ordinance 05-2019

An Ordinance of the Truckee Fire Protection District of Nevada County (hereafter at times "TFPD") adopting the 2019 edition of the *California Fire Code*, as amended, 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 Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County; providing for the issuance of permits and collection of fees therefore; repealing Ordinance 01-2016 and all other ordinances and parts of the ordinances in conflict therewith.

The Board of Directors of the Truckee Fire Protection District of Nevada County (TFPD) does ordain as follows:

Section 1. That a certain document, three copies of which are on file in the Office of the Clerk of the Truckee Fire Protection District of Nevada County, being marked and designed as the *California Fire Code*, 2019 edition, including all Appendix Chapters (see *California Fire Code* Section 101.2.1, 2019 edition) as published by the International Code Council, be and hereby is amended and adopted as the Fire Code of the Truckee Fire Protection District of Nevada County 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 and terms of said Fire Code on file in the office of the Truckee Fire Protection District of Nevada County and 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 this Ordinance.

Section 2. That the following sections, which need certain information provided in order to be completed, and hereby completed by inserting the following information:

Section 101.1 Title. Insert: Truckee Fire Protection District of Nevada County

Section 110.4 Violation penalties. Insert: Misdemeanor, 1,000, and 90; and

Section 112.4 Failure to Comply. Insert: 100 and 1,000 "for each day the violation continues unabated".

Section 3. That the geographic limits referred to in certain sections of the 2019 *California Fire Code* and hereby established as follows:

Section 5704.2.9.6.1 Geographic limits in which the storage of Class I and Class II liquids and above ground tanks outside of buildings is prohibited:

Throughout all territory within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County.

Exception 1: Protected above ground storage tanks installed in accordance with Section 5704.2.9.7 and Chapters 23 and 57 of the Code and approval in advance in writing by the Fire Chief or their designated representative.

Exception 2: The Chief may authorize the temporary (not to exceed 120 days) use of above ground tanks installed in accordance with Chapter 22 and 34 of this Code not exceeding 660 gallons of water individual capacity for storage of Class II and III liquids, and the tank and manner of above ground storage is approved in advance in writing by the Fire Chief or their designated representative.

Section 5706.2.4.4 Geographic limits in which the storage of Class I and Class II liquids in above ground storage tanks is prohibited: is established as follows:

Throughout all territory within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County.

Exception 1: Protected above ground storage tanks installed in accordance with Section 5704.2.9.6 and Chapters 23 and 57 of the Code and approval in advance in writing by the Fire Chief or their designated representative.

Exception 2: The Chief may authorize the temporary (not to exceed 120 days) use of above ground tanks installed in accordance with Chapter 22 and 34 of this Code not exceeding 660 gallons of water individual capacity for storage of Class II and III liquids, and the tank and manner of above ground storage is approved in advance in writing by the Fire Chief or their designated representative.

Exception 3: Home heating oil may be stored in approved above ground tanks if the tank capacity does not exceed 550 water gallons and the tank and manner of above ground storage is approved in advance in writing by the Fire Chief or their designated representative.

Section 5806.2 Geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited:

Throughout all territory within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County.

Exception: The storage of such fluids for use in commercial or industrial uses may be approved in advance in writing by the Fire Chief or their designated representative.

Section 6104.2 Geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas: within heavily populated or congested commercial areas within the boundaries of the Truckee Fire Protection District of Nevada County, including that portion of the District in Placer County.

Section 4. The *California Fire Code*, 2019 Edition is amended and changed in the following respects:

A. Section 101.6 is added to read as follows:

101.6 Headings. Headings are inserted for convenience of reference only and shall not be utilized to define, limit or otherwise construe this code.

B. Section 110.4.2 is added to read as follows:

110.4.2 Reduction of Penalty. The Fire Chief, in their sole discretion, may reduce any violation from a misdemeanor set forth above to an infraction, punishable by a fine of not more than \$500.00

C. The definition of Fire Code Official as set forth in Section 202 shall be amended to read as follows:

FIRE CODE OFFICIAL. The Fire Chief or designated authority charged with the administration and enforcement of the Code or a duly authorized representative. The "Fire Code Official" may also be known as the Fire Marshal.

D. Section 307.4.4 is added to read as follows:

307.4.4 Outdoor Open Flame Appliances, including permanently installed outdoor fireplaces, fire pits, BBQ's, pizza ovens and any other open flame outdoor device that is connected to a residential/commercial gas line service, at the discretion of the Fire Code Official shall be installed with the following:

1. Gas shut-off valve located at stub out and readily accessible
2. Timer device to regulate maximum operating time to three (3) hours
3. Ten (10) feet vertical & horizontal clearance to all combustibles measured from the open flame, not including the support structure. For devices per manufacturers installation guidelines that have less of a combustible clearance may be installed at the discretion of the Fire Official
4. 2nd gas shut-off valve accessible installed within 3'-5' of the device
5. Two (2) feet maximum flame height
6. All parts/assemblies to be tested and certified by UL, CSA, or ANSI.
7. Provide product specification sheet for device design
8. Surface supporting device system shall be of an ignition resistance material (approved by the California State Fire Marshal's office) extending minimum of two (2) feet around device

E. Section 604.3.2 is added to read as follows:

604.3.2 Main Electric Disconnect. When the main electrical disconnect is located on the interior of a building, the installation of an electrical shunt trip shall be required on the exterior in a location that is protected from the elements as approved in advanced in writing by the Fire Code Official.

F. Section 604.3.3 is added to read as follows:

604.3.3 Auxiliary Power Generator, on any new structure or remodel that has electrical power supplied by a secondary or auxiliary power unit with automatic startup and/or automatic power transfer capabilities shall have an auxiliary power disconnect accessible to Fire District Personnel. The auxiliary power disconnects switch/Shunt (Section 605.3.2 Main Electric Disconnect Shunt) shall be located within three (3) feet of the main power disconnect switch and identified with a permanently mounted, weather proof label marked "AUXILIARY POWER DISCONNECT".

G. Section 903.2 shall be amended to read as follows:

903.2 Where Required. Approved automatic sprinkler system in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Notwithstanding any other provisions of this code, any occupancy other than R occupancies (903.2.8) that have a total floor area exceeding 3,600 square feet, regardless of the presence of any area separation walls shall be sprinkled. Where additions increase the total size of the buildings to 3,600 square feet or more, the addition and the existing occupancy/building shall be provided with an automatic sprinkler system. Fire separation areas shall not be used to reduce this requirement. The removal, demolition or repair of more than 50% of floor space (not to include finishes, mechanical, electrical and plumbing improvements) and 3,600 square feet or greater of an interior tenant improvement (TI) of a commercial building, the existing occupancy and commercial structure shall be provided in the locations described in Sections 903.2.1 through 903.2.12 with an automatic sprinkler system. Any structure or occupancy that does not have maintained year-round road access for all emergency response vehicles shall be sprinkled.

Exceptions:

1. Whenever there are practical difficulties involved, the Fire Code Official shall have the authority to grant modifications in individual cases provided the modifications do not lessen the health, life and fire safety requirements as permitted in Section 104.8 of the Fire Code.

H. Section 903.2.8 shall be amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with 903.3 shall be provided throughout all buildings with a Group R fire area. Notwithstanding any other provision of this code any R occupancy to include:

Additions: The addition increases the existing square footage by 50% and the addition is 2,000 square feet or greater.

Remodels, alterations and/or repairs to an existing California Fire Code regulated building involving demolition, removal or repair of more than 50% of the gross square footage of the building, the building shall meet the requirements for a newly constructed building. For purpose of this Section, "50%" threshold shall be applied if the project involves any of the following:

1. The removal, demolition or repair of more than 50% of the exterior weight bearing walls; or
2. The removal, demolition or repair of more than 50% of the of the interior floor square footage.

Exceptions:

1. Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.
2. Whenever there are practical difficulties involved, the Fire Code Official shall have the authority to grant modifications in individual cases provided the modifications do not lessen the health, life and fire safety requirements as permitted in Section 104.8 of the Fire Code.
3. Additions or repairs for the purpose of seismic retrofit.

- I. Section 903.4.1 shall be amended to read as follows:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station, or, when approved in advance in writing by the Fire Code Official, shall send an audible signal at a constantly attended location and at such other locations as may be required by the Fire Code Official.

- J. Section 6101.3 shall be amended to read as follows:

6101.3 Construction Documents. Where a single LP-gas container is more than 1,200 water gallons in water capacity or the aggregate water capacity of LP-gas containers is more than 1,200 gallons, the installer shall submit for approval, construction documents for such installations.

- K. Section 6101.3.1 is added to read as follows:

6101.3.1 Placer County Code. Placer County Building and Development Code Article 15.12 is added as a standard for reference throughout the jurisdiction limits of TFPD for the installation, maintenance and inspections of liquefied petroleum gas containers.

- L. Section 6107.5 is added to read as follows:

6107.5 Protecting Appurtenances from the Elements. A protective cover shall be installed over all gas meters, regulators, valves and equipment so to provide protection against sliding, drifting and impact of snow and ice. The minimum design for the protective cover shall be equal to, or greater than the Building Design Load (determined by the appropriate building department) and shall be securely supported to the ground or diagonally to the building wall.

Section 5. All prior Ordinances of the Truckee Fire Protection District of Nevada County adopting and/or adopting as amended any prior Uniform Fire Code or California Fire Code are hereby repealed upon the effective date of this Ordinance except that any enforcement or abatement action under any such prior Ordinance shall remain and be pursued until resolution.

Section 6. That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

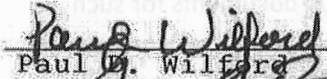


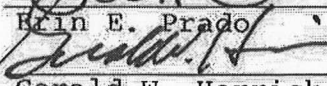
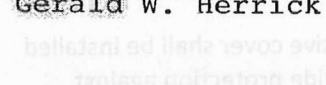
Section 7. That nothing in this Ordinance or in the *California Fire Code 2019 Edition* hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any other cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 5 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 8. That the Administrative Officer of the Truckee Fire Protection District of Nevada County is hereby ordered and directed to cause this Ordinance to be published and posted in compliance with California Law.

Section 9. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full-force and effect from and after its publishing, posting and approval as required by California Law.

Passed and Adopted at a duly held meeting of the Board of Directors of the Truckee Fire Protection District of Nevada County on November 19, 2019 by the following vote:

Yes:

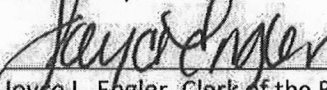

Paul G. Wilford

Gary R. Botte

Victor R. Hernandez

Erin E. Prado

Gerald W. Herrick

Noes:

Absent:

Abstain:

Attested by:


Joyce L. Engler, Clerk of the Board

Dated: November 19, 2019

**Before The Board of Directors of the
Truckee Fire Protection District of Nevada County**

RESOLUTION 15-2019

**In the Matter of:
Modifications to the 2019 California Fire Code.**

**A RESOLUTION ADDRESSING MODIFICATIONS
TO THE 2019 CALIFORNIA FIRE CODE**

WHEREAS, the Truckee Fire Protection District of Nevada County (hereafter "TFPD" or "District") is a fire protection district organized and existing pursuant to Health and Safety Code Sections 13800 et. seq., and

WHEREAS TFPD intends to adopt the California Fire Code, 2019 edition, and

WHEREAS TFPD believes that it is necessary to make certain changes, modifications and amendments to the 2019 California Fire Code due to local climatic, geological or topographical conditions that exist within and without the jurisdictional boundaries of TFPD, and

WHEREAS Health and Safety Code Sections 13869.7 and 17958.7 require certain findings to be made with regard to those modifications,

NOW, THEREFORE, BE IT RESOLVED:

SECTION I. The following portions of the California Fire Code, 2019 edition (hereafter "Code") are being modified for the reasons set forth below:

A. Section 101.6 is added so to identify that headings are inserted for convenience and reference only, and that the headings do not restrict the interpretation or enforcement of the Code. This addition is necessary due to local climatic, geological and topographical conditions; by way of example, heavy snowfall, hard freezes, urban interface with significant wildland fires, and high winds make it necessary to specifically identify the district's fire prevention enforcement powers.

B. Section 109.4.2 is added so to provide that the Fire Chief may reduce a violation to an infraction. This addition is necessary because the local climatic geological and topographical conditions, in particular, the wildland urban interface with significant wildland fires and high winds make it necessary to pursue violations as promptly as possible, before severe fire conditions exist.

C. Section 112.4 is amended to provide that the violations set forth in that section constitute a new violation for each day the violation continues. This addition is necessary because the local climatic geological and topographical conditions, in particular, the wildland urban interface with significant wildland fires and high winds make it necessary to pursue violations as before severe fire conditions exist.

D. The definition of Fire Code Official in Section 202 is amended so to specify that the "Fire Code Official" may also be known as the "Fire Marshal." This addition is necessary for ease of reference and the local climatic, geological and topographical conditions of this area require the ability to quickly identify and communicate with the appropriate fire official.

E. Section 307.4.4 is added due to the proliferation of outdoor flame appliances in the area that could escape their enclosure or be left unattended and due to the local climatic and topographical conditions and wildland urban interface, a fire could spread rapidly.

RESOLUTION 15-2019

F. Section 507.5 is amended so to allow for a determination of the location number and type of fire hydrants to solely residential projects. The local climatic conditions of cold weather and heavy snowfall can hinder the access to fire hydrants and the ability of the TFPD to attack fires.

G. Section 507.5.1 regarding fire hydrant systems, is amended so to reduce the distance of a facility or building from a fire hydrant. The local climatic conditions of cold weather and heavy snowfall can hinder the access to fire hydrants and the ability of the TFPD to attack fires.

H. Section 604.3.2 is added to require the installation of an electrical shunt trip if the main electrical disconnect is located on the interior of a building. This is added due to local climatic and topographical conditions, and, in particular, the heavy snowfall and snow accumulations during the winter months require the approved installation of an electrical shunt trip to be located on the exterior of the building so that the electrical power to a structure can be easily accessed in the event of a fire.

I. Section 604.3.3 is added due to the proliferation of auxiliary power generators in the District that would constitute a safety hazard to firefighters. Due to the local climatic and topographical conditions resulting in deep accumulations of snow and the need to access and attack fires as promptly as possible, firefighters may not have the time or ability to inspect the entire premises for an auxiliary power generator.

J. Section 903.2 regarding the installation of sprinklers in certain structures is amended due to local climatic, geological and topographical conditions. In particular, during hard freezing or high snowfall conditions, and the steep roads in the district, accessibility to a fire may be slowed or impossible. Due to the local climatic, geological and topographical conditions that may exist, thereby slowing or preventing response to a fire, the presence of sprinklers may be the only means available to suppress or slow the spread of a fire.

K. Section 903.2.8 is amended regarding the need for automatic sprinkler systems in certain remodeled, altered, repaired or additions to structures due to local climatic, geological and topographical conditions. In particular, during hard freezing or high snowfall conditions, and the steep roads in the district, accessibility to a fire may be slowed or impossible. Due to the local climatic, geological and topographical conditions that may exist, thereby slowing or preventing response to a fire, the presence of sprinklers may be the only means available to suppress or slow the spread of a fire.

L. Section 903.4.1 is amended so to require an audible automatically transmitted alarm to be in such locations as required by the Fire Code Official. These changes are required due to local climatic, geological and topographical conditions; in particular, during periods of hard freezing or high snowfall, and the steep roads in the district, the accessibility may be slowed or impossible. Due to the possible absence of or delayed response to the fire, it is necessary to ensure that all occupants of a structure are given proper and adequate notice of a fire so to provide as much time as possible to extricate themselves from that structure.

M. Section 6101.3 is amended so to reduce the triggering amount for the storage of LP gas containers requiring submission of construction documents. This amendment is necessary due to the heavy snowfall and the sloping topographic conditions, local climatic, and geological conditions in this area, in particular, the urban interface with significant wildland fires and high winds make it necessary to have appropriate construction documents submitted for approval to ensure the proper storage of LP gas containers.

N. Section 6101.3.1 is added to provide a standard reference to the Placer County Building and Development Code Article 15.12. This amendment is necessary due to the heavy snowfall and the sloping topographic conditions, local climatic, and geological conditions in this area, in particular, the

slow movement of accumulated snow that can result in stress or rupturing of LPG containers and piping. This reference to that Code will assist the District and those installing LPG containers to construct and install them in the safest manner possible.

O. Section 6107.5 is added to provide additional, required protection for the meters, regulators, valves and equipment of LPG distribution systems. This amendment is necessary due to the heavy snowfall, high winds and freezing conditions experienced during the winter months and will help protect these LPG appurtenances from cracking, leaking and breaking.

SECTION II. The Board of Directors of the Truckee Fire Protection District finds that the amendments described above are reasonably necessary due to the findings set forth above.


SECTION III. This Resolution is being adopted in order that TFPD may comply with the necessary requirements and procedures to amend the Code to be adopted, in particular, Section 17958.7 of the Health and Safety Code. Adoption of the Code will not move forward until public hearing and comment, including, but not limited to any written or verbal comments by the Town of Truckee, County of Nevada, or County of Placer.

SECTION IV. In order to proceed with the consideration and possible adoption of the Ordinance amending and adopting this Code, the Board of Directors of TFPD hereby authorizes the District Staff to prepare and publish a summary of the Ordinance pursuant to Government Code Section 25124(b)(1).


SECTION V. If any provision of this Resolution or application to any person or circumstances are held invalid or unenforceable, the remainder of the Resolution and the application of such provisions to other persons or circumstances shall not be affected thereby.

PASSED AND ADOPTED at a duly held meeting of the Board of Directors of the Truckee Fire Protection District of Nevada County on September 17, 2019, by the following vote:


Ayes:




 Victor R. Hernandez




 Paul Wilford



 Gary R. Borro

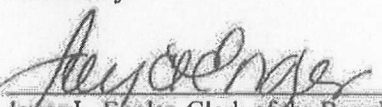


 Erin E. Prado



 Gerald W. Herrick

Attested by:



 Joyce L. Engler, Clerk of the Board

Noes:

Absent:

Abstain:

Dated: September 17, 2019 _____

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