TITLE 15

FIRE

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Chapter 15.04

Fire Prevention

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15.04.010: Justification

The City Council recognizes that the City of Mill Valley has within its borders and along its boundaries, significant areas of grass, brush and heavily forested lands. These hazardous conditions present an exceptional and continuing fire danger to the residents of the community due to the difficulty of the terrain and topography of the area, much of it consisting of boxed canyons with steep, brush-covered slopes; narrow winding streets used by residents of the area and the Fire Department for ingress and egress, steep hills which hinder Fire Department response time; older and inadequate water systems in certain areas of the community; and the location of buildings and structures with relation to these dangerous areas.

The City Council also recognizes that a great number of structures located within the City of Mill Valley were built in the late 1800's and early 1900's, thus lacking the built-in protection of modern construction. Many of the residential structures had been built on steep slopes with boxed canyons and large percentages are located in areas of heavy natural growth. Many structures (new and old) are constructed of highly combustible material, which offer little resistance to fire and could contribute to the spread of fire.

The City Council also recognizes the fact that the community has been plagued many times in the late 1800's and early 1900's by brush and forest fires which not only threaten destruction, but on a number of occasions devastated large portions of the town. The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the City, thus rendering such separations ineffective against the spread of fires. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

The City Council recognizes that, in the event that the Fire Department is called to respond to a fire emergency in any of these areas, its response time to an emergency is increased by reason of the difficulties herein stated. In recognition thereof and acting pursuant to California Health and Safety Code Section 17958.5 and 17958.7, the City Council finds that the fire protection requirements of this ordinance as such requirements modify state required regulations adopted pursuant to the California Health and Safety Code Section 17922 are hereby reasonably necessary because of local climatic, geological and topographical conditions.

Pursuant to Section 1.1.8 and 1.1.8.1 of the 2010 California Fire Code findings for each amendment, addition or deletion based on climate, topography or geology are:

Chapter	Climate	Topography	Geological
1 – Administration			
• 102.5	X	X	
• 102.7.1	X	X	
• 104.1.1	X	X	
• 104.1.1	X	X	
• 104.12	X	X	
• 104.13	X	X	
• 105.6.47	X	X	
• 105.7.15	X	X	
• 109.3.2	X	X	
2 – Definitions			
• 202 (F)		X	
• 202(S)		X	
• 202(T)		X	
3- General Requirements			
• 302.1	X	X	
• 318	X	X	
4- Emergency Planning and Procedures			
• 402.1	X	X	X
• 408.1.1	X	X	X
• 408.8.4	X	X	X
5 – Fire Service Features			
• 501.4	X	X	X
• 502.1	X	X	X
• 503.1.4	X	X	X

• 503.1.5	X	X	X
• 503.2.6.1	X	X	X
• 503.4	X	X	X
• 503.4.2	X	X	X
• 503.6.1	X	X	X
• 503.6.2	X	X	X
• 506.1	X	X	X
• 507.5.1	X	X	X
• 507.5.7	X	X	X
6 – Building Services and Systems			
• 605.11	X	X	X
• 605.11.1	X	X	X
• 605.11.2	X	X	X
• 605.11.3	X	X	X
9 – Fire Protection Systems			
• 901.7	X	X	
• 903.2	X	X	
• 903.3	X	X	
• 906.11	X	X	
• 907.2.11	X	X	
• 907.9.5.1	X	X	
49 – Requirements for WUI Areas			
• 4906.2	X	X	X
• 4907.1	X	X	X
• 4907.2	X	X	X
Appendix A – WUI			
• A104.7.2	X	X	X
• A104.11	X	X	X
• A104.12	X	X	X
• A104.13	X	X	X

15.04.020: <u>Adoption of the California Fire Code and International Fire Code</u>

There is hereby adopted by the City Council hereby adopt, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion the following:

1. The 2010 California Fire Code, which consists of certain portions of the 2009 edition of the International Fire Code as amended by the California Building Standards Commission, including:
    a. Appendix Chapter 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY,
    b. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS,
    c. Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION,
    d. Appendix E HAZARD CATEGORIES,
    e. Appendix F HAZARD RANKING,
    f. Appendix G CRYOGENIC FLUIDS WEIGHT AND VOLUME EQUIVALENTS, and
    g. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLANS AND HAZARDOUS MATERIALS INVENTORY STATEMENTS;

2. The International Fire Code published by the International Fire Code Council, Inc., 2009 Edition hereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 1 of this Ordinance.

3. Appendix A of the 2006 edition of the International Wildland-Urban Interface Code save and except such portions as are hereinafter deleted, modified or amended by Section 1 of this Ordinance.

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

15.04.030: Establishment and duties of the division of the Fire Prevention Bureau

The 2010 California Fire Code, which consists of certain portions of the 2009 edition of the International Fire Code as amended by the California Building Standards Commission, and the 2009 edition of the International Fire Code, and Appendix A of the 2009 edition of the International Wildland-Urban Interface Code as adopted and amended herein, shall be enforced by the Fire Marshal of the Mill Valley Fire Department and shall be operated under the supervision of the Fire Chief of the Mill Valley Fire Department.

15.04.040: Definitions

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

(a) Whenever the words “Fire Code” or “This Code” are used they shall mean those Codes and Standards adopted in Section 1 of this Ordinance.

(b) Wherever the word "jurisdiction" is used in the Fire Code, it shall be held to mean the Mill Valley Fire Department.

(c) Wherever the term "counsel" is used in the Fire Code, it shall be held to mean the attorney for the City of Mill Valley.

(d) Wherever the words “Fire Code Official” are used in the Fire Code, they shall be held to mean the “Fire Chief or the Fire Marshal of the Mill Valley Fire Department or his or here designee."

15.04.050: Establishment of the geographic limits in which the storage of Class I, Class II and Class III liquids in outside aboveground tanks is prohibited.

The geographic limits referred to in Section 3404.2.9.6.1 of the International Fire Code in which storage of Class I, Class II and Class III liquids in outside aboveground tanks is prohibited and are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Mill Valley or the County of Marin, whichever is applicable, and agricultural land of less than two (2) acres.

15.04.060: Establishment of the geographic limits in which the storage of Class I and Class II and Class III liquids in aboveground tanks is prohibited.

The geographic limits referred to in Section 3406.2.4.4 of the International Fire Code in which storage of Class I and Class II and Class III liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Mill Valley or the County of Marin, whichever is applicable, and agricultural land of less than two (2) acres.

15.04.070: Establishment of the geographic limits in which the store of liquefied petroleum gases is to be restricted.

The geographic limits referred to in Section 3804.2 of the International Fire Code, in which storage of liquefied petroleum gas is restricted, are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Mill Valley or the County of Marin, whichever is applicable.

15.04.080: Establishment of the geographic limits in which the storage of explosive and blasting agents is to be prohibited.

The geographic limits referred to in Section 1407.1 and Section 3301.1 of the International Fire Code, in which storage of explosives and blasting agents is prohibited, are amended as follows: In all residential areas and in heavily populated or congested commercial areas as established by the City of Mill Valley or the County of Marin, whichever is applicable.

15.04.090: Establishment of the geographic limits in which the storage of compressed natural gas is to be prohibited.

The geographic limits referred to in Section 3001.1 of the International Fire Code, in which the storage of compressed natural gas is prohibited, are hereby established as follows: in all residential areas and in heavily populated or congested commercial areas, as established by the City of Mill Valley or the County of Marin, whichever is applicable.

15.04.100: Establishment of the geographic limits in which the storage of stationary tanks of flammable cryogenic fluids is to be prohibited.

The geographic limits referred to in Section 3204.1 of the International Fire Code, in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: in all residential areas and in heavily populated or congested commercial areas, as established by the City of Mill Valley or the County of Marin, whichever is applicable.

15.04.110: Establishment of the geographic limits in which the storage of hazardous materials is to be prohibited or limited.

The geographic limits referred to in Section 2701.1of the International Fire Code, in which the storage of hazardous materials is prohibited or limited, are hereby established as follows: in all residential areas and in heavily populated or congested commercial areas, as established by the City of Mill Valley or the County of Marin, whichever is applicable.

15.04.120: Amendments made to the 2010 California Fire Code, the 2009 International Fire Code and Appendix A of the 2006 International Urban Wildland Interface Code.

The 2010 California Fire Code, the 2009 International Fire Code and Appendix A of the 2006 International Urban Wildland Interface Code is amended and changed in the following respects:

Section 102.5 is hereby added to Chapter 1 and shall read as follows:

- Section 102.5. Provisions of this code pertaining to the interior of the structure when specifically required by this code including, but not limited to, Section 903.2 shall apply.

Section 102.7.1 is hereby added to Chapter 1 and shall read as follows:

- Section 102.7.1 **Nationally Recognized Listed Products**. Any installation of products and equipment due to permits required by this code shall be Labeled and Listed, as defined in Section 202.

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

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

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

- Section 104.12. **Damages and expense recovery**. The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

Section 104.13 is hereby added to Chapter 1 and shall read as follows:

- Section 104.13. **Fire prevention resource sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement and other fire prevention services when requested to do so.

Section 105.6.47 of Chapter 1 is hereby amended by adding the following additional operational permits:

4. **Aircraft refueling vehicles.** An operational permit is required to operate aircraft refueling vehicles. See Chapter 11.

5. **Automobile wrecking yards.** An operational permit is required to operate an automobile wrecking yard.

6. **Cellulose nitrate storage.** An operational permit is required to store or handle more than 25 pounds of cellulose nitrate plastic (pyroxylin) for the manufacturing or assembly of articles or parts of articles containing cellulose nitrate plastics (pyroxylin).

7. **Fire hydrants and valves.** An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes, which are installed on water systems accessible to a fire apparatus access road that is open to or generally used by the public.

8. **Fireworks.** An operational permit is required to store and use fireworks for public display.

9. **Fire Protection Plan.** An operational permit is required to implement a fire protection plan.

10. **High-piled storage.** An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46m2).

11. **Miscellaneous combustible storage**. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71m3) gross volume of combustible empty packing cases, boxes, barrels, wooden pallets, or similar containers, rubber tires, rubber, cork, or similar combustible material.

12. **Radioactive material.** An operational permit is required to store or handle at any installation more than 1 micro curie (37,000 Becquerel) of radioactive material not contained in a sealed sources or more that 1 millicurie (37,000,000 Becquerel) of radioactive material in a sealed

source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required.

13. **Spraying or dipping.** An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 15.

14. **Pyrotechnics and special effects.** An operational permit is required to use special effects, open flame, use of flammable or combustible liquids and gases, welding, and parking of motor vehicles in any building or location used for the purpose of motion picture, television and commercial production.

15. **Live audiences.** An operational permit is required to install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See Chapter 48.

Section 105.7.15 is hereby added to Chapter 1 and shall read as follows:

- Section 105.7.15 **Vegetation management plan**. A construction permit is required to implement a vegetation management plan.

Section 109.3.2 of Chapter 1 is hereby amended and shall ready as follows:

- Section 109.3.2 **Abatement of clearance of brush or vegetative growth from structures.** The executive body is authorized to instruct the Chief to give notice to the owner of the property upon which conditions regulated by section 304.1.2 of Chapter 3 and section 4907.1 of Chapter 49 exists to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

Section 202-(F) of Chapter 2 is hereby amended by adding the definition of Fire Road thereto.

- Fire Road. See section 502.1.

Section 202-(S) of Chapter 2 is hereby amended by adding the definition of 'second unit,' 'spark arrestor.' And 'substantial remodel' as follows:

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

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

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

Section 202 (T) of Chapter 2 is hereby amended by adding the definition of 'Temporary', "Tracer" and "Tracer Charge as follows:

- **Temporary** shall mean any use for a period of less than 90 days.

- **Tracer** shall mean any bullet or projectile incorporating a feature, which marks or traces the flight of said bullet or projectile by flame, smoke, or other means, which results in fire or heat.

- **Tracer Charge** is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means, which result in fire or heat and shall include any incendiary bullets and projectiles.

Section 302.1 is amended by adding the following definition of "Public Storage Facility" as follows:

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

Section 318 is hereby added to Chapter 3 and shall read as follows:

Section 318 **PUBLIC STORAGE FACILITIES**

- Section 318.1 **General.** Public Storage Facilities shall comply with the provisions of this section.

- Section 318.2. **Location on Property and Fire Resistance of Exterior**. All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.

- Section 318.3. **Fire apparatus access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.1.1.

- Section 318.4. **Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate same in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.

  Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management per Chapter 34 of this code.

Section 402.1 of Chapter 4 is hereby amended by adding the definition of 'Pre-plans' as follows:

- **Pre-plans** shall mean detailed plans of target hazard buildings. These pre-plans include information on the building's location, occupancy, hazards, fire department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.

Section 408.1.1 is hereby added to Chapter 4 and shall read as follows:

- Section 408.1.1 **Pre-plans:** When required by the fire code official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

Section 408.8.4 is hereby added to Chapter 4 and shall read as follows:

- Section 408.8.4. **Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging and congregate houses shall provide guests with immediate access to a

telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

Section 501.4 of Chapter 5 is hereby amended by adding an additional sentence as follows:

- Failure to comply with this section upon written or verbal notice from the Chief shall result in a Fire Department order to cease operations and desist further operations until such time as adequate access and/or water for fire protection is provided.

Section 502.1 of Chapter 5 is hereby amended by adding a definition of Fire Road and shall read as follows:

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

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

- Section 503.1.4 Fire Roads. Fire Roads shall be provided for firefighting equipment, apparatus and personnel to undeveloped areas of the City so as to gain access to improved, unimproved, and undeveloped areas of the City, in a manner approved by the Chief. Any vehicle causing such an obstruction may be towed away at the owner's expense.

Section 503.1.5 is hereby added to Chapter 5 and shall read as follows:

- Section 503.1.5 **Truck company access.** For buildings 3 or more stories or greater than 30 feet (10670mm) in height, approved access roads for ladder truck operations shall be provided within the necessary operational distances as specified by the Fire Code Official.

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

- Section 503.2.6.1 **Load testing.** Bridges, Piers and Wharfs used for fire apparatus access shall be load tested to the original designed capacity when required by the Chief.

Section 503.4 of Chapter 5 is amended by adding an additional sentence as follows:

- Any vehicle causing such an obstruction may be towed away at the owner's expense.

Section 503.4 is remunerated to 503.4.1 and Section 503.4.2 is hereby added to read as follows:

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

Section 503.6.1 is hereby added and shall read as follows:

- 503.6.1 Width. All gates shall open fully to provide an unobstructed passage width of not less than two (2) feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of thirteen feet, six inches (13’ 6”.)

Section 503.6.2 is hereby added and shall read as follows:

- Section 503.6.2 Electronic gates. All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the Chief in accordance with Standards adopted by the Chief.

  All electronic or motorized gates shall incorporate in their design that means for fast, effective manual operation of the gates in the event of power or mechanical failure (i.e., easily removable hinge pins for separating powerized linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open. All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

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

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

- All costs associated with the required emergency access provision of this section shall be borne by the owner of the security gate and appurtenances.

Section 507.5.1 of Chapter 5 is hereby amended and shall read as follows:

- Section 507.5.1 When required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

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

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

  Exception: If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.

Section 605.11 is hereby added and shall read as follows:

- Section 605.11 Alternative Power Supplies. The use of an electrical power supply, (including but not limited to; photovoltaic, wind, geothermal or fuel fired generators) other than the community's commercial source, shall comply with section 605.11.1 through 605.11.3.

- 605.11.1. The electrical service disconnect for the alternative power supply shall be located within eight feet from the main electrical service disconnect on the same or an adjacent exterior wall. The disconnect shall be accessible to emergency personnel from the exterior without the use of ladders or other special equipment.

  Exception: Enphase or similar technology for solar equipment that de-energizes the system at the roof panels upon loss of A/C reference leaving no energized electrical potential inside the structure when the main breaker is tripped.

- 605.11.2. Warning Sign. The following wording shall placed on a permanent sign attached at the main electrical disconnect from P.G. & E. The sign shall be red background with white letters or a white background with red letters. Minimum size 2-1/2" X 6" with a minimum 22pt. font. Minimum size example below.

  WARNING:
  This building supplied with an alternative power source. Alternate disconnect is:
  (*describe location - on the right, below etc.*)
  of this main disconnect. Both must be used.

- 605.11.3. Required conduit. All wiring that may contain electrical potential when the alternate service disconnect has been activated, (such as the wiring between the solar arrays and the DC electrical disconnect on a photovoltaic system) shall be completely contained in metal conduit.

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

- This section shall also apply to residential fire sprinkler systems.

Section 903.2 of Chapter 9 is hereby amended to read as follows

- Section 903.2 Where Required. All Occupancies and Facilities. An automatic fire sprinkler system shall be installed in all of the following:

  1. Every newly constructed building and facility.

  Exceptions:

  a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

  b. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height, and located within an Agricultural zone as defined in the Marin County Planning Code.

  2. In newly created second units.

  3. In all buildings which have more than fifty per cent (50%) floor area added or any "substantial remodel" as defined in this code, within any 3 year period. Exceptions may be granted by the Chief when alternate means of protection are installed as approved by the Chief.

4. In all buildings except R-3 occupancies, in excess of 3,000 sq. ft. which have more than ten per cent (10%) floor area added within any 36 month period. Exceptions may be granted by the Chief when alternate means of protection are installed as approved by the Chief.

5. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

Section 903.3 0f Chapter 9 is hereby amended by adding the following thereto:

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

a. In all residential buildings required to be sprinkled any attached garages shall also be sprinkled, and except for single family dwellings, in all residential occupancies the attics shall be sprinkled.

b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.

c. All single family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R.

d. All public storage facilities shall have installed an approved automatic fire sprinkler system. An approved wire mesh or other approved physical barrier shall be installed 18 inches below the sprinkler head deflector to prevent storage from being placed to within 18 inches from the bottom of the deflector measured at a horizontal plane.

Section 906.11 of Chapter 9 is added to read as follows:

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

Section 907.2.11 of Chapter 9 is hereby amended by changing the first sentence of the exception to read as follows:

EXCEPTION: For group R occupancies other than single family dwellings.

Section 907.9.5.1 is hereby added to Chapter 9 and shall read as follows:

Section 907.9.5.1 **Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately

Section 4906.2 subsection 2 of Chapter 49 is amended to read as follows:

2. Land designated as a Wildland-Urban Interface Area by the local enforcing agency to be at a significant risk from wildfires and lands designated as Very-High Fire Hazard Severity Zones by cities and other local agencies.

Section 4907.1 of Chapter 49 is amended to read as follows:

Section 4907.1 **General.** Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14 Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Wildland-Urban Interface Area as designated by the local enforcing agency to be at a significant risk from wildfires and Very-High Fire Hazard Severity Zones of a local responsibility areas (LRA) shall maintain defensible space as outlined in Government Code 51175-51189, and any local ordinance or standard published by the Fire Code Official.

Section 4907.2 is hereby added to Chapter 49 and shall read as follows:

Section 4907.2 **Fire Hazard Reduction**. Any person who owns, leases, controls or maintains any building or structure and lands within specific Wildland Urban Interface areas of the City of Mill Valley shall comply with the following: Cut and remove all pyrophytic combustible vegetation within 30 feet of structures, up to 150 feet when topographic or pyrophytic vegetative types necessitate removal as determined by the Fire Code Official. Remove piles of accumulated dead vegetation on the property. Cut and remove tree limbs that overhang wood decks and roofs. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe. Clean any leaves and needles from roof and gutters. Cut and remove growth less than 3-inches in diameter, from the ground up to a maximum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height. Vegetation clearance requirements for new construction and substantial remodels in Wildland-Urban Interface Areas shall be in accordance with the 2006 International Wildland-Urban Interface Code, as amended by the City of Mill Valley.

EXCEPTION 1: When approved by the fire code official, 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.

EXCEPTION 2: When approved by the fire code official, grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize soil, and prevent erosion.

Section A104.7.2 of Appendix A of the International Wildland-Urban Interface Code is amended and shall read as follows:

Section A104.7.2 **Permits**. The fire code official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

Section A104.11 is hereby added to Appendix A of the International Wildland-Urban Interface Code and shall read as follows:

Section A104.11 – **TRACER BULLETS, TRACER CHARGES, ROCKETS AND MODEL ARICRAFT.** Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across hazardous fire areas. Rockets, model planes, gliders and balloons powered with an

engine, propellant or other feature liable to start or cause a fire shall not be fired or projected into or across hazardous fire areas.

Section A104.12 is hereby added to Appendix A of the International Wildland-Urban Interface Code and shall read as follows:

Section A104.12 **EXPLOSIVES AND BLASTING.** Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the fire code official.

Section A104.13 is hereby added to Appendix A of the International Wildland-Urban Interface Code and shall read as follows:

Section 104.13 **APAIRIES.** Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the fire code official.

15.04.130: Authority to arrest and issue citations

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

(b) It is the intent of the Fire Department that the immunities provided in Penal Code Section 836.5 be applicable to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Chapter.

15.04.140: Penalties

Violations of the 2010 California Fire Code Fire Code as adopted herein, the 2009 International Fire Code as adopted herein, the 2006 International Urban Wildland Interface Code as adopted by City of Mill Valley Ordinance 1228 and Appendix A of the 2006 International Urban Wildland Interface Code as adopted herein shall be subject to the penalties set forth in the Section 8.7 of the City of Mill Valley Municipal Code.

15.04.150: Appeals

(a) Any person receiving a citation for a civil penalty pursuant to Subsection (b) of Section 12 or a bill for fire response costs and expenses pursuant to Section 101.5 of the Uniform Fire Code, may file within thirty (30) days after the date of mailing the citation or bill, an administrative appeal against imposition of the civil penalty or response costs and expense. The appeal shall be in writing and filed with the Fire Chief, and shall include a copy of the bill and statement of the grounds for appeal. The Fire Chief shall conduct an administrative hearing on the appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing the Chief shall give written notice of the decision to the appellant, which decision shall be final. If the appeal is denied in part or full, all amounts due shall be paid within thirty (30) days after the mailing of the notice of the decision of the hearing officer.

(b) Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the City Council of the City of Mill Valley within 10 days from the date of the decision. The provision of this section shall not apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in Item 16.2 of Appendix II-A of the 2000 Uniform Fire Code as amended in Section 10 of this Code, or to matters for which an appeal is provided pursuant to Section 13(a) above.

15.04.160: Former Ordinances

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

SECTION 2: WUI Area Map

The Wildland-Urban Interface Area, as set by Section 302.1 of Chapter 15.06 of the Mill Valley Municipal Code, is hereby updated as shown in the attached WUI Map as Attachment 1

SECTION 3: Validity

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

The City Council of the City of Mill Valley finds that adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) under California Code of Regulations, Title 14, § 15061(b)(3). (Ord. 1245, November 15, 2010)

Chapter 15.06

Wildland-Urban Interface

Sections:

15.06.010 Justification.
15.06.020 Adoption of the International Urban Wildland-Interface Code.
15.06.030 Amendments to the 2006 International Wildland-Urban Interface Code.
15.06.040 Amendments made to the 2007 California Building Code which consists of certain portions of the 2001 edition of the Uniform Building Code as adopted and amended by the California Building Standards Commission.
15.06.050 Amendments to Appendix IIA of the 2000 edition of the Uniform Fire Code.
15.06.060 Authority to arrest and issue citations.
15.06.070 Penalties.
15.06.080 Appeals.
15.06.090 Urban-Wildland Interface Areas.
15.06.110 Former Ordinances.

15.06.010: Justification

The City Council recognizes that the City of Mill Valley has within its borders and along its boundaries, significant areas of grass, brush and heavily forested lands. These hazardous conditions

present an exceptional and continuing fire danger to the residents of the community due to the difficulty of the terrain and topography of the area, much of it consisting of boxed canyons with steep, brush-covered slopes; narrow winding streets used by residents of the area and the Fire Department for ingress and egress, steep hills which hinder Fire Department response time; older and inadequate water systems in certain areas of the community; and the location of buildings and structures with relation to these dangerous areas.

The City Council also recognizes that a great number of structures located within the City of Mill Valley were built in the late 1800's and early 1900's, thus lacking the built-in protection of modern construction. Many of the residential structures had been built on steep slopes with boxed canyons and large percentages are located in areas of heavy natural growth. Many structures (new and old) are constructed of highly combustible material, which offer little resistance to fire and could contribute to the spread of fire.

The City Council also recognizes the fact that the community has been plagued many times in the late 1800's and early 1900's by brush and forest fires which not only threaten destruction, but on a number of occasions devastated large portions of the town. The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the City, thus rendering such separations ineffective against the spread of fires. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

The City Council recognizes that, in the event that the Fire Department is called to respond to a fire emergency in any of these areas, its response time to an emergency is increased by reason of the difficulties herein stated. In recognition thereof and acting pursuant to California Health and Safety Code Sections 17958.5 and 17958.7, the City Council finds that the fire protection requirements of this ordinance as such requirements modify state required regulations adopted pursuant to the California Health and Safety Code Section 17922 are hereby reasonably necessary because of local climatic, geological and topographical conditions.

15.06.020: Adoption of the International Urban Wildland-Interface Code

A certain document, one (1) copy of which is on file in the office of the Fire Marshal of the City of Mill Valley Fire Department, being marked and designated as the *International Urban-Wildland Interface Code*, 2006 edition, including Appendix Chapter A, as published by the International Code Council, is hereby adopted as the Urban-Wildland Interface Code of the City of Mill Valley in the State of California for regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels as herein provided; and further 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 Urban-Wildland Interface Code on file in the office of the Fire Marshal of the Mill Valley Fire Department 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 of which Code not less than one (1) copy is filed in the office of the Fire Chief and Chief Building Official of the City of Mill Valley, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provision thereof shall be controlling within the limits of the City of Mill Valley.

15.06.030: Amendments to the 2006 International Wildland-Urban Interface Code.

The 2006 International Urban-Wildland Interface Code is hereby amended and changed in the following respects:

Section 101.5 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 101.5 Additions or alterations. Additions or alterations may be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code provided the additions or alterations do not constitute a substantial remodel and, provided the addition or alteration conforms to that required for a new building or structure.

  Exception: Provisions of this code that specifically apply to existing conditions are retroactive. See Sections 402.3, 601.1 and Appendix A.

  Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

Section 101.6 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 101.6 Maintenance. All buildings, structures, access, water supply, landscape materials, vegetation, defensible space or other devices or safeguards required by this code shall be maintained in conformance with the code edition under which the same were installed. The Owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures, access roads, water supplies, landscape materials and vegetation.

Section 102.2 of Chapter 1 is hereby deleted and the following language substituted in its place:

- Section 102.2 Interpretations of Rules, Regulations and Standards. The Chief is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations and to develop Fire Protection Standards to carry out the application and intent of its provisions. Such interpretations, rules, and regulations, and Standards shall be in conformance to with the intent and purpose of this code. A copy of such rules and regulations shall be filed with the Fire Chief of the City of Mill Valley and shall be in effect immediately thereafter. Additional copies shall be available for distribution to the public.

Section 103.3 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 103.3 Alternative materials or methods. The code official, in concurrence with approval from the building official and fire chief, is authorized to approve alternative materials or methods, provided that the code official finds that the proposed design, use or operation satisfactorily complies with the intent of this code and that the alternative material or method is, for the purpose intended, at least equivalent to the level of quality, strength, effectiveness, fire resistance, durability and safety prescribed by this code. Approvals under the authority herein contained shall be subject to the approval of the building official whenever the alternate material or method involves matters regulated by the *California Building Code*.

  The code official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

  For state fire marshal regulated occupancies, see Article 1 California Fire Code.

Section 104.1 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 104.1 General. To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, building official and fire chief shall be ex officio members, and the code official shall act as secretary of the board. The board of appeals shall be appointed by the legislative body and shall hold office at their discretion. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the code official, with a duplicate copy to the applicant. For state fire marshal regulated occupancies, see Article 1 California Fire Code.

Section 105.2 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 105.2 Permits required**.** Unless otherwise exempted, no building or structure regulated by this code shall be erected, constructed, altered, repaired, moved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the code official. For buildings or structures erected for temporary uses, see Appendix A, Section A108.3, of this code.

  When required by the code official, a permit shall be obtained for the following activities, operations, practices or functions within an urban-wildland interface area:

  1. Automobile wrecking yard.
  2. Candles and open flames in assembly areas.
  3. Explosives or blasting agents.
  4. Fireworks.
  5. Flammable or combustible liquids.
  6. Hazardous materials.
  7. Liquefied petroleum gases.
  8. Lumberyards.
  9. Motor vehicle fuel-dispensing stations.
  10. Open burning.
  11. Pyrotechnical special effects material.
  12. Tents, canopies and temporary membrane structures.
  13. Tire storage.
  14. Welding and cutting operations.
  15. Implementation of a Fire Protection Plan
  16. Implementation of a Vegetation Management Plan

Section 105.8 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 105.8 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

  When a permittee holding an unexpired permit is unable to commence work within the time specified in this section, the permittee may make a written request for an extension of time, which said written request shall set forth the reasons and circumstances beyond the permittee's control that have prevented the permittee from commencing work under the terms of the permit. If good cause is shown by the written application, the Code Official may grant the requested extension for a period not to exceed 180-days from the date of the expiration of the original permit.

Section 106.1 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 106.1 General**.** Plans, engineering calculations, diagrams and other data shall be submitted in at least three (3) sets with each application for a permit. When such plans are not prepared by an architect or engineer, the code official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The code official may require plans, computations and specifications to be prepared and designed by an architect or engineer licensed by the state to practice as such even if not required by state law.

  Exception: Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

Section 106.3 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 106.3 Site plan. In addition to the requirements for plans in the California Building Code, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings, and site water supply systems.

Section 106.6 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 106.6 Other data and substantiation. When required by the code official, the plans and specifications shall include classification of fuel loading, according to the NWCG *Aids to Determining Fuel Models for Estimating Fire Behavior*, current edition.

Section 106.7 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 106.7 Vicinity plan. In addition to the requirements for site plans, plans shall include details regarding the vicinity as required by the Code Official, including other structures, slope, vegetation, fuel breaks, water supply systems and access roads.

Section 106.8 of Chapter 1 is hereby deleted and the following language substituted in its place:

- Retention of plans. All approved plans shall be maintained by the Code Official for the life of the structure.

Section 107.1.1 of Chapter 1 is hereby deleted and the following language substituted in its place:

- 107.1.1 General. All construction or work for which a permit is required by this code shall be subject to inspection by the code official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the code official.

  It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the City of Mill Valley shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

  Approval as a result of a plan review or an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City of Mill Valley.

  A survey of the lot may be required by the code official to verify that the mitigation features are provided and the building or structure is located in accordance with the approved plans.

Section 108 of Chapter 1 is hereby deleted and the following language substituted in its place:

- SECTION 108 FINAL APPROVAL FOR OCCUPANCY

  No building, structure or premises shall be used or occupied, and no change in the existing occupancy classification of a building, structure, premise or portion thereof shall be made until the code official has issued a “Final Approval” for occupancy thereof. The “Final Approval” for occupancy shall not be issued until the “Final Approval” for occupancy indicating that the project is in compliance with this code has been issued by the code official.

  Issuance of a “Final Approval” for occupancy shall not be construed as an approval of a violation of the provisions of this code or of other pertinent laws and ordinances of the City of Mill Valley. Certificates presuming to give authority to violate or cancel the provisions of this code or other laws or ordinances of the City of Mill Valley shall not be valid.

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

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of the *California Building Code,* or the building officials duly authorized representative.

CDF DIRECTOR. The Director of the California Department of Forestry and Fire Protection also known as Cal-Fire.

CODE OFFICIAL. The official designated by the City of Mill Valley to interpret and enforce building standards of this code, shall be the Building Official. The official designated by the City of Mill Valley to interpret and enforce fire and life safety provisions of this code shall be the Fire Chief.

FINAL APPROVAL FOR OCCUPANCY. Written documentation from the Code Official that the project or work for which a permit was issued has been completed in conformance with requirements of this code.

FIRE PROTECTION PLAN. Document prepared for a specific project or development proposed for a Wildland-Urban Interface Fire Area setting forth measures taken to minimize and mitigate potential for loss from wildfire exposure.

The Fire Protection Plan shall be in accordance with this chapter and the California Fire Code, Article 86A. When required by the enforcing agency for the purposes of granting modifications, a fire protection plan shall be submitted. Only locally adopted ordinances that have been filed with the California Building Standards Commission in accordance with Section 101.14 or the Department of Housing and Community Development in accordance with Section 101.15 shall apply.

FIRE HAZARD SEVERITY ZONES. Geographical areas designated in California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code Sections 51175 through 51189. See California Fire Code Article 86.

The California Code of Regulations, Title 14, Section 1280 entitles the maps of these geographical areas as “Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California.”

HAZARDOUS MATERIALS. As defined in the *California Fire Code*.

HEAVY TIMBER CONSTRUCTION. As described in the *California Building Code*.

IGNITION-RESISTANT MATERIAL. Any product which, when tested in accordance with UBC Standard 8-1 for a period of 30 minutes, shall have a flame spread of not over 25 and show no evidence of progressive combustion. In addition, the flame front shall not progress more than 10½ feet (3200 mm) beyond the centerline of the burner at any time during the test. Materials shall pass the accelerated

weathering test and be identified as Exterior type, in accordance with UBC Standard 23-4. All materials shall bear identification showing the fire performance rating thereof. Such identification shall be issued by a testing facility recognized by the State Fire Marshal having a service for inspection of materials at the factory.

> Note: Fire-Retardant-Treated Wood as defined in CBC Section 207 meets the intent of the above definition. The enforcing agency may use other definitions of Ignition Resistant Material that reflect wildfire exposure to building materials and / or the materials performance in resisting ignition.

LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE. Area designated by a local agency upon the recommendation of the CDF Director pursuant to Government Code Sections 51177(c), 51178 and 51179 that is not a state responsibility area and where a local agency, city, county, city and county, or district is responsible for fire protection.

NWCG. National Wildfire Coordinating Group.

STATE RESPONSIBILITY AREA. Lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the state.

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

VMP. Shall mean Vegetation Management Plan.

WILDFIRE. An uncontrolled fire spreading through vegetative fuels that threatens to destroy life, property, or resources as defined in Public Resources Code Sections 4103 and 4104.

WILDFIRE EXPOSURE. Either one or a combination of radiant heat, convective heat, direct flame contact and burning embers being projected by vegetation fire to a structure and its immediate environment.

WILDLAND-URBAN INTERFACE FIRE AREA. A geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency as being at significant risk from wildfires.
See Section 706A for the applicable referenced Sections of the Government Code and the Public Resources Code.

Section 202 of Chapter 2 is hereby amended by deleting the following definitions:

FUEL, HEAVY. Vegetation consisting of round wood 3 to 8 inches (76 to 203 mm) in diameter. See fuel models G, I, J, K and U described in Appendix D.

FUEL, LIGHT. Vegetation consisting of herbaceous plants and round wood less than 1/4 inch (6.4 mm) in diameter. See fuel models A, C, E, L, N, P, R and S described in Appendix D.

FUEL, MEDIUM. Vegetation consisting of round wood 1/4 to 3 inches (6.4mmto 76 mm) in diameter. See fuel models B, D, F, H, O, Q and T described in Appendix D.

IGNITION-RESISTANT CONSTRUCTION, CLASS 1. A schedule of additional requirements for construction in urban-wildland interface areas based on extreme fire hazard.

IGNITION-RESISTANT CONSTRUCTION, CLASS 2. A schedule of additional requirements for construction in urban-wildland interface areas based on high fire hazard.

IGNITION-RESISTANT CONSTRUCTION, CLASS 3. A schedule of additional requirements for construction in urban-wildland interface areas based on moderate fire hazard.

Section 302.1 of Chapter 3 is hereby deleted and the following language substituted in its place:

- 302.1 Declaration. The legislative body shall declare the urban-wildland interface areas within the City of Mill Valley. The urban-wildland interface areas shall be based on the findings of fact as prescribed by the California Health and Safety Code. The urban-wildland interface area boundary shall correspond to natural or man-made features including but not limited to an assessment of fuel types and physical characteristics affecting wildland fire behavior.

Section 402.1.1 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 402.1.1 Access. New subdivisions, as determined by the City of Mill Valley, shall be provided with fire apparatus access roads in accordance with the *California Fire Code* and access requirements in accordance with Section 403.

Section 402.2.1 is hereby deleted and the following language substituted in its place:

- 402.2.1 Access. Individual structures hereafter constructed, substantial remodels, or relocated into or within urban-wildland interface areas shall be provided with fire apparatus access in accordance with the *California Fire Code* and driveways in accordance with Section 403.2. Marking of fire protection equipment shall be provided in accordance with Section 403.5 and address markers shall be provided in accordance with Section 403.6.

Section 402.2.2 is hereby deleted and the following language substituted in its place:

- 402.2.2 Water supply. Individual structures hereafter constructed, substantial remodels, or relocated into or within urban-wildland interface areas shall be provided with a conforming water supply in accordance with Section 404.

  Exception: Buildings containing only private garages, carports, and sheds with a floor area of not more than 120 square feet.

Section 403.1 is hereby deleted and the following language substituted in its place:

- 403.1 Restricted access. Where emergency vehicle access is restricted because of secured access roads or driveways or where immediate access is necessary for life saving or firefighting purposes, the code official is authorized to require a key access to be installed in an accessible location. The key access shall be of a type approved by the code official and shall contain keys or an approved key switch to gain necessary access as required by the code official.

Section 403.2 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 16 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds.

Driveways in excess of 300 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds. A driveway shall not serve in excess of five dwelling units.

Exception: When such driveways meet the requirements for an access road in accordance with the *California Fire Code.*

Driveway turnarounds shall have inside turning radii of not less than 27 feet and outside turning radii of not less than 45 feet. Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radii requirements for driveway turnarounds. Driveway turnouts shall be an all-weather road surface at least 10 feet wide and 30 feet long, not including the approach or departure ramps. Driveway turnouts shall be located as required by the code official. Vehicle load limits shall be posted at both entrances to bridges on driveways and private roads. Design loads for bridges shall be established by the code official.

Section 403.6 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 403.6 Address markers. All buildings shall have a permanently posted address clearly visible from the street with numerals illuminated and contrasting color to their background. Where structures are not visible from the street, addresses shall also be placed at each driveway entrance and be visible from both directions of travel along the road.

In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

Address signs along one-way roads shall be visible from both the direction of travel and the opposite direction. Where multiple addresses are required at a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide.

Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

Section 403.7 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 403.7 Grade. The gradient for fire apparatus access roads and driveways shall not exceed 18%.

Section 404.1 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 404.1 General. An approved water source shall have an adequate water supply for the use of the fire protection service to protect buildings and structures from exterior fire sources or to suppress structure fires within the urban-wildland interface area of the City of Mill Valley in accordance with this section.

  Exception: Buildings containing only private garages, carports, and sheds with a floor area of not more than 120 square feet.

Section 404.2 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 404.2 Water sources. The point at which a water source is available for use shall be located not more than 350 feet from the building and be approved by the code official. The distance shall be measured along an unobstructed line of travel. Water sources shall comply with the following:

  1. Man-made water sources shall have a minimum usable water volume as determined by the adequate water supply needs in accordance with Section 404.5. This water source

shall be equipped with an approved hydrant. The water level of the water source shall be maintained by rainfall, water pumped from a well, water hauled by a tanker, or by seasonal high water of a stream or river. The design, construction, location, water level maintenance, access, and access maintenance of man-made water sources shall be approved by the code official.

2. Natural water sources shall have a minimum annual water level or flow sufficient to meet the adequate water supply needs in accordance with Section 404.5. This water level or flow shall not be rendered unusable because of freezing. This water source shall have an approved draft site with an approved hydrant. Adequate water flow and rights for access to the water source shall be ensured in a form acceptable to the code official.

Section 404.5 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 404.5 Adequate water supply. Adequate water supply shall be determined for purposes of initial attack and flame front control as follows:

  1. One- and two-family dwellings. The required water supply for one- and two-family dwellings shall be from a municipal supply. Required flow rates and duration shall be determined by the code official.

     Exception: If the cost of providing a municipal supply exceeds 10% of the total construction costs (based on the building permit valuation and required site improvements), an on-site private fire protection water supply (minimum storage requirement to be determined by the code official and local standards, but not less than 3,000 gallons plus 2,000 gallons dedicated to automatic fire sprinklers and domestic water) may be permitted. If a private, on-site water supply is installed, a fee in an amount up to and including 5% of total building construction cost may be charged for the purpose of upgrading existing municipal fire flow.

  2. Buildings other than one- and two-family dwellings. The water supply required for buildings other than one-and two-family dwellings shall be as determined by the code official.

     Exception: If the cost of providing a municipal supply exceeds 10% of the total construction costs (based on the building permit valuation and required site improvements), an on-site private fire protection water supply (minimum storage requirement to be determined by the code official and local standards, but not less than 3,000 gallons plus 2,000 gallons dedicated to automatic fire sprinklers and domestic water) may be permitted. If a private, on-site water supply is installed, a fee in an amount up to and including 5% of total building construction cost may be charged for the purpose of upgrading existing municipal fire flow.

Section 404.9 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 404.9 Testing and maintenance. Water sources, draft sites, hydrants and other fire protection equipment required by this code shall be subject to periodic tests as determined and required by the code official. All such equipment installed under the provisions of this code shall be maintained in an operative condition at all times and shall be repaired or replaced where defective. Additions, repairs, alterations and servicing of such fire protection equipment and resources shall be in accordance with approved standards and shall not be made without approval of the Code Official.

Section 404.10.3 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 404.10.3 Standby power. Stationary water supply facilities within the urban-wildland interface area that are dependent on electrical power to meet adequate water supply demands shall provide standby power systems in accordance with the *CA Electrical Code* to ensure that an uninterrupted water supply is maintained. The standby power source shall be capable of providing power for a minimum of two hours.

Exceptions:

1. When approved by the code official, a standby power supply is not required where the primary power service to the stationary water supply facility is underground.

2. A standby power supply is not required where the stationary water supply facility serves no more than one single-family dwelling.

Section 405.2 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 405.2 Content. The plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management. In addition to considerations included in this section, Fire Protection Plans shall conform to Standards developed by the Code Official.

Section 405.4 of Chapter 4 is hereby deleted and the following language substituted in its place:

- 405.4 Plan retention. The fire protection plan shall be retained by the code official for the life of the building.

Section 406 of Chapter 4 is hereby added to read as follows:

SECTION 406 VEGETATION MANAGEMENT PLAN

- 406.1 General. When required by the code official, a vegetation management plan shall be prepared.

- 406.2 Content. The VMP consists of two forms: (1) blue line drawings; and (2) a text narrative describing specific and applicable contributing factors in the selection and design of the plan.

  VMP Contents

  The VMP shall include at the minimum:

  1. The entire “plan content” elements described in narrative form.
  2. Not less than three (3) complete plan sets should be submitted to the Code Official for review.
  3. The Hazard Assessment Matrix
  4. The list of plants to be used and materials consistent with the approved plant list.
  5. 3 sets of blue prints showing the house, zone, plant type and spacing.

- 406.3 Cost. The cost of vegetation management plan preparation and review shall be the responsibility of the applicant.

- 406.4 Plan retention. The vegetation management plan shall be retained by the code official for the life of the building.

Chapter 5 is hereby deleted in its entirety.

Section 602 of Chapter 6 is hereby deleted and the following language substituted in its place:

- SECTION 602 AUTOMATIC FIRE SPRINKLER SYSTEMS

  An approved automatic fire sprinkler system shall be installed in all occupancies, in new buildings, and substantial remodels. The installation of the automatic fire sprinkler systems shall be in accordance with nationally recognized standards and Fire Protection Standards.

Section 603 of Chapter 6 is hereby deleted and the following language substituted in its place:

- SECTION 603 DEFENSIBLE SPACE

- 603.1 Objective. Provisions of this section are intended to modify the fuel load, type, and configuration in areas adjacent to structures to create a defensible space.

- 603.2 Fuel modification. In order to qualify as a conforming defensible space fuel modification shall be provided as specified in Fire Protection Standards approved by the Chief. Distances specified in Fire Protection Standards may be modified by the code official because of a site-specific analysis based on local conditions and the fire protection plan. Persons owning, leasing, controlling, operating or maintaining buildings or structures requiring defensible spaces are responsible for modifying or removing non fire-resistive vegetation on the property owned, leased or controlled by said person. If the required defensible space requires fuel modification that exceeds the boundaries of the property owned, leased or controlled by said person, said person shall obtain the right to modify or remove non fire-resistive vegetation on the adjacent property to the extent required. If such permission cannot be obtained from adjacent property owners, the building or structure shall be modified to meet construction requirements consistent with the defensible space that can be maintained within the boundaries of the property owned, leased or controlled.

  Trees are allowed within the defensible space, provided the horizontal distance between crowns of adjacent trees and crowns of trees and structures, overhead electrical facilities or unmodified fuel is not less than 10 feet. Deadwood and litter shall be regularly removed from trees.

  Where ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated defensible space, provided they do not form a means of transmitting fire from the native growth to any structure.

- Table 603.2 of Chapter 6 is hereby deleted.

- Figure 603.2 of Chapter 6 is hereby deleted.

Section 606.1 of Chapter 6 is hereby deleted and the following language substituted in its place:

- 606.1 General. The storage of LP-gas and the installation and maintenance of pertinent equipment shall be in accordance with the Fire Protection Standard – Marin County Standard.

Section 606.2 of Chapter 6 is hereby deleted and the following language substituted in its place:

- 606.2 Location of containers. LP-gas containers shall be located within the defensible space in accordance with the Fire Protection Standard – Marin County Standard.

15.06.040: Amendments made to the 2007 California Building Code which consists of certain portions of the 2001 edition of the Uniform Building Code as adopted and amended by the California Building Standards Commission.

Section 701 of the California Building Code is hereby amended by adding the following sentence:

- Buildings constructed in designated urban wildland interface areas shall comply with this code and the 2006 Urban Wildland Interface Code as amended by this City of Mill Valley.

15.06.050: Amendments to Appendix IIA of the 2000 edition of the Uniform Fire Code.

Section 16.1 of Appendix II-A Uniform Fire Code is hereby deleted and the following language substituted in its place:

- SECTION 16 – CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM STRUCTURES

16.1 General. Persons owning, leasing, controlling operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, including on adjacent property over which said person(s) have obtained a right to modify vegetation in conformance with the requirements of this section, shall at all times:

1. Maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet of such buildings or structures;

   Exception: 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.

   Exception: 2. If the owner, lessee, or person controlling, operating or maintaining said property cannot obtain the right to modify vegetation on adjacent property, the Chief may order modification of the structures to provide an equivalent condition.

2. Maintain additional fire protection or firebreak by removing brush, flammable vegetation and combustible growth located from 30 feet to 100 feet from such buildings or structures, when required to do so by the Chief because of extra-hazardous conditions causing a firebreak of only 30 feet to be insufficient to provide reasonable fire safety.

   Exception: 1. Grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

   Exception: 2. If the owner, lessee, or person controlling, operating or maintaining said property cannot obtain the right to modify vegetation on adjacent property, the Chief may order modification of the structures to provide an equivalent condition.

3. Remove portions of trees, which extend within 10 feet of the outlet of a chimney.

4. Maintain trees adjacent to or overhanging a building free of deadwood; and

5. Maintain the roof and gutters of a structure free of leaves, needles or other dead vegetative growth.

15.06.060: Authority to arrest and issue citations.

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

(b) It is the intent of the Fire Board that the immunities provided in Penal Code Section 836.5 be applicable to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Chapter.

(c) In lieu of the above procedures, the City of Mill Valley shall also have the authority to proceed under any local ordinance it may have adopted for purposes of the administrative enforcement of its Code.

15.060.070: Penalties

(a) The violations of this Code as adopted herein are misdemeanors/infractions and are subject to the penalties set forth here in.

(b) The first citation, within a 12-month period, for violations of the ICC Urban Wildland Interface Code and any amendments adopted herein shall be treated as a Civil Penalty payable directly to the City of Mill Valley and is set at $150 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Fire Department. Said civil penalties shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided in Section 7. Upon failure to pay the civil penalty when due, the responsible person shall be liable in a civil action brought by the City of Mill Valley for such civil penalty and costs of the litigation, including reasonable attorney's fees.

(c) Any subsequent citations within a twelve (12) month period for any violations of this Code and any amendments adopted herein shall be misdemeanors/infractions, and shall be subject to the penalties set forth herein.

(d) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified each day that a violation occurs or continues, after a final notice has been delivered shall constitute a separate offense. The application of both penalties shall not be held to prevent the enforced correction of prohibited conditions.

(e) Nothing contained in Subsections (a) through (f) of this Section shall be construed or interpreted to prevent the City of Mill Valley from recovering all costs associated with a Fire Department enforcement as described in the ICC Urban Wildland Interface Code, California Building Code, or the California Fire Code.

(f) Any violation of any provision of this Chapter shall constitute a public nuisance and shall entitle the Fire Department to collect the costs of abatement and related administrative costs by a nuisance abatement lien as more particularly set forth in Government Code Section 38773.1, and by special assessment to be collected by the County Tax Collector as more particularly set forth in Government Code Section 38773.5. At least thirty (30) days prior to recordation of the lien, or submission of the report to the Tax Collector for collection of this special assessment, the record owner shall receive notice from the Chief of the Fire Department's intent to charge the property owner for all administrative costs associated with enforcement of this Ordinance and abatement of the nuisance. The notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance. The property owner may appeal the Chief's decision to the Mill Valley City Council within fifteen (15) days of the date of the notice and request a public hearing prior to recordation of the lien or submission of the report to the County Tax Collector for collection of the special assessment. In addition

to the foregoing, the Fire Department is authorized to prosecute a civil action to collect such abatement costs from the property owner or other person in possession or control of the affected property, and shall be entitled to recover such abatement costs, together with the cost of litigation, including reasonable attorney's fees. The provisions of this section shall also apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in Appendix A of this Code and Section 16.2 of Appendix II-A of the 2000 Uniform Fire Code as amended.

(g) In lieu of the above procedures, the Department shall also have the authority to proceed under any local ordinance it may have adopted for purposes of the administrative enforcement of its Code.

15.06.080: Appeals

(a) Any person receiving a citation for a civil penalty pursuant to Subsection (b) of Section 12 or a bill for fire response costs and expenses pursuant to Section 101.5 of the Uniform Fire Code, may file within thirty (30) days after the date of mailing the citation or bill, an administrative appeal against imposition of the civil penalty or response costs and expense. The appeal shall be in writing and filed with the Fire Chief, and shall include a copy of the bill and statement of the grounds for appeal. The Fire Chief shall conduct an administrative hearing on the appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing the Chief shall give written notice of the decision to the appellant, which decision shall be final. If the appeal is denied in part or full, all amounts due shall be paid within thirty (30) days after the mailing of the notice of the decision of the hearing officer.

(b) Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the City Council of the City of Mill Valley within 10 days from the date of the decision. The provision of this section shall not apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in Item 16.2 of Appendix II-A of the 2000 Uniform Fire Code as amended in Section 10 of this Code, or to matters for which an appeal is provided pursuant to Section 13(a) above.

(c) In lieu of the above procedures, the District shall also have the authority to proceed under any local ordinance it may have adopted for purposes of the administrative enforcement of its Code.

15.06.090: Urban-Wildland Interface Areas

Specific boundaries of natural or man-made features of urban-wildland interface areas shall be as shown on the wildland area interface map as delineated in Attachment "A" of this Ordinance on file with the City Clerk.

15.06.110: Former Ordinances

Nothing in this ordinance or in the Urban-Wildland Interface Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2, Section 3, and Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance. (Ord. 1228, December 3, 2007).

Chapter 15.08

Fire Hydrants

Sections:

15.08.010 Tampering with unlawful.
15.08.020 Opening hydrants--Permits needed.
15.08.030 Opening hydrants--Permit application--Fees.
15.08.040 Term of permit.
15.08.050 Liability for hydrant damaged by opening.
15.08.060 Scope of permit.
15.08.070 Permit--When effective.
15.08.080 Penalties for violations.

15.08.010 Tampering with unlawful. It shall be unlawful for any person to tamper with, damage or destroy any fire hydrant within the City. (Ord. 439, Sec. 1; February 7, 1956.)

15.08.020 Opening hydrants--Permits needed. No person, except the members of the Fire Department, or persons acting under the direction of the Director of Police and Fire Services of the City of Mill Valley, shall open any fire hydrant or use water therefrom without first having obtained a permit to open such hydrant from the Director of Police and Fire Services, and also without first having obtained a permit to use water from said hydrant from the Marin Municipal Water District. (Ord. 439, Sec. 2; February 7, 1956.)

15.08.030 Opening hydrants--Permit application--Fees. Every person desiring to open any hydrant and to use the water therefrom shall make written application for such opening and use to the Director of Police and Fire Services, and each application shall be accompanied by a fee in the sum of $6.50 for each hydrant to be used, which fee shall be in addition to any fees or charges made by Marin Municipal Water District for the use of water from such hydrants. (Fee amended by Ord. 560, Sec. 21; June 19, 1963.)

The Director of Police and Fire Services may issue to such applicant a permit for each hydrant to be opened and used, said permit to be upon the following conditions:

15.08.040 Term of permit. The term of such permit shall not be in excess of thirty days. (Ord. 439, Sec. 3(a); February 7, 1956.)

15.08.050 Liability for hydrant damaged by opening. The permit is accepted by the applicant subject to the guarantee by the applicant to pay to the City any damages to said fire hydrant which may arise by reason of such opening and use thereof by applicant. (Ord. 439, Sec. 3 (b); February 7, 1956.)

15.08.060 Scope of permit. Each permit shall apply to one specific hydrant at a fixed location. (Ord. 439, Sec. 3(c); February 7, 1956.)

15.08.070 Permit--When effective. Such permit shall not become effective until applicant has also obtained from Marin Municipal Water District a permit to install a meter upon said hydrant. (Ord. 439, Sec. 3 (d); February 7, 1956.)

15.08.080 Penalties for violations. Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than $500.00 or by imprisonment in the County jail for a period of not more than six months, or by both such fine and imprisonment. (Ord. 439, Sec. 4; February 7, 1956.)

Chapter 15.12

Fire Department Fees

Sections:

15.12.010 Fees established by resolution.

15.12.010 Fees established by resolution. From time to time, the City Council may establish and adopt by resolution certain fees pertaining to specific services provided by the Fire Department of the City. (Ord. 916, Sec. 1(part); June 29, 1978.)