

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF COTATI AMENDING CHAPTER 14.04 OF THE COTATI MUNICIPAL CODE IN ITS ENTIRETY AND, ADOPTING BY REFERENCE THE FOLLOWING CODES:

2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 1 - 2010 CALIFORNIA ADMINISTRATIVE CODE; PART 2 - 2010 CALIFORNIA BUILDING CODE BASED ON THE 2009 INTERNATIONAL BUILDING CODE; 2010 CALIFORNIA RESIDENTIAL CODE BASED ON THE 2009 INTERNATIONAL RESIDENTIAL CODE; 2010 CALIFORNIA ELECTRICAL CODE BASED ON THE 2008 NATIONAL ELECTRICAL CODE; PART 4 - 2010 CALIFORNIA MECHANICAL CODE BASED ON THE 2009 UNIFORM MECHANICAL CODE; PART 5 - 2010 CALIFORNIA PLUMBING CODE BASED ON THE 2009 UNIFORM PLUMBING CODE; PART 6 - 2010 CALIFORNIA ENERGY CODE; PART 9 – 2010 CALIFORNIA FIRE CODE, BASED ON THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE; PART 10 - 2010 CALIFORNIA EXISTING BUILDING CODE BASED ON THE 2009 INTERNATIONAL EXISTING BUILDING CODE; PART 11 CALIFORNIA GREEN BUILDING STANDARDS CODE; PART 12 - 2010 CALIFORNIA REFERENCED STANDARDS CODE, APPENDIX CHAPTER J (GRADING) AMENDED BY DELETING J103.2 EXCEPTIONS 1 H (SIGNS) AND I (PATIO COVERS) OF THE CALIFORNIA BUILDING CODE; APPENDIX CHAPTER A (CODE STANDARD 6-2) OF THE CALIFORNIA MECHANICAL CODE; AND OF THE CALIFORNIA PLUMBING CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL;

The City Council of the City of Cotati does ordain as follows:

Section 1: Chapter 14.04, "Uniform Codes", of the City of Cotati Municipal Code is amended in its entirety to read as follows:

14.04.010 Adoption of codes by reference

The Uniform Codes and the International Codes together with any amendments thereof, as hereinafter set forth in the Ordinance, are adopted and made part of this Ordinance, together with amendments and additions to the various codes; providing penalties for the violation thereof and repealing all ordinances in conflict therewith.

14.04.20 Copies on file

One certified copy of each of the Codes so adopted, along with any amendment thereto, shall be kept on file for the use and examination by the public and located at the City of Cotati building department.

14.04.025 Findings

The City Council of the City of Cotati finds that in order to best protect the health, safety and welfare of the citizens of the City of Cotati, the standards of building within the City must conform with state law except where local conditions warrant more restrictive regulations. Therefore, the City Council desires to adopt the current state building and fire codes,

contained in California Building Standards Code Title 24, and other uniform codes governing the construction and regulation of buildings and structures with the modifications and amendments contained herein.

Pursuant to California Health and Safety Code section 17958.7, the City Council makes the factual findings hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the California Building Standards Code Title 24, are reasonably necessary because of the local climatic, geological or topographical conditions described in the following:

The City wishes to adopt by reference the following codes, with such amendments as may be necessary to conform to local climatic, geologic, and topographical conditions:

California Code of Regulations Title-24

- 14.04.030 Part 1 – 2010 California Administrative Code;
- 14.04.040 Part 2 – 2010 California Building Code, Volume 1 and 2, including Appendix Chapters 1 (Administration), J (Grading) amended to delete J103.2 Exception #1, Chapters H and I;
- 14.04.050 Part 2.5- 2010 California Residential Code;
- 14.04.060 Part 3 – 2010 California Electrical Code;
- 14.04.070 Part 4 – 2010 California Mechanical Code including Chapters 1 and A, B, C, and D;
- 14.04.080 Part 5 – 2010 California Plumbing Code including Appendix Chapter 1 (Administration), and Chapters A, B, D, and I;
- 14.40.090 Part 6 – 2010 California Energy Code;
- 14.40.100 Part 8- 2010 California Historical Building Code
- 14.04.110 Part 9 – 2010 California Fire Code;
- 14.04.120 Part 10 – 2010 California Existing Building Code;
- 14.04.130 Part 11- 2010 California Green Building Standards Code;
- 14.04.140 Part 12 – 200 California References Standard Code;
- 14.04.120 2009 Edition International Existing Building Code;

Comment [U1]:

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Under the provisions of Section 17958.5 of the Health and Safety Code, local amendments must be based on climatic, geologic and topographical conditions. The following findings address each of these situations and present the local conditions which, either singularly or in combination, justify the amendments to be adopted:

- A. **CLIMATE:** The City, on average, experiences an approximate annual rainfall of 40 inches. This rainfall can normally be expected between October and

April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The City has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are often accompanied by light to gusty winds, which when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into the brush covered foothill area, wind driven fires could have severe consequences, as has been demonstrated on several occasions throughout the state.

- B. GEOLOGIC: The City is susceptible to seismic hazards resulting from movement along any one of several known faults in the area. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat producing appliances and the unavailability of water for fire control due to broken water mains. In the event of a major earthquake many areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.
- C. TOPOGRAPHICAL: The City is divided by Highway 101 and railroad right-of-way. The railroad and freeway create barriers, which obstruct traffic patterns and delay response time for fire equipment. The water supply within the City is directly affected by the topographical layout. The City water system is currently pressured from the Sonoma County Water Agency aqueduct inter-tie. In the event of a major catastrophe, the City does not have an elevated water storage system to supply pressured water to the City fire hydrants.
- D. SUMMARY: The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the City of Cotati. A fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. The majority of the City's industrial areas are located in the highest seismic risk zones, which also contain the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number of persons, should a significant seismic event occur. The City of Cotati's resources would have to be prioritized to mitigate the greatest threat, and may be unavailable for vegetation or structure fires.

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;
2. The extent of isolation due to bridge and/or freeway overpass collapse;

3. The extent of roadway damage and/or amount of debris blocking roadways;
4. Climatic conditions (hot, dry weather with high winds);
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,
6. The availability of timely mutual aid or assistance from the neighboring departments which will likely have similar emergencies at the same time.
7. The large portions of dwelling with wood shingle roof coverings, which will increase the likelihood of conflagrations.

- E. **CONCLUSION:** Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity, and the size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Building Standard Code Title 24 be amended to mitigate the effects of these conditions.

14.04.030 California Administrative Code

2010 Edition of the California Administrative Code also known as the California Building Standards Administration Code as published by the Building Standard Commission is adopted by reference.

14.04.040 The California Building Code

The Council hereby adopts by reference the **California Code of Regulations Title-24 Part 2 Volume 1 and 2** and the current edition of the International Building Code, the 2010 Edition Volumes 1, and 2 and the Appendices thereof as published by the International Code Council, including the generic fire-resistive assemblies listed Fire Resistive Design Manual GA-600, published by the Gypsum Association, as referenced in table numbers 720.1, 720.2 and 720.3 of the specified International Building Code including the Appendix Chapter H and Chapter I, with the following amendments:

1. Chapter 1 Section 105.2, exception 1 shall be amended to read as follows:

One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet, (1 1.15m²). The height of the one story detached accessory building shall not exceed 12 feet at any point or as specified by local zoning ordinance.

- 2. Chapter 1 Section 10.5.2, exception 6 shall be amended to read as follows:** Platforms, decks, sidewalks, and driveways not more than 30 inches (762mm) above adjacent grade, not over any basement or story below and are not part of an accessible route.

- 3. Chapter 1 Section 109.4 shall be amended to read as follows:** Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining

the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five times the permit fee required by this code. The minimum investigation fee shall be set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

4. Chapter 1 Section 109.7 shall be amended to read as follows:

Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, or the approved plans are not readily available to the inspector. For failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table 1 or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

- 5. Chapter 1 Section 109.8 shall be amended to read as follows:** Violation penalties. Any persons who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five times the permit fee required by this code. The minimum investigation fee shall be set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Chapter 5 General Height and Areas is amended as follows:

Section 501.2 shall read as follows: Approved address numbers shall be provided for all new building in such a position as to be plainly visible and legible from the street fronting the property or as approved by the Building Official or Fire Chief. Approved address shall be lighted, either internally or externally to ensure plain visibility. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

14.04.050 The California Residential Code

Adoption of **California Code Of Regulations Title 24, Part 2.5: California Residential Building Code**. 2009 Edition as published by the International Conference of Building Officials, with the following amendments:

Section 105.2 Part II is adopted with the following amendments

- 1. Chapter 1 Section 105.2, exception 1.** Shall be revised to read as follows: One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet, (1 1.15m²). The height of the one story detached accessory building shall not exceed 12 feet at any point or as specified by local zoning ordinance.
- 2. Chapter 1 Section 10.5.2, exception 6.** Platforms, decks, sidewalks, and driveways not more than 30 inches (762mm) above adjacent grade, not over any basement or story below and are not part of an accessible route.
- 3. Chapter 1 Section 108.6** Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee establish by the building official that shall be in addition to the required permit fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five time the permit fee required by this code. The minimum investigation fee set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Add New Section

4. **Chapter 1 Section 108.7 Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector. For failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table 1 or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Add New Section

5. **Chapter 1 Section 108.8 Violation penalties.** Any persons who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at least equal to and not to exceed five time the permit fee required by this code. The minimum investigation fee set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Add new section

Section R908 Solar Photovoltaic Panels/Modules

R908.1 Solar photovoltaic panels/modules. Solar photovoltaic panels/modules shall comply with the requirements of this code and the *California Fire Code*.

R313.2 has been amended to read:

R313.2 Where Required. An automatic sprinkler system shall be installed and maintained in all newly constructed buildings throughout.

Exceptions:

- i. Detached Group U occupancies 1,000 sq. ft. or less. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.
- ii. Detached pool houses up to 1,000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
- iii. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities.
- iv. Car ports of non-combustible construction.

R313.2.2 Additions.

Additions-Residential. Additions to existing residential buildings that increase the square footage by 50% or greater shall meet the requirements for a newly constructed building. All additions to residential buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition per section R313.2

Section 313.2.3 is added to read**R313.2.3 Alterations and remodels.**

Remodels, Alterations, or Repairs. All existing buildings and facilities when remodels, alterations or structural repairs are made involving demolition, remodel, or repair of more than 50% of the structure or when the total cost of remodels, alterations or structural repairs, exceeds the valuation threshold of \$50,000, based on January 1981, "ENR US20 Cities" Average construction Cost Index of 3372.02 (Engineering News Record, McGraw Hill Publishing Company) shall meet the requirements for a newly constructed building. The enforcing agency shall annually update the valuation threshold to a current amount based on the increase in the index since the last figure used. (For example, the January 2010 amount is \$128,410.86)

14.04.060 The California Electric Code

The 2010 Edition of the California Electric Code and appendices as published by the National Fire Protection Association, incorporating by adoption of the 2008 Edition of the National Electric Code is adopted by reference with California Amendments adopted by reference and is amended as follows:

Delete All Fee Schedules. Fee schedules shall be adopted by separate resolution of the city council.

14.04.070 The California Mechanical Code

The 2010 Edition of the California Mechanical Code and appendices as published by the International Association of Plumbing and Mechanical Officials, incorporating by adoption of the 2006 Edition of the Uniform Mechanical Code with California Amendments is adopted by reference including Appendix Chapters A, B, C and D and is amended to read as follows:

Delete All Fee Schedules. Fee schedules shall be adopted by separate resolution of the city council.

14.04.080 The California Plumbing Code

The 2010 Edition of the California Plumbing Code and appendices as published by the International Association of Plumbing and Mechanical Officials, incorporating by adoption of the 2006 Edition of the Uniform Plumbing Code with California Amendments is adopted by reference including Appendix Chapters A, B, D, and K and is amended to read as follows:

Delete All Fee Schedules. Fee schedules shall be adopted by separate resolution of the city council.

14.04.090 2010 Edition of the California Energy Code

2010 Edition of the California Energy Code as published by the California Building Standards Commission and is adopted by reference.

14.04.100 The California Historical Building Code

2010 Edition, as published by the California Building Standards Commission.

14.04.110 The California Fire Code

Chapter 1 ADMINISTRATION

Section 101.1 Shall be revised to read: These regulations shall be known as the *Fire Code of the City of Cotati*, hereinafter referred to as "this code"

ADD New Section

Section 104.2.1 Application for Permit Fees: All applications for a permit required by this Code shall be made to the Bureau of Fire Prevention in such form and detail, as it shall prescribe. Applications for permits shall be accompanied such plans as are required by the Bureau. **The City Council may establish fees by resolution for permit applications.**

ADD New Section

105.7.14 Solar photovoltaic power systems. A construction permit is required to install or modify Solar photovoltaic power systems.

ADD New Section

.Section 109.3.2 Citations. The Chief is authorized to issue a citation to persons operating or maintaining an occupancy, premise, or vehicle subject to this code, who allows a hazard

to exist or fail to take immediate action to abate a hazard on such occupancy, premises, or vehicle when ordered or notified to do so.

Chapter 2 DEFINITIONS

Section 202 Wherever the word "jurisdiction" is used in the 2010 California Fire Code and 2009 International Fire Code, it shall be understood to mean that the Rancho Adobe Fire District is the local fire authority having jurisdiction (AHJ).

Section 202 Where the party responsible for the enforcement of the 2010 California Fire Code and 2009 International Fire Code is given the title of "fire marshal," add the following definition:

FIRE MARSHAL is the chief of the bureau of fire prevention

Amend Chapter 3 General Precautions to read:

Section 307.1.2 is added to read Open Burning. Open burning within the City limits of Cotati, including incinerators of all types, is prohibited, except for agricultural burning permitted by the Bay Area Air Quality Management District.

EXCEPTION: Barbecues used for cooking purposes, provided the barbecues shall not be used for burning rubbish, paper, boxes, grass, brush or other combustible items, except charcoal, natural gas or other materials commonly used in barbecues for cooking purposes.

Section 304.1.2.1 is added to read:

304.1.2.1 Vegetation non developed parcel. Any parcel that is next to a developed parcel and is a threat to a structure shall be required to maintain a minimum 20 feet of clearance on the property line adjacent to the structure.

Exemptions: When approved by the Fire Code Official or if a hazard does not exist

Amend CHAPTER 5 FIRE SERVICE FEATURES to read as follows:

Section 505.1.1 is amended to read:

505.1.1 Size and Width.

- i. Commercial Buildings shall be 12" inches in height with 1" inch (24.5mm) stroke. Suite Numbers shall be six (6") inches in height and ½ inches (12.7mm) stroke.
- ii. Residential Buildings shall be 4" inches in height and 3/8 inches (9.525mm) stroke.
Exception: All sizes can be reduced with the approval of the fire code official.

Add new section:

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS

Solar photovoltaic power systems shall be installed in accordance with this code, the California Building Code and California Electric Code.

Exception: Detached Group U non-habitable structures such as parking shade structures, carports, solar trellises, and similar type structures are not subject to the requirements of this section.

605.11.1 Marking. Marking is required on all interior and exterior dc conduit, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.

605.11.1.1 Materials. The materials used for marking shall be reflective, weather resistant and suitable for the environment. Marking as required in sections 605.11.1.1 through 605.11.1.4 shall have all letters capitalized with a minimum height of 3/8 inch (9.5 mm) white on red background.

605.11.1.2 Marking content. The marking shall contain the words "WARNING: PHOTOVOLTAIC POWER SOURCE"

605.11.1.3 Main service disconnect. The marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the disconnect is operated.

605.11.1.4 Location of Marking. Marking shall be placed on all interior and exterior dc conduit, raceways, enclosures and cable assemblies every 10 feet (3048 mm) within 1 foot (305 mm) of all turns or bends and within 1 foot (305 mm) above and below all penetrations of roof/ceiling assemblies and all walls and /or barriers.

605.11.2 Locations of DC conductors. Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge or hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit runs between sub arrays and to DC combiner boxes shall be installed in a manner that minimizes total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are minimized in the pathways between arrays. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building. Conduit shall run along the bottom of load bearing members.

605.11.3 Access and pathways. Roof access, pathways, and spacing requirements shall be provided in order to ensure access to the roof; provide pathways to specific areas of the roof; provide for smoke ventilation operations; and to provide emergency egress from the roof.

Exceptions:

1. Requirements relating to ridge, hip, and valleys do not apply to roofs slopes of two units vertical in twelve units horizontal (2:12) or less.

2. Residential structures shall be designed so that each array is no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in either axis.

3. The fire chief may allow panels/modules to be located up to the ridge when an alternative ventilation method acceptable to the fire chief has been provided or where the fire chief has determined vertical ventilation techniques will not be employed.

605.11.3.1 Roof access points. Roof access points shall be defined as an area that does not place ground ladders over openings such as windows or doors, and are located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

605.11.3.2 Residential systems for one- and two-family residential dwellings. Access shall be provided in accordance with Sections 605.11.3.2.1 through 605.11.3.2.4

605.11.3.2.1 Residential buildings with hip roof layouts. Panels /modules shall be located in a manner that provides a 3 foot (914 mm) wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

605.11.3.2.2 Residential buildings with a single ridge. Panels/modules shall be located in a manner that provides two 3 foot (914 mm) wide access pathways from the eave to the ridge on each roof slope where panels/modules are located.

605.11.3.2.3 Hips and Valleys: Panels/modules shall be located no closer than 18 inches (457 mm) to a hip or a valley if panels/modules are to be placed on both sides of a hip or valley. If the panels are to be located on only one side of a hip or valley that is of equal length then the panels shall be permitted to be placed directly adjacent to the hip or valley.

605.11.3.2.4 Smoke Ventilation. Panels/modules shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

605.11.3.3 All other occupancies. Access shall be provided in accordance with Sections 605.11.3.3.1 through 605.11.3.3.3.

Exception: Where it is determined by the fire code official that the roof configuration is similar to a one- or two-family dwelling, the fire code official may approve the residential access and ventilation requirements provided in 605.11.3.2.1 through 605.11.3.2.4.

605.11.3.3.1 Access. There shall be a minimum 6 foot (1829 mm) wide clear perimeter around the edges of the roof.

Exception: If either axis of the building is 250 feet (76 200 mm) or less, there shall be a minimum 4 foot (1290 mm) wide clear perimeter around the edges of the roof.

605.11.3.3.2 Pathways. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof
2. The center line axis pathways shall be provided in both axis of the roof. Center line axis pathways shall run where the roof structure is capable of supporting the live load of firefighters accessing the roof.
3. Shall be straight line not less than 4 feet (1290 mm) clear to skylights and/or ventilation hatches
4. Shall be straight line not less than 4 feet (1290 mm) clear to roof standpipes
5. Shall provide not less than 4 feet (1290 mm) clear around roof access hatch with at least one not less than 4 feet (1290 mm) clear pathway to parapet or roof edge

605.11.3.3.3 Smoke Ventilation. The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in distance in either axis in order to create opportunities for smoke ventilation operations.
2. Smoke ventilation options between array sections shall be one of the following:
 - 2.1. A pathway 8 feet (2438 mm) or greater in width;
 - 2.2. A 4 feet (1290 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents;
 - 2.3. A 4 feet (1290 mm) or greater in width pathway and bordering 4 foot (1290 mm) x 8 foot (2438 mm) "venting cutouts" every 20 feet (6096 mm) on alternating sides of the pathway

605.11.4 Ground mounted photovoltaic arrays. Ground mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.2 and this section. Setback requirements do not apply to ground-mounted, free standing photovoltaic arrays. A clear brush area of 10 feet (3048 mm) is required for ground mounted photovoltaic arrays.

Chapter 9 Fire Protection Systems

Section 902 is amended to add the following definitions

EMERGENCY is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

FALSE ALARM is an alarm signal necessitating response by the fire department when an emergency does not exist.

Section 903 is amended to read as follows:

Section 903.2.1 is deleted and replaced to read:

Section 903.2.1 Additions shall be required to meet the requirements of a newly constructed building per section 903.2 as provided in sections 903.2.1.1 and 903.2.1.2

903.2.1.1 Additions-Commercial. Additions to existing commercial buildings that increase square footage by 25% or greater shall meet the requirements for a newly constructed building. All additions to commercial buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition.

903.2.1.2 Additions-Residential. Additions to existing residential buildings that increase the square footage by 50% or greater shall meet the requirements for a newly constructed building. All additions to residential buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition.

903.2.2 Remodels, Alterations, or Repairs. All existing buildings and facilities when remodels, alterations or structural repairs are made involving demolition, remodel, or repair of more than 50% of the structure or when the total cost of remodels, alterations or structural repairs, exceeds the valuation threshold of \$50,000, based on January 1981, "ENR US20 Cities" Average construction Cost Index of 3372.02 (Engineering News Record, McGraw Hill Publishing Company) shall meet the requirements for a newly constructed building. The enforcing agency shall annually update the valuation threshold to a current amount based on the increase in the index since the last figure used. (For example, the January 2010 amount is \$128,410.86)

Section 903.2.3 is deleted and replaced to read:

903.2.3 Changes of Occupancy. Any change of occupancy when the proposed new occupancy classification is more hazardous based on life and fire risk, as determined by the Fire Code Official, including the conversion of residential buildings to condominiums, the building shall meet the requirements for a newly constructed building.

Section 903.2.5 is deleted and replaced to read:

903.2.5 Remodels, Alterations, or Repairs

Remodels, Alterations, or Repairs. All existing buildings and facilities when remodels, alterations or structural repairs are made involving demolition, remodel, or repair of more than 50% of the structure or when the total cost of remodels, alterations or structural repairs, exceeds the valuation threshold of \$50,000, based on January 1981, "ENR US20 Cities" Average construction Cost Index of 3372.02 (Engineering News Record, McGraw Hill Publishing Company) shall meet the requirements for a newly constructed building. The enforcing agency shall annually update the valuation threshold to a current amount based on the increase in the index since the last figure used. (For example, the January 2010 amount is \$128,410.86)

Subsections 903.2.4 through 903.2.13 are deleted.

903.3 Installation Requirements. Sprinkler systems shall be installed in accordance with NFPA 13, NFPA 13R if approved by the Fire Code Official and NFPA 13D.

Sections 903.3.1 is amended to read.

903.3.1 Design Criteria. Fire sprinkler systems installed in buildings of an undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of 3000 square feet. Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owner's responsibility to upgrade the system to the required density.

907.1.5 False Alarms.

a. **EMERGENCY** is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

b. **FALSE ALARM** is an alarm signal necessitating response by the fire department when an emergency does not exist.

907.1.6 is amended to read

907.1.6 Notice of False Alarm. The chief shall determine whether an emergency exists at the time the fire department responds to an alarm signal from a fire alarm system. If the chief determines that an emergency does not exist, the chief shall issue a written notice of false alarm to the owner or person in charge or control of the facility where the alarm signal originated.

907.1.7 is amended to read

907.1.7 Hearing on Notice. Any person receiving a notice of false alarm who contends that the chief erroneously determined that an emergency did not exist may file a written request with the chief for a hearing on the determination within ten (10) days after receipt of the notice of false alarm. The chief shall give the requesting party a hearing on the determination within thirty (30) days of receipt of the request. The request shall

set forth: (1) why an emergency existed, or (2) why the false alarm resulted from an act of God, flooding, or other violent natural condition without fault and beyond the control of the requesting party. Within ten (10) days following the hearing, the chief shall give written notice of his or her decision to the requesting party.

907.1.8 is amended to read

907.1.8 Unreliable Fire Alarm Systems. The chief may determine a fire alarm system to be unreliable upon receipt of more than four (4) false alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the chief may order the following:

a. Upon the fifth (5th) and sixth (6th) false alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$150.00, plus the cost of fire engine response, as specified in the fire department's approved fee ordinance, for each occurrence.

b. 2. Upon the seventh (7th) and eighth (8th) false alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$300.00, plus the cost of fire engine response, as specified in the fire department's approved fee ordinance for each occurrence.

c. 3. Upon the ninth (9th) and following false alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$500.00, plus the cost of fire engine response, as specified in the fire department's approved fee ordinance, for each occurrence. The chief may, in addition, require the system owner to provide standby personnel as defined by Section 2501.18 or take such other measures, as the chief deems appropriate. Persons or activities required by the chief shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the chief that the alarm system has been restored to a reliable condition. The chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.

Chapter 14 Fire Safety During Construction And Demolition

Section 1414.3 is amended to read

1414.3 Large building sprinkler protections

Building in excess of three stories in height or having a first story in excess on 100,000 square feet in area shall provide an approved operating fire sprinkler system on each floor during construction prior to continuing construction on upper stories.

14.04.120 California Existing Building Code

California Code of Regulations Title 24 Part 10 California Existing Building Code 2007 Edition as published by the International Code Conference International Existing Building Code Appendix Chapter A1 and is adopted by reference.

14.04.110 California Green Building Standards Code

The 2010 Edition of the California Green Building Standards as published by the International Code Conference with the following amendments Appendix Chapters A4 Tier 1 and Appendix Chapter A5 Tier 1.

Amend Chapter 2 Definitions**Section 202 is amended to read:**

Newly Constructed (or New Construction) A newly constructed building (or new construction) includes additions of over 500 square feet for residential construction or 1800 square feet for non residential construction, alterations or repairs of 50 percent or greater to any existing building.

Amend Appendix A4 Residential Voluntary Measures to read as follows:**Division A4.6**

A406.601.1 The Tier 1 measures contained in this appendix are adopted as mandatory provisions.

Amend Appendix Chapter A5 Nonresidential Voluntary Measures to read as follows:**Division A5**

A506.601.1 The Tier 1 measures contained in this appendix are adopted as mandatory provisions.

14.04.120 California Reference Standard Code

The 2010 Edition of the California Reference Standard Code published by the California Building Standard Commission is adopted by reference.

14.04.130**14.04.140 International Existing Building Code**

The 2006 Edition of the International Existing Building Code as published by International Code Council is adopted by reference.

14.04.150 Enforcement of Fire Codes

The 2007 California Fire Code and 2006 International Fire Code as adopted and amended herein shall be enforced by the bureau of fire prevention, in the fire department of Rancho Adobe Fire District.

14.04.160 Non-Liability of City of Cotati

This Ordinance shall not be construed as imposing upon the City of Cotati (or any official or employee thereof) any liability or responsibility for damages to any property or injuries to any person resulting from defects in building construction, defective plumbing, or drainage systems (or installations thereof), electrical or gas installations, or by installations of containers for the use of flammable products, nor shall the City of Cotati (or any official or employee thereof) be liable or responsible for any property damage from any cause whatsoever including but not limited to that which may have been caused by a gas leakage,

fire or explosion of any gas appliance or house gas piping, electrical application or electrical wiring or from the storage or use of flammable and/or hazardous materials (14.04.160).

Non-Liability of Rancho Adobe Fire District. This Ordinance shall not be construed as imposing upon the Rancho Adobe Fire District (or any official or employee thereof) any liability or responsibility for damages to any property or injuries to any person resulting from defects in fire protection systems, or installation of containers for the use of flammable products, nor shall the Rancho Adobe Fire District (or any official or employee thereof) be liable or responsible for any property damage from any cause whatsoever including but not limited to that which may have been caused by a gas leakage, fire or explosion of any gas appliance or house gas piping, electrical application or electrical wiring or from the storage or use of flammable and/or hazardous materials.

14.04.170 Violations and Penalties

Any person violating any of the provisions of this Ordinance shall be deemed guilty of an infraction and any person violating the same section or a portion of an Ordinance on a second or subsequent occasion shall thereafter be deemed guilty of a misdemeanor and upon conviction of either an infraction or a misdemeanor shall be punishable by law. The imposition of one penalty for any violation shall not excuse the violation or permit 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 ten days that prohibited conditions are maintained shall constitute a separate offense.

14.04.180 Repeal of Conflicting Ordinances

All other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

14.04.190 Fees

The City Council of the City of Cotati may establish permit fees as set forth by resolution.

Section 2: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, sentence, clause, phrase or portion of this ordinance be declared unconstitutional on their face or as applied.

Section 3: Effective Date. This Ordinance shall become effective and be in full force and effect thirty days (30) days after its final passage.

Section 4: Posting. The City clerk shall cause this ordinance to be published and/or posted within fifteen (15) days after its adoption in accordance with Section 36933 of the Government Code of the State of California.

IT IS HEREBY CERTIFIED that the foregoing ordinance was duly introduced on the 26th day of March 2008 at a regular meeting of the Cotati City Council by the following vote, to wit:

GILARDI: _____
GUARDINO: _____
FOX: _____
MINNIS: _____
ORCHARD: _____

APPROVED: _____
Mayor

ATTEST: _____
Deputy City Clerk

APPROVED AS TO FORM: _____
City Attorney

