



# Agenda Item # 4.D

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**DATE:** November 15, 2010

**TO:** Honorable Mayor and Members of the City Council through City Manager

**FROM:** Edward John Hamer, Senior Building Official

**SUBJECT:** Introduction of an Ordinance of the City of Petaluma Repealing Chapter 17.04 of the Petaluma Municipal Code and Adding a New Chapter 17.04 Adopting by Reference the 2010 Edition of the California Building Standards Code, California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11 and 12 and Amendments Thereto Based on local Climatic, Geological and Topographic Conditions

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## RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance of the City of Petaluma Repealing Chapter 17.04 of the Petaluma Municipal Code and Adding a New Chapter 17.04 Adopting by Reference the 2010 Edition of the California Building Standards Code, California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11 and 12 and Amendments Thereto Based on local Climatic, Geological and Topographic Conditions.

## BACKGROUND

It has been three (3) years since the State of California adopted a new set of Building Codes. Building Officials and Fire Officials convened before the State Building Standards Commission in Sacramento regarding the adoption of the California Building Standards Code to make recommendations for changes and additional requirements to the California Building Codes (Title 24). The adoption of these Codes, including local amendments, will apply to all new construction.

The State has added one (1) additional code book with this renewal cycle, entitled "The Green Building Standards Code" or as it is more commonly know, the "CalGreen Code". The State of California developed and adopted this code to unify "green building" construction standards throughout the State. Up until the adoption of this code, "green building" standards had been adopted locally from standards generated by competing "green" organizations. These regulations varied greatly from jurisdiction to jurisdiction and caused a great deal of confusion for designers, enforcement personnel, citizens, and contractors.

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Agenda Review:

City Attorney

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Finance Director

City Manager

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The new Title 24 Codes will update the existing Title 24 Codes to ensure that all new construction within the State of California will continue to be built with modern safety and energy conservation standards in mind.

## **DISCUSSION**

All localities within the State of California are required to enforce the new Title 24 Codes one hundred and eighty (180) days after their publication (H & S 17958). The 2010 Title 24 Codes were published on July 4, 2010, which makes their mandatory enforcement date January 1, 2011. All plans submitted before January 1, 2011 will be reviewed under the 2007 Title 24 Codes. All plans submitted on or after January 1, 2011 will be reviewed under the new 2010 Title 24 Codes. Existing approved subdivisions that were designed under the 2007 Codes will be allowed to complete that phase of the work. All new phases or models not previously approved will be reviewed under the 2010 Title 24 Codes. As the development community is aware, the Title 24 Codes are updated every three (3) years and the State of California has posted on its website(s) information pertaining to the new Code adoption plans now in preparation for submittal after January 1, 2011 which will address new Title 24 Code provisions.

At a recent meeting, City Council members expressed a desire to adopt a “Green Building Code” that is consistent with the codes that are being adopted county-wide. It is staff’s understanding that among the jurisdictions in the County, the County of Sonoma, the City of Santa Rosa, the City of Sonoma, the City of Sebastopol, and the Town of Windsor have, will, or are considering adopting “Tier One” level code amendments. The CalGreen Code provides for various tiers that municipalities may consider adopting that contain additional “green building” provisions. Staff has obtained the necessary reports to submit to the Energy Commission allowing the Council to adopt the optional provisions offered by the Tier One levels provided within the CalGreen Code. Attachment 2 is a list of the additional requirements triggered by Tier One compliance over the Mandatory CalGreen requirements. Based on previous Council comments, staff has prepared, and is recommending adoption of Tier One levels. Several environmental groups have expressed their support for adoption of the Tier One requirements. Attached as Attachment 3 is a copy of a letter expressing such support.

Petaluma’s changes to the 2010 Title 24 Codes include, but are not limited to:

1. Administrative items; additionally adopted sections specify when permits are required and spell out how permits are to be obtained and enforced.
2. Appendix Chapters H (Signs), I (Patio Covers), and J (Grading) of the Building Code have been adopted. There was the removal of an exemption for grading in isolated areas in Appendix Chapter J (Grading).
3. 105.2 (1): Additional language was included to clarify what types of small structures do not need a permit. The language states that structures that are exempt from obtaining a permit are to have no interior finishes or plumbing/electrical/mechanical systems.
4. 1907.14: Removes “Welded Wire Fabric” from the approved materials list for concrete reinforcement. This material is similar in construction to horse fencing and does not stand-up to the City’s expansive soils.

5. Language has been added to adopt the 2010 CalGreen Code making the optional Tier One requirements mandatory.

### **FINANCIAL IMPACTS**

There are no direct fiscal impacts to the City resulting from the adoption of this amended Ordinance.

It is anticipated that the costs to the City of Petaluma associated with the new CalGreen Code will be covered by a new permit fee linked to the base Building Permit fee.

It is estimated that the cost to the City of a 2,000 sf residential structure would be \$477. A CalGreen fee based on 18% of the base Building Permit fee would be \$488.

A 10,000 new Commercial office building is estimated to cost the City \$1,014. A CalGreen fee of 13% of the base permit fee would be \$1,101.

### **ATTACHMENTS**

1. Proposed Ordinance
  - A. Findings of Fact and Need
  - B. Climate Zone 2 Energy Cost-Effectiveness Study
2. Tier One Additional Requirements Beyond the Mandatory CalGreen Regulations
3. Correspondence from SCCA, Sierra Club, Greenbelt Alliance, Accountable Development Coalition

Proposed Draft Ordinance.1546089.1

ORDINANCE NO. \_\_\_\_\_ N.C.S.

Introduced by

Seconded by

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PETALUMA REPEALING CHAPTER 17.04 OF THE PETALUMA MUNICIPAL CODE AND ADDING A NEW CHAPTER 17.04 ADOPTING BY REFERENCE THE FOLLOWING CODES:**

**2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 1 - 2010 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE; PART 2 - 2010 CALIFORNIA BUILDING CODE BASED ON THE 2009 INTERNATIONAL BUILDING CODE; PART 2.5 - 2010 CALIFORNIA RESIDENTIAL BUILDING CODE BASED ON THE 2009 INTERNATIONAL RESIDENTIAL CODE; PART 3 - 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 - 2008 CALIFORNIA ENERGY CODE; PART 8 - 2010 CALIFORNIA HISTORICAL BUILDING CODE; PART 10 - 2010 CALIFORNIA EXISTING BUILDING CODE BASED ON THE 2009 INTERNATIONAL EXISTING BUILDING CODE; PART 11 - 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE CHAPTERS 1-8 AND APPENDIX A4 (TIER 1 – RESIDENTIAL VOLUNTARY MEASURES) AND APPENDIX A5 (TIER 1 – NONRESIDENTIAL VOLUNTARY MEASURES) ARE ADOPTED AS MANDATORY PROVISIONS AND INCORPORATED HEREIN BY REFERENCE; PART 12 - 2010 CALIFORNIA REFERENCED STANDARDS CODE; INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION; 1997 UNIFORM HOUSING CODE; AND 1997 UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS; APPENDIX CHAPTERS J (GRADING) AMENDED BY DELETING J103.2 EXCEPTIONS 1 H (SIGNS) AND I (PATIO COVERS) OF THE CALIFORNIA BUILDING CODE; AND APPENDIX CHAPTER A (CODE STANDARD 6-2) AND SECTIONS 101.1 THROUGH 112.1 INCLUSIVELY OF THE CALIFORNIA MECHANICAL CODE; AND SECTIONS 101.0 THROUGH 103.1.1 INCLUSIVELY OF CHAPTER 1 (ADMINISTRATION) OF THE CALIFORNIA PLUMBING CODE AS PUBLISHED BY CALIFORNIA BUILDING STANDARDS COMMISSION**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PETALUMA AS FOLLOWS:

1, **SECTION 1: REPEAL OF OLD BUILDING CODES**  
2

3 Chapter 17.04 of the Petaluma Municipal Code, entitled “Uniform Codes for  
4 Construction and Regulation of Buildings and Structures” is hereby repealed in its entirety.  
5

6 **SECTION 2: FINDINGS**  
7

8 The City Council of the City of Petaluma finds that in order to best protect the health,  
9 safety and welfare of the citizens of the City of Petaluma, the standards of building within the  
10 City must conform with state law except where local climatic, geological, and topographic  
11 conditions warrant more restrictive regulations. Therefore, the City Council should adopt the  
12 current state building codes, contained in California Building Standards Code Title 24, and other  
13 uniform codes governing the construction and regulation of buildings and structures with the  
14 modifications and amendments contained herein.  
15

16 Pursuant to California Health and Safety Code Section 17958.7, the City Council makes  
17 the factual findings set forth in “Exhibit A” attached hereto and incorporated herein by reference,  
18 and finds that the amendments made in this ordinance to the California Building Standards Code  
19 Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, and 12, are reasonably necessary because of the local  
20 climatic, geological or topographical conditions described in Exhibit A.  
21

22 Pursuant to California Public Resources Code Section 25402.1 and California Code of  
23 Regulations, Title 24, Part 1, Article 1, Section 10-106 (Locally Adopted Energy Standards), a  
24 city may require additional energy conservation measures and set more stringent energy budgets  
25 in a local green building ordinance than the standards set forth in the California Energy Code if  
26 the city demonstrates the energy cost-effectiveness of the standards and files with the California  
27 Energy Commission the basis of the city's determination that the standards are cost effective.  
28 This determination that the standards are cost effective must be adopted by the governing body at  
29 a public meeting. Based on the Climate Zone 2 Energy Cost-Effectiveness Study attached hereto  
30 as Exhibit “B” and incorporated herein by reference, the City Council hereby finds and  
31 determines that the energy standards adopted in the California Green Building Code, Title 24,  
32 Part 11, as amended herein, are cost effective.  
33

34 **SECTION 3: CURRENT BUILDING CODES ADOPTED**  
35

36 Chapter 17.04 of the Petaluma Municipal Code, entitled “Uniform Codes for Construction  
37 and Regulation of Buildings and Structures” is hereby added to read as follows:  
38

39 **17.040.010: Adoption of Uniform Codes**  
40

1 Pursuant to Section 50022.2 of the California Government Code, the following  
2 codes are adopted by reference, including the amendments listed in this chapter  
3 which are made pursuant to the findings of fact set forth in the adopting  
4 ordinance.

- 5
- 6 A. Part 1 - 2010 California Administrative Code;
- 7 B. Part 2 - 2010 California Building Code based on the 2009 International  
8 Building Code, including Appendix Chapters J (Grading) amended by  
9 deleting J103.2 Exception 1H (Signs) and I (Patio Covers) except as  
10 amended in section 17.04.020 below;
- 11 C. Part 2.5 - California Residential Code;
- 12 D. Part 3 - 2010 California Electrical Code based on the 2008 National  
13 Electrical Code;
- 14 E. Part 4 - 2010 California Mechanical Code based on the 2009 Uniform  
15 Mechanical Code including Sections 101.0 through 112.1 of Chapter 1  
16 inclusively (Administration) and Appendix Chapter A (Code Standard 6-  
17 2);
- 18 F. Part 5 - 2010 California Plumbing Code based on the 2009 Uniform  
19 Plumbing Code including Sections 101.1 through 103.1 of Chapter 1  
20 inclusively (Administration);
- 21 G. Part 6 - 2008 California Energy Code;
- 22 H. Part 8 - 2010 California Historical Building Code;
- 23 I. Part 10 - 2010 California Existing Building Code based on the 2009  
24 International Existing Building Code;
- 25 J. Part 11 - 2010 California Green Building Standards Code Chapters 1-8 and Appendix A4  
26 (Tier 1 – Residential Voluntary Measures) and Appendix A5 (Tier 1 – Nonresidential Voluntary  
27 Measures) are adopted as mandatory provisions and incorporated herein by reference ;
- 28 K. Part 12 - 2010 California Referenced Standards Code;
- 29 L. 2009 edition, International Property Maintenance Code;
- 30 M. 2006 edition, 1997 Uniform Housing Code; and
- 31 N. 1997 Uniform Code for Abatement of Dangerous Buildings.

32  
33 All references to permit fees are hereby deleted. The permit fees shall be fixed by  
34 the Fee Schedules adopted by the City Council via Resolution.  
35

1           **17.04.020: Amendments Made in California Building Code**

2           The California Building Code, as adopted in section 17.04.010, is hereby  
3           amended to include the following additions, amendments and deletions:  
4

5           **Section 105.2 (1)** is hereby amended to read as follows:  
6

7           **105.2 (1):** One-story detached accessory structures used as tool and storage sheds,  
8           playhouses and similar uses, provided the floor area does not exceed one hundred twenty  
9           square feet (120' sq.) (11 m2), there are no wall finishes such as, but not limited to,  
10          gypsum wallboard, plaster, stucco, or paneling placed on any interior surface of any wall  
11          and/or partition, and no electrical, mechanical or plumbing systems are contained within  
12          the structure.  
13

14          **Section 115** is hereby amended to read as follows:  
15

16          **115: Stop Work Orders**

17  
18          **115.1 - Authority.** Whenever the building official finds any work regulated by this code  
19          being performed in a manner that is contrary to the provisions of this code, without a  
20          permit, beyond the scope of the issued permit, in violation of the Petaluma Municipal  
21          Code or Zoning Ordinance, or dangerous or unsafe, the building official is authorized to  
22          issue a stop work order.  
23

24          **115.2 - Issuance.** The stop work order shall be in writing and shall be posted in a visible  
25          location near the location where the work is being conducted. If the owner or owner's  
26          agent is not on site at the time of posting, a notice advising the reasons for the stop work  
27          order issuance shall be hand delivered or mailed first-class to the owner of the property  
28          involved, or to the owner's agent, or to the person doing the work. Upon issuance of a  
29          stop work order, the cited work shall immediately cease. The stop work order shall state  
30          the reason for the order, the conditions under which the cited work will be permitted to  
31          resume, and the name and contact information of the official or agency issuing the order.  
32

33          **115.3 - Unlawful Continuance.** Any person who continues to engage in any work after  
34          having been served with a stop work order, except such work as that person is directed to  
35          perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.  
36

37          **115.4 - Removal of Posted Stop Work Order.** Any person who removes a posted stop  
38          work order without written consent of the Building Official shall be guilty of a  
39          misdemeanor.  
40

1 **115.5 - Response Required.** Violators receiving a stop work order are required to  
2 respond to the Building Division within two (2) business days of the issued notice to  
3 receive instructions on how to rescind the order.  
4

5 **115.6 - Permit Application Required.** A building permit application with construction  
6 or demolition plans and supporting (structural calculations, energy calculations,  
7 handicapped access) documents must be submitted for approval within fifteen (15)  
8 working days following response to the Building Division. Plans will be reviewed and  
9 correction letters issued or permit application approved within fifteen (15) working days  
10 of receipt by the Building Division. A response to any correction letter must be submitted  
11 within fifteen (15) working days of the date of the correction letter. Five working days  
12 will be required to review this second submission and a permit approved for issuance.  
13 Permits ready for issuance must be issued within 5 working days thereafter. All  
14 construction must be inspected as work progresses and signed off by all (affected)  
15 departments within 60 days of building permit issuance.  
16

17 **115.7 - Fee.** An additional fee of five times the permit fee shall be added to each  
18 permit subject to a stop work order.  
19

20 **Section 202** is hereby amended to add the following definition:  
21

22 **ABANDONED.** Work shall be considered abandoned if an inspection has not  
23 been recorded and approved within one hundred eighty (180) days from the last  
24 approved progress inspection.  
25

## 26 **CHAPTER 7A – MATERIALS AND CONSTRUCTION METHODS FOR** 27 **EXTERIOR WILDFIRE EXPOSURE** 28

29 **Section 701A.3** is hereby amended to read as follows:  
30

31 **701A.3 - Applicability.** New buildings for which a building permit is submitted on or  
32 after January 1, 2011, that are located within any Moderate, High or Very High Fire  
33 Severity Zone as designated by the Director of Cal Fire or in any Moderate, High or Very  
34 High Fire Severity Zone as identified by the Fire Hazards Severity Zones (FHSZ) map as  
35 defined in Section 17.20.020 of the Petaluma Municipal Fire code shall comply with the  
36 following sections:  
37

- 38 1. Section 4907.1 California Fire Code Defensible Space (moderate, high,  
39 very high);
- 40 2. 705A, 2010 California Building Code – Roofing (moderate, high, very  
41 high);



3. Section 706A, 2010 California Building Code - Vents (moderate, high, very high);
4. Section 707A 2010 California Building Code - Exterior Covering (moderate, high, very high);
5. Section 708A 2010 California Building Code – Exterior Windows and Doors (high, very high);
6. Section 709A 2010 California Building Code – Decking (high, very high); and
7. Section 710A 2010 California Building Code – Accessory Structures (high, very high).

**Section 701A.3.2.2** is hereby amended to read as follows:

**701A.3.2.2 - Local Agency Moderate, High and Very-High Fire Hazard Severity Zone.** New buildings located in any local agency moderate, high and very high fire hazard severity zone for which an application for a building permit is submitted on or after January 1, 2011, shall comply with the sections designated in 701A.3, parts 1-6.

## **CHAPTER 9 – FIRE PROTECTION SYSTEMS**

**Subsection 901.7.6.1** is added to read as follows:

**901.7.6.1 - Problematic and Unreliable Fire Alarms.** The Fire Chief may determine a fire alarm to be unreliable upon receipt of more than three (3) false alarms within a twelve-month period. Upon making such a finding, the Fire Chief may order the following:

1. For any nuisance alarm where the system is not restored, the Fire Chief may require the system owner to provide standby personnel or take such other measures, as the Fire Chief deems appropriate. Such measures shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the Fire Chief that the alarm system has been restored to a reliable condition. The Fire Chief may require such tests as he deems necessary to demonstrate the adequacy of the system.
2. Require the owner to pay mitigation fees pursuant to the City of Petaluma Fee Ordinance.

**Section 903.2** is amended to read as follows:

1 **903.2 - Where Required.** Approved automatic sprinkler systems in new buildings and  
2 structures shall be provided in locations described in this section. Additional local  
3 requirements are described in Sections 903.2.1 through 903.2.18 and may supersede the  
4 following requirements. The most restrictive requirement shall apply.  
5

6 **Section 903.2.19** is added to read as follows:  
7

8 **903.2.19 - Local fire sprinkler system requirements**  
9

10 **Section 903.2.19.1** is added to read as follows:  
11

12 **903.2.19.1 - System Requirements.** An approved automatic fire sprinkler system shall  
13 be installed and maintained in all newly constructed buildings.  
14

15 **Exceptions:**

- 16 1. Detached Group U occupancies one thousand square feet (1,000' sq.) or less.  
17 Agricultural buildings and private riding arenas as approved by the Fire or  
18 Building Code Official.  
19
- 20 2. Detached pool houses up to one thousand square feet (1,000' sq.) in floor area  
21 within fifty feet (50') of the pool and limited to a single bathroom.  
22
- 23 3. Detached non-combustible motor vehicle fuel dispensing canopies classified as a  
24 Group M occupancy.  
25
- 26 4. A room above a detached garage used for storage only that does not contain a  
27 bathroom, cooking or refrigeration facilities.  
28
- 29 5. Detached carports of noncombustible construction with non-habitable spaces  
30 above.  
31
- 32 6. Detached Group B or M occupancies five hundred square feet (500' sq.) or less.  
33

34 **Section 903.2.19.2** is added to read as follows:  
35

36 **903.2.19.2 - Additions - Residential.** Additions to existing residential buildings that  
37 increase the total square footage of existing floor area by fifty percent (50%) or greater  
38 shall meet the requirements for a newly constructed building. All additions to residential  
39 buildings with an existing approved automatic sprinkler system shall be required to  
40 extend the sprinkler system into the addition.  
41

1 Section 903.2.19.3 is added to read:

2  
3 **903.2.19.3 - Additions - Commercial and Multi-Family Additions.** Additions to  
4 existing commercial buildings that increase the total square footage of existing floor area  
5 by twenty-five percent (25%) or greater shall meet the requirements for a newly  
6 constructed building. All additions to commercial buildings with an existing approved  
7 automatic sprinkler system shall be required to extend the sprinklers into the addition.  
8

9 Section 903.2.19.4 is added to read as follows:

10  
11 **903.2.19.4 - Remodels, Alterations, or Repairs.** For alterations or repairs to existing  
12 building(s) involving demolition, removal, or repair of more than fifty percent (50%) of  
13 the structure, the building shall meet the automatic fire sprinkler requirements for a newly  
14 constructed building.  
15

16 Exception: Alterations or additions made solely for the purpose of complying with the  
17 American's with Disabilities Act.  
18

19 Section 903.2.19.5 is added to read:

20  
21 **903.2.19.5 - Changes of Occupancy.** When any change of occupancy occurs where the  
22 proposed new occupancy classification is more hazardous based on fire and life safety  
23 risks, as determined by the Fire Code Official, including, but not limited to, the  
24 conversion of residential buildings to condominiums the building shall meet the fire  
25 sprinkler requirements for a newly constructed building.  
26

27 Section 903.2.19.6 is added to read:

28  
29 **903.2.19.6 - Residential Conversions and Additions.** Fire sprinkler systems shall be  
30 installed in all single-family dwellings that are converted to duplexes and/or multi-family  
31 dwellings, bed and breakfasts, inns, lodging houses, or similar uses. All additions to  
32 residences with an existing sprinkler system shall be required to extend the sprinkler  
33 system into the addition. Existing residences in which an addition is constructed and no  
34 fire sprinkler system has been previously installed will not be required to install a  
35 sprinkler system in either the existing structure or the addition.  
36

37 Section 903.2.19.7 is added to read as follows:

38  
39 **903.2.19.7 - Elevation of existing buildings.** An automatic fire extinguishing  
40 system shall be installed throughout all existing buildings when the building is

1 elevated to: three (3) or more stories, or more than thirty-five feet (35') in height,  
2 from grade to the exposed roof.

3  
4 **Exceptions:**

- 5 1. An automatic fire-extinguishing system need not be provided when the area  
6 above thirty-five (35') is provided for aesthetic purposes only and is a non-  
7 habitable space.  
8

9 **Section 903.2.19.8** is added to read:

10  
11 **903.2.19.8 - Installation of Automatic Fire Sprinklers in Pre-existing Buildings-**  
12 **Historic Downtown Business District.**

13  
14 **A. Geographic Boundary- Historic Downtown Business District:**

15 For the purposes of this section, the Historic Downtown Business District shall  
16 include all buildings located inside the geographic area generally formed by  
17 Kentucky Street to the west, Washington Street to the north, the Petaluma River to  
18 the east, and B Street to the south. Also included in this section is 201 Washington  
19 Street (Phoenix Theater) and 132 Keller Street (formerly Tuttle Drug), as more  
20 particularly described in Figure 1003.2.12.

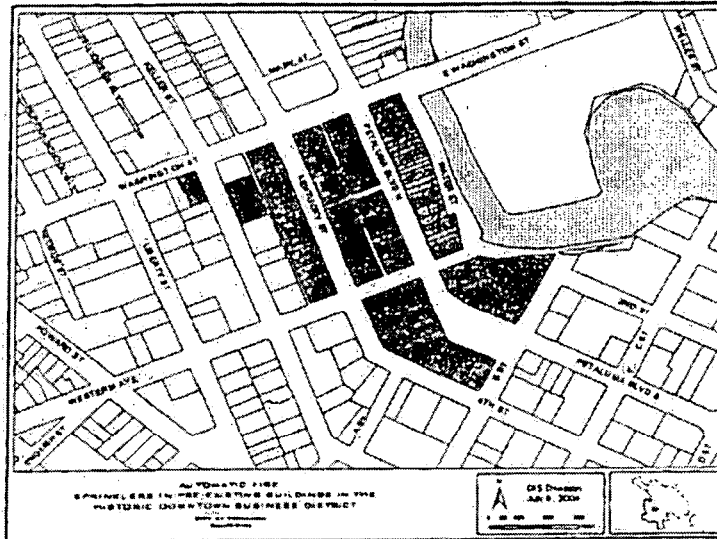


Figure 1003.2.12

21  
22 **B. Installation Requirements:**

1 An automatic sprinkler system conforming to the Standard for the Installation of  
2 Sprinkler Systems (NFPA13) shall be installed in all existing buildings in the  
3 Historic Downtown Business District in accordance with the following criteria:

4 (1) Kentucky Street and Western Avenue:

- 5 a. In any building wherein a change of occupancy occurs.
- 6 b. In any building or occupancy where the square footage of the building or  
7 occupancy is increased or alterations to the structure are made pursuant to  
8 Section 903.2.19.3, Section 903.2.19.4, Section 903.2.19.5, Section  
9 903.2.19.6, Section 903.2.19.7 and Section 903.2.19.8 of this ordinance.
- 10 c. All buildings with basements or space below street grade used for storage,  
11 business, or public use shall have automatic fire sprinklers installed within  
12 the basements or the below street grade areas no later than December 31,  
13 2010.
- 14 d. All buildings not meeting the criteria of (a) or (b) above shall have  
15 automatic fire sprinklers installed throughout the structure, including all  
16 public, private, storage and/or concealed spaces, as defined by the  
17 Standard for the Installation of Sprinkler Systems (NFPA13) by no later  
18 than December 31, 2016.

19 (2) Petaluma Boulevard North:

20 Automatic fire sprinkler requirements shall not become effective until the City  
21 of Petaluma installs an appropriate sized water main and laterals to the curb  
22 lines similar to the main previously installed on Kentucky Street and Western  
23 Avenue. Upon notice by the City of such installation, an automatic sprinkler  
24 system conforming to the Standard for the Installation of Sprinkler Systems  
25 (NFPA-13) shall be installed according to the following criteria:

- 26 a. In any building wherein a change of occupancy occurs.
- 27 b. In any building or occupancy where the square footage of the building or  
28 occupancy is increased or alterations to the structure are made pursuant to  
29 Section 903.2.19.3, Section 903.2.19.4, Section 903.2.19.5, Section  
30 903.2.19.6, Section 903.2.19.7 and Section 903.2.19.8 of this ordinance.
- 31 c. All buildings with basements or space below street grade used for storage,  
32 business or public use shall have automatic fire sprinklers installed within  
33 the basements or the below street grade areas, no later than December 31  
34 of the year that is six (6) years from the date of the water main installation.
- 35 d. All buildings not meeting the criteria of (a) or (b) above shall have  
36 automatic fire sprinklers installed throughout the structure, including all  
37 public, private, storage and/or concealed spaces, as defined by the  
38 Standard for the Installation of Sprinklers (NFPA-13), no later than

1 December 31 of the year that is twelve (12) years from the date of the  
2 water main installation.

3 e. Property Owner's Responsibility for System Installation:

4 (1) The Property Owner shall be responsible for installation  
5 of the lateral service from the curb line into the building.  
6 This also includes isolation, check or other valves or  
7 devices, as applicable.

8 (2) The Property Owner shall be responsible for the  
9 installation of the automatic fire sprinkler system according  
10 to the Standard for the Installation of Sprinkler Systems  
11 (NFPA-13).

12 f. Plans and Specifications: Plans and Calculations (NFPA-13, Chapter 8)  
13 for the service lateral and fire sprinkler system shall be submitted to and  
14 approved by the Fire Prevention Bureau prior to installation of equipment  
15 and materials.

16 (1) For the Kentucky Street installations that are required on or before  
17 December 31, 2010 or December 31, 2016, all Plans and Calculations for  
18 service lateral and sprinkler systems shall be submitted no later than June  
19 30, 2010 or June 30, 2016 respectively, with installation and approval of  
20 work to occur prior to December 31, 2010 or December 31, 2016  
21 respectively.

22 (2) For Petaluma Boulevard North installations that occur in the last year  
23 of the six (6) or twelve (12) year deadline (when established) after the  
24 installation of the water main by the City of Petaluma, Plans and  
25 Calculations shall be submitted in that last year no later than June 30 of  
26 that year, with installation and approval of work to occur prior to  
27 December 31 of that last year.

28  
29 **Section 903.3** is amended as follows

30  
31 **903.3 - Installation Requirements.** Sprinkler systems shall be designed and installed in  
32 accordance with NFPA.13; NFPA 13R (if approved by the Fire Code Official); and  
33 NFPA 13D. Pursuant to Section 102.7.1 and Section 105.1.4 the Fire Code Official may  
34 require additional sprinkler coverage to mitigate certain conditions such as access or  
35 water supply issues.

36  
37 **Section 903.3.1** is amended to read:

1 **903.3.1 - Design Criteria.** Fire sprinkler systems installed in buildings of undetermined  
2 use shall be designed and installed to have a design density of .33 gallons per minute per  
3 square foot over a minimum design area of three thousand square feet (3000' sq.). Where  
4 a subsequent occupancy change requires a system with greater capacity, it shall be the  
5 building owners' responsibility to upgrade the system to the required density and meet  
6 any additional requirements of the Fire Code at the time of such change.

7  
8 **Section 903.3.7** is amended to read as follows:  
9

10 **903.3.7 - Fire Department Connections.** The location of fire department connections  
11 (FDC's) shall be approved by the Fire Code Official. Approved locking caps shall be  
12 provided on all newly installed FDC's and on any existing FDC's found to be vandalized.  
13

14 **Section 903.4** is amended to read as follows:  
15

16 **903.4 - Sprinkler System Monitoring and Alarms.** Except for Group R, Division 3  
17 Occupancies, all valves controlling the water supply for automatic sprinkler systems,  
18 pumps, tanks, water levels, temperatures, critical air pressure, and water flow switches  
19 shall be electronically supervised. Valves when used for standpipes are excluded from  
20 this provision unless required by the Fire Code Official.  
21

22 **Section 903.4.2** is amended to read as follows:  
23

24 **903.4.2 - Alarms.** One (1) exterior approved audible and visual device shall be connected  
25 to every automatic fire sprinkler system in an approved location. Such sprinkler  
26 waterflow alarm devices shall be activated by waterflow equivalent to the flow of a single  
27 sprinkler of the smallest orifice size installed in the system. Where a building fire alarm  
28 system is installed, actuation of the automatic fire sprinkler system shall actuate the  
29 building fire alarm system.  
30

31 Every new commercial fire alarm system installed as a sprinkler system monitoring alarm  
32 shall also function for the purpose of evacuation, including those systems activated solely  
33 by fire sprinkler systems, so that occupants of the building shall be notified audibly and  
34 visually within each suite or building division. A minimum of one (1) device shall be  
35 located in each major suite or building division in an occupied location.  
36

37 **Section 905.3.1** is amended to read as follows:  
38

39 **905.3.1 - Building Height.** Class I standpipes shall be installed in buildings three (3)  
40 stories or over in height and/or if, in the opinion of the Fire Chief, a hazard or condition  
41 exists in which the installation of standpipes would improve firefighting operations.

1 Standpipes will be provided with approved outlets provided on each floor level, including  
2 the roof when roof access is provided.

3  
4 **Section 905.9, Exception 2** is deleted.

5  
6 **Section 907.9.6** is added to read as follows:

7  
8 **907.9.6 - False Fire Alarms.** Owners of properties with a fire alarm system shall  
9 maintain the system in accordance with section 907.9.5. False alarm fees shall be  
10 assessed per the current adopted fee schedule.

11  
12 **Section 1907.14** is hereby added to read as follows:

13  
14 **1907.14 - Prohibited Concrete Reinforcement Materials.** Welded Wire Fabric of any  
15 size or gauge shall not be used as concrete reinforcement of any concrete slab or flat  
16 work including, but not limited to, flooring, sidewalks, patios, driveways, foundation  
17 slabs, and roadways.

18  
19 **17.04.030 - Violations/Penalty.** Every person who violates any provision of this chapter  
20 shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand  
21 dollars (\$1,000.00) and/or imprisonment of up to six (6) months. A person is guilty of a  
22 separate offense for each day during which he/she commits, or continues or permits a  
23 violation of this chapter, or each time he/she disobeys a valid order of an enforcement  
24 officer.

25  
26 In addition to any other remedies available to the city under any applicable state or  
27 federal statute or pursuant to any other lawful power the City may possess, any violation  
28 of this chapter may be prosecuted or enforced as a nuisance and enforced by a civil court  
29 action as provided in Chapter 1.13 of the Petaluma Municipal code or via administrative  
30 enforcement as a nuisance as provided in Chapter 1.14 of the Petaluma Municipal Code  
31 as Chapters 1.13 and 1.14 and may be amended from time to time.

32  
33 In addition to any other remedies available to the city under any applicable state or  
34 federal statute or pursuant to any other lawful power the city may possess, any violation  
35 of this Chapter may be enforced by administrative citation pursuant to Chapter 1.16 of  
36 the Petaluma Municipal Code as Chapter 1.16 may be amended from time to time.

37  
38 **17.04.040 - Copies made available.** The City Clerk shall retain one (1) copy of each  
39 code adopted in Section 17.04.010 of this chapter, and keep the same on file in the office



1 of said City Clerk for the examination of the public, but such codes shall not be deemed  
2 invalid because of the omission to have copies on file at any time.

3  
4 **17.04.050 - Amendments -- State Building Standards Commission.** All amendments  
5 to the codes mentioned in Section 17.04.010 which have been duly adopted by regulation  
6 or act of the California Building Standards Commission shall be deemed to be a part of  
7 the code so amended, whether said regulation is effective upon the effective date of this  
8 section or thereafter.

9  
10 **SECTION 4:** The City Clerk is hereby directed to file this ordinance and the attached  
11 findings of fact with the California Building Standards Commission.

12  
13 **SECTION 5:** All former ordinances or parts thereof conflicting or inconsistent with the  
14 provisions of this ordinance or of the Code or Standards hereby adopted are hereby repealed.

15  
16 **SECTION 6:** If any section, subsection, sentence, clause or phrase or word of this  
17 ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court  
18 of competent jurisdiction, such decision shall not affect the validity of the remaining portions of  
19 this ordinance. The City Council of the City of Petaluma hereby declares that it would have  
20 passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that  
21 any one or more of said provisions be declared unconstitutional, unlawful or otherwise invalid.

22  
23 **SECTION 7:** The City Council finds that this Ordinance is not subject to the California  
24 Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not  
25 result in a direct or reasonably foreseeable indirect physical change in the environment) and  
26 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines  
27 because it has no potential for resulting in physical change to the environment, directly or  
28 indirectly.

29  
30 **SECTION 8:** This ordinance shall become effective thirty (30) days after the date of its  
31 adoption by the Petaluma City Council, and its provisions shall become applicable on January 1,  
32 2011.

33  
34 **SECTION 9:** The City Clerk is hereby further directed to post and publish this ordinance  
35 or a synopsis of this ordinance for the period and in the manner required by the City Charter.

36  
37  
38 INTRODUCED and ordered posted/published this \_\_\_\_\_ day of \_\_\_\_\_,  
39 2010.

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ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010 by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney