

ORDINANCE NUMBER 4403

AN ORDINANCE FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY OF THE UNINCORPORATED PORTION OF SAN JOAQUIN COUNTY, STATE OF CALIFORNIA, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY, FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS AND FOR THE INSPECTION AND SETTING THE FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND ADOPTING THAT CERTAIN DOCUMENT IN BOOK FORM ENTITLED CALIFORNIA FIRE CODE, 2010 EDITION.

* * *

THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DO ORDAIN AS FOLLOWS:

SECTION 1. Commencing with Section 4-1000 of Division 1 of Title 4 of the Ordinance Code of San Joaquin County, is hereby amended to read as follows:

DIVISION 1. FIRE PREVENTION

CHAPTER 1. GENERAL REGULATIONS

Sections:

4-1000	Adoption of the California Fire Code
4-1001	Bureau of Fire Prevention
4-1002	County Fire Warden
4-1003	Application for Permits
4-1004	Board of Appeals
4-1005	Definitions
4-1006	Access Roadways for Fire Apparatus
4-1007	Lumberyards, Pallet Yards and Woodworking Plants
4-1008	Fireworks
4-1009	Fees
4-1010	Reserved
4-1011	Reserved
4-1012	Reserved
4-1013	Reserved
4-1014	Reserved
4-1015	Reserved
4-1016	Reserved
4-1017	Operational Fees
4-1018	Construction Fees
4-1019	Reserved

SECTION 4-1000. ADOPTION. That certain document in book form entitled California Fire Code, 2010 Edition including Chapters 3, 5, 25, and Chapters 4, B, C, and D, published by the California Building Standards Commission, 2525 Natoma Park Drive, Suite 130, Sacramento, California 95833-2936, and incorporates by adoption the 2009 International Fire Code of the International Code Council, one (1) copy of which is on file in the office of the Clerk of the Board of Supervisors of the County of San Joaquin, is hereby adopted and enacted by the Board of Supervisors as the Fire Code of the County of San Joaquin including those portions which are specifically amended or added hereinafter.

SECTION 4-1001. BUREAU OF FIRE PREVENTION. The San Joaquin County Bureau of Fire Prevention is created under the direction of the County Fire Warden as directed by the Community Development Director.

SECTION 4-1002. COUNTY FIRE WARDEN.

- (a) The Fire Warden is the Director of the Community Development Department and is the fire code official responsible for the administration and enforcement of the California Fire Code.
- (b) The Fire Warden and members of the Fire Prevention Bureau shall have the powers of a peace officer in performing their duties under this Code. When requested by the Fire Warden, the San Joaquin County Sheriff's Office is authorized to assign such available officers as necessary to assist the Fire Warden in enforcing the provisions of this Code. The Fire Warden may appoint deputies to assist in the enforcement of said laws, and such deputies shall include the Chief of all Fire Districts, and their authorized representatives within the County.

SECTION 4-1003. APPLICATION FOR PERMIT. Section 105.1.2 and 105.7 of Chapter 1 of the California Fire Code, 2010 Edition, are hereby amended to read as follows:

Section 105.1.2 Operational Permits required by this Code shall be obtained from the County Fire Warden in such form, detail and procedures as the County Fire Warden may prescribe. Permit fees shall be paid prior to the issuance of such operational permits. Fees shall be set by a board resolution of the Board of Supervisors of the County of San Joaquin. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. Such permits shall be issued on an annual basis unless otherwise noted. If a rural fire protection district has established a Bureau of Fire Prevention, it may issue permits and collect fees subject to this Code if it complies with County procedures set forth pursuant to this section.

Section 105.7 Construction Permits required by this Code shall be obtained from the County Fire Warden in such form, detail and procedures as the County Fire Warden may prescribe. Fire plan check and inspection permit fees shall be paid prior to the issuance of a building permit. The fire plan check and inspection fees for construction permits associated with building permits and this Code shall be set by a

board resolution of the Board of Supervisors of the County of San Joaquin. The Fire Warden shall certify plans of all occupancies requiring a permit from this Code.

Section 105.3.1 of Chapter 1. Expiration. Every construction permit issued by the Fire Warden under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Work shall be considered abandoned if an inspection has not been recorded and approved within 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this section for good and satisfactory reasons. The Fire Warden may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented actions from being taken. A Notice of Code Violation may be recorded when a Fire construction permit is expired.

SECTION 4-1004. BOARD OF APPEALS. Section 108.1 of Chapter One (1) of the California Fire Code, 2010 Edition is hereby amended to read as follows:

Section 108.1 Board of Appeals Established: The San Joaquin County Building Board of Appeals, as created by Chapter 2, Building Board of Appeals, Division 1, Building Code of Title 8 of the Ordinance Code of San Joaquin County will determine the suitability of alternate materials and types of construction, and to provide a reasonable interpretation of the provisions of this Code as previously adopted by San Joaquin County Ordinance Number 4262, July 19, 2005.

SECTION 4-1005. DEFINITIONS. The following definitions shall be added to Section 201 General Definitions of the California Fire Code, 2010 Edition.

- (a) "Driveway" shall mean a vehicular access that serves buildings on a single parcel.
- (b) "Fire Road" shall mean a vehicular access that serves more than one parcel.
- (c) "Code" shall mean the California Fire Code, Title 24, California Code of Regulations, Part 9, incorporating the 2009 Edition of the International Fire Code of the International Code Council with necessary California amendments.
- (d) "Chief or Fire Code Official" shall mean the Fire Warden or designated representative as defined in Section 4-1002.

SECTION 4-1006. ACCESS ROADWAYS FOR FIRE APPARATUS. Section 503.1 of the California Fire Code, 2010 Edition shall be amended to read as follows:

Section 503.1 Where Required: Fire apparatus access roads shall be provided and maintained in accordance with Sections 503 and the San Joaquin County Fire Chiefs Association, Fire Access Road Standards.

SECTION 4-1007. LUMBER YARDS, PALLET YARDS AND WOODWORKING PLANTS. Chapter 19, Lumber Yards and Woodworking Facilities Section 1909.1 is hereby amended by adding the following:

PALLETS AND PALLETIZED PACKING BOXES AND BIN BOXES

- (a) A permit is required to store pallets, palletized packing boxes, bin boxes, and including plastic bin boxes in excess of 30,000 board feet or 50,000 cubic feet.
- (b) Pallets, palletized packing boxes and bin boxes shall be piled with due regard to stability of piles and in no case higher than 12 feet; where pallets are piled next to a property line, the distance from the property line shall not be less than one half the pile and in no case less than 5 feet.

Exception: Bin boxes may be stacked to a maximum height of 20 feet.

- (c) Driveways between and around pallets, bin boxes and palletized packing crates shall be at least 15 feet wide and maintained free from accumulation of rubbish, weeds and equipment or other articles or materials. Driveways shall be so spaced that a maximum grid system unit of 50 feet by 50 feet is produced.
- (d) Pallets, palletized packing boxes and bin box storage, operating under a permit, shall be surrounded with a suitable fence of at least 6 feet in height.

Exception: Storage is located inside the building.

- (e) Approved water supply and fire hydrants capable of supplying the required fire flow shall be provided to within 150 feet of all portions of the storage area, in accordance with the applicable sections of the California Fire Code.

SECTION 4-1008. EXPLOSIVES AND FIREWORKS. Chapter 33, Explosives and Fireworks Section 3301.1 is hereby amended by adding the following:

- (a) **Fireworks defined:** “Fireworks” means and includes any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration

or detonation, including fireworks classified by the Health and Safety Code as “dangerous fireworks” and “safe and sane fireworks” and shall include firecrackers, torpedoes, skyrockets, roman candles, bombs, sparklers, chasers, snakes, or other fireworks containing any explosive or flammable substance. This definition does not include ammunition used for target shooting or hunting, nor does it include what is ordinarily known as cap pistol caps.

- (b) **Fireworks prohibited:** It is unlawful for any person to sell, offer for sale, transport, or cause to be transported, give away, possess, use or discharge any fireworks as defined in this Code in the un-incorporated portions of San Joaquin County.

Exception: This Code shall not prohibit public fireworks displays providing a permit is obtained from the Fire Warden as prescribed in Section 4-1003 of this Code. Public displays shall be performed under the direct supervision of a California State Licensed Pyrotechnic Operator. Public displays shall be performed in accordance with Section 3308 of the California Fire Code 2010 Edition. This Code shall not prohibit the use by railroad or other transportation agencies, for signal or illumination purposes, torpedoes, flares, or fuses; nor the sale of blank cartridges for theatrical or ceremonial purposes, athletic events or military ceremonials or demonstrations.

- (c) **Seizure and destruction of fireworks:** The Fire Warden or designated representatives including the San Joaquin County Sheriff and Fire Chiefs or their designated representatives in the un-incorporated portions of San Joaquin County shall seize, take, remove or cause to be removed and arrange for destruction at the expense of the owner, all stocks of fireworks offered for sale or exposed for sale, stored, possessed or transported or otherwise in violation of this Code.

SECTION 4-1009. FEES. Chapter 1 – Section 105.1.1 Permit Fees: The fee for each permit shall be as set forth from time to time by resolution of the San Joaquin County Board of Supervisors. The County may establish fees sufficient to recover its costs in administering this Code. No permit shall be issued until such fees have been paid.

- (a) **Public Agencies.** Fees shall be required, pursuant to this Section, of a municipal corporation, State of California, political subdivisions of the State of California, or the United States of America.
- (b) **Fee Refund.** The Fire Warden may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. The Fire Warden may authorize refunding of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. Except that no refunds will be processed for permits 360 days from date of issue with no work done or for permits of \$100.00 or less.
- (c) **Fees for Applications to Correct Violations.** Applications made to correct violations of the requirements of this Code shall pay a fee equal to two (2) times the application fee

normally charged for the application, up to a maximum of five hundred dollars (\$500.00) over the application fee normally charged.

- (d) Disposition of Fees. All fees collected under the provisions of this Code shall be paid into the Country Treasury, to credit of the General Fund.

CHAPTER 2. FEES

Sections:

- 4-1017 Operational Fees
- 4-1018 Construction Fees
- 4-1019 Reserved

SECTION 4-1017. OPERATIONAL FEES. The following fees shall be charged at the time of applying for required operational fire permits as required by the California Fire Code 2010 Edition and shall be annual, unless otherwise noted.

FEE SCHEDULE FOR OPERATIONAL FIRE PERMITS

ARTICLE	TYPE OF PERMIT	FEE
105.6.1	Aerosol products level 2 or 3 in excess of 500 lbs	\$100
105.6.2	Amusement buildings	\$100
105.6.3	Aviation facilities	\$100
105.6.4	Carnivals and fairs	\$100 per site
105.6.5	Cellulose nitrate film	\$100
105.6.6	Combustible dust producing operations	\$100
105.6.7	Combustible fibers more than 100 cu ft	\$100
105.6.8	Compressed gases in excess of Table 105.6.8	\$100
105.6.9	Covered mall buildings	\$100
	1. Displays of highly combustible goods in the mall	\$100 per inspection
	2. Liquid or gas fired equipment in the mall	\$100 per inspection
	3. Use open-flame or flame producing equipment	\$100 per inspection
105.6.10	Cryogenic fluids in excess of Table 105.6.10	\$100
105.6.11	Cutting and welding.	\$100
105.6.12	Dry cleaning plants	\$100
105.6.13	Exhibits and trade shows	\$100
105.6.14	Explosives and fireworks (the hourly rate will also be charged for inspections performed during non-business hours, 2 hr minimum)	\$100
105.6.15	Fire hydrants and valves	\$100
105.6.16	Flammable and combustible liquids	
	1. Use, operate, repair or modify a pipeline	\$100
	2. Class I-plus 5 gal inside or plus 10 gal outside	\$100
	3. Class II/IIIA-plus 25 gal inside or 60 gal outside	\$100
	4. Remove Class I or II fluid from underground tanks	\$100
	5. Operate fuel dispensing stations, tank vehicles, equipment, wells, plants, terminals	\$100
	6. Temporarily place out of service F & C tanks	\$100
	7. Change the type of contents of F & C tanks	\$100
	8. Manufacture, process, blend, or refine F & C liquids	\$100
	9. To dispense F & C liquids into motor vehicle tanks	\$100
	10. To use a site for dispensing F & C liquids	\$100
105.6.17	Floor finishing	\$100
105.6.18	Fruit and crop ripening processes	\$100
105.6.19	Fumigation or thermal insecticide fogging	\$100

105.6.20 Hazardous materials amounts in excess of Table 105.6.20	\$100
105.6.21 HPM facilities	\$100
105.6.22 High piled storage excess of 500 sq ft	\$100
105.6.23 Hot-work operations including:	
1.Public exhibitions and demonstrations	\$100
2.Inside a structure	\$100
3.Fixed site such as welding booths	\$100
4.Within a hazardous fire area	\$100
5.Roof covering application with an open flame	\$100
6.Hot works programs	\$100
105.6.24 Industrial ovens	\$100
105.6.25 Lumberyards, lumber in excess of 100,000 board ft	\$100
1.Pallets, crates, bin boxes, wood, plastic, 30,000 board ft, or 50,000 cu ft	\$100
105.6.26 Liquid or gas fueled vehicles or equipment in assembly buildings	\$100
105.6.27 Liquefied petroleum gas	
1.Storage and use of LP gas	\$100
2.Operation of cargo tankers transporting LP gas	\$100
105.6.28 Magnesium working - more than 10 lbs	\$100
105.6.29 Miscellaneous combustible storage in excess of 2,500 cu ft	\$100
105.6.30 Open burning (regulated by A.P.C.D. except recreational)	\$100 per inspection
105.6.31 Open flames and torches	\$100 per inspection
105.6.32 Open flames and candles	\$100 per inspection
105.6.33 Organic coatings - manufacture +1 gal/day	\$100
105.6.34 Places of assembly	\$100
105.6.35 Private fire hydrants (removal from service)	\$100 per inspection
105.6.36 Pyrotechnical special affects material	\$100 per inspection
105.6.37 Proxylin plastics in excess of 25 lbs	\$100
105.6.38 Refrigeration equipment, 220 lbs group. A-1, 30 lbs. of any other refrigerant	\$100
105.6.39 Repair garages and motor fuel-dispensing facilities	\$100
105.6.40 Rooftop heliports	\$100
105.6.41 Spraying or dipping - utilizing F/C liquids or powders	\$100
105.6.42 Storage of scrap tires and tire byproducts in excess of 2,500 cu ft	\$100
105.6.43 Temporary membrane structures, tents, and canopies	
Tents +200 sq ft or a canopy +400 sq ft	\$100 per inspection
105.6.44 Tire rebuilding plants	\$100
105.6.45 Waste handling (wrecking yards, junk yards, etc.)	\$100
105.6.46 Wood products; chips, hogged material, lumber +200 cu ft	\$100
105.6.47 S.F.M. Movie production operations	\$100
1.Production facilities	\$100
2.Pyrotechnics and special effects	\$100
3.Live audiences	\$100

SECTION 4-1018. CONSTRUCTION FEES: The following fire plan check and inspection fees shall be charged at the time of applying for required construction permits as required by the California Fire Code 2010 Edition or building permits as required by the California Building Code 2010 Edition.

FEE SCHEDULE FOR FIRE PLAN CHECK AND INSPECTION ()**

NON RESIDENTIAL

Inspection on new construction

\$ 0.015 per sq ft for the first 6,000 sq ft*
plus \$0.001 per sq ft from 6,001 to 10,000 sq ft*
plus \$0.0005 per sq ft for 10,001sq ft and over*

Plus construction permits as applies to new construction

Fire Construction Permits

Aviation		\$0.03 per sq ft*
Fruit ripening / fumigation		\$0.12 per sq ft*
Lumberyard wood working		
	Inside storage	\$0.03 per sq ft*
	Outside storage	\$0.01 per sq ft*
	Processing cutting millwork /cabinet	\$0.05 per sq ft*
	High pile storage	\$0.015 per sq ft up to 6,000* plus \$ 0.008 per sq ft for 6,001 sq ft and over *
Hazardous materials		1 to 5 chemicals \$250 and \$ 50 for each additional*
Type I hood		\$5.00 per sq ft up to 20 sq ft \$10.00 per sq ft 21 sq ft and over Not to exceed \$350.00
Fuel dispensing		
	Tanks	\$150.00 up to 3 and \$50 for each additional *-
	Dispensing and operations	\$100.00 per pump *and \$50 for each additional *
	Leak test	\$100.00 per pump* and \$50 for each additional *
Spraying /dipping installation		\$0.17 per sq ft up to 1500 sq ft* plus \$0.08 per sq ft over 1501sq ft *
Automatic fire extinguishing systems		\$5.50 per head 1 to 100 heads * ** plus \$3.50 per head for 101 to 200 heads * ** plus \$1.50 per head for 201 heads and over* **
Fire alarm, detection and related equipment		\$5.50 per device* **
Private hydrants including thrust blocks and piping		\$20.00 each*
Fire pumps and equipment		\$300.00*
Stand pipe		number of risers x \$200.00*
Compressed gas		
	Hazardous	\$200*
	Medical	\$150*
Flammable /combustible liquids		Hourly* **
Industrial ovens		Hourly* **
L.P. gas		\$100.00* **
Tents		\$100.00* **
Fire access roads, plan check and inspection		\$100.00

The plan check fees for all fire construction permits shall be sixty-five percent (65%) of the construction permit fees.

RESIDENTIAL

Residential fire extinguishing systems \$350 for the first 2,500 sq ft and \$0.17 per sq ft over 2,500 sq ft*

The plan check fees for all fire construction permits shall be sixty-five percent (65%) of the construction permit fees.

- Imaging/Technology
Fees to comply with Section 19850 of Section 1, Chapter 10 of the Health Code of the State of California.
All new Construction permit plans not part of a building permit. Six percent (6%) of the construction permit fee.
- General Plan Implementation: 5% of the construction permit fee. Fee is to comply with Section 66014 of the Government Code
- Minimum fee for any work requiring a permit \$100.00* **
- Re-inspection fee where work is done incorrect, improperly installed or incomplete, and re-inspections: a fee may be charged for inspections exceeding two(2) \$100.00* **
- Appeals fee: Any Appeal Application for the Building Board of Appeals \$250.00* **
- Inspection fee for which no fee is specifically indicated \$100.00* **
- Additional plan review, change in plans requiring additional plans review \$100.00* **
- Incomplete or resubmitted plans requiring a third re-submittal \$100.00* **
- Release notice of code violation fee \$50.00 **
- Inspection outside of normal business hours (minimum charge two hours) \$200.00 / hr. *
- Processing lost plans \$100.00* **

(*) Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee involved.

(**) Actual cost to include administrative and overhead

Exempt: One-family and two-family dwellings, agricultural buildings, (per the definition of the 2007 California Building Code), signs, foundations, equipment foundations, swimming pools, fences, and tanks not used for fire related project. Exception: Residential fire extinguishing systems.

SECTION 2. This Ordinance shall take effect and be in force on January 17, 2011; and prior to the expiration of fifteen (15) days from the passage thereof, shall be published one (1) time in the Stockton Record, a newspaper of general circulation published in the County of San Joaquin, State of California, with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this 14th day of December, 2010 by the following vote of the Board of Supervisors, to wit:

AYES: Bestolarides, Vogel, Ruhstaller, Ornellas, Villapudua

NOES: None

ABSENT: None

CARLOS VILLAPUDUA, Chairman
Board of Supervisors
County of San Joaquin
State of California

ATTEST: LOIS M. SAHYOUN,
Clerk of the Board of Supervisors
of the County of San Joaquin,
State of California

By: Caroline Junco
Deputy Clerk

F:\TERR\BUILDING\CODE ADOPTIONS\CALIFORNIA FIRE CODE 2010.doc