

**FELTON FIRE PROTECTION DISTRICT  
OF SANTA CRUZ COUNTY**

**ORDINANCE NO. 2022-1**

An ordinance of the FELTON FIRE PROTECTION DISTRICT adopting the 2022 edition of the California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in FELTON FIRE PROTECTION DISTRICT providing for the issuance of permits and collection of fees therefore; repealing Ordinance 2019-1 of the FELTON FIRE PROTECTION DISTRICT and all other ordinances and parts of the ordinances in conflict therewith.

**PART 1**

The Board of Directors of the FELTON FIRE PROTECTION DISTRICT does ordain as follows:

That portion of the 2022 California Fire Code that imposes substantially the same requirements as are contained in the International Fire Code, 2021 Edition published by the International Code Council and the California Building Standards Commission with Errata, together with those portions of the International Fire Code, 2021 Edition, including Appendices B, BB, C, CC, I, N and O as published by the International Code Council not included in the California Fire Code, as modified and amended by this ordinance, are adopted by this reference into this code, and are hereby collectively declared to be the Fire Code of the FELTON FIRE PROTECTION DISTRICT, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees for same; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the FELTON FIRE PROTECTION DISTRICT are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Part 2 of this ordinance.

**PART 2**

**Ordinance No. 2019-1 of the FELTON FIRE PROTECTION DISTRICT is hereby repealed and replaced with Ordinance 2022-1 to read as follows:**

**California Fire Code Adopted.**

That portion of the 2022 California Fire Code that imposes substantially the same requirements as are contained in the International Fire Code, 2021 Edition published by the International Code Council and the California Building Standards Commission with errata, together with those portions of the International Fire Code, 2021 Edition, including Appendices B, BB, C, CC, I, N and O published by the International Code Council not included in the 2019 California Fire Code, as modified and amended by this ordinance, are adopted by this reference into code, and are hereby collectively declared to be the Fire Code of the FELTON FIRE PROTECTION DISTRICT for the purpose of regulating and governing the safeguarding of life, property and public welfare to a reasonable degree from the hazards of fire, hazardous materials release and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, location, safeguarding and maintenance of attendant equipment, the installation and maintenance of adequate means of egress not provided for by the building code, and providing for the issuance of permits and collection of fees for same.

**Section 101.1 is amended – Title.**

Section 101.1 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**101.1 - Title.** These regulations shall be known as the Fire Code the FELTON FIRE PROTECTION DISTRICT, hereinafter referred to as “this code.”

**Section 102.1 is amended – Construction and design provisions.**

Section 102.1 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**102.1 - Construction and design provisions.** The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11.
4. Existing structures, facilities and conditions that, in the opinion of the fire code official, constitute a distinct hazard to life or property.
5. Existing structures, alterations and repairs. All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this chapter. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent or more of the existing internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this chapter. The determination under this section of the requirement for upgrading any existing structure to full conformance with current provisions of this chapter shall be at the sole discretion of the fire code official.

**Section 102.9 is amended - Matters not provided for.**

Section 102.9 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**102.9 - Matters not provided for.** Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the fire code official.

The fire chief is authorized to render interpretations of this code and to make and enforce rules, supplemental regulations and standards in order to carry out the application and intent of its provisions. Such interpretations, rules, regulations and standards shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours. Those standards promulgated by the Santa Cruz County Fire Chiefs Association shall be deemed as prima facie evidence of compliance with this code.

**Section 103.4 is added – Law enforcement powers.**

Section 103.4 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**103.4 - Law enforcement powers.** The fire code official and their deputies shall have the powers of law enforcement officers in performing their duties under this code. When requested to do so by the fire code official, the primary law enforcement agency with jurisdiction is authorized to assign such available law enforcement as necessary to assist the fire code official with enforcing the provisions of this code.

**Section 105.1 is amended – General.**

Section 105.1 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**105.1 - General.** Permits shall be in accordance with Sections 105.1.1. through 105.6.24 or other provisions of this code as required by the jurisdiction having authority.

**Section 108.2.1 is added – Inspection requests.**

Section 108.2.1 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**108.2.1 – Inspection requests.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the fire code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**Section 109.6 is added – Overcrowding.**

Section 109.6 of Chapter 1 of the Fire Code the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**109.6 – Overcrowding.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, on finding any overcrowding conditions or obstruction in aisles, passageways or other means of egress, or on finding any condition that constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

**Section 111.1 is amended - Board of Appeals established.**

Section 111.1 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**111.1 - Board of Appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the Board of Directors of the FELTON FIRE PROTECTION DISTRICT. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board may adopt additional rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

**Section 111.3 is deleted – Qualifications.**

Section 111.3 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is deleted.

**Section 111.5 is added – Appeals process.**

Section 111.5 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**111.5.1 - Initiating appeal.** Any beneficially interested party has the right to appeal the order served by the fire code official by filing a written "NOTICE OF APPEAL" with the office of the fire code official within fourteen (14) days after service of such order. The notice shall state the order appealed from, the identity and mailing address of the appellant, and the specific grounds upon which the appeal is made.

**111.5.2 - Stay of order.** The filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from, until the final decision of appeal.

**Exception:** Orders affecting acts or conditions which in the opinion of the fire code official, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion, or release.

**111.5.3 - Hearing of appeal.** Following is the process for establishing and hearing appeals:

1. The Board of Appeals, or the secretary thereof, shall set the matter to be heard at a date within thirty days of receipt of such notice of appeal. Written notice of the time and place set for hearing shall be served on the appellant by first class mail to the mailing address given in the notice of

appeal at least five days prior to the date set for the hearing. The fire code official shall transmit to the Board of Appeals all records related to the appeal.

2. At the hearing on the appeal, the appellant shall, in the first instance present evidence in support of the grounds enumerated in their notice of appeal. The fire code official shall next present evidence in support of their order. The appellant and the fire code official shall each have one opportunity to rebut the evidence presented by the other. The hearing shall be de novo in all respects.

**111.5.4 - Decision of the board of appeals.** Upon hearing the appeal, the Board of Appeals may issue a decision affirming, modifying or vacating the order of the fire code official. The decision shall be in writing and shall be served upon the appellant by first class mail to the mailing address given in the notice of appeal.

**111.5.5 - Time of decision.** The Board of Appeals shall have the power to continue any hearing and may, in its discretion, take the appeal under submission. The Board of Appeals shall render a decision not later than the seventh day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

**Section 112.4 is amended – Violation penalties.**

Section 112.4 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**112.4 - Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction.

Acts denominated as infractions shall not be punishable by imprisonment. Every violation determined to be an infraction is punishable by:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same provision of this code within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within one year.

A person charged with an infraction shall not be entitled to a trial by jury. A judgment that a person convicted of an infraction be punished by fine may also provide for the payment to be made within a specified time or in specified installments, contingent upon the person giving their written promise to either pay the fine as provided or to appear in court on the due date. Any person who willfully violates any such written promise is guilty of a misdemeanor.

Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 112.4.1 is amended – Abatement of violation.**

Section 112.4.1 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**110.2.1 - Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises. Any violation of this code shall be deemed a public nuisance pursuant to Santa Cruz County Code Section 1.12.050 and/or the FELTON FIRE PROTECTION DISTRICT. In the event that a public nuisance is not abated in accordance with the fire code official's order or the order of the Board of Appeals, if any, the fire code official may, upon securing approval of the FELTON FIRE PROTECTION DISTRICT proceed to abate the nuisance by force account, contract, or any other method deemed most expedient by the Board. The

cost of such abatement may be charged to the owner of record or assessed to the property in a manner provided in Sections 1.14.040 through 1.14.080 of the County of Santa Cruz Code.

**Section 112.4.2 is added – Enforcement.**

Section 112.4.2 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**112.4.2 - Enforcement.** The fire code official and their delegated subordinates, pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, are hereby authorized to arrest a person without a warrant whenever they have reasonable cause to believe that the person has committed a violation of any of the provisions of this Code in their presence.

Upon making such an arrest, the fire code official or their delegated subordinate shall prepare a citation and release the person arrested pursuant to Section 853.6 of the Penal Code of the State of California, the provisions of which are hereby adopted by reference as part of this section.

**Section 113.4 is amended – Failure to comply.**

Section 113.4 of Chapter 1 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**113.4 - Failure to comply.** It is unlawful for any person, firm or corporation to violate or fail to comply with any lawful order of the fire code official; fail to comply with an order by the Board of Appeals; or, fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation shall be deemed a misdemeanor and shall be punishable by a fine of not more than \$500.00 plus court assigned fees or by imprisonment not exceeding 1 year in the county jail, or both such fine and imprisonment.

**Section 202 is amended-Definitions.**

**202 is amended – Definition of All-Weather Surface.**

Definition of All-Weather Surface in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Alcohol-Blended Fuels to read as follows:

**ALL WEATHER SURFACE.** An all-weather surface shall be a minimum of 6 inches (152 mm of 95% compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. No grade shall be allowed to exceed 16% in State Responsibility Area (SRA) or 20% in Local Responsibility Area (LRA).

Definition of Bridge in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Breakout to read as follows:

**BRIDGE.** A bridge shall be defined as a structure designed to carry a roadway over a depression or obstacle.

Definition of De Novo in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Deluge System to read as follows:

**DE NOVO.** adj. Latin for "anew," which means starting over, as in a trial de novo. For example, a decision in a small claims case may be appealed to a local trial court, which may try the case again, de novo.

Definition of Greenhouse in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Grandstand to read as follows:

**GREENHOUSE:** A greenhouse means an agricultural structure constructed of glass or an opaque material which allows natural light to enter and a framing material (e.g. wood, steel, aluminum that may be open to the elements periodically, including by retracting the walls or roof.

Definition of Local Responsibility Area (LRA) in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Listed to read as follows:

**LOCAL RESPONSIBILITY AREA (LRA).** Shall mean lands on which neither the state nor the federal government has any legal responsibility for providing fire protection. Local responsibility areas include incorporated cities and cultivated agriculture lands. Local responsibility area fire protection is typically provided by city fire departments, fire protection districts, special districts, counties, and by CAL FIRE under contract to local government.

Definition of Stage in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Spraying Space to read as follows:

**STAGE.** A space within a building utilized for entertainment or presentations, which includes overhead hanging curtains, drops, scenery or stage effects other than lighting and sound. Stage area shall be measured to include the entire performance area and adjacent backstage and support areas not separated from the performance area by fire-resistance rated construction. Stage height shall be measured from the lowest point on the stage floor to the highest point of the roof or floor deck above the stage.

Definition of State Responsibility Area (SRA) in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after State-owned/Leased Building of to read as follows:

**STATE RESPONSIBILITY AREA (SRA).** Shall mean lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125-4127; and the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Article 1, Sections 1220-1220.5 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State of California.

Definition of Turnaround in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Tube Trailer to read as follows:

**TURNAROUND.** A roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Maximum grade in all directions may not exceed 5% and maximum distance from the structure is 150 feet (45,720 mm) or as approved by the fire code official. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

Definition of Turnout in Section 202 of Chapter 2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added after Turnaround to read as follows:

**TURNOUT.** A widening in a roadway to allow vehicles to pass. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

**Section 304.1.2 is amended - Vegetation.**

Section 304.1.2 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**304.1.2 - Vegetation.** Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be maintained around and adjacent to buildings and structures. A firebreak shall be made by removing and clearing away, for a distance of not less than 30 feet (9144 mm) on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any building or structure.

When required by state law, or local ordinance, rule or regulation, an additional fire protection zone or firebreak may be made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet (30,480 mm) from the building or structure or to the property line. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building

or structure to maintain a firebreak of more than 100 feet (30,480 mm) around the building or structure. Grass and other vegetation located more than 30 feet (9144 mm) from the building or structure and less than 18 inches (457 mm) in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.

**Section 305.4 is added – Deliberate or negligent burning.**

Section 305.4 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**305.4 - Deliberate or negligent burning.** It shall be unlawful to deliberately or through negligence set fire to or cause the burning of combustible material in such a manner as to endanger the safety of persons or property.

**Section 307.2 is amended – Permit required.**

Section 307.2 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**307.2 - Permit required.** When required by the fire chief, a permit shall be obtained in accordance with Section 105.5 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such permit shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

The open burn season for Santa Cruz County unless otherwise declared shall be December 1<sup>st</sup> through April 30<sup>th</sup> of the calendar year. The dates may only be changed by the Monterey Bay Area Unified Air Pollution Control District.

**Exception:** During the “declared open burn season” (as declared by the Monterey Bay Area Unified Air Pollution Control District) pile burning is allowed, at the discretion of the fire chief, when the “Guidelines for Pile Burning” (published by the California Department of Forestry and Fire Protection or Monterey Bay Area Unified Air Pollution Control District) are strictly adhered to.

**Section 307.2.1 is added – Authorization.**

Section 307.2.1 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**307.2.1 - Authorization.** Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

**Section 307.3 is added – Extinguishment authority.**

Section 307.3 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**307.3 - Extinguishment authority.** The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

**Section 307.4 is added - Location.**

Section 307.4 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**307.4 – Location.** The location for open burning shall not be less than 50 feet (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15,240 mm) of any structure.

**Exceptions:**

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) when the pile size is 3 feet (914 mm) or less in diameter and 2 feet (609 mm) or less in height.

**Section 307.4.1 is added – Bonfires.**

Section 307.4.1 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**307.4.1 – Bonfires.** A bonfire shall not be conducted within 50 feet (15240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15240 mm) of a structure shall be eliminated prior to ignition.

**Section 307.4.2 is added – Recreational fires.**

Section 307.4.2 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**307.4.2 – Recreational fires.** Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

**Section 307.4.3 is added – Portable outdoor fireplaces.**

Section 307.4.3 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**307.4.3 – Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (4572 mm) of a structure or combustible material.

**Exception:**

Portable outdoor fireplaces used at one- and two-family dwellings.

**Section 307.5 is added - Attendance.**

Section 307.5 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**307.5 – Attendance.** Open burning; bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire – extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

**Section 308.1.2 is added – Throwing or placing sources of ignition.**

Section 308.1.2 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**308.1.2 - Throwing or placing sources of ignition.** A person shall not throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.

**Section 308.1.4 is deleted – Open-flame cooking devices.**

Section 308.1.4 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is hereby deleted:

**Section 308.1.6.3 is added – Sky lanterns.**

Section 308.1.6.3 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:



**308.1.6.3 - Sky lanterns.** A person shall not release or cause to be released an untethered sky lantern.

**Section 308.1.7 is added – Religious ceremonies.**

Section 308.1.7 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**308.1.7 – Religious ceremonies.** When, in the opinion of the fire code official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry hand-held candles. Hand-held candles shall not be passed from one person to another while lighted.

**Section 311.5 is amended – Placards.**

Section 311.5 of Chapter 3 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**311.5 – Placards.** When required by the fire code official, any building or structure determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards shall be marked as required by Sections 311.5.1 through 311.5.5.

**Section 403.11 is added – Special requirements for public safety.**

Section 403.11 of Chapter 4 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**403.11 - Special requirements for public safety** shall be in accordance with Sections 403.11.1 through 403.11.3.3.

**403.11.1 - Fire watch personnel.** Where, in the opinion of the fire code official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall provide one or more fire watch personnel, as required and approved. Fire watch personnel shall comply with Sections 403.11.1.1 and 403.11.1.2

**403.11.1.1 – Duty times.** Fire watch personnel shall remain on duty while places requiring a fire watch are open to the public, or when activity requiring a fire watch is being conducted.

**403.11.1.2 – Duties.** On-duty fire watch personnel shall have the following responsibilities:

1. Keep diligent watch for fires, obstructions to means of egress and other hazards.
2. Take prompt measures for remediation of hazards and extinguishment of fire that occur.
3. Take prompt measures to assist in the evacuation of the public from the structure.

**Section 501.3 is amended – Construction documents.**

Section 501.3 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**501.3 – Construction documents.** Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. When grading work is needed for the access road(s) within the jurisdiction of Santa Cruz County, application for a grading permit shall be made with the Santa Cruz County Planning Department pursuant to the Santa Cruz County Grading Ordinance. Such Permits shall be reviewed by the Santa Cruz County Environmental Coordinator as required.

**Section 503 is added – FIRE APPARATUS ACCESS ROADS.**

Section 503 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added and amended below.

**Section 503.2.1 is amended – Dimensions.**

Section 503.2.1 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**503.2.1 – Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

**Exceptions:**

1. Within the State Responsibility Area (SRA) of Santa Cruz County, all driveways serving two or fewer habitable structures shall have an unobstructed width of not less than 12 feet (3658 mm) and an unobstructed vertical clearance of not less than 15 feet (4572 mm).
2. Within the Local Responsibility Area (LRA) of Santa Cruz County, access roads shall be a minimum of 18 feet (5486 mm) wide for all access roads or driveways serving more than two habitable structures, and 12 feet (3658 mm) for an access road or driveway serving two or fewer habitable structures. Where it is environmentally inadvisable to meet these criteria (due to excessive grading, tree removal or other environmental impacts), a 12-foot (3658 mm) wide all-weather surface access road with 12-foot (3658 mm) wide by 35-foot (10,668 mm) long turnouts located approximately every 500 feet (152,400 mm) may be provided with the approval of the fire code official.
3. Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved by the fire code official.

**Section 503.2.1.1 is added – Vegetation clearance along access roads.**

Section 503.2.1.1 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.2.1.1 – Vegetation clearance along access roads.** Areas within 10 feet (3048 mm horizontal and 15 feet (4572 mm vertical on each side of portions of highways, public and private streets, roads and driveways which are ordinarily used for vehicular traffic shall be cleared of flammable vegetation and other combustible growth. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

**Exception:** Single specimens of trees or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, are exempt provided they do not form a means of readily transmitting fire at the discretion of the fire code official.

**Section 503.2.3 is amended – Surface.**

Section 503.2.3 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**503.2.3 - Surface.** An all-weather surface shall be a minimum of 6 inches (152 mm of 95% compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. No grade shall be allowed to exceed 16% in State Responsibility Area (SRA or 20% in Local Responsibility Area (LRA.

**Section 503.2.4 is amended – Turning radius.**

Section 503.2.4 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**503.2.4 – Turning radius.** In the State Responsibility Area (SRA) no roadway shall have a horizontal inside radius of curvature of less than 50 feet (15,240 mm and additional surface width of 4 feet (1219 mm shall be added to curves of 50-100 feet (15,240-30,480 mm radius; 2 feet (609 mm to those from 100-200 feet (30,480-60,960 mm. In the Local Responsibility Area (LRA) the minimum centerline radius shall be 35 feet (10,668 mm).

**Section 503.2.5.1 is added – New dead-end access roads.**

Section 503.2.5.1 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.2.5.1 – New dead-end access roads.** New dead-end roads are prohibited, without secondary access, serving more than one parcel in new minor land divisions or subdivisions which exceed the following distances from an adequate through road unless approved by the applicable fire protection agency, the Department of Public Works, and by the Planning Commission; in no case shall a new dead-end road exceed ½ mile in length.

Urban & Suburban General Plan and LCP Land Use Plan designation	500 feet (152,400 mm)
Rural General Plan and LCP Land Use Plan designation	1000 feet (304,800mm)
Mountain General Plan and LCP Land Use Plan designation	1500 feet (457,200 mm)

**Section 503.2.6.1 is added – Width.**

Section 503.2.6.1 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.2.6.1 - Width.** All bridges shall be a minimum of 20 feet (6096 mm) of clear width. The fire code official may allow the width to be reduced for access to U or R-3 occupancies in accordance with Objective 6.5 – Fire Hazards of the Santa Cruz County General Plan.

**Section 503.2.6.2 is added – Certification.**

Section 503.2.6.2 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.2.6.2 - Certification.** Every private bridge hereafter constructed shall be engineered by a licensed civil or structural engineer and approved by the fire code official. Certification shall be provided by the licensed engineer in writing that the bridge complies with the design standard required by this section to the fire code official.

**Section 503.2.6.3 is added – Recertification.**

Section 503.2.6.3 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.2.6.3 - Recertification.** Every private bridge shall be recertified every ten years or whenever deemed necessary by the fire code official. Such recertification shall be in accordance with the requirements of 503.2.6.2.

**Section 503.2.6.4 is added – Existing private bridges.**

Section 503.2.6.4 of Chapter 5 of the Fire Code the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.2.6.4 - Existing private bridges.** An existing private bridge not conforming to these regulations may be required to conform when in the opinion of the fire code official, such repairs are necessary for public safety.

**Section 503.2.6.5 is added – Fees.**

Section 503.2.6.5 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.2.6.5 - Fees.** All fees charged for the purpose of certification or recertification shall be at the owner's expense.

**Section 503.2.7 is amended – Grade.**

Section 503.2.7 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**503.2.7 – Grade.** The grade for all roads, streets, private lanes and driveways shall not exceed 16% in State Responsibility Area (SRA) and 20% in Local Responsibility Area (LRA).

**Section 503.3 is added – Marking.**

Section 503.3 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.3 Marking.** Where required by the fire code official, approved signs or other approved notices or markings that include the words “NO PARKING—FIRE LANE” shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**Section 503.7 is added – Gates.**

Section 503.7 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**503.7 – Gates.** All Gates providing access from a road to a driveway, or within any access road, shall be located at least 30 feet (9144 mm) from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least 2 feet (609 mm) wider than the access road being secured, but in no case shall the width be less than 14 feet (4267 mm) unobstructed horizontal clearance and unobstructed vertical clearance of 15 feet (4572 mm). When gates are to be locked, the installation of a key box or other acceptable means for immediate access may be required as in Section 503.6.

**Section 505.2 is amended – Street and road signs.**

Section 505.2 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**505.2 - Street and road signs.** Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. Posting of any road names and numbers not authorized by the Office of Street Naming and Numbering of the County of Santa Cruz, and the fire code official is prohibited.

**Section 507.3 is amended – Fire flow.**

Section 507.3 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**507.3 – Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method Appendix B, or Appendix BB (for school buildings as scoped in BB 101.1

Parcels not within the boundaries of a public or private water purveyor shall have a minimum water supply capable of supplying a flow of 500 gallons per minute for 20 minutes (10,000 gallons for all new fire sprinklered (NFPA 13D dwellings, residential additions in excess of 500 square feet, and other structures classified as residential accessory uses such as garages, storage buildings, barns, etc..

Privately owned water that is not supplied by a licensed water purveyor shall:

1. Serve no more than two dwellings and no more than 10,000 square feet of habitable dwelling space, and;
2. Be provided pursuant to a recorded covenant that runs with the land if the water supply originates from another parcel. If a water purveyor supplies the water, the applicant must submit with the building plan written verification from the licensed purveyor that the water supply meets the flow requirement.

**Exception:** A 2% reduction will be allowed for flow supplied by approved stationary water tanks, to account for the nominal standardized capacity of such tanks.

**Section 507.5.7 is added – Painting.**

Section 507.5.7 of Chapter 5 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**507.5.7 – Painting.** When required by the fire code official, fire hydrants shall be painted in accordance with NFPA 291 and Santa Cruz County Fire Prevention Officers Standards.

**CFC Sections 903.1 through 903.2.10.2 are deleted and replaced – Automatic Sprinkler Systems.**

Sections 903.1 through 903.2.10.2 of Chapter 9 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT are deleted and replaced to read as follows:

**903.1 - General.** Automatic sprinkler systems shall comply with this section.

**903.1.1 - Alternative protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

**903.2 - Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

**903.2.1 - New structures.** An automatic fire sprinkler system shall be provided in all new occupancies as defined in Chapter 3 of the California Building Code, regardless of type of construction and/or floor area, unless otherwise pre-empted by the California Health and Safety Code. Any occupancy not specifically mentioned shall be included in the group that it most nearly resembles based on the proposed life and fire hazard;

**Exceptions:**

1. Private garages, carports, workshops, office, art studio, and/or sheds not more than 1,000 square feet (93 m<sup>2</sup>) of total floor area shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.
2. Sheds exceeding 1,000 square feet, (93 m<sup>2</sup>) but not exceeding 3,000 square feet (278 m<sup>2</sup>) shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.
3. Agricultural buildings as defined in Appendix Chapter C, of the California Building Code having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, not exceeding 25 feet (7620 mm) in height and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code.
  - a. Not exceeding 2,000 square feet (186 m<sup>2</sup>) or as exempted by the fire chief, shall not require fire sprinklers.
  - b. Exceeding 2,000 square feet (186 m<sup>2</sup>) but not exceeding 5,000 square feet, shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.
  - c. Greenhouses of non-combustible construction.
4. Group B and Group M Occupancies not more than 500 square feet (46.5 m<sup>2</sup>) shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code, Table 508.4.
5. For public school state-funded construction projects see CFC Section 903.2.19.

**903.2.2 Existing Structures.** An automatic sprinkler system shall be provided in existing structures when, after the effective date of this code, a building permit is issued to allow additions to be made to existing structures which either:

1. Are already six thousand (6,000) square feet or greater in total floor area; or

2. Will increase the existing square footage to greater than > (6,000) square feet in total floor area; or
3. Will increase the total floor area of a structure by 10% or more; or
4. When there is a change in the character of the occupancy or use of any building which in the opinion of the fire chief increases or may cause to increase the hazard of fire or threat to life or safety.
5. When additions are made to a structure which contains an existing fire sprinkler system. The fire sprinkler system shall be augmented, thus, creating fire sprinkler protection in the entire structure.

**Exceptions:**

1. Group U occupancies not more than one thousand (1,000) square feet.
2. Group B and Group M occupancies not more than five hundred (500) square feet.
3. Group R-3 dwellings:
  - a) Where additions do not increase the total existing square footage by more than 50%. Or,
  - b) Where alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent or more of the existing internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this chapter. The determination under this section of the requirement for upgrading any existing structure to full conformance with current provisions of this Chapter shall be at the sole discretion of the Fire Code Official.
4. Accessory Dwelling Unit constructed on lots with an existing sprinklered primary residence:
  - a) Attached to main residence – fire sprinklers required.
  - b) Detached from main residence, fire sprinklers required.
5. Accessory Dwelling Unit constructed on lots with an existing non-sprinklered primary residence:
  - a) Attached to main residence and is less than or equal to 50% of the existing sq-ft. of the primary residence – fire sprinklers not required.
  - b) Detached from main residence and meets the required fire flow – fire sprinklers not required.

**Sections 903.2.11 through 903.2.12.1 are amended – Specific buildings areas and hazards.** Sections 903.2.11 through 903.2.12.1 of Chapter 9 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT are added or amended, as applicable, to read as follows:

**903.2.11 Specific building areas and hazards.** An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.11.1 through 903.2.12.

**Exception:** Group R-3 and Group U

**903.2.11.1 Stories without openings.** An automatic sprinkler system shall be installed throughout all stories including basements, of all buildings where the floor area exceeds 1,500 square feet (139.4 m<sup>2</sup>) and where the story does not comply with the following criteria for exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1009 or an outside ramp complying with Section 1010. Openings shall be located in each 50 linear feet (15,240 mm, or fraction thereof, of exterior wall in the story on at least one side. The required openings

shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15,240 mm).

2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 m<sup>2</sup>) in each 50 linear feet (15,240 mm), or fraction thereof, of exterior wall in the story on at least one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15,240 mm). The height of the bottom of the clear opening shall not exceed 44 inches (1,118 mm) measured from the floor.

**903.2.11.1.1 Opening dimensions and access.** Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

**903.2.11.1.2 Openings on one side only.** Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22,860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system or openings as specified above shall be provided on at least two sides of the story.

**903.2.11.1.3 Basements.** Where any portion of a basement is located more than 75 feet (22,860 mm) from openings required by Section 903.2.4.1.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

**903.2.11.2 Rubbish and linen chutes.** An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes shall have additional sprinkler heads installed at alternate floors and at the lowest intake. Where a rubbish chute extends through a building more than one floor below the lowest intake, the extension shall have sprinklers installed that are recessed from the drop area of the chute and protected from freezing in accordance with Section 903.3.1.1. Such sprinklers shall be installed at alternate floors beginning with the second level below the last intake and ending with the floor above the discharge. Chute sprinklers shall be accessible for servicing.

**903.2.11.3 Buildings 55 feet or more in height.** An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16,764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

**Exceptions:**

1. Open parking structures.
2. Occupancies in Group F-2.

**903.2.11.4 Ducts conveying hazardous exhausts.** Where required by the California Mechanical Code, automatic sprinklers shall be provided in ducts conveying hazardous exhausts, flammable or combustible materials.

**Exception:** Ducts where the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

**903.2.11.5 Commercial cooking operations.** An automatic sprinkler system shall be installed in a commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

**903.2.11.6 Other required suppression systems.** In addition to the requirements of Section 903.2, the provisions indicated in Table 903.2.11.6 require the installation of a fire suppression system for certain buildings and areas.

**903.2.11.6.1 Change of hazard.** The fire code official may require the installation of an automatic fire system when there is a change in the character of the occupancy or use of any building which increases or may cause to increase the hazard of fire or threat to life or safety.

**903.2.11.7 Change in access.** The fire code official may require the installation of an automatic fire system when any alteration or change in the use of a building or portion thereof changes access to property so as to impede the fire department's ability to control a fire.

**903.2.12 During construction.** Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Section 3313.

**903.2.12.1 Inspectors Test Valve.** All structures, commercial and residential, shall include the installation of a fire sprinkler inspectors test valve to be located at the most remote part of the sprinkler system.

**Section 903.3.1.1.2 is deleted – Bathrooms.**

Section 903.3.1.1.2 of Chapter 9 of the Fire Code of Santa Cruz County is deleted.

**Section 903.3.1.3 is amended – NFPA 13D sprinkler systems.**

Section 903.3.1.3 of Chapter 9 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**903.3.1.3 - NFPA 13D sprinkler systems.** Automatic sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses, non-habitable structures classified as accessory to a residential use and not intended for commercial usage or mercantile, shall be permitted to be installed throughout in accordance with NFPA 13D and installation guidelines as promulgated by the Santa Cruz County Fire Chiefs Association.

**Section 903.3.7 is amended – Fire department connections.**

Section 903.3.7 of Chapter 9 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**903.3.7 - Fire department connections.** Fire department connections for automatic sprinkler systems shall be installed in accordance with Section 912. Buildings equipped with a fire sprinkler system in accordance with this chapter shall have a fire department connection located within 100 feet (183m). The location of the fire department connections shall be approved by the fire code official.

**Exception:** Single- and two-family dwellings protected by a fire sprinkler system in accordance with Section 903.3.1.3.

**Section 1201.4 is added – Alternate power sources.**

Section 1201.4 of Chapter 12 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**1201.4 - Alternate power sources.** All permanent installations of electrical generators, wind generators, solar photovoltaic cells, or other power sources shall be approved by the building code official. In addition to all applicable provisions of Title 24 CCR for any such installation, a sign reading:

“WARNING – This premise is provided with an Alternate Power Source. Disconnection of commercial power may not disable the electrical power source”

shall be permanently affixed. Sign shall be red in color with a minimum of ½” tall contrasting lettering and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

**Section 3905.1.3 is amended – Operation**

Section 3905.1.3 of Chapter 39 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**3905.1.3 – Operation.** Activation of the gas detection system shall result in all of the following:

1. Initiation of distinct audible and visual alarm signals in extraction room.
2. Deactivation of all heating systems located in the extraction room.



3. Activation of the mechanical ventilation system, where the system is interlocked with gas detection.
4. For detection levels at or exceeding 25% of the LEL/LFL shall result in the activation of the building's fire alarm system.

**Section 5303.5.3 is amended – Securing compressed gas containers, cylinders and tanks.**

Section 5303.5.3 of Chapter 53 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**5303.5.3 - Securing compressed gas containers, cylinders and tanks.** Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods:

1. Securing containers, cylinders and tanks to a fixed object with two or more non-combustible restraints. The object used to anchor the restraint shall be capable of withstanding the anticipated load(s) imposed. Anchor(s) shall be attached to a structural framing member or similar.
2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.
3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in seller's warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress.
4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use.

**Exception:** Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

**CHAPTER 56 is amended - EXPLOSIVES AND FIREWORKS.**

Chapter 56 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is amended to read as follows:

**5601.1.3 – Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

**Exception:** The use of fireworks for fireworks displays, pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

**5601.2 – Permit required.** Permits shall be required as set forth in 105.5 and regulated in accordance with this Chapter. Permits for explosives as contained within this chapter, with the exception of display fireworks, shall be obtained by the law enforcement agency of jurisdiction.

**5601.2.2 - Sale and retail display.** Persons shall not construct a retail display nor offer for sale explosives, explosive materials or fireworks.

**CHAPTER 90 is added – SUPPRESSION AND CONTROL OF FIRE IN WILDFIRE RISK AREAS.**

Chapter 90 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT is added to read as follows:

**9001 - SCOPE.** The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities shall be in accordance with Chapter 90.

**9002 - RESTRICTED ENTRY.** The fire code official shall determine and publicly announce when wildfire risk areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildfire risk areas, except public roadways, inhabited areas or established trails and camp

sites which have not been closed during such time when the wildfire risk area is closed to entry, is prohibited.

**Exceptions:**

1. Residents and owners of private property within wildfire risk areas and their invitees and guests going to or being upon their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

**9003 - TRESPASSING ON POSTED PROPERTY.**

**9003.1 - General.** When the fire code official determines that a specific area within a wildfire risk area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

**9003.2 - Signs.** Approved signs prohibiting entry by unauthorized persons and referring to §9002 shall be placed on every closed area.

**9003.3 - Trespassing.** Entering and remaining within areas closed and posted is prohibited.

**Exception:** Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

**9004 - USE OF FIRE ROADS AND FIREBREAKS.** Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

**Exception:** Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (4877 mm or more above such fire road or firebreak.

**9005 - USE OF MOTORCYCLES, MOTOR SCOOTERS AND MOTOR VEHICLES.** Motorcycles, motor scooters and motor vehicles shall not be operated within wildfire risk areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

**9006 - LIABILITY FOR DAMAGE.** The expenses of fighting fires which result from a violation of this chapter shall be a charge against the person whose violation caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the fire code official in the same manner as in the case of an obligation under a contract, expressed or implied.

**PART 3**

The geographic limits referred to in certain sections of the Fire Code of the FELTON FIRE PROTECTION DISTRICT are hereby established as follows:

**Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited.** The limits referred to in Sections 5704.2.9.6.1 and 5706.2.4.4 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT in which the storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is restricted are hereby established as the incorporated area of the political boundary of the FELTON FIRE PROTECTION DISTRICT.

**Exceptions:** Such use is allowed in the following zoning districts:

1. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in A or A-1 Zones;
2. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in M-1, M-2 or M-3 Zones;
3. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in NR Zones.

**Establishment of limits of districts in which storage of flammable cryogenic fluids in stationary containers is to be prohibited.** The limits referred to in Section 5806.2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT in which storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as the political boundary of the FELTON FIRE PROTECTION DISTRICT.

**Exceptions:**

1. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-2 Zone with a Conditional Use Permit issued by the Planning Department.
2. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-3 Zone.

**Establishment of limits for storage of Liquefied Petroleum Gas.** The limits referred to in Section 6104.2 of the Fire Code of the FELTON FIRE PROTECTION DISTRICT are hereby limited to a maximum of 2,000 gallons water capacity within the political boundary of the FELTON FIRE PROTECTION DISTRICT

**PART 4**

Ordinance No. 2022-1 of the FELTON FIRE PROTECTION DISTRICT entitled “2019 Fire Code”, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PART 5**

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

**PART 6**

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Part 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**PART 7**

That the fire chief of the FELTON FIRE PROTECTION DISTRICT is hereby ordered and directed to cause a notice of this ordinance to be published in a newspaper in general circulation in accordance with Section 6066 of the California Government Code.

**PART 8**

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect February 10, 2023 pursuant to Health and Safety Code Section 18941.5. This Ordinance shall remain in full force and effect until a subsequent superseding ordinance becomes effective.

SCOTTS VALLEY FIRE PROTECTION DISTRICT

RESOLUTION NO. 2022-9

NOTICE OF INTENT TO ACCEPT THE ADOPTION OF THE 2022 CALIFORNIA FIRE CODE WITH AMENDMENTS AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE AND EXPLOSION AND FOR PROVIDING FOR THE ISSUANCE OF PERMITS AND ESTABLISHING CERTAIN FEES. THIS RESOLUTION WILL NEGATE THE PREVIOUS ADOPTION OF THE 2019 CALIFORNIA FIRE CODE WITH AMENDMENTS.

The 2022 California Fire Code and Amendments have been adopted for Scotts Valley Fire Protection District by action of the Santa Cruz County Board of Supervisors. The Board of Directors for the Scotts Valley Fire Protection District ("District") hereby revoke the enforcement of the 2019 California Fire Code with amendments on this date January 5, 2023.

Copies of the 2022 California Fire Code with amendments are available for review at the District Office, located at 7 Erba Lane Scotts Valley, CA 95066.

	<u>AYES</u>	<u>NOES</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Director Kris Hurst	X			
Director Adam Cosner	X			
Director Joseph Parker	X			
Director Russ Patterson	X			
Director Daron Pisciotta	X			

ATTEST:

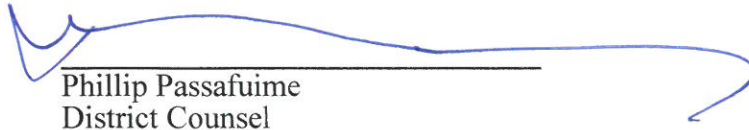
  
\_\_\_\_\_  
Ron Whittle

Board Secretary

  
\_\_\_\_\_  
Russ Patterson

Board President

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Phillip Passafuime  
District Counsel